

FEDERAL ELECTION COMMISSION

12-Day Reports

Routing Cards and routing slip for letters

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- (1) Classified Information
- (2) Internal rules and practices
- (3) Exempted by other statute
- (4) Trade secrets and commercial or financial information
- (5) Internal Documents
- (6) Personal privacy
- (7) Investigatory files
- (8) Banking Information
- (9) Well Information (geographic or geophysical)

Signed Stephen H. Morris
 Date May 16, 1983

83040394454



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 16, 1983

Stephen B. Rubin, Esquire
Asher, Goodstein, Pavalon, Gittler,
Greenfield and Segall, Ltd.
Two North LaSalle Street
Chicago, Illinois 60602

Re: MUR 1538
Minerals, Pigments and Metals
Division, Pfizer, Inc.

Dear Mr. Rubin:

This is in reference to the complaint you filed with the Commission on March 10, 1983, concerning the refusal by the Minerals, Pigments and Metals Division, Pfizer, Inc., to make available to the United Cement, Lime, Gypsum & Allied Workers International Union, AFL-CIO, a method of soliciting contributions from its members to the union's separate segregated fund.

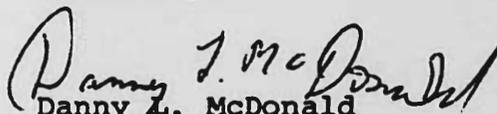
Based on your complaint, the Commission determined on May 10, 1983, there was reason to believe that the Minerals, Pigments and Metals Division, Pfizer, Inc., violated 2 U.S.C. § 441b(b)(6), a provision of the Federal Election Campaign Act of 1971, as amended (the Act), and 11 C.F.R. § 114.5(k), a provision of the Commission's regulations. The Commission, after having considered your letter of March 22, 1983, and a similar response by the respondent dated March 30, 1983, concluded that the respondent had undertaken the steps necessary to meet the requirements of those sections of the Act and regulations. Accordingly, the Commission has decided to take no further action in this matter, numbered MUR 1538, and the file has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. The Federal Election Campaign Act allows a Complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

83040394456

Letter to Stephen B. Rubin
Page 2

If you have any questions, please contact Stephen Mims, the staff member assigned to this matter, at (202) 523-4039.

Sincerely,


Danny L. McDonald
Chairman

Attachment

83040394456



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Stephen B. Rubin, Esquire
Asher, Goodstein, Pavalon, Gittler,
Greenfield and Segall, Ltd.
Two North LaSalle Street
Chicago, Illinois 60602

Re: MUR 1538
Minerals, Pigments and Metals
Division, Pfizer, Inc.

Dear Mr. Rubin:

This is in reference to the complaint you filed with the Commission on March 10, 1983, concerning the refusal by the Minerals, Pigments and Metals Division, Pfizer, Inc., to make available to the United Cement, Lime, Gypsum & Allied Workers International Union, AFL-CIO, a method of soliciting contributions from its members to the union's separate segregated fund.

Based on your complaint, the Commission determined on , 1983, there was reason to believe that the Minerals, Pigments and Metals Division, Pfizer, Inc., violated 2 U.S.C. § 441b(b)(6), a provision of the Federal Election Campaign Act of 1971, as amended (the Act), and 11 C.F.R. § 114.5(k), a provision of the Commission's regulations. The Commission, after having considered your letter of March 22, 1983, and a similar response by the respondent dated March 30, 1983, concluded that the respondent had undertaken the steps necessary to meet the requirements of those sections of the Act and regulations. Accordingly, the Commission has decided to take no further action in this matter, numbered MUR 1538, and the file has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. The Federal Election Campaign Act allows a Complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

83040394457

5/21/83

Letter to Stephen B. Rubin
Page 2

If you have any questions, please contact Stephen Mims, the staff member assigned to this matter, at (202) 523-4039.

Sincerely,

83040394458



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 16, 1983

Joseph D. Luksch, Esquire
Vedder, Price, Kaufman, Kammholz & Day
1 Dag Hammarskjold Plaza
New York, New York 10017

Re: MUR 1538
Minerals, Pigments and Metals
Division, Pfizer, Inc.

Dear Mr. Luksch:

On May 10, 1983, the Commission found reason to believe that your client, the Minerals, Pigments and Metals Division, Pfizer, Inc., had violated 2 U.S.C. § 441b(b)(6), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 11 C.F.R. § 114.5(k), a provision of the Commission's Regulations, in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to your client. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days.

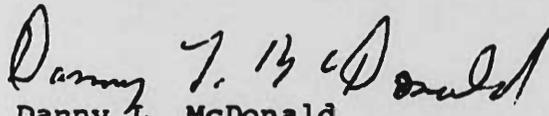
The Commission reminds you that your failure to make available, upon request, a method of soliciting contributions to a separate segregated fund from employee members of a union at cost to that organization is a violation of the Act when any branch of the corporation utilizes such a method for soliciting contributions to its separate segregated fund from its permissible class of solicitees. The Commission has considered your decision to cooperate with the United Cement, Lime, Gypsum and Allied Workers International Union, AFL-CIO's request to have your company make available a method for soliciting contributions from its member employees to its political action committee as the basis for its decision not to take any further action.

83040394459

Letter to Joseph D. Luksch
Page 2

If you have any questions, please direct them to Stephen
Mims at (202) 523-4039.

Sincerely,


Danny L. McDonald
Chairman

Attachment

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Joseph D. Luksch, Esquire
Vedder, Price, Kaufman, Kammholz & Day
1 Dag Hammarskjold Plaza
New York, New York 10017

Re: MUR 1538
Minerals, Pigments and Metals
Division, Pfizer, Inc.

Dear Mr. Luksch:

On , 1983, the Commission found reason to believe that your client, the Minerals, Pigments and Metals Division, Pfizer, Inc., had violated 2 U.S.C. § 441b(b)(6), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 11 C.F.R. § 114.5(k), a provision of the Commission's Regulations, in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to your client. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days.

The Commission reminds you that your failure to make available, upon request, a method of soliciting contributions to a separate segregated fund from employee members of a union at cost to that organization is a violation of the Act when any branch of the corporation utilizes such a method for soliciting contributions to its separate segregated fund from its permissible class of solicitees. The Commission has considered your decision to cooperate with the United Cement, Lime, Gypsum and Allied Workers International Union, AFL-CIO's request to have your company make available a method for soliciting contributions from its member employees to its political action committee as the basis for its decision not to take any further action.

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5/11/83
5/12/83

Letter to Joseph D. Luksch
Page 2

If you have any questions, please direct them to Stephen
Mims at (202) 523-4039.

Sincerely,

83040394462

SENSITIVE

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT 82 APR 28 P 3: 40

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 4/28/83

MUR # 1538
DATE COMPLAINT RECEIVED
BY OGC 3/10/83
DATE OF NOTIFICATION TO
RESPONDENT 3/16/83
STAFF MEMBER Mims

COMPLAINANT'S NAME: United Cement, Lime, Gypsum and Allied Workers International Union, AFL-CIO

RESPONDENT'S NAME: Minerals, Pigments and Metals Division, Pfizer, Inc.

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

The United Cement, Lime, Gypsum and Allied Workers International Union, AFL-CIO, ("the Union") represents employees of the Minerals, Pigments and Metals Division of Pfizer, Inc., ("the division"). On December 13, 1982, the union formally requested that the division make available to the union "the methods of soliciting voluntary contributions or facilitating the making of voluntary contributions used by the corporation" in order that the union may select a method appropriate for its solicitations of its own member employees. Exhibit 1 of the complaint.

On January 31, 1983, the division formally denied the union's request stating that, in its view, the Federal Election

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Campaign Act did not require compliance with the union's request because "Pfizer solicits contributions only from executive and administrative personnel as opposed to employees (as those terms are defined in the implementing regulations to the [Act])."

Exhibit 2 of the complaint.

FACTUAL AND LEGAL ANALYSIS

The primary issue involved in this matter is the application of 2 U.S.C. § 441b(b)(6) which provides that:

Any corporation, including its subsidiaries, branches, divisions, and affiliates, that utilizes a method of soliciting voluntary contributions or facilitating the making of voluntary contributions, shall make available such method, on written request and at a cost sufficient only to reimburse the corporation for the expenses incurred thereby, to a labor organization representing any members working for such corporation, its subsidiaries, branches, divisions, and affiliates.

The Commission's Regulations at 11 C.F.R. § 114.5(k) tracks the statutory provision, adding only language more specifically identifying the member of each class of potential solicitees:

Availability of methods. Any corporation, including its subsidiaries, branches, divisions, and affiliates, that uses a method of soliciting voluntary contributions or facilitating the making of voluntary contributions from its stockholders or executive or administrative personnel and their families, shall make that method available to a labor organization representing any members working for the corporation, its subsidiaries, branches, divisions, and affiliates for soliciting voluntary contributions or facilitating the making of voluntary contributions from its

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members and their families. Such method shall be made available on the written request of the labor organization and at a cost sufficient only to reimburse the corporation for the expenses incurred thereby.

Examples included in the Regulations regarding implementation of this provision include one on point with the facts presented by the complaint. Specifically, § 114.5(k)(1) requires that any method utilized by a corporation to solicit contributions from its permissible class of solicitees must, upon request by a labor organization, be made available to that organization (on a cost-reimbursable basis) for the solicitation of its members even though the particular subsidiary, branch, division or corporate affiliate does not itself utilize such a method.

The Commission's view on this issue has been previously expressed in several Advisory Opinions and enforcement proceedings. For example, AO 1982-29 provided that a parent corporation may utilize a payroll deduction program for each of its subsidiaries which wishes to participate in the program. AO 1982-45 stated that a corporation and its affiliate would be required to make a payroll deduction method available to a union local PAC if either corporate organization utilized such a plan for its employees.

In MUR 947 (A.T.&T.), the General Counsel's Brief extensively analyzed the legislative history of § 441b(b)(6) and concluded that where the parent corporation utilized a method of

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soliciting contributions from its permissible class, it violated the Act when it refused to make the method available to a union representing members employed by those subsidiaries which did not utilize a method of soliciting contributions from their permissible class. See also MUR 994 (Sandia Corporation).

It appears, therefore, that the division violated 2 U.S.C. § 441b(b)(6) and 11 C.F.R. § 114.5(k) when it refused to honor a request by the union for access to a method for the solicitation of its members who are employees of the division.

On March 22, 1983, the complainant notified the Office of General Counsel that the respondent has agreed to comply with the union's request and that the complainant, therefore, wished to withdraw the complaint (Attachment 1, page 1). The respondent, on March 25, 1983, confirmed the fact that the company will make a payroll check-off available to the union. Attachment 2, page 3. Despite the request to withdraw the complaint, the General Counsel recommends that the Commission find reason to believe that the Minerals, Pigments and Metals Division, Pfizer, Inc., violated 2 U.S.C. § 441b(b)(6) and 11 C.F.R. § 114.5(k) but in consideration of the action taken by Pfizer to accede to the union's request, the General Counsel recommends that the Commission take no further action.

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Recommendation

1. Find reason to believe that the Minerals, Pigments and Metals Division, Pfizer, Inc., violated 2 U.S.C. § 441b(b)(6) and 11 C.F.R. § 114.5(k).
2. Take no further action and close the file.
3. Approve and send the attached letters.

April 27, 1983
Date

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Attachments

1. Letter from complainant.
2. Letter from respondent.
3. Letter to complainant.
4. Letter to respondent.

83040394467

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Minerals, Pigments and Metals) MUR 1538
Division, Pfizer, Inc.)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on May 10, 1983, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1538:

1. Find reason to believe that the Minerals, Pigments and Metals Division, Pfizer, Inc. violated 2 U.S.C. §441b(b)(6) and 11 C.F.R. §114.5(k).
2. Take no further action and close the file.
3. Approve and send the letters attached to the General Counsel's report dated April 28, 1983, subject to amendment of the letter to Joseph D. Luksch, Esquire.

Commissioners Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision; Commissioner Aikens dissented.

Attest:

5/10/83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

83040394468



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*
DATE: MAY 3, 1983
SUBJECT: OBJECTION - MUR 1538 First General
Counsel's Report dated April 28, 1983

The above-named document was circulated to the
Commission on Friday, April 29, 1983 at 2:00.

Objections have been received from the Commissioners
as indicated by the name(s) checked:

| | |
|-----------------------|-----------------------------------|
| Commissioner Aikens | <u> X </u> |
| Commissioner Elliott | <u> </u> |
| Commissioner Harris | <u> </u> |
| Commissioner McDonald | <u> </u> |
| Commissioner McGarry | <u> </u> |
| Commissioner Reiche | <u> </u> |

This matter will be placed on the Executive Session
agenda for Tuesday, May 10, 1983.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel
DATE: April 28, 1983
SUBJECT: MUR 1538 - 1st GC Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS

48 Hour Tally Vote
Sensitive
Non-Sensitive []
24 Hour No Objection []
Sensitive []
Non-Sensitive []
Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance
Audit Matters []
Litigation []
Closed MUR Letters []
Status Sheets []
Advisory Opinions []

Other (see distribution below) []

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LAW OFFICES

ASHER, GOODSTEIN, PAVALON, GITTLER, GREENFIELD AND SEGALL, LTD.

TWO NORTH LA SALLE STREET

CHICAGO, ILLINOIS 60602

(312) 263-1500



3:51
3:53
3:54

STEPHEN B. RUBIN

March 22, 1983

Charles N. Steele, General
Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463
Attn: Steven Barndolar

Re: Pfizer Minerals, Pigments
and Metals Division

33040394471

Dear Sir:

By letter March 21, 1983 the attorney for the Respondent in this matter has represented that his client will comply with our request in this matter.

Accordingly, we believe that there is now compliance with the Federal Election Campaign Act and we seek withdrawal of this charge.

Very truly yours,

STEPHEN B. RUBIN

SBR:ck

cc: Joseph D. Luksch
Thomas F. Miechur

Attachment 1

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1 DAG HAMMARSKJOLD PLAZA

NEW YORK, NEW YORK 10017

212 223-1880

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

1919 PENNSYLVANIA AVE., N.W.

WASHINGTON, D.C. 20006

202 828-5000

VEDDER, PRICE, KAUFMAN & KAMMHOLZ

115 SOUTH LA SALLE STREET

CHICAGO, ILLINOIS 60603

312.781-2200

WRITER'S DIRECT DIAL NUMBER

223-1889

March 30, 1983

Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1538

Dear Sir:

This letter is in response to your request of March 16, 1983. Simply stated, after some initial confusion over its obligations to the Union under the FECA the Company agreed to the requested check-off as set forth in the enclosed Company letter to the Union dated March 21, 1983.

We would expect that the check-off referred to in the Company's letter of March 21, 1983 will be expeditiously implemented as soon as the appropriate authorizations are received from the Union.

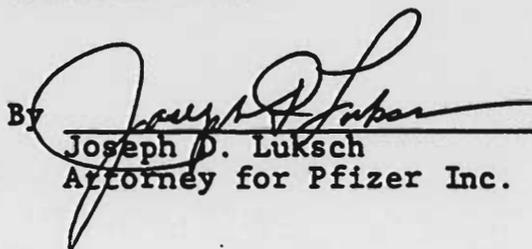
As the basis for the complaint is now resolved to the satisfaction of both the Union and Company and in view of the Union's requested withdrawal it would appear that the matter is now moot.

Thank you for your advice and assistance in this matter.

Very truly yours,

VEDDER, PRICE, KAUFMAN,
KAMMHOLZ & DAY

By


Joseph D. Luksch
Attorney for Pfizer Inc.

/tm

Enclosure

cc: Stephen Rubin, Esq.
William White

Attachment 2, p. 1

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CC: # 9797
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p. 1: 21

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY
1919 PENNSYLVANIA AVE., N.W.
WASHINGTON, D. C. 20006
202 828-5000

1 DAG HAMMARSKJOLD PLAZA
NEW YORK, NEW YORK 10017
212 223-1880

VEDDER, PRICE, KAUFMAN & KAMMHOLZ
115 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60603
312 761-2200

WRITER'S DIRECT DIAL NUMBER

223-1889

March 21, 1983

Stephen B. Rubin, Esq.
Asher, Goodstein, Pavalon, Gittler,
Greenfield and Segall, Ltd.
Two North LaSalle Street
Chicago, Illinois 60602

Dear Steve:

Pursuant to our conversation of Tuesday last, I contacted my client, Minerals, Pigments and Metals Division, Pfizer, Inc. Pfizer has authorized me to represent that, in accordance with your client's request of December 13, 1982, check-off to the Committee on Political Education of the AFL-CIO will be instituted pursuant to 2 U.S.C. §441b(b)(6), for the membership of Local Union 365, United Cement, Lime, Gypsum and Allied Workers, AFL-CIO, who are employed at its Lucerne Valley, California facility. This commitment is made on the understanding that your client will reimburse Pfizer for the expenses incurred thereby.

It is also understood from our last conversation that your client will withdraw the complaint filed with the Federal Election Commission, dated March 8, 1983.

We assume that the union will as an initial step provide voluntary authorizations from its participating employee members sufficient to satisfy the requirements of the Federal Election Campaign Act. With regard to the expense factor, we are advised that the MPM Division is in the process of converting to a new payroll system. The process is not expected to be concluded before September of this year. The reason we mention this is to provide your client with the option of either programming the COPE deductions under the present payroll system and then re-programming upon conversion, or waiting to begin the deductions with the advent of the new system. The choice is of course one for your client to make.

Attachment 2, p. 2

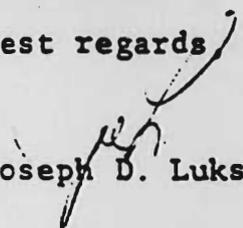
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Stephen B. Rubin, Esq.
March 21, 1983
Page 2

I am also advised that it would make matters less complicated and easier to administer if the deductions could be scheduled for each of the company's regular pay periods. In any event the deduction must be in even dollar amounts to fit the computer program.

I will contact you early next week after you have had the opportunity to review the foregoing and consult your client. In the meantime, should you have any questions concerning the foregoing please call me at your convenience.

Best regards


Joseph D. Luksch

/tm

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VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1 DAG HAMMARSKJOLD PLAZA

NEW YORK, NEW YORK 10017

212 223-1880

83 MAR 28

11:32

White

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY
1919 PENNSYLVANIA AVE., N.W.
WASHINGTON, D. C. 20006
202 828-5000

VEDDER, PRICE, KAUFMAN & KAMMHOLZ
115 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60603
312 781-2200

WRITER'S DIRECT DIAL NUMBER

223-1889

March 25, 1983

28 P4:30

Charles N. Steele
General Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463
Attn: Maura White

Re: Pfizer Minerals, Pigments and
Metals Division - No. MUR-1538

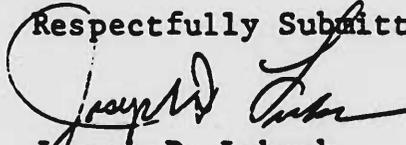
Dear Sir:

By letter dated March 22, 1983 the attorney for the charging party in this matter has requested withdrawal of the above-captioned charge.

As it is now apparent that the matter has been amicably resolved between the parties and there is compliance with the Federal Election Campaign Act, the Respondent assumes that the request for withdrawal of the charge will be honored and there is no further need for Respondent to furnish additional information in the matter.

Should your understanding be contrary to that of Respondent, kindly inform the undersigned at your earliest convenience.

Respectfully Submitted,


Joseph D. Luksch

/tm

cc: Stephen B. Rubin

33040394475

Attachment 2, p. 4



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Joseph D. Luksch, Esquire
Vedder, Price, Kaufman, Kammholz & Day
1 Dag Hammarskjold Plaza
New York, New York 10017

Re: MUR 1538
Minerals, Pigments and Metals
Division, Pfizer, Inc.

Dear Mr. Luksch:

On _____, 1983, the Commission found reason to believe that your client, the Minerals, Pigments and Metals Division, Pfizer, Inc., had violated 2 U.S.C. § 441b(b)(6), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 11 C.F.R. § 114.5(k), a provision of the Commission's Regulations, in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to your client. The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days.

The Commission reminds you that your failure to make available, upon request, a method of soliciting contributions to a separate segregated fund from employee members of a union at cost to that organization is a violation of the Act when any branch of the corporation utilizes such a method for soliciting contributions to its separate segregated fund from its permissible class of solicitees. The Commission acknowledges your decision to cooperate with the United Cement, Lime, Gypsum and Allied Workers International Union, AFL-CIO's request to have your company make available a method for soliciting contributions from its member employees to its political action committee, and recommends that you take immediate steps to insure that this activity does not occur in the future.

Attachment 3, p.1

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Letter to Joseph D. Luksch
Page 2

If you have any questions, please direct them to Stephen
Mims at (202) 523-4039.

Sincerely,

83040394477

Attachment 3, p. 2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Stephen B. Rubin, Esquire
Asher, Goodstein, Pavalon, Gittler,
Greenfield and Segall, Ltd.
Two North LaSalle Street
Chicago, Illinois 60602

Re: MUR 1538
Minerals, Pigments and Metals
Division, Pfizer, Inc.

Dear Mr. Rubin:

This is in reference to the complaint you filed with the Commission on March 10, 1983, concerning the refusal by the Minerals, Pigments and Metals Division, Pfizer, Inc., to make available to the United Cement, Lime, Gypsum & Allied Workers International Union, AFL-CIO, a method of soliciting contributions from its members to the union's separate segregated fund.

Based on your complaint, the Commission determined on , 1983, there was reason to believe that the Minerals, Pigments and Metals Division, Pfizer, Inc., violated 2 U.S.C. § 441b(b)(6), a provision of the Federal Election Campaign Act of 1971, as amended (the Act), and 11 C.F.R. § 114.5(k), a provision of the Commission's regulations. The Commission, after having considered your letter of March 22, 1983, and a similar response by the respondent dated March 30, 1983, concluded that the respondent had undertaken the steps necessary to meet the requirements of those sections of the Act and regulations. Accordingly, the Commission has decided to take no further action in this matter, numbered MUR 1538, and the file has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. The Federal Election Campaign Act allows a Complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Attachment 4, p. 1

83040394478

Letter to Stephen B. Rubin
Page 2

If you have any questions, please contact Stephen Mims, the staff member assigned to this matter, at (202) 523-4039.

Sincerely,

83040394479

Attachment 4, p. 2

RECEIVED AT THE FEB
004977
Ccc# 9797
83 APR 1 10:58

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1 DAG HAMMARSKJOLD PLAZA

NEW YORK, NEW YORK 10017

212 223-1880

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

1919 PENNSYLVANIA AVE., N. W.

WASHINGTON, D. C. 20006

202 828-5000

VEDDER, PRICE, KAUFMAN & KAMMHOLZ

115 SOUTH LA SALLE STREET

CHICAGO, ILLINOIS 60603

312. 781-2200

WRITER'S DIRECT DIAL NUMBER

223-1889

March 30, 1983

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12:41:21

Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1538

Dear Sir:

This letter is in response to your request of March 16, 1983. Simply stated, after some initial confusion over its obligations to the Union under the FECA the Company agreed to the requested check-off as set forth in the enclosed Company letter to the Union dated March 21, 1983.

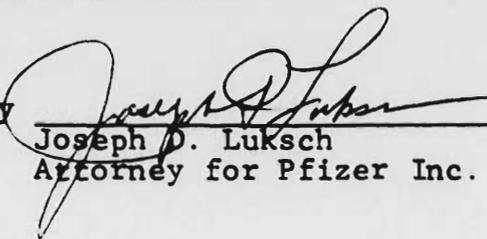
We would expect that the check-off referred to in the Company's letter of March 21, 1983 will be expeditiously implemented as soon as the appropriate authorizations are received from the Union.

As the basis for the complaint is now resolved to the satisfaction of both the Union and Company and in view of the Union's requested withdrawal it would appear that the matter is now moot.

Thank you for your advice and assistance in this matter.

Very truly yours,

VEDDER, PRICE, KAUFMAN,
KAMMHOLZ & DAY

By 
Joseph D. Luksch
Attorney for Pfizer Inc.

/tm

Enclosure

cc: Stephen Rubin, Esq.
William White

83040394430

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY
1919 PENNSYLVANIA AVE., N. W.
WASHINGTON, D. C. 20006
202 628-8000

1 DAG HAMMARSKJOLD PLAZA
NEW YORK, NEW YORK 10017
212 223-1880

VEDDER, PRICE, KAUFMAN & KAMMHOLZ
118 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60603
312 781-2200

WRITER'S DIRECT DIAL NUMBER

223-1889

March 21, 1983

Stephen B. Rubin, Esq.
Asher, Goodstein, Pavalon, Gittler,
Greenfield and Segall, Ltd.
Two North LaSalle Street
Chicago, Illinois 60602

Dear Steve:

Pursuant to our conversation of Tuesday last, I contacted my client, Minerals, Pigments and Metals Division, Pfizer, Inc. Pfizer has authorized me to represent that, in accordance with your client's request of December 13, 1982, check-off to the Committee on Political Education of the AFL-CIO will be instituted pursuant to 2 U.S.C. §441b(b)(6), for the membership of Local Union 365, United Cement, Lime, Gypsum and Allied Workers, AFL-CIO, who are employed at its Lucerne Valley, California facility. This commitment is made on the understanding that your client will reimburse Pfizer for the expenses incurred thereby.

It is also understood from our last conversation that your client will withdraw the complaint filed with the Federal Election Commission, dated March 8, 1983.

We assume that the union will as an initial step provide voluntary authorizations from its participating employee members sufficient to satisfy the requirements of the Federal Election Campaign Act. With regard to the expense factor, we are advised that the MPM Division is in the process of converting to a new payroll system. The process is not expected to be concluded before September of this year. The reason we mention this is to provide your client with the option of either programming the COPE deductions under the present payroll system and then re-programming upon conversion, or waiting to begin the deductions with the advent of the new system. The choice is of course one for your client to make.

93040394481

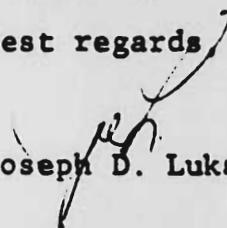
VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

Stephen B. Rubin, Esq.
March 21, 1983
Page 2

I am also advised that it would make matters less complicated and easier to administer if the deductions could be scheduled for each of the company's regular pay periods. In any event the deduction must be in even dollar amounts to fit the computer program.

I will contact you early next week after you have had the opportunity to review the foregoing and consult your client. In the meantime, should you have any questions concerning the foregoing please call me at your convenience.

Best regards


Joseph D. Luksch

/tm

33040394482

73
VEDDER, PRICE, KAUFMAN, KAMMOLZ & DAY
1 DAG HAMMARSHJOLD PLAZA
NEW YORK, NEW YORK 10017

Charles M. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

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VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1 DAG HAMMARSKJOLD PLAZA

NEW YORK, NEW YORK 10017

212 223-1880

VEDDER, PRICE, KAUFMAN, KAMMHOLZ & DAY

1919 PENNSYLVANIA AVE., N.W.

WASHINGTON, D. C. 20006

202 828-5000

VEDDER, PRICE, KAUFMAN & KAMMHOLZ

115 SOUTH LA SALLE STREET

CHICAGO, ILLINOIS 60603

312 781-2200

WRITER'S DIRECT DIAL NUMBER

223-1889

March 25, 1983

30
26
24:30

Charles N. Steele
General Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463
Attn: Maura White

Re: Pfizer Minerals, Pigments and
Metals Division - No. MUR-1538

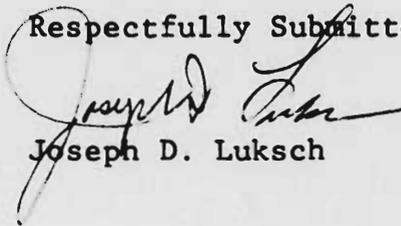
Dear Sir:

By letter dated March 22, 1983 the attorney for the charging party in this matter has requested withdrawal of the above-captioned charge.

As it is now apparent that the matter has been amicably resolved between the parties and there is compliance with the Federal Election Campaign Act, the Respondent assumes that the request for withdrawal of the charge will be honored and there is no further need for Respondent to furnish additional information in the matter.

Should your understanding be contrary to that of Respondent, kindly inform the undersigned at your earliest convenience.

Respectfully Submitted,



Joseph D. Luksch

/tm

cc: Stephen B. Rubin

33040394404

RECEIVED BY THE FEC

VEDDER, PRICE, KAUFMAN, KAMMOLZ & DAY

1 DAG HAMMARSKJOLD PLAZA

NEW YORK, NEW YORK 10017



Charles N. Steele
General Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463
Attn: Maura White

830403940



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 24, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Pfizer Minerals, Pigments and Metal Division
P.O. Box 558
Lucerne Valley, California 92356

Re: MUR 1538

Dear Sir or Madam:

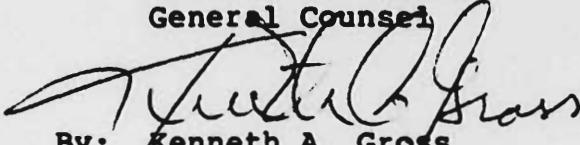
On March 16, 1983, you were notified that the Federal Election Commission received a complaint from the United Cement, Lime, Gypsum and Allied Workers International Union, AFL-CIO alleging that your company has violated certain sections of the Federal Election Campaign Act of 1971, as amended. You were also given a copy of the complaint and informed that your response to the complaint should be submitted within fifteen days of your receipt of the notification.

On March 21, 1983, the Commission received a letter from the complainant which enclosed the exhibits referenced in the original complaint. We are enclosing a copy of the letter and exhibits. Because the complaint's exhibits were not originally provided to you, you are hereby afforded an additional 15 days in which to respond to the allegations.

If you have any questions, please contact Maura White, the staff member assigned to this matter at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure

83040594436

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PS Form 3811, Dec. 1980

1538 MW

● **SENDER:** Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" section on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

Show to whom and date delivered

Show to whom, date, and address of delivery.

2. **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. **ARTICLE ADDRESSED TO:**
Phizer Minerals, Pigments
and Metal Division

4. **TYPE OF SERVICE:** ARTICLE NUMBER

REGISTERED INSURED 150246

CERTIFIED COD

EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Address Authorized Agent

Joseph B. ...

5. **DATE OF DELIVERY**
3-29-83

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:**



RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

604 9734

LAW OFFICES

ASHER, GOODSTEIN, PAVALON, GITTLER, GREENFIELD AND SEGALL, LTD.

TWO NORTH LA SALLE STREET

CHICAGO, ILLINOIS 60602

(312) 263-1500



STEPHEN B. RUBIN

March 22, 1983

21
3:54

Charles N. Steele, General
Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463
Attn: Steven Barndolar

Re: Pfizer Minerals, Pigments
and Metals Division

Dear Sir:

By letter March 21, 1983 the attorney for the Respondent
in this matter has represented that his client will comply with
our request in this matter.

Accordingly, we believe that there is now compliance with
the Federal Election Campaign Act and we seek withdrawal of this
charge.

Very truly yours,

STEPHEN B. RUBIN

SBR:ck

cc: Joseph D. Luksch
Thomas F. Miechur

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SBR
ARTHUR, GOODSTEIN, PHALON, GITTLE, GREENFIELD AND SEBALL, LTD.
TWO NORTH LA SALLE STREET
CHICAGO, ILLINOIS 60602



Charles N. Steele, General
Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463
Attn: Steven Barndolar

630403941

83 MAR 24 44: 37

204345

RECEIVED IN FEB

Case # 9709

83 MAR 21 PM 2:55

LAW OFFICES

ASHER, GOODSTEIN, PAVALON, GITTLER, GREENFIELD AND SEGALL, LTD.

TWO NORTH LA SALLE STREET

CHICAGO, ILLINOIS 60602

(312) 263-1500

March 16, 1983

STEPHEN B. RUBIN

Charles N. Steele,
General Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463

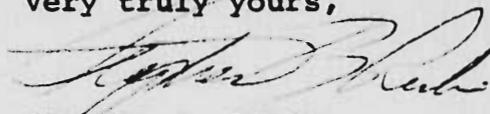
Re: Pfizer Minerals, Pigments
and Metals Division

Dear Sir:

It has been brought to my attention that the Complaint dated March 8, 1983 did not contain the exhibits referred to in it.

Pursuant to the instructions of your office, enclosed please find a copy of that Complaint dated March 8, 1983, together with Exhibits 1 and 2.

Very truly yours,



STEPHEN B. RUBIN

SBR:ck

Encs.

cc: Thomas F. Miechur

6304069490

63 MAR 21 PM 2:55

of
United Cement, Lime Gypsum and Allied Workers
INTERNATIONAL UNION



AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS - C. L. C.

December 13, 1982

Mr. Lloyd Koehler
Personnel Manager
Minerals, Pigments and Metals Division
Pfizer Incorporated
Post Office Box 558
Lucerne Valley, California 92356

Dear Mr. Koehler:

I spoke to you on Thursday, November 4, 1982, about the C.O.P.E. check off for our membership at Local Union 365. I told you that since Pfizer Corporation belonged to a Political Action Committee, the employees also had a right to the C.O.P.E. check off. You said you would check into it and get back to me. I have not heard from you, so I am suggesting that Pfizer institute the check off by January 1, 1983.

The United Cement, Lime, Gypsum and Allied Workers International Union represents members working for your corporation including its subsidiaries, branches, divisions, and affiliates. The Federal Election Campaign Act Amendments of 1976 provides that:

"Any corporation, including its subsidiaries, branches, divisions, and affiliates, that utilizes a method of soliciting voluntary contributions or facilitating the making of voluntary contributions shall make available such method, on written request and at a cost sufficient only to reimburse the corporation for the expenses incurred thereby, to a labor organization representing any members working for such corporation, its subsidiaries, branches, divisions, and affiliates."

We request that you state to us the methods of soliciting voluntary contributions or facilitating the making of voluntary contributions used by the corporation (including its subsidiaries, branches, divisions and affiliates). We will then determine which of these we will also use.

This request is made on the understanding that our correlative rights are qualified by the obligation to reimburse the corporation for any expenses incurred thereby. We are, of course, prepared to meet that obligation.

To minimize unnecessary paperwork, this request is intended to be of a continuing nature. If the corporation (or its subsidiaries, branches, divisions, and affiliates) determine in the future to utilize a method of

"EXHIBIT 1"

33040394491

Mr. Lloyd Koehler

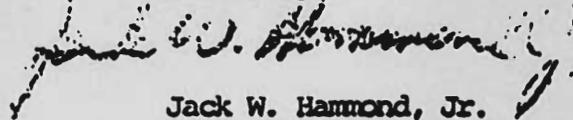
- 2 -

December 13, 1982

soliciting voluntary contributions or facilitating the making of voluntary contributions, we expect to be promptly advised of that action. We will then determine whether or not to take advantage of our correlative rights.

If you have any questions, please contact me at my office.

Sincerely,



Jack W. Hammond, Jr.
District Representative

JWH/mm

cc: RS Panzera, LU 365
DC #3 Office

83040394492



MINERALS, PIGMENTS & METALS DIVISION

P. O. BOX 558, LUCERNE VALLEY, CALIFORNIA 92356

RECEIVED *KW*

FEB 14 1983 *EP*

POSTED 2/11 *JK*

(714) 248-7333

January 31, 1983

Mr. Jack W. Hammond, Jr.
District Representative
District Council No. 3 of
United Cement, Lime, Gypsum
and Allied Workers, Int'l Union
15655 Village Drive
Victorville, Ca. 92392

Dear Mr. Hammond:

We are in receipt of your December 13, 1982 letter requesting the institution of a check-off system for C.O.P.E. contributions and information regarding methods of soliciting contributions, if any, used by Pfizer for its own political action committee.

With respect to a check-off system for contributions to C.O.P.E., Pfizer declines to implement such a system in accordance with your request.

Please be further advised that since Pfizer solicits voluntary contributions only from executive and administrative personnel, as opposed to employees (as those terms are defined in the implementing regulations to the Federal Election Campaign Act, as amended), Pfizer is not required to notify the Union of its methods of soliciting or facilitating the making of voluntary contributions from employees.

Sincerely,

Lloyd Koehler

Lloyd Koehler
Personnel Manager

LK:pm

cc: G. Vaplon
G. Jividen
File

RECEIVED FEB 2 1983

"EXHIBIT 2"

PFIZER INC.

8304039449

LAW OFFICES

ASHER, GOODSTEIN, PAVALON, GITTLER, GREENFIELD AND SEGALL, LTD.

TWO NORTH LA SALLE STREET

CHICAGO, ILLINOIS 60602

(312) 263-1500



STEPHEN B. RUBIN

March 8, 1983

Charles N. Steele,
General Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463

Re: Pfizer Minerals, Pigments
and Metals Division

Dear Sir:

This is a complaint pursuant to 2 U.S.C. §437(g)(a)(1) and Section 111.4 of your Regulations.

1. The Complainant is United Cement, Lime, Gypsum & Allied Workers International Union, AFL-CIO, 2500 Brickvale Drive, Elk Grove Village, Illinois 60007, whom we represent as attorneys.
2. This complaint is being made under oath and subject to the statutes governing perjury and to 18 U.S.C. §1001.
3. The Respondent is Pfizer Minerals, Pigments and Metal Division, P.O. Box 558, Lucerne Valley, California 92356 and correspondence directed to the Respondent should be made to the attention of Lloyd Koehler, Personnel Manager.
4. The basis of this complaint is as follows: On or about December 13, 1982, Jack W. Hammond, Jr., District Representative of the Complainant sent a letter to Lloyd Koehler, Personnel Manager of the Respondent demanding the institution of a check-off to the Committee on Political Education of the AFL-CIO, pursuant to 2 U.S.C. §441(b)(4)(B) as amended in 1976.

By letter dated January 31, 1983, Koehler responded to Hammond declining to implement the system, but acknowledging that Pfizer solicits voluntary contributions from executive and administrative personnel.

83040394494

Charles N. Steele
March 8, 1983
Page Two

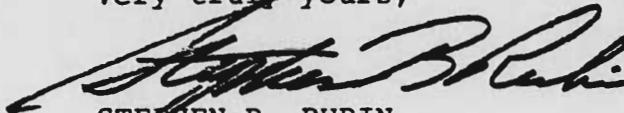
Copies of these two letters are attached as Exhibits 1 and 2 respectively.

5. The actions of the Respondent as evidenced by its letter of January 31, 1983 are in violation of the aforesaid provision of the U.S. Code and specifically violate that provision as interpreted in Section 114.5(k)(1) of your Regulations, which provides that if deductions are made from the dividend or payroll checks of stockholders or executive or administrative personnel, the corporation shall, upon written request, make that method available to members of the labor organization working for the corporation, its subsidiaries, branches, divisions or affiliates who wish to contribute to a separate segregated fund of the labor organization.

6. Based upon Exhibit 2 attached hereto, and upon information and belief, we allege that the Respondent does in fact deduct contributions from the dividend or payroll checks of stockholders or executive or administrative personnel and its refusal to make a similar system available for members of the labor organization violates the Act and the Regulations.

Please respond to the undersigned on behalf of the Complainant.

Very truly yours,


STEPHEN B. RUBIN

Signed and subscribed to
before me this 8th day of
March, 1983 at Chicago, Illinois


NOTARY PUBLIC

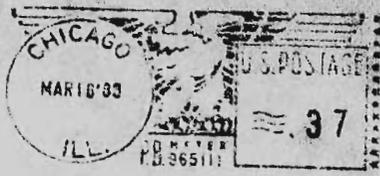
SBR:ck

cc: Thomas F. Miechur
Jack W. Hammond, Jr.
Lloyd Koehler

83040394495

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RECEIVED



83 MAR 21 PM: 24

FIRST CLASS MAIL

**ASHER, GOODSTEIN, PAVALON, GITTLER,
GREENFIELD AND SEGALL, LTD.**
TWO NORTH LA SALLE STREET
CHICAGO, ILLINOIS 60602

SBR

TO-

Charles N. Steele,
General Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463

MUR #

1538

DATE

3-11-83

PLEASE PROVIDE THE NAMES AND ADDRESSES OF ALL RESPONDENTS WHICH ARE TO BE SENT A COPY OF THE COMPLAINT. IF A PRINCIPAL CAMPAIGN COMMITTEE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE CANDIDATE AND PUT A "CC" BESIDE THE CANDIDATE'S NAME. IF A CANDIDATE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE'S PRINCIPAL CAMPAIGN COMMITTEE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE PRINCIPAL CAMPAIGN COMMITTEE AND PUT A "CC" BESIDE THE COMMITTEE'S NAME. PLEASE PROVIDE THIS INFORMATION, ON THIS SHEET, WITHIN 24 HOURS OF RECEIPT OF THIS NOTICE. THANK YOU.

83040694477

Respondent

Pfizer Minerals, Pigments and Metal
Division

P.O. Box 558

Lucerne Valley, California 92356



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 16, 1983

Stephen B. Rubin, Esquire
Asher, Goodstein, Pavalon, Gittler,
Greenfield & Segall, Ltd.
Two North LaSalle Street
Chicago, Illinois 60602

Dear Mr. Rubin:

This letter is to acknowledge receipt of your complaint which we received on March 10, 1983, against Pfizer Minerals, Pigments and Metal Division which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Steven Barndollar at (202) 523-4073.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles N. Steele".

Charles N. Steele
General Counsel

Enclosure

83040394498



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 16, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Pfizer Minerals, Pigments and Metal Division
P.O. Box 558
Lucerne Valley, CA 92356

Re: MUR 1538

Dear Sir/Madam:

This letter is to notify you that on March 10, 1983, the Federal Election Commission received a complaint which alleges that your company may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1538. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your company in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

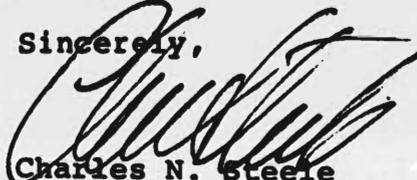
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040394499

If you have any questions, please contact Maura White, the staff member assigned to this matter at (202) 523-4057. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

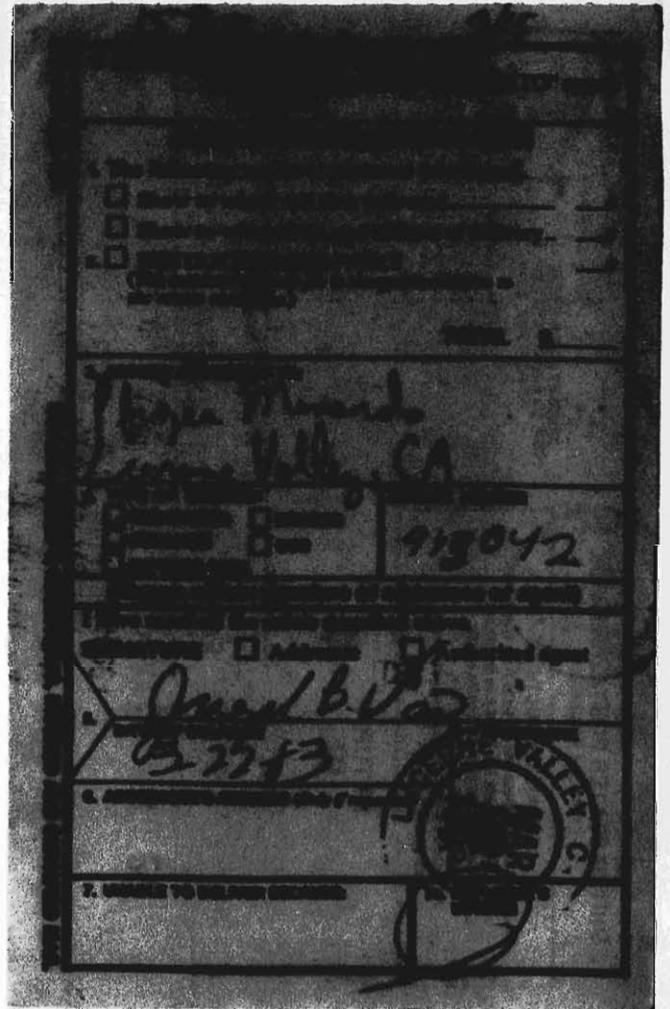


Charles N. Steele
General Counsel

83040394500

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement



The form contains several sections, some with checkboxes. Handwritten text includes "918042" and "B-2253". A circular stamp is visible in the bottom right corner of the form area.

204249

RECEIVED AT THE FEC
600-9643
83 MAR 18 P12:50

LAW OFFICES

ASHER, GOODSTEIN, PAVALON, GITTNER, GREENFIELD AND SEGALL, LTD.

TWO NORTH LA SALLE STREET

CHICAGO, ILLINOIS 60602

(312) 263-1500



March 8, 1983

STEPHEN B. RUBIN

RECEIVED
MAR 10 P1:51

Charles N. Steele,
General Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463

Re: Pfizer Minerals, Pigments
and Metals Division

Dear Sir:

This is a complaint pursuant to 2 U.S.C. §437(g) (a) (1) and Section 111.4 of your Regulations.

1. The Complainant is United Cement, Lime, Gypsum & Allied Workers International Union, AFL-CIO, 2500 Brickvale Drive, Elk Grove Village, Illinois 60007, whom we represent as attorneys.
2. This complaint is being made under oath and subject to the statutes governing perjury and to 18 U.S.C. §1001.
3. The Respondent is Pfizer Minerals, Pigments and Metal Division, P.O. Box 558, Lucerne Valley, California 92356 and correspondence directed to the Respondent should be made to the attention of Lloyd Koehler, Personnel Manager.
4. The basis of this complaint is as follows: On or about December 13, 1982, Jack W. Hammond, Jr., District Representative of the Complainant sent a letter to Lloyd Koehler, Personnel Manager of the Respondent demanding the institution of a check-off to the Committee on Political Education of the AFL-CIO, pursuant to 2 U.S.C. §441(b) (b) (4) (B) as amended in 1976.

By letter dated January 31, 1983, Koehler responded to Hammond declining to implement the system, but acknowledging that Pfizer solicits voluntary contributions from executive and administrative personnel.

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Charles N. Steele
March 8, 1983
Page Two

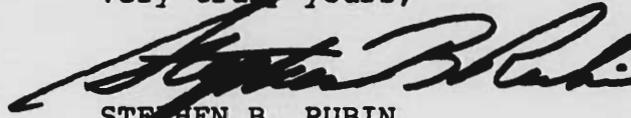
Copies of these two letters are attached as Exhibits 1 and 2 respectively.

5. The actions of the Respondent as evidenced by its letter of January 31, 1983 are in violation of the aforesaid provision of the U.S. Code and specifically violate that provision as interpreted in Section 114.5(k)(1) of your Regulations, which provides that if deductions are made from the dividend or payroll checks of stockholders or executive or administrative personnel, the corporation shall, upon written request, make that method available to members of the labor organization working for the corporation, its subsidiaries, branches, divisions or affiliates who wish to contribute to a separate segregated fund of the labor organization.

6. Based upon Exhibit 2 attached hereto, and upon information and belief, we allege that the Respondent does in fact deduct contributions from the dividend or payroll checks of stockholders or executive or administrative personnel and its refusal to make a similar system available for members of the labor organization violates the Act and the Regulations.

Please respond to the undersigned on behalf of the Complainant.

Very truly yours,


STEPHEN B. RUBIN

Signed and subscribed to
before me this 8th day of
March, 1983 at Chicago, Illinois


NOTARY PUBLIC

SBR:ck

cc: Thomas F. Miechur
Jack W. Hammond, Jr.
Lloyd Koehler

83040394502

8304039

ROBERTSON, FAYLON, GITTLE, GREENFIELD AND SEBELL, LTD.
TWO NORTH LA SALLE STREET
CHICAGO, ILLINOIS 60602



Charles N. Steele,
General Counsel
Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1538

Date Filmed 6/16/83 Camera No. --- 2

Cameraman SPC