

Adjourned Meeting
 July 22, 1969
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An adjourned meeting of the City Council of the City of Charlotte, North Carolina, was held on Tuesday, July 22, 1969, at 10:00 o'clock a.m., in the Council Chamber, with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, John Thrower, Jerry Tuttle, James B. Whittington and Joe D. Withrow present.

Absent: Councilman Milton Short.

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INVOCATION.

The invocation was given by Councilman Fred D. Alexander.

PURPOSE OF MEETING.

Mayor Belk advised the purpose of the meeting is for a public hearing on salaries, wages and wage related matters in connection with the Employer-Employee Policy.

STATEMENT REGARDING POLICY BY ED DOWD, EXECUTIVE VICE PRESIDENT OF CENTRAL PIEDMONT INDUSTRIES.

Mr. Ed Dowd, Executive Vice President of Central Piedmont Industries, stated he represents 215 Charlotte area companies; that he was in this same chamber objecting to the package of employer relations policy of the city not too long ago since that time, this policy was adopted and the city, though its representatives have been meeting with the labor unions to discuss wages, conditions of work and hours.

He stated out of these meetings have come demands by the union and recommendations by the City Manager, and it appears that even though there is some conflict in wages, there is some kind of agreement on wages but the unions have indicated in order to agree to this total package, they in return must have check-offs.

Mr. Dowd stated the union has indicated it will strike over this particular issue. He stated if a strike is called over this issue, it would be a shame and would be a burden to the taxpayers of Charlotte as check-offs have absolutely nothing to do with the well-being and working conditions of city employees - it does not concern conditions of work or hours of work; it is primarily and merely a union security device.

Mr. Dowd stated many of us believe that by agreeing to check-off, the City would be doing the union's work for them - this is a union institution matter, the collection of dues, and one would think if the union has that much to offer the employee, they could collect the dues on a monthly basis from these employees and not want to turn it over to a governmental agency to do its work for them. That check-off, although a voluntary thing, once the authorization cards are signed, normally they are signed for a period of one year, and the Attorney General of North Carolina, indicates that an individual cannot drop out of the union during that period of time so an employee is locked in after he signs this initial card; he can renew it at the end of the year, but no where during the year can he renew it.

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Mr. Dowd stated they think if Council agrees to check-off, it would be in violation of the North Carolina General Statute 95-98, that they have checked with legal Counsel and he strongly believes this would be reaching an agreement or contract with the labor unions and if the law as it stands now is interpreted properly, this would be outside the law.

He stated since the union has issued this threat of strike, that Council really has only two courses of action open: One, to give in to the union's demands; or two, that the City take a stand.

He stated to give in to the union's demands is merely a forerunner of what the Council could expect in the future at the expiration of any type of agreement when the union does not get its way; it would issue the same type of demand. He stated he has noted in the press releases the labor leaders have indicated that in return for check-offs they are willing to give a non-strike clause. He stated they would probably go into this no-strike clause honorably but a no-strike clause is kind of ridiculous in reality because the labor leaders can sit by and declare any strike a wild-cat-strike - one not authorized by international; that he is clear as far as giving his word but the fact remains the City is still faced with a strike so that he thinks the promise of a no-strike clause in any agreement would be something that would not be worthwhile and something that could not be depended upon in the future.

Mr. Dowd stated after evaluating the alternatives, the City might take a stand; this is as good a time as any to take a strike - it is either take it now or take it next year or the year after at the expiration of the contract. That he thinks the Council is prevented by law from reaching an agreement, or a contract, it would be within its rights to say to the union that we do not intend to give check-off and we will have to suffer the consequences but we will do it; that we will ask you to come back to work; if you do not come back to work, then you will be replaced because the City must take care of sanitation, and garbage collection as it has a responsibility and duty to the citizens of Charlotte.

STATEMENT BY JAMES M. PIERCE SOUTHERN AREA, DIRECTOR OF AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO.

Mr. James M. Pierce stated he wishes to speak on behalf of the employees of the City who are members of Local 1127. That it is his intention to request from the City those things that employees have a right to expect from their own city government; those things that are enjoyed by millions of governmental employees throughout our county and those things that have become common place in private industry.

He stated when it became apparent that the main opposition to fair treatment of our public employees would be Mr. Dowd, he was not surprised as he has been opposed to nearly everything that is progressive in the City of Charlotte since he (Mr. Pierce) has lived here. Mr. Pierce stated he decided to go back to the time when he arrived in Charlotte in 1958 to see if ever there was a time when Ed Dowd was for anything; that he combed the newspapers, talked to people, and found he was for low wages, minimum fringe benefits, low taxes on industry; he was against unions, against minimum wages; against federal programs such as the poverty program, urban renewal, low cost public housing, welfare programs and fair employment practices.

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Mr. Pierce stated for some weeks the union has been meeting with officials of the City in accordance with the policy adopted by Council and in these discussions they have lessened many of the requests that were originally proposed because they were informed the City could not afford to grant them at the present time. He stated they tried at all times to be considerate of the budget, of the financial problems and of Council's commitment to roll back taxes by eleven cents on property. He stated they came to some meetings of the minds on these issues - monetary issues; wages are important, fringe benefits are desirable but neither wages or benefits can make a man a whole man.

Mr. Pierce stated when a man spends a third of his time on the job, he needs more than wages, and fringe benefits; he needs job security, he needs fair treatment; he needs wholesome and safe working conditions; he needs to know when he has a grievance he will be given a fair hearing. He needs dignity on the job and this is more important than the wages previously discussed.

Mr. Pierce stated he hopes an agreement can be reached between the City and its employees that will be fair and just to all; that it can be reached in an atmosphere of cooperation and harmony; that it can be reached without the necessity of a long and divisive strike.

He stated of the more important issues, check-off is not the only one. Fair treatment on the job is essential; a person must know that he will be treated fairly; that he will not be discriminated against; that the day-to-day rules under which he works are honest and just. A person must know that his length of service with the City will be given consideration during periods of lay-off, recall, transfers, promotions, shift assignments and others; they must know that employment with the City is not a deadend street and he has an opportunity for advancement in line with his qualifications.

He stated an employee must know that the proper consideration is given to health and safety on the job; he desires and deserves a voice in all decisions affecting his personal health and safety.

Mr. Pierce stated their members know that better wages, better fringe benefits, length of service, health and safety rules and other conditions of employment mean little unless they can effectively protect their rights through a meaningful grievance procedure with outside representations if he so desires and should include outside arbitration if necessary. They feel some system of dues check off or wage assignment must be a part of any acceptable package. Some people in Charlotte oppose the check-off even though it has been standard procedure within the city for many years; presently the city payroll department makes deductions for insurance, dependent insurance, federal and state taxes, social security, work clothing, credit union and united appeal.

Mr. Pierce stated some would say that check-off of union dues is automatic recognition. That is not so; in fact, on last Friday they submitted language to the city that specifically states dues deductions does not in any manner signify recognition. He stated they have proposed a statement that would say that any part of any resolution that is declared illegal would be null and void and would not be in effect any further. That he has contracted some of the best legal brains in the City and discussed the wording with them, and they assure him there is nothing illegal about the proposal as presented to the City.

Mr. Pierce stated this is a package that will bring peace to Charlotte - wages and fringe benefits, seniority, health and safety provisions, grievance procedure, arbitration and deduction of union dues. This together with fair treatment on the job will assure Charlotte a conscientious, energetic, dedicated work force; this can be done without a strike and without breaking a single law.

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STATEMENT BY JAMES FERGUSON, ATTORNEY WITH CHAMBERS, STEIN, FERGUSON AND LANNING, ON BEHALF OF THE LOCAL 660 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS.

Mr. James Ferguson, Attorney with Chambers, Stein, Ferguson and Lanning, stated he is present to present to Council proposals or requests on behalf of Local 660.

He stated that prior to the entry of a Court Order of recent date, members of Local 660 were not even able to engage in meaningful discussions with representatives of the City in seeking to gain advantages of working conditions, hours and other advantages to the work of firefighters. The court has said that Local 660 and other city employees do have the right to form a union in order to seek for themselves better working conditions; they think the Court decision was not a meaningless decision and that it should be looked upon and treated by Council as being a meaningful decision. Now to have a decision which says unions are legal and that they can unionize but yet to be placed in a situation where Council will not deal with the union in terms of bargaining, in terms of discussions, and in terms of negotiation, means all of their efforts, all of their extensive litigation would have been in vain. They do not believe this was the intent of the Court Order which was entered.

Mr. Ferguson stated there have been those who suggest that any kind of recognition at all of the union is illegal because of the North Carolina Statute which says a city cannot contract with a union. They think the word 'contract' is very significant in terms of the status of the law now; that fact that a city cannot enter into a formal contract does not mean a city can advocate its responsibilities to those who do legally organize in order to gain for themselves better working conditions, and better terms of employment. They think the City not only can, but should and must take meaningful steps to see that those city employees who do organize themselves to gain better working hours, better terms and conditions of employment should not do so in vain and the city will undertake to see that its employees are upgraded to the extent that the City can compare and compete with any city in America and gain and earn the name that it has already acquired of being an All-America City.

Mr. Ferguson stated it is their position that the proposals presented by the firefighters over the past three or four weeks are reasonable and they represent no more than what is justly due the members of the Fire Department. That these men who are dedicated to the work of saving lives and protecting the property of all the citizens deem it important to gain for themselves the very basics of human dignity and a decent standard of living and they ask no more.

Mr. Ferguson stated they ask that Council proceed to implement the 52 hour work week which Council agreed to do a year ago in 1968. The union has proposed that the 52 hour work week be implemented but that it should be implemented before January 1, 1970. They submit that it can and should be implemented by at least August 24 of this year and ask Council now to take steps to see that it is implemented at that time.

He stated they ask that Council re-affirm a commitment in the very least to reduce the working hours of firemen from 52 hours to 48 hours, effective with the beginning of the 1970-71 bi-annual. That they go a step further and ask Council to reconsider that commitment and give to the firefighters of Charlotte a 40 hour work week effective with the beginning of the 1970-71 fiscal year; they think this is only fair and just because the normal work week, both in municipal employment and private industry is now no more than 40 hours per week in virtually all work categories - in many, efforts are being made and steps being taken to reduce it below even 40 hours.

He stated they propose that Council take steps immediately effective this budget year, to bring the pay of firemen up to parity with that of police officers; this proposal is only fair and just to the firefighters of the city; it is not new. As recently as ten years ago, the City had firefighters and policemen on a paritive pay. That was changed in 1959 due to what was called a recruitment problem in the police department. They contend the reason for going to the disparity at the outset has now been removed and the disparity itself should be removed and firefighters should be placed on a parity with police officers.

Mr. Ferguson stated the duties of the firefighters, their responsibilities, are equal to at least those of police officers and they use the police officer merely as a point of reference. In recent years the nature of police work has changed but the nature of the firefighter's work has changed drastically; firefighters are required to be skilled professionals; they are required to handle and maintain complex equipment; they are required to have a working knowledge and skill with different kinds of chemicals that are being used in industry and in material in building construction. Firefighters are entrusted with the same public responsibility of protecting lives and property as police officers are charged with the responsibility of protecting lives and property. He stated the risks involved in the work of firefighting are much greater than the risks involved in police work, and they believe it is only fair and just that firefighters be given pay at least equal to that of police officers. He stated they are asking for full parity now; the city representatives have stated categorically they are unwilling to take any steps at all toward parity, not even any promise for the future, not to even mention now.

Mr. Ferguson stated among other things they ask for dues check-off for firefighters; he stated in his opinion there is nothing illegal about Council checking off dues for a union. This amounts to Council doing no more for an employee union than Council has done for united appeal, credit union and various categories of insurance.

He stated the men in Local 660 are tired of working under conditions which do not afford them a decent standard of living, which does not give them decent wages, which does not give them decent hours of employment; these men are weary, weary of promises and men who are seeking action. These men have proceeded to the point they are no longer willing to sit by and listen to a bunch of empty promises. These men are willing to be moved to action in order to see they are guaranteed a decent standard of living, decent hours and conditions of employment.

Mr. Ferguson stated the steps the members of Local 660 have to take in order to guarantee for themselves decent hours and working conditions in terms of employment rest in the hands of Council. He stated Council is in a position to determine whether or not they want to continue protection of the lives and property of members of this community.

He stated members of the Firefighters Local 660 are city employees, they are firefighters; but they are also human beings and if it becomes necessary, stand ready to use the ultimate weapon which Mr. Dowd referred to in his remarks. He stated it is his hope that as these men assemble tonight, they will not have to resort to the ultimate weapon. The ultimate weapon, like all weapons, is to be used sparingly and used only in those circumstances where they have to be used. He stated they come before Council today to try to avoid being placed in a situation where these men have their backs to a wall and have no choice but to use the ultimate weapon.

ADJOURNMENT.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the meeting was adjourned.

Ruth Armstrong
Ruth Armstrong, City Clerk