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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Wednesday, January 7, 1959, at 4 o'clock p.m., with Mayor Smith presiding, and Council members Albea, Baxter, Dellinger, Foard and Wilkinson being present.

ABSENT: Council members Brown and Evans.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the Minutes of the last Council Meeting on December 31st were approved as submitted.

RESOLUTION WITH RESPECT TO THE MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF CHARLOTTE BELONGING TO LABOR UNIONS, ADOPTED.

Public opinion regarding members of the Police Department belonging to Labor Unions was expressed before the City Council with Mr. J. Murrey Atkins speaking first as a past member of the City Council and as a citizen interested in the orderly growth of Charlotte and the safety and protection of its citizens; he stated he does not think it is possible for a unionized Police Force to impartially carry out their duties, as their allegiance would be divided between their employers and sworn duty and the Union. He stated further that he is keenly interested in seeing that our Policemen are treated fairly as to working hours and salary. Mr. Atkins stated he is not an anti-union man and has no opinion as to unions in other city departments, however, he does not think the City should act as a collection agency for any union dues.

Mr. Eddie Dillard, speaking as an individual citizen of Charlotte, stated he has today talked with six companies interested in locating in Charlotte who state if there is the remotest possibility of the Police Departments of the City or County unionizing they would not be interested in coming here; therefore, in his opinion the day we become a unionized city and county it will mark the end of our attracting industries, and the best way to destroy Charlotte's progress with one fell stroke is to continue messing around with this issue of unionizing our city and county employees.

Mr. J. R. Graham, AFL-CIO Regional Director, stated it is odd that he is in the position to endeavor to protect the rights of city employees to their employers; however, he again reminds the Council that the city policemen and other employees have an inherent right to join a union if they so desire; that the Charlotte Newspapers, Chamber of Commerce and Merchants Association are exercising their right in coming before the Council but their purpose is to destroy the rights of others; that they are objecting not only to the organization of the Policemen in a union but also to the check-off of their dues and those of members in other departments and he would remind the Council that the Federal Government

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has collective bargaining agreements with its employees. He stated further that the Right To Work Laws of the State of North Carolina prevents the Council from dismissing employees for being members of a union. Mr. Graham stated further that city employees should not be made to suffer in order to give sweat-shops to industries locating here.

Mr. Henry Wilson, Attorney from Washington representing the AFL-CIO State, County and Municipal Employees Union, stated the City has recognized the City Employees Local and City Police Officers Local during the past year in the form of check-off of dues and other ways, and the City has all legal right to recognize a Union and bargain with it, and in fact, the City has done that for the past 18 years with the Fire Fighters Union. Mr. Wilson stated it is disturbing to them that the same groups now opposing the unionizing of City Employees are the same ones who in 1947 joined in sponsoring the passage by the N.C. Legislature of the Right To Work Laws for the State, which includes the provision "that persons shall not be denied the right to work because of union affiliation". That the Supreme Courts of Arkansas and Texas have ruled that cities shall not forbid union membership to their employees under similar Right To Work Laws.

Mr. William Buck, President, International Fire Fighters AFL-CIO, stated they have been proud of the record of the Charlotte Fire Fighters Union affiliates for the past 19 years, under which these men voluntarily surrendered their right to strike; that the few times in other cities similar groups have struck, their charters in the Association were lifted without right to rejoin at any time. He stated he has served as an officer in the Association for 18 years and has never had an unusual situation as this today where their members have to fight for existence. Mr. Buck presented for the record the following Statement of Policy and Procedure of the International Association of Fire Fighters:

"The International Association of Fire Fighters, affiliated with the American Federation of Labor and the Congress of Industrial Organizations, has 90,000 members in more than 1,200 cities in the United States and Canada.

The Objectives of the International Association of Fire Fighters are:

Article III, Section 1. (International Constitution)

"The objects of this Association shall be to organize all fire fighters; to place its members on a higher plane of skill and efficiency; to encourage the formation of local unions; to encourage the formation of sick and death benefit funds in order that we may properly care for our sick and bury our dead; to encourage the establishment of schools of instruction for imparting knowledge of modern and improved methods of fire fighting and prevention; the cultivation of friendship and fellowship among its members'.

What we seek to accomplish, naturally, is to attain for our members the objectives thus set forth in our constitution.

THE CONSTITUTION OF THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS DOES NOT PERMIT STRIKES.

Article III, Section 2 of the International Constitution, reads as follows:

"WE SHALL NOT STRIKE NOR TAKE ACTIVE PART IN ANY SYMPATHETIC STRIKES, AS OUR POSITION IS PECULIAR TO MOST ORGANIZED WORKERS,

AS WE ARE FORMED TO PROTECT THE LIVES AND PROPERTY OF COMMUNITIES IN CASE OF FIRE OR OTHER SERIOUS HAZARDS."

Every member of a paid fire department, including all officers and chiefs, is eligible to membership in the International Association of Fire Fighters. However, some locals do not accept into membership in the local any officers above the rank of district or battalion chief. This matter is optional with each local.

It is not our policy to issue a charter unless a majority of the members of a department signify their intentions to join the organization.

The improvements made in fire departments and the protective laws passed by State and City Governments have been largely promoted by our organization in order to give better fire protection to the citizens.

The improved salaries and working conditions now prevailing in fire departments have attracted men with better educational backgrounds. This type of man does much to improve efficiency and morale in the fire department.

The progress and development of the International Association of Fire Fighters can be attributed to the fact that the objectives of the Association are such that they attract members of the fire service who are interested in improving the efficiency of the fire department, so that the best service possible can be rendered to the citizens of their cities, and who are interested in improving their own working conditions and living standards to the greatest possible extent.

The procedure which we follow in organizing fire fighters is as follows:

Our representative informs the Mayor or City Manager and the Chief of the Fire Department of the following points:

1. That our Constitution does not permit strikes.
2. That our organization is non-partisan, and cannot be used for the dissemination of partisan principles, nor for the promotion of candidacy of any person seeking public office or preferment.
3. That after the members of a local have discussed among themselves any matter which, in the opinion of the majority of the members, warrants the consideration of the city officials, they will first present it to the chief of the fire department for his recommendation.
4. That the time of city officials and fire chiefs is saved when a local of the International Association of Fire Fighters exists in any city, due to the fact that many matter which would be taken up with officials by various individual members of a department, when a department is not organized, are taken up through the local in an organized fire department.
5. That in an organized department in matters pertaining to the improvement of the fire service, the chief of the department will have the support of the local and of the labor movement in the city and state.
6. That the facilities of the International Association of Fire Fighters, relative to statistics and other helpful information will be available to the Chief and the local at all times.

7. That the International Association of Fire Fighters is a member of the National Fire Protection Association, and of the National Fire Waste Council of the United States Chamber of Commerce, and that we cooperate with the National Board of Fire Underwriters and all other organizations interested in the fire service and fire prevention.
8. That if it is ever found that affiliation of any fire department with the International Association of Fire Fighters is proving to be a detriment or liability to such fire department of the International Association will not permit such local to exist in the department."

Mr. Stan Brookshire, pointed out that the interest of the members of the Chamber of Commerce is proper in the question of the unionization of city employees, as the Chamber's purpose is not to serve its own members but rather to making Charlotte a better place to grow and live. That of all the departments of the City, the Police Department must give its first loyalty to the City itself and any division is dangerous. He urged the adoption of a resolution prohibiting the members of the Police Department from belonging to a Union.

Mr. J. N. Rayfield and Mr. Rowe Evans both spoke against union membership in the Police Department.

Mr. Floyd Henderson, President of the Charlotte Labor Council, stated the Union has not used coercion on the City Council regarding the question today - that has been done by the Chamber of Commerce and Newspapers, and it is frightening that this can be done.

Councilman Dellinger stated that the Police Department employees are in a different position from others, as they are the only sworn employees other than the Executive Branch of the City Government. He presented the following resolution:

"RESOLUTION
WITH RESPECT TO THE MEMBERS OF THE
POLICE DEPARTMENT OF THE CITY OF CHARLOTTE
BELONGING TO LABOR UNIONS

WHEREAS, This Council and the members of the Police Department of the City of Charlotte are responsible to the citizens of the City of Charlotte for protection of their persons and property and the orderly administration of the laws;

AND WHEREAS, it is the opinion of this Council that it is not in the public interest that any member of the Police Department of this city belong to any organization commonly known as a "labor union", or to any organization which has as one of its purposes collective bargaining for its members concerning wages, hours worked or conditions of employment;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Charlotte,

Section 1. It is found as a fact that membership in organizations commonly known as "labor unions" or to any organization which has as one of its purposes collective bargaining for its members concerning wages, hours worked or conditions of employment is against the public interest insofar as the same applies to members of the Police force of the City of Charlotte.

Section 2. It is hereby declared to be the policy of the government

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of the City of Charlotte that members of the Police Department of the City of Charlotte shall not belong to any such organization or organizations, and that from and after the first day of February, 1959 no member of the Police Department of the City of Charlotte shall belong to any such organization or organizations.

Section 3. The Chief of the Police of the City of Charlotte shall be, and he is hereby instructed and directed to amend the rules governing the said Police Department to provide for dismissal for cause from the Department of any officer or employee thereof who on or after the date hereinbefore set forth shall belong to any organization or organizations, and the Chief shall report such amendments to this Council for approval prior to the first day of February, 1959."

Following the reading thereof, Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Baxter, and carried, with the votes cast as follows:

YEAS: Councilmen Dellinger, Baxter, Foard and Wilkinson.

NAYS: Councilman Albea.

COUNCIL SUPPORT PLEDGED TO POLICE DEPARTMENT.

Councilman Dellinger stated he feels we have a fine group of men in our Police Department; that a survey is now being made to see what can be done to improve working hours and salaries for them. He called attention to the fine record of Mr. W.T. Bryant, a Police Officer who has served 34 years in the Department and wears No. 1 Badge for having served the longest period of time in the Department at the present time, and who is now retiring. He congratulated him on his record and recommends that the Mayor extend to him a Citation of Merit. Councilman Dellinger then moved that the Council go on record as pledging its full support to the Department and inviting Chief Selvey to bring his problems to the City Manager, for discussion with the Council. The motion was seconded by Councilman Baxter, and unanimously carried.

REAPPOINTMENT OF W.T. COVINGTON TO FIREMEN'S RELIEF FUND BOARD OF TRUSTEES.

Councilman Wilkinson moved the reappointment of Mr. W. T. Covington to the Firemen's Relief Fund Board of Trustees for a term of two years from the date of expiration of his present term on January 18, 1959. The motion was seconded by Councilman Albea, and unanimously carried.

CONSIDERATION OF RESOLUTION PREVENTING COLLECTION OF UNION DUES BY THE CITY DEFERRED FOR ONE WEEK FOR INVESTIGATION AS TO ITS EFFECT ON THE INSURANCE POLICY IN CONNECTION THEREWITH.

A resolution was introduced to rescind the action of the City Council on October 2, 1957 authorizing the deduction of Union Dues on request of city employee members, by the City Accounting Department after February 15, 1959.

Councilman Baxter moved the adoption of the resolution, which was seconded by Councilman Dellinger. Councilman Albea asked if the City would also cease the practice of deducting group insurance premiums and making

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other deductions from payrolls? Mayor Smith stated that the City Manager is of the opinion that all such deductions should be abolished as our facilities are limited, and such deductions should be made only for the Federal Government.

Councilman Wilkinson stated he understands that some of the members of the Union have a \$5,000.00 insurance policy in connection with their Union dues which they will lose if such deductions cease. He asked that the matter be postponed until this can be investigated by the City Manager as he certainly does not want to see any city employee lose such a policy. Mr. Yancey, the City Manager, stated he has been advised only today that all members of the Fire Fighters Union have this policy.

Councilman Wilkinson then offered a substitute motion that the matter be deferred for one week and the City Manager make an investigation and find how many persons will be so affected. The motion was seconded by Councilman Albea, and unanimously carried.

SUPPLEMENTARY CONTRACT WITH JOHN CROSLAND COMPANY FOR INSTALLATION OF WATER MAINS IN PARKSTONE SUBDIVISION, AUTHORIZED.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, a Supplementary Contract, to contract dated May 28, 1958, was authorized with John Crosland Company, for the installation of 500 feet of additional water mains in Parkstone Subdivision, at an estimated cost of \$800.00. All costs to be borne by the Applicant, who will dedicate the mains to the City without cost or further agreement, upon their acceptance by the City.

SICK LEAVE EXTENSION TO EMPLOYEES OF ENGINEERING DEPARTMENT.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing the extension of sick leave to January 31, 1959 to Mr. Henry Porter, Mr. J. B. Cherry and Mr. Tom Martin, employees of the Engineering Department.

CONTRACT AWARDED BURROUGHS CORPORATION FOR VALIDATING AND RECEIPTING MACHINE FOR INSPECTION DEPARTMENT.

Councilman Foard moved that contract be awarded the only bidder, the Burroughs Corporation, for One custom Built Validating and Receipting Machine, for the Inspection Department, at a net delivered price of \$1,330.00. The motion was seconded by Councilman Wilkinson, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, the meeting was adjourned.

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk