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Frank Miles- The idea was even suggested to him was offensive to him.

David Yellin- This is tape 3 Frank Miles.

Joan Beifuss- So how long did that first series last...

Frank Miles- Well it started on that Monday and of course I had a preconceived plan, at least of the initial steps of our trying to take this thing and get the initial steps going. That is number one problem I recognized that had to be dealt with is, that all the discussion was going on through the papers in the media wherever it was, was a well of confusion as to what form an agreement can take. What kind of agreement could they even wind up with? Worth had mentioned a letter. The city said they could not execute a formal collective bargain union. So I came up with the idea of proposing a memorandum of understanding of or by the mediator. I tried to side on Lucius Birch who has a good legal mind.

David Yellin- Yes he does.

Frank Miles- And when I talked to him about this idea after it had gotten out in the papers that I act as a mediator, and I told him what I intended to do. His reaction was spontaneous and immediate. He said, Frank that can be the basis of bringing about some form of contract agreement between these parties here without executing a collective bargain agreement (muffled). For god sakes, push it and push it, this might be the answer to the whole thing.

David Yellin- So your purpose was to, what was the purpose then of these meetings between the union and the city?

Frank Miles- Well, first of all you had to have a starting point and that is to start to shape up some form of agreement. And I was of course, the first step was exploratory to find out how far they would go in that direction. So...

David Yellin- But the purpose of these meetings was not in themselves to get any kind of either final or binding agreement.

Frank Miles- As far as the concern with the purpose it was very simply to try and find some area of agreement between the parties that would resolve the strike situation and allow these people to go to work.

David Yellin- So you set out to resolve the situation, instead of setting up the machinery so they themselves could solve it you were going to stay through and resolve it also.

Frank Miles- No, my primary purpose was really to find some basis upon which both parties could agree to resolve the strike situation.

Joan Beifuss- Did you in those meetings, where you able to, did you have to go back and discuss the things that the city had already agreed upon? You know mayor Lobe's list of 9 points and 7 of them had already been agreed upon by the union and the city, had they not already reached some kind of an accommodation about fringe benefits this type of thing.

Frank Miles- Well again these were rather nebulous. The mayor had stated in his letter that the city was willing to do this....

Joan Beifuss- I remember St. Louis that night he went down his list and said we have already agreed to this and this and this...

David Yellin- Which he still carries in his pocket the telegram.

Frank Miles- But you see the union was wanting more than just an expression they were wanting some thing in written form. This is the crux of the whole thing, and this is why Worth is saying if we just had a letter or just had something in writing and what the city is saying to the union that we recognize everyone that we will deal with you, that we will grant certain concessions to the employees of the sanitation department.

David Yellin- And that is what Worth meant when he said several times too, that he trusts mayor Lobe and if mayor Lobe would give his word he would take his word...he said this.

Joan Beifuss- Worth said that? Without it being written?

David Yellin- No in a letter.

Frank Miles- In the letter. He said if he gave him a letter, when he was trying to get around the problem of the city refusing to give them a contract.

David Yellin- He also said that if the mayor gave him his word in a letter that he would do this in a letter he would take it. In other words he said that, in fact the mayor told us this, that Worth said to him that if you were an honest man we could probably execute a contract much sooner. Now I think there were some subtleties that mayor Lobe didn't catch and again it has to do with the way you negotiate between people.

Frank Miles- You see this is a long range objective of ever calling the meetings in the first place was to solve the problem, but the immediate problem was to find some basis on which this agreement could be worked out whether it was by contract or by memorandum of understanding, a memorandum of agreement or what have you. I started out and made the approach that this would be a memorandum of understanding by the mediator. So I was not leaving anybody under the illusion, the city or the union, starting out to promote a full collective bargaining agreement with the union. Framework of which the union had been requesting it before. That it was my idea inasmuch as they had this conflict over the question of the legality, whether

or not the city could execute such an agreement. Taking this into consideration whether it was right or wrong I was proposing at this point that we work within the framework of a memorandum of understanding of the mediator and I went forward and explained what I would do with this memorandum once it was worked out and we had within it the framework of the understanding between them and if the union was agreeable based upon that, that the membership would go back to work, I would submit this to the city council, and the city council I felt would adopt it by resolution which would make it a matter of record. The union bought this, but not immediately, evidently after consulting with Worth and so forth. They accepted the idea that this could serve their purpose. The city did not buy it immediately and this is where in the first evening we got bogged down on the legality of this whole thing. Some of them sitting there of course had the law books with them and we were discussing the case and I had no interest in the case from that standpoint, I was not going to try and deal with it. (Muffled), and immediately be wasting time. We had to go through this exercise never the less, and on the second day I thought we had Gianatti in all day long and I thought we were hammering out some basis of understanding between them and what they could work out in language as far as recognition was concerned. But then the 3<sup>rd</sup> day which was Wednesday the critical day. The first thing the city's committee confronted me with was a willingness to do certain things that they felt that I should recommend to the union's committee. That they accept the idea of the referendum of the check off question. That they should accept the idea of the referendum. That the union should agree to put the people back to work and submit this question of the check off to referendum. I had to spend an hour or so convincing him first of all that if I went back and made this recommendation to the union as a mediator I might as well crawl in a casket and get 6 foot under ground. That I would be dead at that point. That there was and this is not the time again for that kind of suggestion. This may be something that we use for these discussions all over but to do this on the second day of these discussions would be just catastrophic.

Joan Beifuss- Are they not meeting together in the same room?

Frank Miles- They are meeting in the same room. But no wait a minute, the first day's meetings, let me straighten this out. We had meetings, we had joint meetings then separate meetings then joint meetings then separate meetings. When I am talking to the city's committee about their proposal it is separate see. This created a problem because reverend Jackson had been designated by the union and the city as representing the ministerial group. This is where the ministerial group has now entered. Bless his heart and bless his soul reverend Jackson had no appreciation of labor negotiations, mediation. So every once in awhile he would get off on something there and in the separate meetings he would take it out on me see. And I remember that first day he said to me, Mr. Miles, do you mind if I pick on you? And I said reverend Jackson you can pick on me all you want as long as you don't do it across the table. If you can take all these things out on me, fine, that is what a mediator is for, but when you get in across the table I hope that you all can talk constructively and positively to try and reach an agreement. So if you got anything

you want to take out on anyone take it out on me. Well on Wednesday, again we are talking about Wednesday morning. I am letting this union's committee sit back in this back conference room, and time is going on and I am having a tougher...and they don't realize what I am going through in talking to the city's committee see, in talking about this proposal idea they have. So when I come back to the union's committee they are mad by this time, here Thursday reverend King is going to be here and they are all busy preparing for this big march see, and he is really getting restless. Well two or three times, they wanted to just walk out you know, recess the meeting. They were not talking about walking out and cancelling entirely they were talking about recess meeting because they had to get back and get busy. If we couldn't, if the city wasn't willing to sit down and negotiate in good facing. And what they were contending was that the city was sitting there using all these legal arguments and this committee did not have the power and the authority to consummate an agreement with the union's committee. They were contending that they did have, except they would have to take it back to the membership. Whenever they brought this up separately I reminded them that they weren't in any different position than you are. Because you can't sit here and say you are going to agree to everything. In behalf of the membership, you are going to have to take it back and have it ratified by the membership. I have had to do it in my time and I know you are going to have to do it. So you are in no different position. They are going to have to go back to Lobe and whoever else might be over there, so you are both in the same position. Well they looked at it differently. This is just a subtle sham they are putting up to go through the motions. See this is the most difficult part and this is what I tried to impress on the union's committee. That was, for 40 days we had been around in a state of confusion, in limbo and what have you just ranting through the papers and considering suggestion after suggestion after suggestion is going around and nothing tangible was being done towards the resolution of this dispute until now we are right at the table sitting across the table without the benefit of news media or anything else. And we are honest to goodness coming to grips with the problem. This is a significant thing that was happening in these mediation sessions. And as we got into the afternoon meeting, we were getting bogged down on the use of the word recognize. I would have to have the transcript to really discuss this intelligently again. Except that I can say that the city was really stumped on, and they were reluctant to include the word recognize in this clause. You see the day before there had been an exchange of drafts across the table between Lucie and Gianatti, and Gianatti and one of the other city attorneys went in another room and came back and sort of indicated that maybe there was some changes there, could agree to this language. And you see they come back the next day and they come with this proposal, that I go in there and propose that they submit this question of the check off to the referendum and then they could agree on this language, but they were throwing the whole thing in the waste basket in effect. But I am trying to get it back to this, to consideration of this first clause in any labor agreement is that the company or in this case the city recognize the union as a collective bargaining representative see. This is a whole, all the rest of it rests on that. If they don't recognize them the rest don't mean anything you see. So we are trying to get over that clause there, and the city is having trouble with the word recognize. So I

suggested, and I have done this many times, if you are having trouble with a word, define a word. If the connotation of the word itself you are having trouble with and their reason was that they thought this would be in violation of the supreme court ruling on this case whatever it was. They felt if they were saying this then they were in effect agreeing to a collective bargaining agreement with a union which they could not do. So I finally drafted this thing going around and we said in effect that the city agrees that they will meet with and discuss matters involving wages hours and conditions at work, at different intervals with the union and so forth. Which is saying in effect we are going to sit down and recognize the union and bargain with them. That's what it was saying. So, I was just about home free on that, there was one objectionable group of words in there that I knew the union would object to and I would if I were them. I thought I will take one more trip back, I am going separately now back and forth back and forth. A couple times the union was wanting to go down the hall and down the elevator and I was bringing them back in and I was really sweating see, and hold this committee, I was trying to get over this one fundamental clause, if we can get over that we going to make a big step before we broke up because we weren't going to meet for a few days. So we are back in there and I had this clause and I had this draft and the word recognize had been scratched out. It was perfectly obvious then, but I didn't have time to be, I didn't have any secretaries drafting new scripts on everything see I was having to use this draft and reword it rewrite it and scribble over it and what have you. Reverend Jackson saw that, and he is not saying anything, but Lucie the intelligent one from the union's standpoint of being the black man he is also a union representative and a good union representative. He began to see what I was getting at when I was pounding home this business of what does the word recognize mean to you as a union representative? Champa, Lucie, doesn't it mean this right here. They looked at it and looked at it and said you have a point. About the time Lucie said that boy reverend Jackson spoke up. I don't care what they said, we are never going to agree to something that doesn't have the word recognize in it. You want to know what that word recognize means to me as a black man? I am going to tell you. Boy about that time Lucie and them backed up just that quick, the union dropped off of it like it was the worst thing you could imagine. I mean they dropped it like it was red hot. And really and truly from the standpoint of pure union negotiation and union comeback line would have said the same identical thing as saying we here by recognize you as a collective bargaining representative for purpose of negotiating wages and hours and conditions of work. But they dropped off of it and then for 15 minutes he lectured me on what that word recognize meant to him as a black man. It means for the first time in my life I am recognized as a man. And he was sincere and you had to sit there and you had to agree with just what he was talking about when you considered the whole thing now. This thing was not out of the context of the labor agreement which I hoped we could keep it in. Now it was in a realm that involved racial questions you see. And so when he got through with it, I said reverend Jackson I am just about at the end and I have held you all afternoon, and I am about to recess these meetings but I am going to ask you to do this, I want to bring you back in a joint meeting with the city and I am going to ask you to recite what you just recited to me. I have only one request and that is don't get personal.

Don't put it on a personal lane with anyone across the table, put it just as objectively as you have given it to me, and I think there is a lot in there that they need to hear. And so he did that and he did a tremendous job of it. Have you ever met him?

David Yellin- Oh yes.

Joan Beifuss- Oh yes.

Frank Miles- He is a, I told him I am going to come down to your church see. Well he gave them that speech if you heard it you know what I mean.

David Yellin- Did (muffled) hear?

Frank Miles- Oh yes he was sitting at the end of the table and I am telling you they sat there and just a listened just as quiet as church mice and never opened their mouth. And they were impressed. They may not have agreed with him, but they were impressed. But there is only one thing about it I realize that this man is so conscientious of this, but during the discussion when we were talking separately he had told me also, he said, you know for years I have felt that these unions were using the black men, and I have had no use for them what so ever. I will be perfectly honest I will tell you right in front of these representatives right here, I have no use for them. Many times he said I thought they had taken advantage of our people. But he said in this situation here, by god, they are right. I am never going to agree that we eliminate the use of that word recognize in this situation. Not while I am sitting here. We recessed the meetings, of course they all were, that is the union representative were just ready to sit down and hold a press conference. They had been wanting to do that all afternoon you see. They had this press conference, and they were there of course and they had to leave the meetings and I forgot just how they put it. They were forced to abandon the meetings because the city's representatives were there and did not have the power and authority to negotiate to a conclusion and consummate an agreement of any kind that they were just putting on a show, or this was not a sham or some words to that effect. However they qualified all this at the end saying, however, we are willing to meet with the city again, when they are ready to come back in and sit down and bargain in good favor. That was the way they left it. They never shut the door completely see. So I had this understanding that whenever the march was over I was going to call them back again. Well the city took a little different point but they also stressed that they were ready to meet when...

David Yellin- Would this be the thing that was reported that the union had walked out?

Frank Miles- This is the way it was reported that the union had walked out, they had not actually walked out, they had tried to walk out three times but they had not actually walked out because we were at the point where they could go no further and I recessed the meetings and I had to have them back in joint conference when I recessed them.

Joan Beifuss- Would it, would they also have put it in that light for publicity...

Frank Miles- They put it in that connotation for the benefit of the (muffled) that they had actually walked out because the city was not dealing in good faith with them, that is they way they wanted it presented...

Joan Beifuss- That would give added emphasis to the march.

David Yellin- But at the same token, mayor Lobe said they walked out three times to show they had walked out on the city. So that everybody was...

Frank Miles- You see the news media was up and down the hall and they saw them out there when they were getting ready to go down the elevator once or twice and so this is where they got the connotation that they walked out. Well they hadn't actually walked out of the meeting. I will have to say at one point there if they had gone down the elevator then they would have been walking out, but I really...in vernacular I put the arm on them one time. I am just going to put this up to you this way, I put this to reverend Lucie in the hall. In other words what you are saying is that you are walking out of this meeting? You are refusing to sit down and bargain any further, is that right? Well they looked at me rather funny they didn't want to be put in that position, and back they came in the hall, back they came in the room. Mediators have had to do that many times you see. They don't want to be put in a position of refusing anything, either party, the company or the city, or the union. In many cases this has happened, we will let you go ahead and recess the meetings, and then they are always subject too...this is better for them see, if they walk out then there is a degree of finality about it, that you just closed the door on this. Unfortunately Worth wasn't there see.

David Yellin- Why wasn't he there? Was that because of the injunction?

Frank Miles- No, his international convention was coming up, he apologized to me when I first set this thing up, I wouldn't say apologized, he explained to me why he would not be there and the reason was a good boundaries and his international union was about to start their conference and he had to be there.

David Yellin- Do you think it would have been any different if Worth had been there? Could he have talked to Jackson?

Frank Miles- I don't know that it might have been any different, it could have been worse. It was just one of those things. I think it was a part of it that had to be gone through it. See a mediator looks at things this way, he doesn't say this is the end of the world. This is one step in traveling down the road toward a final resolution. And this is a step that had to be covered, they had to get this out of their systems.

David Yellin- What we are talking about is March 25, 26,27<sup>th</sup>. Yeah and then the 28<sup>th</sup> of course was the march. And you never did meet again? Did you meet the next week on Monday?

Frank Miles- You see after that happened and this might have been a mistake on my part. It may have been that I should have called right back together but you see right after that riot took place down on Beale St. it built up tensions here something terrific. Everybody was accusing everybody else of everything if I recall and there was consternation all around. As far as calling back together immediately after, I felt it would not serve a purpose. Now a mediator has got to have some sort of sense of timing. This is one of those things that I felt if we had called them right back together all we would have done was to pick up where we left off. And they would just continue to wrangle. A little time lapse needed in there to give them a chance to examine their conscience a little bit and review what was happening and what could happen. I am talking about the city from the standpoint, for on thing on the standpoint on their insistence on the matter of the contract. The fact that could not agree to a collective bargain agreement, they were taking this position that anything, almost anything they did would be considered as executing a collective bargain agreement. They had not gone all the way with me on this memorandum of understanding of the mediator completely see. They hadn't rejected it, I don't mean to say that, but and they were sincere about this now and this is something that the union's committee may not have thought this, but I thought that the union of the city's committee was sincere. You had some real good legal minds there and this was the way they were reading this law, and their interpretation of it. But then one of the things that was happening was a contract came in the possession of the city from another area and I saw it and I said nothing. I never said anything to the union about it, I said nothing to the city. I didn't remind them of what it actually constituted at all. But it was a collective bargaining agreement. Some sort now it was a memorandum agreement and this is really something I am really reluctant to talk about except in general terms, they use the word come from. Except I believe that this began to have some influence on the city's committee and began to influence their thinking a good deal bit. I think they went a little further to find out other areas they...now the city for their part had asked them to supply them with other copies of contracts from other parts of the state. If they were contending that the city could execute contracts they were asking them to supply...and the union had not done this. And I think the union was negligent in that respect. I think they might have a, if the city was sincere at all they could have done it two ways. They could have given it to the newspaper to prove the point that they could execute..

David Yellin- But they did contend that there were other contracts.

Frank Miles- They did contend that their were but they didn't provide any evidence of it. Now about this time, just about this same time and I am trying to lay the groundwork for the next series of meetings see. During these first three days here somebody had leaked out what was going on during the negotiations, mediations here. Somebody had leaked this to the newspaper and this was something else the union was mad about too. Union contended that they had not done it and I am afraid somebody on the mayor's side, not one of those sitting their in the room, because when they were charged with it by the union they were adamant and up in arms, but I am afraid that somebody maybe second, third, fourth down the line



leaked it out to them you see. They have ways, they get this information somewhere. I felt that I needed to just talk to the newspapers myself and impress upon them that when we went back into negotiations to keep these things in confidence. Good newspaper business or not, if we were going to solve this problem they were going to have to forget some of these things, or hold them in a bed. So there was one thing they were working on. I would kind of like to take this off the record for a moment and then I will...(Tape Break)

David Yellin- While you are doing that can I use your bathroom?

Frank Miles- Yes sir I am sorry. One over there.

David Yellin- Remember when Rusk was on the thing and that is what everybody said about Senator Rusk, my greatest admiration was that he never had to go to the bathroom for 8 hours...he was on television.

Frank Miles- Gee whiz.

David Yellin- Which way?

Frank Miles- Right there straight away.

Joan Beifuss- Yeah so showing responsibility with the press...

Frank Miles- Oh I, you know reporters just trying to do their job the way I look at it. That week I was a really a little bit, well we are on the record here. The week we were having the mediation session up in the hotel I was put out with the newspapers when these accusations were made by the union that the city had leaked this news information about what was going on in mediation sessions to the newspaper and there was evidence that someone had. I had placed so much emphasis on (damaged section of tape). When I was asking the newspaper cooperation we would try and give them as much information as we went along as we could. Everybody had a responsibility to make a contribution to resolution of this problem. I felt that they should have treated this in confidence or at least should have called me and said, look we have a story here will it hurt the situation if we print it. But newspaper people look at it this way it is news that belongs to people and the business...

Joan Beifuss- it is a very narrow line.

Frank Miles- Yeah it is a very narrow line, we are responsibility and of one sort of another reaches a dividing point here. Because in this case here just the fact that this was published it hurt our meetings up there and had a profound influence on us, in that case. I do want to say on the whole as far as I was concerned the newspapers cooperated with me as a mediator as much as I could expect and this one incident that I can relate where I became aware of this story that was about to be released and it had to do with the various contracts and agreements that existed around the state, in various city searches. Chattanooga, Nashville, Knoxville. The way that story

was about to be released was leaving the impression that there were no signed agreements in the state what do ever. I was aware of the fact that there was signed agreements in certain areas and I pointed this out to members of the local newspapers. Before they released the story they checked the story out further and got all the facts before they released it. Because had they released it in its original form, it could have had an adverse effect on our meetings. This was on the question on whether or not a city or within or municipality in the state of Tennessee was actually already in violation of the law in this question by signing contracts and was there any such contracts existing. Because it had been the understanding of the city that no such contracts existed. They had requested the union supply copies of any contracts that were signed of this nature that exist in the state of Tennessee. The union had not supplied them with copies of...but I was aware of the fact that there was one very definitely because I had seen it. When the call was put in to the Precimeter, which happened to be the paper in question here, they cooperated by double checking their information and getting the full story, before they printed it.

David Yellin- They also were doing good newspaper work and when the question came up they went and searched around to find out indeed there had been...Now so when the meetings were halted just to get ready of the march on the 28<sup>th</sup> you intended to call it back sometime around Monday or Tuesday?

Frank Miles- It was my intention to call them back together the first part of the following week. I started on this about Tuesday and I felt that was a time to call them back together because I was getting some impressions from talking to both parties that they were rather, I won't say anxious but that they were more than just willing. There was some degree of concern that they needed to get back to meeting, to the joint meetings and try to resolve that question because of what had happened on that Thursday. I think this woke everybody up that while this riot situation happened on Beale St. was maybe small in significance but the next one could be something that could get completely out of hand. So I think there was an awareness of the real dangers now that had never existed before. So there was more than the casual willingness to meet, there was a real desire I felt by both to meet. But when I am contacting the union representative, Mr. Worth began just ready to leave for the airport to leave the city. The first time his reasons were absolutely valid because I knew this convention coming up, it was in the newspaper it was on television. That very week we had the first meeting. Now, he was needing to go to Chicago, and he had a commitment in Iowa of some kind to speak for a teacher's convention. I never did tell the city about this conversation I had with Mr. Worth in trying to get the next meeting set up, but he was kind of putting me off. And he finally agreed to have his committee there on Friday of that week. The reason he was giving me of course was that he wanted to be present at the next meeting and I wanted him to be present at the next...so these were good valid reasons for waiting until Friday although I felt this time we did need to get them back into joint meetings before Friday. But he assured me he would come into them just as quick as he could. He brought this upon himself, he felt he needed to be in the meetings, the next series of meetings that took place.

Joan Beifuss- So you had it scheduled for that Friday?

Frank Miles- So we had it scheduled for Friday and on Thursday morning I think it was, no, on Tuesday on my suggestion the council again adopted a resolution and this, you know there was a little story about this adopting the original resolution they had requested me to come into the picture as a mediator because they had to get an agreement by all the councilmen to suspend the rules, and there was one man who objected to this. Anyway on this Tuesday, the council is again adopting the resolution and request me to reconvene the meetings. So I set the meetings up for Friday and I think it was released to the paper on Wednesday or Thursday' that we were going to meet on Friday. Now here is the part, that very few people know about that transpired on, let's see Dr. King was killed on Thursday night wasn't he?

Joan Beifuss- Yes.

Frank Miles- It was on Wednesday when this was released to the press that we were going to set this up for Friday. And it was on Wednesday evening here at home right in that bedroom, my wife was in bed, and I was on the telephone and I had a call from a friend of mine here and he is talking about a representative of the justice department, he was a representative of the community relations division of the justice department. And he thought that I, that we needed to talk to one another. He is indicating to me a very definite feeling that if Dr. King could be given assurances that these meetings that would start on Friday could be conducive to the resolution of this dispute that he might decide never to hold this march that was coming up on the following Tuesday where everyone...So earlier that same Wednesday, Tom Robinson and the united states district attorney had called me, and told me that Ramsay Clark was there in his office and that Ramsay had talked to the union representative and he was kind of considering going over there and talking to the mayor. He was asking me my feeling about it and whether or not this might hurt the attorney general's office other than to help the whole situation. My immediate reaction was that it was not going to help the situation. The only thing it would do is probably hurt the image of the attorney general's office. It was the justice department and the enforcement of the government and now we have got the chief enforcement officers coming into the mayor's office and the connotation is left that you better do something or...There is a subtle threat whether it was intended or not. Tom said, I am in complete of you and I just got through telling Ramsay that's exactly what I said, all he wanted was a little backing up for it. He said, I just got through telling Ramsay that same thing and Ramsay is nodding his head in agreement that he shouldn't go over and talk to him. This is was the background of Ramsay Clark's here see.

David Yellin- The reason for going was to kind of stop the...get involved in the march bit?

Frank Miles- Really it was just a matter of concern of the federal government of what was going on and maybe to intercede with the mayor and see if there isn't someway that this whole thing couldn't get resolved...

David Yellin- What I am trying to get at is the attorney general as far as you know, as much interested or even more interested in not getting Dr. King involved with the march here, or did he want the strike to end because of the strike ending?

Frank Miles- Well I think his intentions were really to intercede with the mayor and see if the whole strike situation couldn't be resolved, because they felt and they knew that if the strike could be settled the whole thing would resolve itself, the whole thing would have been null, it would have just washed itself out. There would be no reason for Dr. King to be here for a march, there would be no reason for the demonstration march or anything else. So I think that was the purpose he had in mind, it was that same night see, when I was told I should be talking to this fellow. Well this representative of the justice department, and he was working out of the community service division. So I wind up, this fellow calls me a little later and this, the other fellow, he serves as a point of introduction, he was introducing me to the fellow and the fellow calls me then. I just put it up to him this way. I want to believe what he is telling me but for god sakes it is just hard for me to reconcile that Dr. King had been in here, he had this bad experience for the first time having so much violence in a march that he is involved in and he has got to come back here and lead a peaceful demonstration. He almost has got to do it. I don't see how in god's name he could back away from this situation gracefully or any other way. I still want to believe you know what you are doing. He tells me and assures me, I know what I am talking about, I have been with him in other situations, many other situations. I can almost write the script for you. Exactly what will be said. But he said I would like to, I would like to work on this and arrange a meeting between you and Dr. King's people tomorrow. Sometime maybe tomorrow night. Well the next day now is the day the city is going into federal court requesting and injunction to stop this march...

David Yellin- That is why I am a little bit confused because they went in Wednesday. But maybe your call was Tuesday?

Joan Beifuss- No, the initially went in Wednesday and then the hearing was on Thursday on enjoining the march.

David Yellin- They went in Wednesday because Dr. King came back and they...

Frank Miles- They served him on Wednesday but they didn't actually get into court until Thursday.

David Yellin- So Thursday morning?

Joan Beifuss- They opened court on Wednesday and then they pushed them to Thursday.

David Yellin- Out of court Thursday morning...

Frank Miles- 10 or 11 o'clock this fellow started calling me again and he said, I have been sitting in these sessions and I just had a talk with reverend Young out here in the hall in recess and he is in agreement that we should have this meeting, I will be

in touch with you later. I said, well before we have it I would like to have something going that I can say to these people in all honesty, and I had said this the night before that in all honesty then that I have enough to go on that I believe that we can work this thing out to a resolution to finally get an agreement that will resolve the whole thing. Settle the strike, I can't say this to you honestly now and I couldn't say it to them honestly then, but I want to have a little more to go on so I was talking to someone who had been talking to the mayor, knew the mayor, was close to the mayor. It was another thing that got into this whole situation, all these things they are all tied together now and I am forgetting the sequence of them I have to go back. I have to backtrack just a little bit because on that same Wednesday a friend of mine called me and said, Frank I have just had a call from someone very close to the mayor and a the first indication that they are going to do anything on that check off through that credit union probably, and he said I can't tell you this man's name but I have told him for god's sake don't do anything except do it through Frank Miles. When we get into these mediation sessions when he calls them back together. And he said I thought you ought to know this. I am passing it on to you and I am sorry I can't tell you who it is. I wish that got after him he would have told me who it was then I would have known who to talk to directly. Well it was Lucius Birch that called me that's who it was. I am telling you some things maybe these other people hadn't told you.

David Yellin- No, and I wish...

Frank Miles- But they were important events, personally involving me. But Lucius had to...at the time he was talking he said, Frank I have got to get out of here, and that is why I knew it was on Wednesday because I am going on my way over to Dr. King's apartment or room, where we are going to have to prepare this case to go into court tomorrow. So this fellow had called me and told me he thought we should get together that night and he would call me and it would be somewhere away from the Lorraine Hotel.

David Yellin- Now this would be the federal man?

Frank Miles- A federal man. See they have got a division that works , they are working on this situation...

David Yellin- Can you give us his name?

Frank Miles- Well his name escapes me for the moment and I tried to think about it and I said nah I don't want to think about that fellow, I don't really want to remember it. This is a man who works in a very confidential area and I just say it is a man, a representative of the justice department I think that is enough. But..

Joan Beifuss- He was going to arrange for you to talk to...

Frank Miles- He was trying to arrange a meeting between myself and Young, is what he was trying to arrange. And you know Young and Abernathy were very close to the top. So I tried to reach my source of information. He also was involved in a

situation up there at the federal building and I could not reach him. At this time now I decided to come back to Downing Prior and the council to see whether or not I can get some feel to them as to whether or not even if we can't get over this whether the councilmen adopt some, some assurance for a sufficient number of members of the council that they would take some action see on this matter.

Joan Beifuss- Was this still Thursday morning?

Frank Miles- This is still Thursday. So I called down and we arranged to meet down at the King Cotton Hotel, Shorty gives us a room up there....

David Yellin- The King Cotton or the Claridge?

Frank Miles- I am sorry the Claridge hotel and I was trying to remember there was 5 or 6 council in there.

David Yellin- Maybe we can help you.

Joan Beifuss- Reverend Netters, Fred Davis...

Frank Miles- I don't know who they were I just went fine with you because Zenners told me he had talked to you people, you told me enough.

Joan Beifuss- We didn't get that from him.

David Yellin- We got it from Davis.

Frank Miles- Netters is there, Davis is there, Pearl was there, Downing....

David Yellin- And Blanchard?

Frank Miles- Turn, and Jerry Blanchard. Seems like there was another one but maybe that was it. But I told them this is a serious situation here and we are going to just have to lay the cards on the table. If there is anything to this at all any opportunity at all to do anything with it is going to have to stay in this room and I have got to have something to go on. I didn't get into all the details with him except that I was working on something. But I got the reaction from them that they could not guarantee the vote. If it came right down to it. I had this one lady, mayor, which was the best way for it to happen was for the mayor to voluntarily coming up with some ways of resolving this check off through the credit union. But you see there had been a lot of speculation that the council could adopt some form of resolution which would, and they had been several approaches under consideration for this question. Because they were doing it for the credit union and they were doing it for, it was two different times at least there was a resolution considered and was just withheld and never really was brought out. And they thought they could have really gotten the majority of the council to go along with it, which would have made it almost mandatory that every department of the city would have to grant a check off if they did it for the credit union for the red cross or the united fund anyone else they had to do it for everybody.

David Yellin- J.O. Patterson was in...

Frank Miles- I guess it was. And then there was a another one beside that one, There was one...

David Yellin- I think Donelson.

Frank Miles- Yeah Donelson was working on it and I am just recalling these things now. So this wasn't out of the, see this, my talking to them was that thought in mind that it was very serious consideration and now kind of Donelson's in the meeting also. So I was getting the best brains of the council and the black and white in this meeting. My simple question was simply if we were unsuccessful in these mediation sessions to resolve this question of check off did they believe that the council would take action on some of the resolution that had been discussed to bring about a resolution of this problem by making the adoption of a resolution by the council making it mandatory that all departments be afforded the privilege of a check off and a labor union such as this union will be afforded the same right as the United Fund and other organizations. And they could not give me that assurance. About this time one of them went to the telephone and called his wife and that is when she told him, she almost shouted at him have you seen television. Just this moment it flashed on the screen that he had been shot. Dr. King has been shot. Well everybody scattered just like that the whole thing went down the drain. But I don't know what would have ever come out of this but I think that you see the march was not to come up until he following Monday...

Joan Beifuss- Did you get the impression that whoever it was from the justice department was dually concerned about the situation here?

Frank Miles- Did you say that they were unduly?

Joan Beifuss- Yeah, I mean did you think....

David Yellin- Yeah,. Why were they so anxious for this would to be settled so there would be no march?

Frank Miles- Well they thought that the labor dispute could be settled that the march would be called off and the danger of any violence coming out of the march would be dissipated you see. They were concerned about it because of what had happened there on Thursday.

Joan Beifuss- Violence coming out of the march?

Frank Miles- Violence that had happened on Beal Street. It has already happened.

Joan Beifuss- Yeah did they say, did you get the impression of violence coming out of the march rather than coming from outside the march against the march or are you just?

Frank Miles- No they never got into the detail of it they were just concerned about it. I don't think it would make any difference to them where it come from it is just a matter if this is going to be a situation out of which comes violence then we need to do something to dissipate the whole thing. And the crux of the whole thing is a labor dispute.

David Yellin- Now did you discuss with Lucius Birch this idea, that maybe it might be settled?

Frank Miles- No, you see...

David Yellin- He was his attorney...

Frank Miles- At that time I did not, and of course he called me and gave me this real fast and he was almost walking out the door at the same time saying I have to get over to...

David Yellin- You know I frankly don't remember whether Lucius Birch told me that he had gotten this call. If not I am going to call him and ask him to...

Frank Miles- I appreciate that you not do this, this is....

David Yellin- Alright. Ok.

Joan Beifuss- No, we are alright.

Frank Miles- I would appreciate, I wouldn't do this.

David Yellin- I was going to say I have a memory of him saying something about this...

Frank Miles- Otherwise I will be a lot more restrictive about any of that stuff. I would hope that....

David Yellin- No, no, no, no , no, no.

Frank Miles- Any of the things I have said here I have taken it for granted based on what Mr. Hunter told me that this would not be done that you wouldn't go back to some one else and say, hey Miles said this.

David Yellin- No, no, no, I am not trying to be canny or I just said it right up because I was trying to recall, both of us talked to Lucius Birch. Trying to recall whether Lucius Birch ever mentioned to us that there was a possibility that the mayor just as you are saying.

Joan Beifuss- Now the only thing I was trying to think is from a number of the negro members we talked to there seems to have been a feeling that Dr. King was extremely uneasy about coming back in here.



Frank Miles- This was the context in which this whole discussion took place and when this man, when I have all these doubts see, this man is telling me Dr. King is very uneasy about this whole situation. It is has a feel, that something is wrong here, that he would far rather return providing there is some assurance that there is a good chance that this thing might get resolved. So after he was killed and I came home, I was sitting here watching television. Of all things, two different things happen. Number one, I hear Dr. Young. Dr. Young is saying just what we said a moment ago that Dr. King had this uneasy feeling about this whole situation, some expression along that line. And then they are given this whole background history of Dr. King and all the things he had been involved in and one of them was in Albany Georgia. Here he is on a television script or a movie script at least on film and he is talking on this microphone and evidently for a large group of people there, it might have been protesters or whoever it was and he is saying almost these words. We are retiring from this situation for the time being to allow the local people to try and work out their own problem, we are not abandoning it completely but we are retiring to give them a chance to resolve this problem and if they do not, I will be back. This is what this fellow was trying to tell me that I could almost write you the script of what will be said. If this, if it can be worked out see, if he can get assurance. At some substantial feeling that this whole thing can be worked out. He said it can be done and it has been done there is a desire to retire from this situation but I had all these doubts in my mind but how could this man do it in the face of what had happened on Beal St. in a supposed peaceful march and this man had to be snatched right out from under it.

David Yellin- That is what I was wondering.

Frank Miles- But he knew what he was talking about and when he was talking to Young and when he was taking to people right at the top, and he would never talk to King himself see.

David Yellin- And even while they were in court arguing to have the march,...

Frank Miles- Right they are having a discussion out in the hall..

Joan Beifuss- Well he would have had....

Frank Miles- And then this fellow was telling me I have just come from talking to Young and King and his people see.

Joan Beifuss- Well a lot of King's top people didn't want hi to come back here.

Frank Miles- Huh?

Joan Beifuss- A lot of King's top people did not want him to come back in here either.

Frank Miles- Right. Probably many of them thought that they were being used to a certain extent although he had this other program on his mind so heavily that he

wanted to make sure it was successful of the situation that I think happened in Chicago.

David Yellin- But he could have gotten out of it just as this man said by saying that, If there is going to be peace here and we are going to settle it then that's what we are going to do...

Frank Miles- He could have made a public statement of this kind. We have reason to believe that this problem can be resolved when they come back in these mediation sessions, eventually this whole strike situation could be resolved and so for the time being we are retiring from it.

Joan Beifuss- I know by that point there was so much outside force building up and it was by then become a national question almost as to whether Dr. King could come back in here and lead a peaceful march. It snowballed.

David Yellin- Yeah but if the thing had been resolved that thing would have been probably faded away and you would never...

Frank Miles- This is the crux of the whole thing, if the labor dispute was dissolved.

Joan Beifuss- But had it only been a promise that it would be resolved I am not sure if that would have stopped him.

Frank Miles- Well you see no one could make that absolute promise and this was a thing that I was trying to...

David Yellin- That was the point could you have promised that you could have solved it in one day or two I guess you could have made it.

Frank Miles- You never do this as a mediator or that it could be solved at all. But I knew this. I felt very strongly that if we could get the answer to check off the rest of it...

David Yellin- So that was the key call.

Frank Miles- That was a key question there. Key issue.

Joan Beifuss- Well and now some people have said that it was the murder of King that actually won the strike for the union, you would not say that you would say you almost had it mediated out?

Frank Miles- If King had come in here on the first day of the strike it would not have solved the strike. It would never, the city would have never agreed at the time. It had its impact on it, but it's a point of time when it has its impact see. If it happened in the very first week of this strike situation I don't think the city would have necessarily...

David Yellin- Do you have any reason to believe, not impeding anybody's integrity, that indeed mayor Lobe was capable of compromising, that is a hell of a word, that is

one word that fired him up once, adjusting let's put it....you think he would have been?

Frank Miles- I am confident now looking back and based on Lucius Birch calling me and told me what happened afterwards, because I know who called him. I know now who it was that he was talking to, so I know he was capable of adjusting to the situation. I had happened to know that they had a meeting on that weekend and that is why I was talking about time. We had just had this meeting on Wednesday and they had this march on Thursday and this is Wednesday where I am talking about that we broke up in recess.

Joan Beifuss- In recess yes.

Frank Miles- They had the march on Thursday in which the violence occurred and I felt several days needed to elapse between meetings here and this gave the weekend and it was at that very weekend was when a turning point was reached with the advisors of the mayor. This is in my own mind, I am speculating now, I don't know this for an absolute fact but I can put these things together well enough, but it was because they all went and met many times on Saturday see on weekends. At that point, that weekend is when this turn around the corner occurred away from the adamant stand on the check off and toward a more adjustable approach to this matter of the check off, which was check off through the credit union. Now they had some other ideas they were considering different ideas but essentially it was going to be the check off in some form. (Tape Cuts)

David Yellin- I would like to just again for the record, you did mention it and you discussed it and I think you even stated it outright but maybe again it bears reputation. About the fact that you had indication in one of your conferences with the mayor early somewhere about March 20<sup>th</sup> or so, that he was showing signs of change and now this call that he was even considering changing his point of view on the check off. Would you discuss that? Do you think that he was changing and might have had not Martin Luther King been assassinated?

Frank Miles- I very definitely believe that we had a very good chance of resolving the whole strike situation regardless of whether Dr. King had been killed or not because in the first reference I made there before we started out with the mediation sessions I felt that for the first time that there was some indication that he would give consideration to some alternatives on the check off question. From the standpoint of a mediator it is always a good indication. If he can validate it and find that it is true. Then to follow up on the call that I had on the week after we had recessed the meetings that there was from someone through a 3<sup>rd</sup> party that there was an indication that something could be worked out on a check off with further evidence that the mayor's position on this was changing and that he was adjusting enough that I felt we eventually resolve the whole problem once we got past the question of the check off.

David Yellin- Well fine, that says it. Now then when Martin Luther King was killed and you did not call the sessions back because...

Frank Miles- He was killed on Thursday night and of course we were supposed to meet on Friday morning, and I just did not call them together on Friday and I left them suspended until I call them back. Then it was on Saturday that I called them but by Friday afternoon or the evening was when I met Mr. James Reynolds the young secretary of labor and spent 2 or 3 hours with him down at the Peabody Hotel reviewing the whole situation and he advised me that he had been requested by secretary Wurts and President Johnson to come into the situation and lend his services if he could do so. And that he had been talking to the union and he intended to talk to Mayor Lobe on Saturday morning and after I review the entire situation as I give it to him. He had come to the conclusion that his help in this situation might be on the periphery of the mediation sections, even if he didn't become involved in them directly. But as it turns out he became involved in them directly and I welcomed this man most heartedly, because when I had started on the first mediation sessions I had explored the possibility of probably David Kaywood, This is one of the questions I was asking of Lucius Birch to begin with, maybe David Kaywood could work with me. I had talked with the mediation services here, locally and the regional director to see if their local mediator could work on it because in a situation involving as much as this that was involved in this one it is always best to have a team of mediators. One, is working and the other is listening...(Tape Cuts)

David Yellin- Two glasses. We are ordering milk here. Now were talking about Mr. Reynolds is in it and.

Frank Miles- Yes this was on Friday.

David Yellin- The 5<sup>th</sup>.

Frank Miles- Friday the 5<sup>th</sup> and I met with Mr. Realms with at the Peabody Hotel as I stated on the last tape Lewis is a most welcome entry as far as I was concerned. It was always much better for purpose of mediation to have two men working together on a situation as involved as this one was. Working as a team because they had someone to confer with to try ideas out on one another. One person knows people the other person doesn't know. One is listening while the other is busy talking. This is the way it worked out in this whole situation. This is one of the most enjoyable association I have ever had as a mediator with this fellow. He and I would just from the first day we met we hit it off as a team and we worked as a team. And unfortunately for Jim he had not been to Memphis at all, he knew no one here personally. Fortunately or unfortunately I knew a number of people, however he knew some people in other places that could help in the situation. We were putting all these things together and made it a real team effort. I would say that while I hadn't been able to bring it down to a resolution by myself, (Laughs).

David Yellin- Now we are going to have him sit in here.

Frank Miles- Keep him occupied with some vanilla wafers will yah. Look at the other one, he is not sure he looks you know and looks around to see what is going on he is not sure just what is going on. Ready. Keep him in the kitchen Hun. Oh I am sorry we have been on that tape. Sharon we are using up the tape.

David Yellin- No it's just wonderful, I am going to take one of your cookies.

Frank Miles- How about a glass of milk?

David Yellin- No.

Frank Miles- Sharon, take them into the kitchen will yah sweetie.

David Yellin- Jim Reynolds and other people, you knew people.

Frank Miles- Well on Friday after this conference that Jim Reynolds and I had, Jim went over the mayor's office on Saturday morning and just before he went into the mayor's office I called him and advised him that I again was sending a telegram to both parties requesting them to meet with us at 3 o'clock that afternoon in joint session to resume mediation sessions and asked him if he could participate. He said by all means he thought it was a good idea also. We came back into sessions that afternoon but before we did that we had a session up in Jim's room with Mr. Worth and Mr. Reynolds and mayor Lobe and myself. We were trying to explore the possibilities of bringing it down to resolution but it served a definite purpose of bringing Henry and Worth back together, they had met before, but it served a purpose of bringing them back to having more personal contact. So we started that Saturday afternoon and we were dealing with the contract language and the original concept that I had proposed to begin with was one that by this time the city was accepting and at this time the union was accepting and that was that this be considered as a memorandum of understanding by now the mediators, the mediation panel. Not the mediator as I had a original proposed but now this would be a memorandum of understanding by the mediation panel. So that was the context in which we were going to work. So we started out with that first clause and that was recognition and the language we had in the prior meetings was hammered out and I don't have it in front of me but I have a copy of it. Do you have a copy of that memorandum of understanding.

David Yellin- Sure we do, yes. It's in the newspapers and yeah.

Frank Miles- Well the whole text of it was never in the newspapers but..

David Yellin- I will ask you about some material later...

Frank Miles- Well anyway the language on the key question was hammered out and for the most part it was based on some were considering it in the previous mediation sessions and the word recognize was included.

David Yellin- It was included.

Frank Miles- It was included. Then we just went from one, while not having a copy of it in front of me, we just went one article to another and worked far into the night and got most of the language of the memorandum of agreement worked out.

David Yellin- That is the 4 of you still? I am sorry the preliminary meeting was just the 4 of us but the joint session was with the committees and the mayor and Worth was not sitting in.

David Yellin- When were the joint sessions, (Muffled)

Frank Miles- No this was on Saturday.

David Yellin- All on Saturday?

Frank Miles- All on Saturday. The first meeting we had was between Worth, Mayor Lobe, Jim Reynolds, myself, in Jim Reynolds room. Then about 3 o'clock we began joint mediation session and this consisted of the committee representing the city and the committee representing the union.

David Yellin- Primarily the same people who had been in...

Frank Miles- Primarily the same people except the reverend Jackson was not in it representing the union.

Joan Beifuss- Was anybody representing the negro community then?

Frank Miles- There was no one representing the ministerial group no. Of course the negro community you would have to say that everyone that was on the committee except Champa were negros.

Joan Beifuss- The COME organization.

Frank Miles- Yes the negro ministerial group. I don't....

David Yellin- I guess they were not in much communication at that time...

Frank Miles- Refer to them as the COME group because at this point this was just a negro ministerial group that was in it with reverend Lawson and Jackson and those people....whether they were members of COME...

David Yellin- Yeah they were.

Joan Beifuss- Yeah it was all one together. Was any mention made in the negotiation sessions Saturday afternoon about Dr. King's death.

Frank Miles- Well there was mention made of it but I think I would put it within this context. When I resume, open up the session and the press was there and I introduce Jim tot eh press and he made a statement. Then as we began our sessions we discussed this briefly in that I think Jim made mention of fact that this little strike as we might refer to it has become of such significance now that it was having

reverberations around the entire world by reason of Dr. King's death and so that the eyes of the world was right there on that table. Whether the people at that table realize it or not the eyes of the world is on that table and what came out of those mediation sessions. Of course this is what put it into a different context than I started on to begin with it was a certain amount of publicity attached to it locally, but not on a national basis. Not countrywide.

David Yellin- Then it took...I will stall on my question and give you a chance to drink some milk...did it take, Joan did you have something? IO was going to say then the next several days the media you took and you met, is there anything that you feel....

Frank Miles- I can mention this, that further we get further proof to the indication that I gave a little bit ago. That a change in the attitude towards the check off question was beginning to take place even before Dr. King's death had reached a point that by the time we sat down on that first Saturday while the city's committee came up with a proposal which was not satisfactory to the union, which in my mind was not satisfactory at all, but at least it was a proposal different than any they had made before on the check off question. Then we finally came back to the check off through the credit union and we worked this out. It took us all day Sunday to work out the mechanics of this because we had to get representatives of the credit unions to dot certain resolutions. We had to get, there were many things involved in the mechanics of that. Even after the strike was over I had to work on this thing some. I met with them a week or ten days after the strike was over with. Two problems. One involving this check off and another on a grievance where this group of people almost walked out again even though the strike was settled he just never (muffled).

David Yellin- Well can you tell us about it?

Frank Miles- Now we are getting past the settlement of the strike and we will have to come back, but you see the mechanics of this check off through the credit union was so involved that you had to have a membership dues provision, you had to have forms that are completed and this is separate from the city's business altogether or my company's business or any other company's business. This is a credit union set up and chartered by the united states government. This is where Jim was really helpful he gets a man in Washington in whatever department it is that heads that whole thing up. He can get some answers whether this local man can do it or he can't do it you see. They can approve a form of some kind and this is where you could have unlocked the doors real quick. So when we were dealing with that one he had to get this fellow on the phone a couple times, that afternoon to get approval on something in connection with this language we were trying to work out. I was upstairs checking with the local man out of his house, he had been down there all day and then another question came up about the form of the union and made a point of it insisting that they just have one form and they had all these check off authorization signs and they didn't want to have to go back through this whole thing and have these resigned and they were insisting that this one form suffice for all of it. So I went upstairs and I was working on this by telephone with a representative of the credit union who lived out east here. Jim was downstairs working on another

thing getting the city to agree that they would accept all of these instead of having an individual form, an additional form for each of these individuals, that they would accept all of these and certified to the credit union that they would make these deductions see. So this is where the teamwork come into it. I am working on one end of it and he is working on the other. This is one of the toughest things to get over with this credit union. So after the strike was over we still had some things hanging in the air on that one. How it can be done on better processing. I can't think of the representative of the credit union. But you see they had a local committee and they had some division within the committee itself and some of them were on strike and some of them were not on strike of the credit union committees. So we had to have them down here on Sunday as a board to vote on the adoption of the resolution that would empower them to do all this you see. And then after the strike was over with there was a hang up on how this could still be accomplished because the credit union can only do certain things. So in the final analysis the union had to agree that they would, I have forgotten just what the detail was just now, but they had to agree that they would pay this membership fee as I remember. They were going to advance the money and then the individual was going to, the deduction was going to pay it back to the union. I think the international union man said it was something like \$5,000. Which would have, I think it was \$5 a membership fee that had to be paid and each one individual had to put up \$5 and about a 1,000 so that brought it up to 5 or 6 thousand dollars. Son we got hung up on that one and I had to call Jim Reynolds, I guess a half a dozen times up there working on that aspect.

David Yellin- Were you in meeting rooms, I am asking this because....

Frank Miles- City hall. We were up at the meeting rooms at city hall and my part of it I was hoping to god it wouldn't come to Henry's attention I was afraid the whole thing might blow up. (Laughs)

Frank Miles- Let me say this. The people who are down there in city hall cooperated 100% and the union will tell you this in the final analysis while we had to work out the mechanics of it, the data processing people bent over backwards to try and make it work. The people in the accounting department, Mr. High I think it is. They bent over backwards to try and make it work and finally was worked out.

David Yellin- Did you have meetings at the Claridge Hotel?

Frank Miles- No, we had these meetings. After the strike we had them all over at city hall.

Joan Beifuss- But before the strike's over....

David Yellin- I mean before the strike's...

Frank Miles- Oh oh, the meetings that we had before the strike was over were in the Claridge Hotel yes.



David Yellin- I just wanted to get one bit of history. Did you have a phone in the room?

Frank Miles- In one of the rooms yeah.

David Yellin- In one of the rooms but not in all of them.

Frank Miles- We had two conference rooms one on...

David Yellin- Is it true that the president called Mr. Reynolds a couple times in the hall phone.

Frank Miles- Yeah he did.

Joan Beifuss- Not in the room phone?

Frank Miles- Well you see Jim's room was at the Peabody and this one night in particular, why I was close by when he hung up the phone and he said, that was the president, he wants to know when in the hell you and I are going to get this strike settled. I tried to tell him we are working as hard as we can on it. This was when he was getting ready to go to Honolulu. The next morning that picture in the paper where he was waving good bye going to Honolulu. It was the night before that, that happened. Then the day of the strike why I got back to the hotel, me and him were about dead by then...

Joan Beifuss- The day of the what?

Frank Miles- The day the strike was settled. We came to resolution over to council and they had adopted it. We was just relaxing and I was about to drop and we were just numb from working on this thing day and night. We come back to the hotel and I told Jim I am going to check out of this room I have been in for 10 days and nights, and I was going to carry him down to Gold's 51 for him to get something for his wife to take back home. So here was a couple of slips in the mailbox and this fellow from the wall street journal had been calling from Dallas and I had never answered his calls. With all due respect to you people in the newspaper business I was staying away from newspaper reporters of all kinds because I knew one single misstatement and you are dead. Where as with Jim this is an everyday part of his life right up there in the fishbowl, they have to be ready to talk to the press in a moment's notice. So here was these calls one from the wall street journal and one was from a radio station in San Francisco and one from a fellow named (Calfeino?) from Washington D.C. So I told Jim here is a couple of them here I am not going to answer but here is one here from Calfeino. He said Calfeino? That is the president's assistant. What he was doing was he was looking for Jim and he was calling me trying to locate Jim because it had already gotten on the radio that the strike was settled and he hadn't gotten a chance to call him. He wanted verification of that.

Joan Beifuss- What was that deal right at the very end of the strike where some or maybe it wasn't right at the end, it kind of escapes me now where some local

businessman offered to supply the money to pay the salaries if they go back to work until the referendum or something like that.

Frank Miles- No that was another story.

Joan Beifuss- I had that thing confused.

David Yellin- Some business man did give the city money.

Frank Miles- Yes and no. I want to shut that thing off a minute. (Tape Cuts)

David Yellin- Now I, we were talking about that walkout or at least trying to find out the walkout after the strike. And that was at one place, the men didn't want to take the trucks out, is that...

Frank Miles- No actually we haven't....

David Yellin- We haven't really gotten that far...

Frank Miles- Haven't really gotten that far. We are talking about negotiations and there are some things in here that might be of interest. During the week following the Saturday that we resumed the mediation sessions, I would say during the next 2 or 3 days most of the contract language was worked out and then it became a matter of dealing with economic questions. It required the rest of that week really to bring economic problem down within focus here where you could recognize what the settlement factor was going to have to be and to Mr. Reynolds and myself it looked like it was going to require a package of 15 cents. But we felt again also that this 15 cents could be divided into two parts and that is 10 cents in the beginning and 5 cents at some later time. And of course the reason behind this is was that not that there was any other reasons for it being justified or whatever you might want to call it. It is just that the figure had been bantied about, and then made a matter of record in the newspaper as being suggested by some members of the council as being a settlement figure and the people should receive an increase of 10 cents on July 1<sup>st</sup> and 5 cents at some later date so that this became a fixed figure in our min and it appeared as it could not be settled for much less than that. The problem we had to deal with of course that became so pertinent was the matter of the effective date of the first 10 cents, and the recommendation that Mr. Reynolds and I may have find the meat in discussing with both parties separately, jointly, was that accepting the fact that it was going to have to be a 15 cent package. We recommended that the 10 cents be made effective not necessarily the date the employees went back to work, but on the first of May. And that the subsequent 5 cents an hour be made effective on September the 1<sup>st</sup>. The net result of our discussions that we had on Sunday Monday and Tuesday of the second week of our mediation session was that both committees finally agreed to recommend this. The union committee on their part agreed to recommend it to the membership and the city agreed to accept it on the basis of settlement and that we could incorporate this into the memorandum of understanding which would be presented to the city council.

David Yellin- Now you did have that one problem which I wish you didn't discuss and explain in your own way how it was resolved. But the city was broke it could not afford whatever money it would take to pay the 10 cents until July when the new budget would come in. And how was that resolved?

Frank Miles- Thanks to the generosity of a...and let's shut that machine off. (Tape cuts)

David Yellin- Well we have had a few moments of reflection. (Laughs)

Frank Miles- Well due to the generosity of a Memphis citizen we were able to overcome this problem of the 10 cents an hour which the...Mr. Reynolds and I felt it was going to, that the union was going to require to be made effective prior to the end of the fiscal period in which the city follows and which is July the 1<sup>st</sup>. If the union voted to go back to work on approximately April the 15<sup>th</sup> they were demanding that the 10 cents an hour be made effectively. The proposal we were working on was on the basis of 10 cents an hour being made effective May the 1<sup>st</sup> and then 5 cents an hour to be made effective on September 1<sup>st</sup> of 1968. The 10 cents an hour to be made effective on May the 1<sup>st</sup> for the two months at the end of the fiscal period ending July 1<sup>st</sup> 1968 would involve as we calculated at the time approximately \$50,000 which the city did not have. Well the question became how can we resolve this problem and before the city began to struggle with, before the city's committee began to struggle with it, I had the offer and commitment made to me by this citizen who happened to be Mr. A. Plough. To underwrite this part of the added expense to the city for which they had no funds available at the present time. I would like to state here for the record that this part of the discussion is restricted.

David Yellin- You mean the use of the name?

Frank Miles- The use of the name Mr. Plough is restricted until after his death unless I advise you to the contrary at some later time. Later developed after the strike was over with that the amount of money that was going to be required to underwrite this 10 cents was closer to \$60,000. Mr. Plough advanced \$60,000 in two checks of \$30,000 each. Which were turned over to the city and I have to say for the record here that his contribution in this case was a most significant factor in helping us to overcome this payment of 10 cents an hour before the city's funds, our new fiscal year started in July 1<sup>st</sup>. Could have presented and almost insurmountable problem had he not come forth with it.

David Yellin- I think for the record you did tell us kind of off the record the story in somewhat more detail and I would like to say on the record unless you restrict it that the fact that you were involved in it and had a great deal to do with his giving it because he had faith in you, and so on and you know it started at a much lower sum and you because of the facts of more men being involved than you thought it went up but I think this too should be included.

Frank Miles- Well it is pretty hard to speak for one's self in this respect but I will only make this comment that Mr. Plough did contact me personally on this and he

placed his confidence in me to handle it in the best interests of the city and his interests as well. And protecting his funds and I tried in every way possible to protect the interest of both. But his contribution in this respect was most significant in this settlement. I am trying to remember now just where we were in the rest of the discussion of the settlement. We were down to the question of the money settlement and did I mention on the record that on the Thursday morning, or rather on the Tuesday morning it was settled that we met, we had the union's committee and the city's committee meeting jointly and we had some few last minute things that had to be ironed out and several clauses had to be drafted. With this while the union's committee when to a meeting which they had called that morning at the Mason Temple, I believe it is. The city's committee left to meet with the city council in executive session for the public session in the afternoon. Mr. Reynolds and I then obtained or put together the rest of the memorandum of understanding and put it in final form so it could be presented to city council that afternoon. And so when the city council convened at 2:30 we had just finished all of this and we presented copies to all the members of the council and they adopted this report by resolution. By unanimously. As I recall it, I might take exception there. There may have been one..

David Yellin- I think there was one.

Frank Miles- There was a man up there because I think he contended, Mr. Patterson contended that this is something that could have been settled before without getting in detail of that.

David Yellin- Yeah I think Mr. James..

Frank Miles- I think there was one descending (muffled) ..

David Yellin- Mr. James said he was against it because it didn't have enough money., but maybe I might be wrong, it is in the record.

Frank Miles- There may have been one or two descending votes, after them but it passed almost unanimously.

David Yellin- And there was much jubilation at the union hall and so on I would think.

Frank Miles- The union's leadership had felt that they may have some difficulty in obtaining a settlement based upon the money package we were dealing with. Of course I could appreciate this, all union leaders are in this position, they are never sure what their membership will approve of disapprove, but as it turned out, the memorandum of understanding that was presented to the union membership was passed unanimously and was accepted whole-heartedly by the membership. The union then instructed their employees to go back to work, I think it was the following morning. On Wednesday as a result of them having ratified this agreement, but we found that there was still some loose ends hanging on the check off of dues. Which was to be done through the credit union. I don't know if we dealt

with this very much when we were talking about the mediation sessions but this was one of the real tough problems to deal with . Even after the city's committee had indicated they would go along with a check off through the credit union that we had to obtain the approval of the, and I think this is important for the record that we had to obtain the approval of the board of directors and the local credit union that was involved and we had to get the approval of the area director for the credit unions and in some instances we had to go as far as Washington to get approval of some of the mechanics that were being worked out on this credit union of this check off through the credit union. We had a few problems we had to deal with for a couple days after the strike was settled but we finally worked those out, then within the first week after the strike was settled I had a call from the mayor's office that some work stoppage of some 30 men had said had occurred out at one of the yards and it was only because Mr. Epps of the international union had interceded that the men had gone to work and the mayor was very much upset by this turn of events for good reason because he felt if they had accepted the contract and the agreement had been worked out that they should abide by it and if they had a grievance they should take it up under the grievance procedure set out in the agreement. This problem involved, actually involved all the people returning to work, in the fact that in returning to work there were certain men who were working at crew chiefs and there jobs were not available to them. We will have to shut this off for just a moment. (Tape Cuts) I want to correct one statement that I made and that is that when the men returned to work that some of the crew chiefs were not able to return to their jobs. The facts are that all the crew chiefs and all the employees were able to return to the jobs they held before the strike started. And the city had followed through as they had agreed to do on this, but the problem that evolved out of this that there were men that had been hired during the strike who were working in crew chiefs and there were men who had been out on strike who while they were not crew chiefs at different times had worked as crew chiefs when other people were on vacation and this type of thing and they were contending that they should be entitled to take these jobs as crew chief. That the men that had worked during the strike and that had been hired during the strike were now off. It took some several days of meetings spread out over a period of 6 or 9 days until this was resolved. Since that time they have had a number of disputes but they have learned to work within the framework of the contract and I am encouraged myself as a mediator to see the two entities here the city and the union are maturing in this relationship that had been brought about through this memorandum of understanding here. They recognized one another problems.

David Yellin- A testimony to this is the board of education agreement wouldn't you think.

Frank Miles- Well you see I got into that situation at the request, I became in separate situation after this is all over with. But this is when the union was requesting recognition. There were two unions involved the board of education and one was warehousemen's union. The board of education and the union requested me jointly to conduct an election. Now this was a new facet in this operation, not as

a mediator but as actually in the capacity of holding an election to determine if the majority of the people wanted the union to represent them. (muffled) about 30 minutes or an hour in this warehouse over on Jackson that the board of education has and we had this and the union won by overwhelming majority. Now this was for one segment of workers only custodial workers I think they are called. But then the other much larger group was a group that worked in the school as cooks, waiters and waitresses and cleanup people and so forth and some 2,000 people involved in this. I received another call jointly from the board of education and the union, Mr. Epps requesting me to act in the capacity of an NLRB. I shouldn't say it that way I guess because the NLRB does not enter into these elections that are held for municipalities. But at least to hold an election over there to determine same question. Whether the majority of the people wanted the union to represent them or not.

David Yellin- Don't they have a like organization within the state to handle this?

Frank Miles- No the state mediation service and state commission of labor does not act in this capacity at all. This is a void that exists here, that I think needs filling, there should be a state agency, state mediation board here who would serve a dual purpose one they could hold elections of this type for municipalities for industries that do not come within the scope of the national labor relation board. And second that they could furnish mediators for the same purpose.

David Yellin- There is no instrument within the state....

Frank Miles- There is no instrument within the state. So while these are requesting me to hold the election, I went over there on a Saturday afternoon and we had some real difficult problems to deal with more than just setting up an election it was a matter of the unit that had to be resolved. We spent all this Saturday and Sunday on that and then I finally held the election with the help of about 4 other people, of which Jim Reynolds again helped me out and I had to call Jim and get him to approve a fellow down here in the labor department to help me with this thing. We held this election over at the school board and I think it was on a Wednesday and we held it all day long, we had two different elections going on in that auditorium, one for what they thought was a supervisory group, or semi-supervisory. And another for the rest of the people.

David Yellin- So I think you have kind of answered the question that was sort of was a good finale that you do feel that there was some more sophistication on both sides about union matters.

Frank Miles- I think the proof of that has been the manner in which they have handled the school board negotiations, the matter in which problem had been handled at the hospitals.

David Yellin- The nurses.

Frank Miles- The nurses and the whole thing I think has indicated that people within the city government and I mean most especially I think Mr. Gianatti. Who has participated in all these, most all these negotiations as a matured in labor relations, in good lawyers, but I think they have become very knowledgeable in labor relations to the point now that they are becoming skilled negotiators and they want to handle their problems a lot better than a year ago.

David Yellin- Well I can only revert to the good of everyone since we do live in a society where labor relations are almost as important as other relations.

Frank Miles- Well this is an accepted philosophy of government.

David Yellin- Well I would say we have covered a lot of territory.

Frank Miles- I think she is about ready to go to sleep.

Joan Beifuss- I am not.

Frank Miles- (Laughs)

Joan Beifuss- Didn't know you could talk for so long.

David Yellin- He's a...

Frank Miles- DO this for about 2 hours probably wore out....

David Yellin- He's a mediator. Very good....(Tape End)