

SS073.mp3

David Yellin- This is tape 1, tape 1, this is David Yellin and we are at the home of Mr. and Mrs. Marshall Lewis, it is May 29<sup>th</sup>, 1968. And the purpose is to interview director of sanitation Charles Blackburn. Present at the interview tonight with me is Mrs. Lewis, Bill Thomas and subsequently we understand Mr. Lewis. (Tape Break)

David Yellin- You can ask him that lovely question, please do you are on the air.

Mrs. Lewis- Charles would you tell us a little of your own background, a little about yourself?

Charles Blackburn- I would be glad to. I am one of the few native Memphians, I was born right here. I went to the university of Virginia and Southwestern. I was with the Memphis Linen Supply company for a good many years as manager down there and I did a brief while in the insurance business before I went with the city. Quite a while in the Navy I had about ten years on active duty, and kept up with the naval reserve for some 27 years. And went with the new administration of the city of Memphis on January 1<sup>st</sup> of this year. Incidentally David you mentioned that I was director of sanitation, actually I am director of Public Works, and public works includes several departments including the, let's see now it is the division of public works and it includes several departments including the department of sanitation.

David Yellin- How did you get into, h how did a nice guy like you get into..

Charles Blackburn- This is an appointed position under the new city form over government there are 4 directors who are administrative people under the mayor.

David Yellin- But can you kind of recollect is this your first association with civic duty and appointed or otherwise.

Charles Blackburn- Or political?

David Yellin- Yes.

Charles Blackburn- Yes this was my first experience.

David Yellin- Well were you interested before this in politics in any way or serving in the government?

Charles Blackburn- No not actually. I have known Henry Lobe for most of my life and actually the first political activity I have ever taken much part in was in his campaign for mayor and I managed one area for him in his campaign. This was a new experience too. But this was not something that I solicited the mayor asked me if I would be willing to serve in this capacity and I was.

David Yellin- It is quite a change isn't it or was it a sacrifice in any way or did you think it was exciting?

Charles Blackburn- I didn't think it was at the time.

David Yellin- Little did you know.

Mrs. Lewis- Charlie do you think there is any relation between this and the fact that you had the enabled service. In other words that your idea of serving has always kind of been part of you?

Charles Blackburn- Yeah well I agree, I would like to think that I can be of service in this position and I did have that in mind when the mayor mentioned it to me. I am not trying to think for him, but of course he knew of my Navy background and he knew that I had been monitored down at the Memphis loons quite a many years. These are both pretty well related to the department, again the division of public works. It again exists only to serve the people. Sanitation department for instance is to a large part a route problem just like we did in (muffled).

David Yellin- So it did make good sense and since the mayor had a new form of government he wanted somebody, I guess in the best sense of the term somebody he could trust, and someone he knew and could work with.

Charles Blackburn- Well this is trying to think for him but I would hope so.

David Yellin- When did he ask you, do you recall? We are kind of searching here for little anecdotes that as we say the human side of the news. Come in Mr. Lewis.

Charles Blackburn- I am not sure I think possibly about two weeks after he was elected I think.

David Yellin- Well fine, Bill can you think of anything more on the background?

Bill Thomas- I don't think so other than let's see could you mention your family?

Charles Blackburn- Yes I have a real fine family, I have a wife and two girls.

Bill Thomas- How old are they?

Charles Blackburn- They are 8 years apart and one just graduated from Memphis state. The other one came along 8 years behind she is over at white station 14 years old. And my wife teaches.

David Yellin- Oh she does, where does she teach?

Charles Blackburn- She is teaching at Hutchinson, girls school.

Bill Thomas- I think maybe if Charlie could just tell us the beginning there which we don't know.

David Yellin- And as much of monologue that you want to make it because it will be fascinating just to give you some framework you tell it in your won way and if something comes to us we may interrupt if you don't mind.

Charles Blackburn- Well David it would be hard to say where this problem started. Actually it first came to my attention, sometime early in January when I had a call in my office from T.O. Jones the union representative. Really I think this was a courtesy call and if we had any particular problems to discuss at the time I don't mention it. Sometime later in the month he did call me about a man who was suspended for 3 days or something like that for drinking on the job or coming to the job under the influence of liquor or something to that effect.

David Yellin- Had you ever met Mr. T.O. Jones in person.

Charles Blackburn- I was going to say he paid a call to my office.

David Yellin- Oh it was a courtesy call it wasn't a phone call.

Charles Blackburn- Right, then we had this phone conversation on a man who was suspended. I may have had another conversation on the phone I am not sure at this point what the instrument, at least seemingly set this problem off was on January 30<sup>th</sup> and this was not in the sanitation department incidentally it was in the sewer and drain department. It rained that day and approximately 21 men who were given 2 hours show up time and released for the day because the weather was bad. Now this is a common practice in construction type work, if you can't work your crews you give them two hours show up time and then you let them go home. In this case where these men might say being sewer connection to something like that they couldn't perform this type of work to the best advantage. So the supervisors got to put them to doing some other type of work that doesn't require the same number of men. So what he did was what men had done for years, it was an established policy in the sewer and drain department it is and other construction fields, he reduced his crews, I think they gave 21 of these men 2 hours short time and let them go.

David Yellin- Excuse me you were not consulted on this, this as you say was established practice, like people who had been running this department or division before you came.

Charles Blackburn- So it came to my attention the next morning on the 31<sup>st</sup> of January, it was fairly early in the morning about 8:00 I believe. I had a call from my director of maintenance who is over the sewer and drain department that Mr. Jones was holding his crews down there and would not let them go out on a trucks to work. So I went out to the sewer and drain department and asked the supervisor out there if he would get Mr. Jones and bring him up to the office so we could discuss it. He sent word back to the effect that if I wanted to see him I could come back there. So I did, I went back to the assembly room and the men were all gathered in there and Mr. Jones was sitting on the table in the midst of them. And this was the problem, I don't want to call it a grievance because I don't think it was a grievance. This was a problem, and we discussed it for a short while there. of course I objected primarily to the fact that the crews were being detained from city business. This is the city's work and the city's money involved and I wanted to get those men out to perform in they work.

Bill Thomas- Charlie can I ask you one question? What was the relationship as you understood when you went in or the first time Jones contacted you, the relationship with Jones and the city since there wasn't any official union and seemingly no basis for a relationship there?

Charles Blackburn- Bill I don't know how long the union had been represented in the public works department. City employees have had the privilege or the right of belonging to the union of their choice for I don't know how far back but they have certainly had that right all along. Mr. Jones was a representative of the union the business agent for the union and of course he called on me in that capacity.

Bill Thomas- So there was some sort of recognition there of Mr. Jones at that time?

Charles Blackburn- Well he was a representative of the union and the men had the right to belong to the union and I understand at that time they had approximately 300 members and I have also understood that some times they were able to collect dues from about 30 of them at any given month. I think they stated they had about 300 members.

David Yellin- So the what he was trying to, what he was complaining about or wanting you to settle was the fact the men were only given 2 hours? Was that the problem?

Charles Blackburn- Well it is possibly a little bit more complex than that. I think what he really wanted was for the men to be paid for the rest of the day for the time that they didn't work and this I could not agree to, paying for work that was not performed. Actually the way it would work out it would be something like this and the department down there was doing a pretty good job on this, because I checked on their records later. They were doing a pretty good job of rotating the people who would be let off in the event of bad weather so they wouldn't work any great hardship on anyone personally. Probably if they were short one week they might be a little over on hours the next week and it probably averaged out pretty well. At least to me there was a problem and I still say it wasn't a grievance it was a problem. It was a problem there, if you pick out any given individual in a particular week and that week when he received his paycheck or at the end of the pay period he would have a little bit less money for that particular pay period than he had if he had worked a full week. This I think was resolved and about as satisfactorily as you could resolve it, it is pretty hard to define the weather and you do get times when it is impossible to do outside construction work in a snow storm or any storm. But as a matter of fact I delayed a couple of days of putting anything in writing on it just because the matter of trying to define the weather and so forth. I didn't want to be in a position of telling people you have got to go to work regardless of how bad the weather is you see. Because they have always had the privilege of not working if the weather was bad. They can call in and say I am sick of the weather is too bad or whatever and as long as they call in and report it to their supervisor, but of course they don't get paid for the day but there is no penalty involved. But what I did I put our a memorandum to the effect that at the request of the employees concern we

would try to see that they got a full work week even though the weather might be bad, and rain gear had already been issued they had rain gear. I think I mentioned that there might be some few days when the weather might be so severe that we would not work but we would try to see that they got a full work week. We have followed that policy right along then.

David Yellin- They being all the sewer workers or all the sanitation workers or the 21 that were involved in this original sort of..

Charles Blackburn- We are still in the sewer and drain department.

David Yellin- Yes.

Charles Blackburn- Actually I wish I had a news article that appeared on the Precimeter, that is the most accurate account I have seen of it.

David Yellin- When was that before February 12<sup>th</sup>?

Charles Blackburn- No this was after that I would say so I didn't bring it with me. The thing went along during the strike and I am probably getting ahead of what you would like at this point but it began to appear as if these 21 people were laid off that day because they were negroes and the white people continued to work and get paid that day. But again as I said it was a simple matter of reducing the workforce and these people were negroes but most of our work force down there is. I think there was a 115, I hate figures like this when they are not exact but I think there are about 115 others who did work on these reduced crews for the balance of that day.

David Yellin- 115 negroes?

Charles Blackburn- Right this is in your labor force that I am thinking about and then of course your supervisors and stuff. Really to me it is best stated as simply a matter of reducing the workforce for that day.

David Yellin- For this particular necessity, this particular job that these 21 men happened to be involved in. They happened to be negroes.

Charles Blackburn- But again there was a much larger number of negroes who continued to work that day.

David Yellin- I think to keep it clear too was their any group of men, white men, who worked that day?

Charles Blackburn- Yes, your supervisors and some of your truck drivers, your equipment drivers.

David Yellin- And they worked a full day?

Charles Blackburn- Right.

David Yellin- They performed duties that day.

Charles Blackburn- Right.

David Yellin- So that they had to function and their function happened to be filled by white people.

Charles Blackburn- Probably what they did was to go out and clean storm units along the curb.

David Yellin- In other words when the men come in to do the outside work and there is no outside work you fill in with other kinds of work.

Charles Blackburn- Well it is all pretty much outside work, it is not all outside work but there is a big difference between digging a sewer connection when you are digging maybe 6 feet down in the rain and walking along a curbing with a rain suit on and cleaning a drain. But again you don't need 6 or 7 men to a truck to do that, you see what I mean.

David Yellin- Yes sir. Well I think that is fairly clear how that worked. So now we are back again to that day and Mr. Jones and you went out there and came back and then went back to meet Mr. Jones, you started at 8:00 what time was it? Do you recall?

Charles Blackburn- You have me guessing again, I would guess around 8:30?

David Yellin- Oh it wasn't a matter of 3 or 4 hours it was a matter of a half hour to 45 minutes or so? That he was holding them up?

Charles Blackburn- In the overall it was more than that. They start at 7:30 down there, I would say we had about 2 hours of lost time down there.

David Yellin- And he held out all the workers?

Charles Blackburn- Right.

David Yellin- What allowed them to go back to work, what did you do?

Charles Blackburn- Well I talked to the men a little bit and I sure don't remember what I said to them but I know what I was interested in, I was interested in getting my crews moving and I remember that I agreed to stay and discuss the matter with the 21 men who were involved in this thing and the rest of them went on and got in their trucks and went on about their work. I stayed there in the assembly room with Mr. Jones and these 21 men and one of the stewards and discussed the matter with them. I asked them if they were not willing for me to discuss the matter with Mr. Jones since he was their spokesmen that morning and so that we could get them back on their trucks too, which they very readily agreed to. I sat there and I guess I talked to Mr. Jones for another half hour or so and in effect I discussed mentioning what I put in the memorandum that I could recognize that it was a problem there and I didn't think it was a grievance but it was a problem and that I would try to do something about it which I did. I have already mentioned to you that I put out a memo to that effect probably about 2 or 3 days later.

David Yellin- And Mr. Jones agreed to this or did he not?

Charles Blackburn- David I cannot recall his ever saying anything in the effect of this is fine or this suites us or anything like that.

David Yellin- Well how did you end?

Charles Blackburn- Well I left and went on and got back to work after the men were all in their trucks and gone.

David Yellin- Sorry I got a call.

Charles Blackburn- No I had work to do I assure you.

David Yellin- But there was an understanding that you would do something and he would make a judgment about what you were doing? I am sorry I am playwright I have to h it the seam.

Charles Blackburn- I don't know that it was up to him to make a judgment on it but he had presented a problem and I was willing to take steps to correct it.

David Yellin- Now he wanted what do you recall? He wanted the men to get a full day's pay for that day.

Charles Blackburn- Ok alright, he did, the 21 who were laid off to get paid for the time they didn't work. I said I couldn't and I never did agree to that.

David Yellin- The time they?

Charles Blackburn- Didn't work.

David Yellin- The rest of the day other than 2 hours.

Charles Blackburn- Right.

David Yellin- And you told him flatly then that you couldn't agree to this.

Charles Blackburn- I say I told him flatly in essence yes I did but I never did agree to that.

Bill Thomas- Your solution early was an effort memorandum that an effort will be made to give the men a full week..

Charles Blackburn- Let's go back a little bit further and maybe this will clear it up a little bit. During the negotiations that followed the strike you heard a great many demands and they changed from time to time. One of them was for a grievance procedure, but actually the union had a grievance procedure that was not a written procedure but they had a grievance procedure. One of their members had a grievance he would go probably with a steward to the department or we call them the bureau superintendant,. With this problem and if it could not be resolved there

it would be brought to the commissioner now director of public works. The really objectionable thing about this particular incident on the 31<sup>st</sup> was the fact that the union representative made no attempt to handle it in a proper matter, manner for a grievance to be handled. He was actually holding our people there, keeping them from going to work.,

David Yellin- Before he asked you if you would mediate he did that arbitrarily.

Charles Blackburn- Well I am sure he had discussed it with the superintendent at the sewer and drain department, but he hadn't taken the next step.,

David Yellin- Assuming therefore that he didn't get any satisfaction from the superintendant, but he still didn't ask you if you be willing to listen to him.

Charles Blackburn- Right, he was actually holding the people there.

David Yellin- Alright so that when you and Mr. Jones parted company at a given time the understanding, at least your understanding was you were going to write a memorandum.

Charles Blackburn- Well at that point Dave, I don't know whether we discussed the memorandum or not I am sorry my memory is not that good but I did put out a memorandum to that effect.

David Yellin- But he made no attempt the next day to hold his men or anything.

David Yellin- And the next thing you said that the memorandum came out about 3 days later. The 31<sup>st</sup> was a Tuesday or...

Charles Blackburn- I don't know what day of the week it was. It was approximately 3 days later.

David Yellin- Please.

Charles Blackburn- Alright I am trying to make a chain of event out of this thing, chain of events. Somewhere back in January, and I wish I had a note that would give you a date on that thing. I had a letter from Mr. Champa who is the headquarters representative of the union asking for an appointment. Can you cut your tape there for just a minute. (Tape Break)

Charles Blackburn- Alright I was wrong on my date on the letter there, about January the 26<sup>th</sup> Mr. Jones called our office and asked for an appointment for Mr. Champa. The appointment was for 1 February. Alright I think that gets our chronology a little bit straighter there.

David Yellin- That is right 1 February is on a Thursday. The 30<sup>th</sup> was a Tuesday and the 31<sup>st</sup> was a Wednesday, and February 1<sup>st</sup> was a Thursday right?

Charles Blackburn- Well good for you I don't know how you know that.



David Yellin- Well I have it right here.

Bill Thomas- He has a handy dandy calendar.

David Yellin- That's alright. I have always been interested in calendars since Marilyn Monroe.

Charles Blackburn- On February the 1<sup>st</sup> I did meet with Mr. Jones and Mr. Champa in my office. Mr. Champa's primary request was for a grievance procedure. We discussed the fact that they already had a grievance procedure even though it is not written as such. That they could follow. He wanted a payroll check off of dues and I think I advised him at that point that frankly, I didn't know if I would be in favor of a payroll check off on dues or not. But in any event it was a matter that would certainly exceed my authority as director of the public works. He mentioned that it was done in other cities and he asked if he could write me a letter and give me some background on the other cities in which this was done. I don't know whether we mentioned particulars as to how it was done or not. In any event I couldn't have possibly had any objection to receiving a letter. I was under the impression that this was what the letter would contain, it would be information on other cities in Tennessee where they did have a payroll deduction of dues. I did get a letter from Mr. Champa at some later date and I thought maybe I had a copy of it with me, sorry I am ill prepared but in any event it didn't bring up any comparable data from any other cities at all I remember that much about it.

David Yellin- May I ask a question. At this meeting with Mr. Jones and Mr. Champa did you discuss the sewer workers and the 21 workers at all do you recall?

Charles Blackburn- David I do not. I believe I had discussed it again with Mr. Jones in the interim period there. Let's see, no it couldn't have been, January the 31<sup>st</sup> or February the 1<sup>st</sup> there wasn't any interim period was there.

David Yellin- Because it would seem that there is some significance here if you didn't discuss it we can conclude one or two things that neither of you thought it was that significant or you had made, I think if it is possible to squeeze you out a little bit to see if you even did mention it or you will take it up later, or something, because of the importance that it, how important it became later.

Charles Blackburn- I don't actually believe David that it was that important.

David Yellin- At the time.

Charles Blackburn- In my humble opinion. I still don't believe it was that important. But I don't think we discussed that day, but I could be wrong.

David Yellin- In any case if you did it probably wasn't that much of a discussion or you probably would have remembered it.

Charles Blackburn- I think Mr. Champa had been in town some two weeks before, now this is just hearsay at this point and jogging my tired memory on the thing, but I

think he had been in town for some two weeks before, you might check that with some of your other tapes that you are making there. I believe he had.

David Yellin- But you had not met him, because you had not met him until Mr. Jones.

Charles Blackburn- Until February the 1<sup>st</sup> right. He did mention at that time that they had a membership of some 300 people in the public works department out of approximately 1300 who would be eligible for membership in his union. But he also said that he had about 700 requests for a dues check off. I think the next instance and I am sure I am overlooking some of these.

David Yellin- Well perhaps we will come back and say something.

Charles Blackburn- On February the 8<sup>th</sup> I met again with Mr. T.O. Jones and Mr. James Jordan who is the union steward of the sewer and drain department again in my office, and I had Mr. Joe Chumley who is the director maintenance and I had Mr. Charles Woodall who was superintendant of sanitation and Mr. Leonard Styles who was division superintendant and a district superintendent of sanitation. We were all present in our office. And we did discuss then the matter of the pay for the 21 men who didn't work a full day on January 30<sup>th</sup>. I explained that I felt like that I had solved the problem which had arisen on that date in affect really changed our division policy on the matter to try and see that the men get a full work wee. I gave them a copy of the memo which we sent out to be placed on the bulletin boards.

David Yellin- Do you have a copy of the memo we could have for the records? If you don't have it here we could ask you for it?

Charles Blackburn- Sorry I don't have it here.

David Yellin- Maybe we could request it.

Charles Blackburn- Sure. Anything we have is public.

David Yellin- on February 8<sup>th</sup> did you call this meeting or was it at the request of Mr. Jones perhaps.

Charles Blackburn- No, this was at the request of Mr. Jones. If I remember correctly he had actually asked for Mr. Woodall and Mr. Stalls to be present and now they are in sanitation and I think Mr. Chumley being there was my idea because he was head of he department that was involved in this incident. I don't know why at this moment why he asked Mr. Woodall and Mr. Stalls to be there but I am pretty sure that he did. Mr. Woodall incidentally would be the man whom he would work with in the sanitation department if he had a grievance. I can remember this that the, you asked me if Mr. Jones had agreed that this matter had been settled. I think at this point at least from my thinking he had agreed to it because I remember him saying something to this effect we were talking about the pay for these men for the time they hadn't worked and he said if your back is to the wall on it all you have to do is say so, and...

David Yellin- To you he said this to you?

Charles Blackburn- To me yeah. I said some thing to the effect of certainly my back is to the wall when it comes to paying time which was not, or work which was not actually performed you see.

David Yellin- Now did he mean by that your back would be to the wall to the mayor, or just generally for your department?

Charles Blackburn- I don't think it would be to any particular person.

David Yellin- Just generally.

Charles Blackburn- Whether it could be done or not.

David Yellin- I see, so that he was aware that you had a problem. Or at least.

Charles Blackburn- I am sure he was, the paper work was done. Now I am going to have to take a little bit about that back also, because at this same meeting he did ask for another meeting and my thinking was that we were, we would be meeting on the same subject because I don't think we had anything else at this point that could have been considered a grievance or problem of any time. When Mr. Champa had been in regarding a dues check off and a grievance procedure he was going to write me a letter and this yet I hadn't received a letter from him. Really about all we would have had to discuss in another meeting would have been this same incident of the pay of the 21 men but I think he said he was going to have a union meeting on Sunday, let's see that was on the 8<sup>th</sup> check your calendar gain but I think that would have been the coming Sunday.

David Yellin- The 11<sup>th</sup> right?

Charles Blackburn- The 11<sup>th</sup> right. Again with Mr. Woodall and Mr. Styles and with his union stewards after they had their regular union meeting. I remember saying that he was going to ruin my weekend but that I wouldn't meet with him, and we did have a meeting on February 11<sup>th</sup> in my office at it was 8:00 in the evening.

David Yellin- That followed their union meeting as far as you know?

Charles Blackburn- Followed their union meeting yeah.

David Yellin- Who was at this meeting with you?

Charles Blackburn- Who was at the meeting with me?

David Yellin- Yes sir.

Charles Blackburn- Ok let's see there was Mr. Woodall, Mr. Styles, Mr. Jones, there was a negro minister there whose name I don't remember and 12 union stewards.

Bill Thomas- Do you remember whether the minister was old or young or ?

Charles Blackburn- Old doesn't mean the same thing to me that it used to because....

Bill Thomas- I think however that (muffled).

Charles Blackburn- He was up in years like I am. Well he had quite a list of we will say demands for lack of a better word and this matter of the pay for the 21 men was the only one that had been approached before and it was a pretty good little list of demands. I am looking at my notes because I sat at my desk and I wrote these down on my scratch pad as he mentioned them. They wanted \$2.35 per hour for the laborers, \$3.00 an hour for truck drivers, time and a half for overtime, over 8 hours. Deduction of dues we discussed with Mr. Champa. Participation in the safety program. What is the sequence of events here when the two men were killed on the sanitation truck here.

Bill Thomas- I believe that was February 1<sup>st</sup>.

Charles Blackburn- This was on February 11<sup>th</sup> and the accident on the sanitation truck had to be before that. We had a tragic accident which two men were caught in a hydraulic ram one of the packer trucks. Sanitation trucks to drive more slowly. The next item was a charge of \$6.97 to a man name Jean Faulkner for a replacement suit of rainwear. We never did finish that one I don't know where Mr. Faulkner lost his rainwear or tore it up I just don't know they are all issued rain wear and the policy has been and perhaps not very thoroughly followed out when they got a replacement suit they would charge for it but this was on the matter of replacement for a suit of rainwear that this man was charged for. The next item I made a note on here was a news letter and I believe that I misunderstood what he was thinking about this, I believe he was thinking about a press release recognizing the union at the time I was thinking he wanted a newsletter put out by the public works department and informational type of bulletin like many businesses who..

David Yellin- The he, is T.O. Jones?

Charles Blackburn- This is T.O. Jones, yes. And then again we get back to the 6 hours pay for 21 men.

David Yellin- Now were these written demands?

Charles Blackburn- No. Mr. Jones had a sheet of papers in his hands but they were presented to me as written demands these were verbal.

David Yellin- I see and you took notes on them.

Charles Blackburn- I just made these notes as he was talking there. Then we went back through and discussed them from the tail end of the list working forward. I have stated my case pretty clearly on the pay for the men that didn't work that day. The newsletter that I thought he was speaking of at the time was a good idea something we should have been doing and should be doing now and actually have had a chance to get at it. Actually I don't think this is what he had in mind. The

charge of rainwear I promised to check into and find out not only what the department but the city policy was on this matter, frankly I didn't know. But I remember promising to check into that one, sanitation trucks drive more slowly, I couldn't agree with more thoroughly. If they were exceeding any speed limits they should not have been.

David Yellin- How much is more slowly unlike the age bit we can talk about this, I mean do you recall what they were doing?

Charles Blackburn- I don't know that he had any specific speed limit in mind. There are a couple that are obvious one they shouldn't exceed any posted speed limits and the other is if they are out on the expressway they certainly should not exceed 45 miles per hour. These sanitation trucks have some built in problems to them, one of which was this hydraulic ram which compacts the garbage in the truck and it is a nice easy place to ride if it is raining but as we found out it is a very dangerous place to ride. So if you don't ride inside the truck and say you have a crew of 5 or 6 men on a truck you can only get 3 in the cab the others have little steps and hand holds to hold onto. This is better than riding inside I think with the ram but still not a real good solution. I hope they get to the point where we will some day work with 4 man crews and these cab over types of trucks where you can get 4 men into the truck. Speed is dangerous if you have men on the outside of these trucks.

David Yellin- It has nothing to do with the driving while they are picking up.

Charles Blackburn- No, it is in route to the route or to the landfill. Participation in a safety program, I would be delighted to have any participation in a safety program and told them so. Now we got down to the matters where they were much more difficult. Deduction of dues to be honest I certainly would have exceeded my authority if I had agreed to payroll deduction of dues and the other matters the recognition of the union, I am not much of an attorney but I think common law in the state of Tennessee precludes municipality making a contract with the union. In any event I don't make any contracts this is the mayor's prerogative. The rest of it is financial, time and half for over time over 8 hours, the city has never paid, well I shouldn't say that I don't know if they ever have or not but in recent times anyway has not paid overtime for over 8 hours. \$3.00 per hour for a truck driver, the scale was \$2.10 and \$2.35 per hour for the laborers, the scale at that time was from \$1.65 to \$1.85. So I will say these are purely financial problems here which I certainly could not agree to when I inherited a deficit in my department alone of \$350,000 approximately as of the 1<sup>st</sup> of January. We discussed these matters and I tried to explain on the items where I could I would be delighted to work with them and on the ones where I couldn't I tried to explain the proper procedure if they wanted to pursue these items any further.

David Yellin- In other words you did not (muffled) you just told them where your authority gave you, allowed you to say yes to certain things.

Charles Blackburn- David I feel like I did this as clearly as I can.

David Yellin- You were not arbitrary as far as you can recall in saying this is not possible or I refuse to do this?

Charles Blackburn- No, although certainly on the ones we mentioned there I would have had to refuse with a \$350,000 deficit to overcome. Actually, this is where I probably was a little bit naïve. Really this meeting was not after the union meeting. Really the union meeting was still going on and the people were being held there waiting on a reply from me on these matters. And so this was sort of a special thing, it was not routine union meeting.

David Yellin- When did you find this out?

Charles Blackburn- I found this out that night, that night. But I explained to these people that if they wanted to pursue these things further that they should get them back into the proper channel and matters such as a tremendous increase in pay and recognition and payroll deduction of the dues would certainly have to be referred to the mayor and probably not only to the mayor but to the city council as well. I got a pretty short answer on that they didn't want to see any mayor in any plush office and they wanted an answer right then and there. Again I suggested they come back and see the mayor on the following day which was Monday, they didn't want to do that. I offered to go with them to see the mayor and they didn't, that didn't make them any more content to go see the mayor.

David Yellin- Did they give any further reason why they didn't, just the plush office?

Charles Blackburn- That was the only objection I can recall at the meeting.

David Yellin- What was Mr. Jones...

Charles Blackburn- The mayor's office is pretty plush that (muffled).

David Yellin- What was Mr. Jones wearing? Was he wearing overalls?

Charles Blackburn- No he was wearing a suit. But then he wanted to know if I would present their demands to the mayor. I told him as well as I can remember that I can present these items to the mayor but that I could not recommend all of them. I tried to give them many reason for it. I think the next thing was they wanted me or if not me Mr. Woodall and Mr. Styles to go down to the union meeting with them and this is when I learned these people were being held down there waiting for an answer and I felt like I had explained the situation to them as thoroughly as I knew how and the procedures to be followed if they were not satisfied with that and wanted to pursue it further. I felt that they were not willing to understand and that nothing would be accomplished with my going down to the union meeting and trying to present the same thing to they said 700 people down there, with the same unwillingness to accept the proper procedure to follow I don't think.

David Yellin- They wanted you to go down to explain what you were saying to them.

Charles Blackburn- Right, right, I certainly wanted to delegate this to either my two people there to go down and try to present it to them with well you get into trying to evaluate an attitude of something here, but the best I know how to express it is a reluctance to understand and cooperate on these items you see.

David Yellin- We are coming to the end of a tape and I think this would be a good time to give you a break, but I think one question that might be good, did you from the very first time that Mr. Champa on February 1<sup>st</sup> mentioned to you about the dues check off, did you ever discuss this with mayor Lobe after that time and between this time or when did you first bring it to his attention or find out what his thinking was?

Charles Blackburn- David I couldn't tie this in to the chronology to save my life, I know that I certainly did discuss it with him.

David Yellin- Yes, probably after February 1<sup>st</sup>.

Bill Thomas- Well that was when the meeting with Champa was held.

David Yellin- That was when it was first brought up.

Charles Blackburn- I am aware of the 1<sup>st</sup>.

David Yellin- That was when Mr. Champa first brought up that notion or had it been called to your attention before.

Charles Blackburn- Alright you are jogging my memory again, I think that was the first time the dues check off were brought up David.

David Yellin- And his letter which he had promised you had not come by the 11<sup>th</sup>?

Charles Blackburn- Not been received no.

David Yellin- So would there have been any reason for you to discuss this with Mayor Lobe probably you were waiting for the letter, or do you think inadvertently you mentioned it to him.

Charles Blackburn- Well I am sure I discussed it with, I know I discussed it with him but I would hate to say where along the line I had discussed this with him.

David Yellin- Again we have to conclude that there was nothing specific or very definite in this time in the mayor's answer to you in regards to this.

Charles Blackburn- Oh I had never, I had never gotten this latter from Mr. Champa at that point and as I say most of these items were new presentations but he dues check off had been mentioned when Mr. Champa was in my office that is true but when I discussed it with the mayor I am sorry I can't recall.

David Yellin- Do you recall his reaction to it, he was against it?

Charles Blackburn- Well David I would rather let him speak for himself on something like that.

David Yellin- Ok fine.

Charles Blackburn- Putting words in his mouth.

David Yellin- Fine wouldn't you like to take another rest.

Mr. Lewis- I will fix another.

David Yellin- The last voice was Mr. Lewis. (Tape End)