June 18, 1975 -- Eli Rock

I think I might interject today that I've been talking almost entirely up to now about my experiences in the latter part of 1952, those few months between October and January 1st, which was our deadline for that first negotiation and my reason for that is because the problems -- the concentration of problems and the difficulty of the problems were greater at that time than at any later time, but also we sort of laid down the guidelines and worked out solutions that lasted more permanently. I think I should just recapitulate how we solved the problems at that time. I've listed them and I think I've indicated how we solved the problem of the actual conflict between the Civil Service Commission and the procedures of collective bargaining. I've covered policemen and firemen and their concerns about us. They feared that they were going to lose the clout that they had with the prior administration, but they came in and basically made the same sort of pitch. They didn't get the same preferential treatment to the same degree that they had gotten under the prior administration vis-a-vis the non-uniformed employees.

There had been a disparity in wages which wasn't objectively justified, so some of that disparity, perhaps, was reduced. But basically, they were not a major problem in those early stages. I've mentioned the problem of Denny Welsch and the Civil Service Employees Union and his affiliation with the CIO and I've indicated how that problem was eventually resolved several years later when Macanty absorbed Denny Welsch's organization.

I've mentioned the pay plan and the fact that there had not been time for any negotiations -- the classification and pay plan. By the time we got into serious negotiations at the end of '52 the plan had been virtually completed and I had been concerned that there had been no opportunity to negotiate at all or even discuss the details of something as important as that and even granting that in those days pay plans and classification plans were something that the public personnel people guarded jealously as their exclusive prerogative and something that unions normally wouldn't get into and as a matter of fact, ASFMI in those days at least nationally was not arguing that this was a subject for bargaining. Nevertheless, it was a brand new thing and a tremendous turning point for the whole structure of payment for city employees and it seemed to me that some type of participatory role by the ASFMI should have taken place and I was very upset when I found that that hadn't been done and there was no time to do it. Nevertheless in the short time that we had at the end of '52, we managed to do this -- the plan was finally unveiled around early December, but before that I arranged for the union to see it in advance of its publication and so we could explain it to them, so we could hear any comments that they might have, so that they could then at least say to their members
we were not just brushed aside as somebody having no role at all -- the city consulted with us and there were a lot of wage increases that were going to result from that pay plan. There were many jobs that were underpaid through the years and under the pay plan they were going to be reclassified and paid upwards. And this gave the union the opportunity to say -- well, we were consulted, we had something to do with it and we are not just an inconsequential group that the city pays no attention to on something as important as this. That was an important small item from their point of view. They had felt completely left out on a very important issue and they had a chance to study it and come back and to compare it with existing rates. It also made them happy when they saw what increases were being put through. It was good for their people and it helped forward the relationship which we were fighting so desperately at that point to save.

To repeat what I said a minute ago -- it was, though it was on a confidential basis -- the fact that they saw it ahead of time was important from their point of view. It meant that we weren't just treating them as inconsequential errand boys. It enabled -- they were pleased with the results, because there were a lot of wage increases for individual classifications that had been underpaid over the years, so this helped forward the relationship at a time when we were desperately trying to rescue ourselves from what could have been total disaster at the end of 1952.

I also mentioned Joe McDunnough -- I think as a result of our improved relations with the union by the end of '52 McDunnough again spoke to Clark. It helped. I think they had a reconciliation and I believe this unquestionably helped. I think McDunnough was probably pretty close to Bill Macanty and Macanty as I say was a big union within the Central Labor Union and no doubt McDunnough got the reports from Macanty that things had improved and we were making a real effort and what not.

I mentioned earlier that McDunnough was President of the Central Labor Union and I dealt with that whole break between them after they had been very close and how McDunnough wouldn't even take Clark's phone calls in the first part of '52.

I haven't dealt with how we finally disposed with the 40-hour week question. There was, I believe, a million and a half or two millions dollars that had been appropriated by the outgoing administration to pay for this 40-hour week, but when you remember that people were working 44 and 48 hours and that a lot of new people would have had to be hired to work that shorter work week, the cost was considerably more. A lot of new people would have had to be hired to make up the 4-8 hours a week that were no longer going to be performed as a result of going to the 40-hour work week. The appropriation wasn't nearly enough to pay for those costs.
Nevertheless, that money had been appropriated for this and it had been laid aside. Now we had this court decision that I mentioned last time which upheld the union and said a valid contract had been made giving them the 40-hour week and therefore they were entitled to relief for hours over 40 that they worked in 1952 because Clark had revoked the 40-hour week and that meant that all these people were again working 44 hours a week and not getting paid any extra. They didn't get paid on an hourly rate -- they got paid salary, so they had no extra money for working 44 hours instead of 40 and theoretically if the 40-hour week had gone into effect and they were still going to work 44 hours they were entitled to overtime pay for the 4 hours, which we hadn't given them. And the court claim in effect upheld that.

Now -- but that was a lower court decision -- a Common Pleas Court decision and as I mentioned, when I entered the scene Abe Freedman -- and I think he was right -- had no doubt that he could have reversed that decision on appeal, but it was a burr under our saddle. It was a burr under the union's saddle. They felt they had entered into a valid collective bargaining agreement for the 40-hour week and we had committed a cardinal sin by revoking and cancelling a valid collective bargaining contract and it was a festering sore all that year.

Well, my suggestion to the cabinet -- this was a big item -- big money. And you, Walter, and Moak, and Abe Freedman, and Buck Sawyer were in that cabinet. And it was in the closing days of the negotiation before December 1 and I was trying to get authority for what we could offer the union and I said I would like to in the very closing stages of negotiation throw this ace on the table to get an agreement. That we somehow turn over this million and a half or two million dollars which we had been holding and work out some way to allocate it to those people who had worked more than 40 hours in the first part of the year -- or in 1952 up to December. And there was quite a discussion on it. Moak did not want to do it. I think you and Buck Sawyer were amenable if I thought it was something that was necessary to help us get a good settlement.

There were many things in this contract that we wanted which we had gotten -- such as excluding -- this was a major gain for us. Up to then these inexperienced public sector people who dealt with unions both in Philadelphia and elsewhere had let the unions represent supervisors as well as supervised alike. And for someone who had come from the private sector where that could not happen and the law outlawed it -- this made your hair stand on end. But here I found the union representing a lot of supervisors and to get them to give up jurisdiction over supervisors particularly since those very supervisors as union members
could do favors for them on grievances involving other members. This was something that I early in the game pressed for and they wouldn't let go. And I was pressing for it on the ground that if we were going to have real collective bargaining or something approximating the private sector of collective bargaining, this is basic. You can't have management people in the union. They have got to be on the management side.

And I was hoping to get that back and this little goodie could be just what we needed to give us a settlement on everything. There were other concessions we wanted also and it's never easy to get concessions back from a union.

The person who was the key man on that from Joe Clark's point of view was Abe Freedman. He was City Solicitor. He was the one who had fought the case in the courts and he had what he felt was a very good case for reversal and as a good lawyer he might have said this is a bad principle to establish -- we can't permit this to stand unchallenged. An outgoing lame duck graft-ridden administration could bind us this way in this wholly unjustified way. But what he said -- I remember it very clearly -- was, "Well, what do we have here? We've got some money that we're not using anyway. We don't feel free about using it. It's only a one-time thing. It's a chunk of money sitting there and we're taking it away from a bunch of trash collectors who are low paid. And is it worth it? Especially if we can buy something good with this." So he is the one who I think persuaded Joe. I think Joe was inclined that way and maybe Abe sensed it. But he recommended that my suggestion be adopted.

That was how we resolved the 40-hour week and of course we gave the union an unqualified 40-hour week with provisions for overtime if they worked more than 40 hours. Actually I think in the first contract we only gave compensatory time off if they worked over 40 hours. But the union now definitely had the 40-hour week with no ifs ands or buts. That was an important gain for them.

We had an all-night session the last night before the deadline. Even though the budget had been submitted on December 1st I think we had until January 1st really for these last-minute negotiating efforts. At that very late point we had an all-night session. Moak was there -- it was the first time he had had that kind of experience. He slept on the bench the good part of the night. Jerry Shustak was there for the law department and I think Buck was there and it was a great -- Marcirose was there in and out during part of that night. It was just one of the best nights of my career. Everything fell into place. The union people -- we had a lot of little private caucus's and full committee meetings -- but everything fell into place very beautifully and everybody was very happy and it was all announced in the paper and I think Clark made some television appearances and statements the
next day and he and Macanty signed the contract. Technically the contract should have been signed only by Escabido, but we didn't want to miss the chance for Joe Clark to get this publicity and of course it meant much more to Macanty to have the contract signed by the Mayor than by the Personnel Director. I think Escabido signed it also and I may have, but that was an historic document. It was much more of a contract of a complete contract than what we had inherited from the old administration. It was more a labor contract and I think I mentioned -- those were the problems and they all worked out.

In the next nine years we never had an experience to equal that. We never had that much on the fire. That much risk. That much potential for catastrophe in any negotiation and our relationship with the union -- with AFSMI -- became excellent from then on and I had a very close relationship with the union -- particularly with Macanty. And each year we would negotiate and we had I guess about nine negotiations. Now it is amazing that there were a number of years in that 10-year period where we did not give any general wage increase, even though there was a slow gradual rise in the cost of living each year. But in the '50's at times it was a very slight one. However, unions in the outside world always got something each year, however small. And we were able -- one year we settled for a million dollar appropriation which enabled the union to start this health and welfare plan whereby its members got some free health service and the new AFoFL health center that Macanty had dreamed about for a long time and had finally created. Well, our contribution, half a million dollars of that million or so, went into $15 a year contribution for that health center for each employee and that chunk of money was what they needed to start the health center. So we got a lot of points for that, even though it cost us very little and it helped us get through a whole year without a costly general wage increase. Because we sensed that that meant so much to the union in principle that they would give up a chance perhaps for a larger wage increase in order to get that.

And there were several other years where we got by with small packages and other years there were general increases and it was just we never had any difficult negotiations after that and we used this pattern that I've described of keeping in contact key people in the administration and in council to make sure that each time -- and with the Civil Service Commission -- to make sure that each negotiation when we offered something it would be approved subsequently by the people on our side. And I did have
one sort of crisis with -- I had two sort of personal crises when Joe Clark resigned to run for the Senate -- his term expired and he did not run again because he wanted to run for the Senate and there was a whole year's lapse and in that period ... (tape runs out)

... I was saving that Clark called me down and apologised and said, "I told Dick what a great job you had done -- that he ought to keep you in his administration." This was after Dilworth had been elected. "But he doesn't know you and he wanted to find a place for Mike Byrne and I really feel awfully badly about this but there just wasn't anything I could do." And I said, "Ok, thank you." And knowing what I had done in this job -- I had my share of failures in my career and this was really I felt certainly one of the best jobs I had ever done and Clark had gotten much more than his money's worth -- the city had -- in a very difficult situation. And it just seemed to me outrageous that I should now be let go after that kind of a performance. I'm not sure whether I spoke to District Council 33 about this -- I don't think I would have -- but I did speak immediately to Don Wagner, who had by then succeeded Frank Escabido as Personnel Director and had had some familiarity with my work and he and I spoke to the Civil Service Commission and Sidney Dexter was then Chairman and I think Luther Cunningham was still alive and Leon Mesirov and they knew of the work I had done and Sidney, bless him, though he was not the strongest person in the world, on this one just said we'll go and talk to Dick about this. Now he apparently knew Dick and also, technically, my contract was with the Personnel Department and the Civil Service Commission, which is the Personnel Director's boss, and they could simply say we're going to renew my contract period and we're not going to approve Mike Byrne. Well, anyway, they all went to see Dilworth -- I don't remember the details. I think Sidney in effect said, "Dick, we're just not going to do it." And Dilworth apparently knew nothing about my accomplishments -- he didn't know me and far from being a very good source told me this, someone either in Clark's camp or in Dilworth's camp at a later point -- but I have absolutely the complete feeling that I felt then that it was a thoroughly reliable source of information. And the information was that Dilworth, far from suggesting my replacement, least of all by Mike Byrne, who he had no particular reason to want to keep in his administration, had been approached by Clark, who told him to put Mike Byrne in my job and since he knew nothing about me and I guess he didn't want to have the problem of keeping Byrne in the job that Byrne had been in for Clark so this would take care of Byrne and relieve him of that -- but all he did was go along with Clark's strong representation to him. So it was really a total misrepresentation that Clark had given me and as it turned out Dilworth backed down and I stayed on in the job.
The other personal problem I had was about two years or so into Dilworth's administration when he, again, with his problems, he would cut off and be very stubborn and unbudgeable and impatient and he had taken a position in a negotiation in that particular year with the union — that no, we've got money problems, we're not going to give them anything and you just tell them that. It took me a few years to win Dilworth's confidence — he really didn't know me and he was a very difficult and a very impatient guy. By the time he and I both left the city administration in 1962, my relationship with him had become extremely close and a very warm, affectionate relationship. I had great love and respect for him, with all his shortcomings, and I had a much much warmer admiration for him than I had had for Joe Clark. Joe was a colder person and did some of the things that I described. But in those early days of Dilworth's administration he had taken this position and I had dutifully passed it on to the unions and they were concerned — they had to have something that year, and Macanty apparently was at some shin-dig or something with Dilworth and after all, his primary concern was for his people and he was satisfied that I couldn't do any more for him — so he talked directly with Dilworth. Dilworth never told me that he had this appointment and he agreed to give Macanty some item that year which he hadn't authorized me to give Macanty and I was furious about it. I had developed, without reason, I got angry at Macanty — in fact, his international union had invited me to come down to a convention they were having in Mexico City — they and other unions — South American unions — were having a joint convention on public employee unionism and I had prepared it. In fact the talk was going to be in Spanish and I had studied Spanish to give this talk in Spanish — somebody had translated it for me — on the Philadelphia story of labor relations. And they were going to pay for it and my wife and I had looked forward to it. This development I'm describing occurred a few months before that trip and I was so furious at Macanty for going around me directly to Dilworth and after what he and I had been through I felt betrayed by him and I said I will not go to your meeting in Mexico and I will not deliver that paper.

Well, they published that paper in their proceedings, but it just wasn't delivered by me. I had already sent it to them and they had had it printed. But I never went down to the convention. In retrospect, I think I was pretty childish about that. I couldn't blame Macanty for trying to get something — at least making the effort. The person to be blamed was Dilworth for letting him do it — letting him go around me in this way. Dilworth was a very poor administrator — he didn't understand things like that. And he always said he was the world's worst administrator
and this was a good example of it -- undercutting a guy like me in my position. But I forgave him -- I was almost about to resign from my job at that point. I was so unhappy with this treatment in a crucial item involving the annual labor negotiation which was the most important part of my job. But I talked both to George Taylor about it. We had George Taylor and Dick Graves over one night for dinner. Dick had wanted to meet George. Dick Graves was a person who had run for Governor of California on the Democratic ticket and had lost and he had then moved East and had obtained a job with the city as head of the Philadelphia Industrial Development Corporation. The very first one, which you, Walter, had a lot to do with.

And I had gotten to know him because there was some labor problem or something that I got into that concerned him. And George Taylor was the Professor at Penn Law School -- at the Wharton School -- who for many years was the nation's outstanding labor relations neutral. He had served and advised President's Roosevelt, Truman, Eisenhower, and Johnson. He skipped Nixon. He had no use for Nixon. And he died a few years ago, but his reputation and his standing is unparalleled in modern times in so far as the labor history of this country is concerned. And Dick Graves had asked me to introduce him to George Taylor and we had them all over for dinner one night and we got into this discussion and both of them had told me that it would be a very childish thing to walk away from a job because of a slight of this sort, so I stayed on with it.

So those are the personal items I wanted to bring in. I think we can return now to some of the details of Walter's questions.

Question 11 is: Did one or another labor leader unduly inject himself into the operations of the Civil Service Commission?

My answer to that is no. In my time, that was not, could not have happened because Macanty, as far as civilian employees were concerned was so clearly occupied that spot that he would not -- he could have invited Joe McDunnough or someone like that to appear for him and make representations to the Civil Service Commission or City Council or what not, but that's not the way he operated.

And Macanty, as part of the tradition of his international union, and Arnold Zander's feeling that Civil Service Commissions were wholly -- you don't meddle with them. It's good for the employees to have a real merit system and a really independent Civil Service Commission that won't be beholden to anybody. That was indoctrinated in Zander and to some extent, even though Macanty was more a politician type, he had absorbed a lot of this and he didn't want a labor leader on the Civil Service Commission.
Arnold Zander was the international President of AFSMI, which was Macanty's international union. So Macanty -- moreover, Macanty never wanted anybody else to rake his chestnuts out of the fire. He was big enough, he always said, to handle his own problems, and so it was just not like him to let somebody else inject himself and he himself did not inject himself into the operations of the Civil Service Commission.

Now later on -- I believe the first time a labor person was put on the commission -- this had been quite an issue. As a matter of fact, if I -- you may remember this, Walter -- my impression is that one of the frictions between Clark and McDunnough was that Clark did not want to appoint a labor person to the first Civil Service Commission and McDunnough felt there should be one. I think in that fight, though, it happened before my time, that in that fight I think Macanty, although he was very alienated from the Clark administration in '52, I don't think he pushed that because I don't think he really believed that that would be a good idea.

Anyway, my recollection is that the first time that a labor person was put on the Civil Service Commission was when George Bucher was appointed Chairman of the Commission. This happened in the Tate administration which would have been in the late '60's, I think. Tate was in office from 1962, when he filled Dilworth's unexpired two years and then he had two elections subsequent to that -- '64 and '68 and his labor relations policy -- things had changed a lot by then anyway -- and my sort of idealistic approach to relationships could not have lasted. Sooner or later the unions would combine both -- they would insist on collective bargaining as they had not known it before 1952 and as we had espoused it and we had set an example. This they bought, but they also went back to the political lobbying process. They used both and with the added membership and strength they had as a result of collective bargaining and the passage of time, they had more political clout than before so this did a lot for the strength of the unions -- this return to politics which I think happened under the Tate administration and I don't blame anyone, particularly, Harry Galfin succeeded me as labor relations advisor under Tate. Tate had asked me to stay on and I said I didn't want to, but I recommended Galfin to him, who I thought was a person of very considerable ability, and I still think that. Who knew a lot about labor relations and who also had political ties which I had never had and I thought this would make him more acceptable to Tate, even though Tate had wanted me without the political ties.
Now George Bucher was appointed as Chairman of the Civil Service Commission, whether he was initially Chairman or just a member -- I think initially he was just a member and Sidney Dexter remained on as Chairman. And then, I think, after Sidney retired, Bucher was appointed Chairman by Tate and I must say for George -- I knew him, he was a labor leader -- the Upholstery Workers Union was his union and he broke off and formed an independent show and he had sort of a catch-all union that took all kinds of people in. But he is a very able guy and I suspect there were times when he played it pretty straight -- he called them as he saw them. He was by no means what we would normally think of as a militant union type. He is a pretty reasonable guy and I suspect he's been pretty reasonable with his employees over the years. Nevertheless I imagine there were other situations where he might have felt obligated by his labor union background to do certain things that he might not have done if he hadn't had that background. But up to my departure, certainly, the Civil Service Commission remained Simon Pure.

Now the next question was: was your role sometimes involved with Civil Service? In other words, did some of the issues with which you dealt concern job descriptions, promotions, pay plans, and the like, to which unions objected?

Well, we did not in my time deal -- make those subjects a matter for "collective bargaining" in the sense that we would put them into the labor contract. Today those subjects in many jurisdictions are regarded as proper subjects for regular collective bargaining between the unions and the government. In my time--even the union didn't press strongly for making them items in the labor contract and we didn't put them in the labor contract and they were the subjects of Civil Service Commission regulations. However, in part because of my constant stress on that and in time Escabido and then later Don Wagner and Foster Roser just automatically did this -- we would constantly call the union in and discuss with them in advance items that we were going to suggest for coverage by Civil Service Regulations and all of these items, I am sure, we would talk to them as we instituted them. If we were contemplating changes we would talk to the union about them ahead of time. The union would then not be embarrassed by being told by its members or learning for the first time at a Civil Service hearing that something was being done and also when it came to interpreting these regulations that were not in the labor contract the union was frequently involved. They would often raise questions -- grievances on that and the personnel office might frequently get involved in interpreting those regulations to the union and to the department. So that we dealt with those subjects, but not in the way that we would have ..... (tape runs out)

dealt with things that were in the collective bargaining agreement itself -- the 40-hour week.
I was talking about question 13 — the resolution of these conflicts and that we had this advisory arbitration machinery in our contract which I think we carried over from the prior contract -- at least in part, we may have changed it a little bit. That would have been available for unresolved grievances involving the interpretation of the contract, but in my ten years we never once used that machinery -- we always resolved things ourselves. Now differences over the meaning and application of the Civil Service Commission regulations where they dealt with subjects that were not in the labor contract were only to be decided by the commission itself. It interpreted its regulations subject to the appeal of the courts and that's how grievances were handled.

The -- your next question 14 is: did you deal with grievances as well as contract negotiations?

I think I answered that in one of the prior sessions in connection with an earlier question.

The next question -- and this is I think a big question -- as I recall you were the frontrunner in the development of collective bargaining between municipalities and municipal employee unions. Would you tell about that and the spread of the collective bargaining process in municipal government throughout the United States?

Well I think I've already indicated that we were pioneers -- that we were a step ahead of everybody else. First of all, because we inherited a going collective bargaining relationship that was really quite unique. And it was unique in the sense that Bill Macanty and his union had been bargaining for ten years and even though it was a political kind of bargaining they had members, they had muscle, they had negotiated quite a lot -- they were accepted already. They were not just a hat-in-hand type of public sector union that would come in in effect with hat-in-hand. That were the type of union that was prevalent up to then in most places where there were unions of public employees and the police and fire had been pretty traditional in Philadelphia prior to 1952. They were the same kind of a lobbying organization, relying in large part on their public image to get them gains. The risk aspect of their jobs -- and they did this everywhere and they continued to do that in Philadelphia under us. And most cities in the country had that kind of police and fire union, but nobody had what we started with -- no city of any significant size -- there may have been a few smaller ones that did -- had what we started with with AFSMl and certainly as we developed the relationship and the collective bargaining process, I think we had something that was unmatched anywhere.
Now, we know this, at least in part, because unions the AFEMI took an article that I had written about our experience and duplicated it into a pamphlet and circulated it everywhere among the membership and brought it into other employers that it wished to organize and constantly we found that we were being referred to all over the country as an example of enlightened collective bargaining and as proof that collective bargaining in the public sector was possible and I was constantly called on to make speeches in various parts of the country. I was called upon as a consultant several times -- this is a later question -- in other places. I did some writing and the Personnel Director and the Deputy Personnel Director -- that would have been Don Wagner and Foster Roser -- also made speeches but they were still relatively strange to these terms and this idea and I found that I did the speechmaking and I only mention it because it is an indication of how unique our experience was -- or else I don't think we would have been called on so much.

The other cities in the '50's began to develop in this direction. The first one that really -- and I'm talking mostly of the ten biggest cities -- the first one after us that really began to regularize its collective bargaining along the lines that were similar to those in the private sector -- or at least partly similar -- often what happened was that they borrowed only part of the private sector and kept many of the aspects of the public sector dealings that were really not consistent with collective bargaining. But I would say that the first big city to follow us in this path was New York under Wagner. And he at first issued an executive order providing for collective bargaining and I think that was around 1954 or 1955 and then I believe they later passed an ordinance on it and more than that he got together a staff whose job it was to work out systems of real collective bargaining with the city employees and I think he hired Ida Klaus about this time -- in the mid-'50's -- she has stayed in the field all those years and has become quite an expert in it. One of the persons on the staff was a young man named Sid Salzburg who had gotten his doctorate from Wisconsin in labor economics and he and I both sort of came to the awareness at about the same time that there was a tremendous need for research in this field. It was so unexplored and so new and the potentialities were so great -- and the potentialities for disastrous mistakes by the administrators who were untrained in these problems for which -- which were uncharted seas to begin with because the private sector did not automatically give you the answers to the public sector. The public sector had unique and different problems. So you had to borrow with discrimination from the private sector. But you had to have some savvy to do any of that and most of the public personnel people had no sophistication -- no experience at all. And they were being faced with this rapidly growing union membership which began in perhaps the latter '50's and it was so clear that we were going to have major
problems in this country and that we were totally unprepared for and Salzburg and I together prepared a prospectus to the Ford Foundation, asking for I think a very modest appropriation. It maybe didn't seem so modest in 1958, whatever it was, but I think we only asked for a couple of hundred thousand dollars and we got the Wharton School to be the shelter for this kind of project and Salzburg would have quit his New York job and worked full-time on this and we would have become -- we were so far ahead of the rest of the country at that time -- we would have become the preeminent organization in this whole field. In fact, a number of times I thought of setting up a private consultancy and advising Mayors and putting out literature, weekly or monthly publications or what not, and I was absolutely sure then that the field was going to grow and of course it has grown even more than was thought possible in those days. At not only the local level, but state and federal. All of which Sid and I predicted would happen. I thought of becoming a consultant several times and I'm sure I would have become quite wealthy in it but I decided against it finally because I didn't want to travel all the time.

Our Ford Foundation project was a heart-breaker. We made such efforts to get money and the Ford people strung us along -- said they would do it and they always shied away and years later I delivered a paper through a meeting of the Industrial Relations Research Association at their national meeting in Wisconsin, their Spring meeting. I was asked to do this by their President that year, I think, who knew about this effort of mine. She was an old friend of mine. Just to tell them the story. By then the field -- everybody recognized -- by then the field had grown tremendously and people were stumbling around and it was so difficult at this late stage to reverse processes that had taken place as a result of lack of guidance earlier. As a result of mistakes. But we now had the problems and it -- these various scholars who heard my talk, which was simply a recital of how Sid Salzburg and I had failed in this effort which we had worked on for a year or so to get a major research project started on this. Sid and I had both seen the need for such a project and we had gotten together and prepared a long prospectus with the help of some of the people at Penn and it was submitted under Penn's name -- we were to be the staff -- to the Ford Foundation and the Ford people were afraid of it. It got into the hands of the public administration people at Ford rather than the labor economics people at Ford. Had it gotten into the hands of the latter I think we would have stood a better chance. But these public administration people were very conservative and they took an ostrich-like approach, as did all the administrators in those days. They didn't
want to talk about the subject. They didn't want to deal with it because somehow that would forward it. That would make it possible for the field to grow, for unions to come, and unions were basically incompatible with government, with the public sector. These people all felt that and the Ford people felt that way, I'm convinced, and a research project from that point of view would just have hastened this phenomenon, which hopefully would never take place. Well, all they did was bury their heads in the sand because it came along and when it came we were totally unprepared for it and we are paying the consequences for it still. I think had we laid the groundwork for this better than we did we might not have had some of the excesses that developed in New York City where a large part of the bankruptcy of the city is blamed on the efforts of the municipal employee union. The amount of benefits that they have pressed and gotten. I don't know. It might have happened anyway.

The guide that at Ford who was our particular obstacle was a fellow named Pincus. Years later at this talk that I delivered at the IRA meeting he was there, I think, and he came up afterwards and he said, "I always wanted that project of yours and I was overruled by others." But this is a lie. I know he is the one who personally killed it. This is during the time that Paul Ilvisaker was with the Ford Foundation and Paul had tried to help us. He was one of Joe Clark's assistants or deputies during Walter's time in the Clark administration and Ilvisaker was from Swarthmore -- he was a political scientist and he had taken this job and then he went on to the Ford Foundation, I believe, from here and was later in the New Jersey Government -- Commissioner of Housing. He was another one of the bright lights in the Clark administration. It is amazing how many really outstanding people the Clark administration attracted.

Would you tell about the spread of collective bargaining process in municipal government throughout the United States?

Well, it has grown by leaps and bounds. Time magazine, every publication imaginable has for the last ten years has talked about the phenomenal growth of union membership in the public sector. The AFofL, which used to sort of look down its nose at public sector unions because they didn't amount to much -- they weren't very strong -- and they might cause salary increases which would then cause tax increases, which the rest of the labor movement members would have to pay and which, like all tax payers, they didn't want to pay. All of these concerned the leaders of the labor movement. Nationally, state-wide, and locally. As a matter of fact, the Central Labor Union in Philadelphia was less than militant in pressing for example, the fire-fighters case. They were -- the fire-fighters union is affiliated with the AFofL-CIO. The police are an independent union.
But Norman Blumberg, for example, always sort of just went through the motions in terms of trying to help Jim Forbes and he helped Macanty perhaps a bit more. He was the head of the Central Labor Union after Joe McDunnough (Blumberg was). But this was the prevailing attitude. Well, in the '60's all that changed because of the numbers of members that were joining the ranks of the public sector unions so the rest of the labor movement, particularly the top leadership of the Meaneys and so forth, nationally, state-wide, and locally, became very interested in these unions and lent them their support.

But it spread like wild-fire in the '60's. It began really in the late '50's and then continued during the '60's and I think -- it's a necessary concomitant of the democratic society that the public unions be that the public employees be able to participate democratically in the determination of their working conditions and they exist in every other country. I do think that we were ill-prepared for this rapid development and that while we may not have succeeded with this project, oddly enough, much later, about five years ago or so, Ford did subsidize a project with Brookings Institute -- the Brookings Institute -- to turn out five volumes or so and I discovered that in planning this project they used the prospectus that Salzburg and I had given to them ten years earlier. It was an absolutely unethical thing to do. We had given them our prospectus to be used in a project by us and they kept a copy, as a matter of fact, I remember telling Bill Pincus that this was not to be used for anybody else, and he said yes, absolutely, but they used this. It was so evident. I reviewed the first two volumes of this Brookings study that Ford had put up a million dollars for -- I reviewed those two volumes for the Monthly Labor Review of the Department of Labor and in reading the introductory paragraph, it was absolutely clear that they had copied from our prospectus. But this is not relevant to your study, however, except in so far as it shows how far ahead of the times we were -- that Brookings finally belatedly, much too late to influence these developments. Nobody is going to pay any attention to those studies now. Besides those were a bunch of scholars whereas Sid Salzburg and I would have been a couple of working people in the field who knew the lingo, who knew the practical problems.

But I think we influenced -- I wish we could have influenced the development more positively than we did. We were used as an example -- cited over and over again by unions and governments at all levels. In fact, I was called to Washington to testify before a presidential panel made up of cabinet members -- Dave, the then postmaster General, this was under Kennedy -- Arthur Goldberg, the Secretary of Labor, chaired the Cabinet -- there were three or so other members of it. This was around 1962 when Kennedy decided he needed to issue some sort of executive order...
regularizing to some extent and legitimatizing to some extent collective bargaining by the two million or so federal employees and he authorized this cabinet committee to hold hearings on it and I was called, even though I was only from a local government in Philadelphia, I was called to Washington. As a matter of fact, Pat Moynihan was then an assistant of Goldberg's and he had heard ...

(tape runs out)

I think what happened was that I and others for the city spread the story of how good collective bargaining was. It really worked out well -- it hadn't cost us a great deal. Our salaries would have gone up anyway, and it certainly improved the administration's relationship with the labor movement and it gave us some national fame for being innovators and open-minded, far-seeing, etc., all of which was grist for the mill -- our mill and we had the typical problems of the police and fire, but we kept talking about our collective bargaining relationship as opposed to the lobbying relationship of the police and fire. And how wonderful the collective bargaining relationship was with AFSMI and of course they were delighted to have us preaching this message -- whether or not the Philadelphia story could be duplicated, whether or not you could find another labor leader like Bill Macanty, or whether you could find the political environment that made it possible for us to do this is just another story, but people didn't pause to think about that and the union didn't care -- they wanted members, they wanted to grow -- AFSMI did -- and so did other unions that had heard our story. So over and over again we were cited by the unions as they were trying to win strength and recognition by other governments elsewhere -- look at Philadelphia. Read these things that have been said. And I wrote some speeches for Dilworth -- I think probably also for Clark where they praised the collective bargaining experience and the government people reading those things or coming to visit us -- a number of other delegations from other places came to visit us and question us about it and I would think even if they talked to some of the department heads like Sam Baxter or Randy Wise they would get the same story -- it's not bad, fellows, it's like any other process, you develop your relationships with the people and there is give and take and most people are reasonable if you accept them, but at the higher levels in terms of cost, in terms of political influence, there were people concerned that recognition of unions would give them too much political influence and it would take away the power of the political parties. There was always a fundamental conflict to that extent between an AFSMI and a political party because the political parties would like the public employees to feel obligated and beholden to them, because this was the old system in Philadelphia.
But a Daley in Chicago doesn't have many unions. He typifies what I guess could be a defensible position today considering that Chicago's problems that are so much less serious than those in places like New York that do have collective bargaining. Daley has very little collective bargaining of the type I've been talking about. He calls the shots -- everybody is beholden to him politically and he doesn't have perhaps the pension plan that organized cities have -- although those pension plan "abuses" are sometimes exaggerated. I think what is sometimes overlooked is that, while there is early retirement and generous pensions by comparison with the plans that you have in the private sector -- what's overlooked is that the public employees have contributory plans. They pay a substantial share of the contributions into the plan, whereas in the private sector it is all paid for by the employer and on that basis you could say that the public employee is entitled to some extra benefits. He's paying for them. The trouble is that neither his contributions nor the contributions by the government -- assuming it met its share, and so often it doesn't -- would suffice to fund the benefits that these plans are now paying.

(WMP: Eli, I was of the impression that Jim Tate made big give-aways to the public employees of the city for election purposes. The employees and their families are a big segment and they have a stake in electing a good mayor and the mayor is generous to them and that there was a feeling of that sort. Would you want to comment on that?)

Well, the question of the political power of the union was dealt with at length and the possible abuse of that in one of these two Brookings volumes that I reviewed. It was done by Harry Wellington and a guy named Winters at Yale Law School. Wellington is now the new Dean of Yale Law School. He has been a labor law teacher for a long time. And they point out the possibility for abuse when you combine collective bargaining with political power and many of the unions have that.

In the old days a public official looking at the tax question and the number of votes that might be antagonized by raising taxes as opposed to the number of votes he might gain from public employees by giving them what they wanted, which would then in turn cause the tax increases, caused the public official to feel that it wasn't worth paying all that money to get this public employee support and they just didn't go all out to give them help. Now I have said in general that -- as far as Jim Tate is concerned, there was a separate phenomenon. When Jim Tate ran against Alex Hemphill, who had been designated by the City Committee
In '62 Tate replaced Dilworth for two years. Then in '64 he ran on his own -- the fall of '63. At that point he had labor union support against you, Walter, in the primaries. But I think maybe Tate wasn't as seriously in need -- you were not a real threat. It was four years later when the party nominated Hemphill and Tate did not have any grass roots political support where the labor movement was a decisive factor. He had in his first six years in office gone much further than Clark or Dilworth had by way of having good relations with the labor movement. Not just the public employee unions, but the labor movement in general. And he openly bragged that this is a labor union town and on almost any issue that the labor union went to him on he would automatically support them.

Now he had the advice of Harry Galfin during this period and I don't know if all of this was done with Galfin's advice or at his urging or whether some of it was done against Galfin's advice. Galfin had been a labor union lawyer, but I think he had a certain sense of what is reasonable and what isn't. Tate just did have this all-out approach to giving labor whatever it wanted. I think it's pretty clear, and I think he did that also with the public sector unions.

Tate -- in his first six years -- now of course increases and packages were improving during the '60's. More tended to be given in the '60's than was given in the '50's as I recall, but I think he went further than he had to. He felt so dependent at this point -- the whole labor union was more interested in helping the public employees than it had been in the '50's, so that his combination of doing whatever the outside unions wanted done for their needs, together with like if there were strikes and pickets the police would always be very cooperative with the union and the pickets, and would do as little as possible to interfere with them. Not that we were so much different on that in the Clark and Dilworth administrations, but I think almost everything that we did of a "pro-labor" nature, Tate went further on and money-wise he was considerably more generous than we were. Pension-wise, much more generous than we were. He lowered the retirement age drastically in his period in office and what gave him his real sense of obligation to the labor movement is when he ran for Mayor the second time for a full term when he ran against Hemphill. And what enabled him to defeat the party was clearly the support of labor -- exactly the same thing that has happened recently in Rizzo's battle against Hill, and the labor movement -- this is where Rizzo might have learned it -- I don't know -- when Tate ran for his second full term, the labor movement went absolutely all-out. It raised money, it put manpower in the streets and as you know, Tate dealt a decisive defeat to Hemphill and to Smith, who was then the Chairman of the City Committee, so that labor support today has been proven to be an important matter for the people who run government and at least in the cities where the unions are most strong.
as opposed, say, to the suburbs, or even state-wide, there has been a tendency to give them a great deal.

The next question is: Did you form an association of persons performing functions comparable to yours in other cities?

There already was, when I came into this job, something called the Civil Service Assembly, which was a national organization of public personnel people, as opposed to the public administration association, which included administrators. That Civil Service Assembly later became the Public Personnel Association -- the PPA, and it is still in existence. It is -- they, as a matter of fact, published my best article, which I wrote in this whole field, which I wrote in the late '50's about the Philadelphia Story, and I think I entitled it "Practical Problems of Labor Relations in the Public Service" and they are a very active organization in this field, and they too were afraid to sponsor a research project on this in the late '50's. They were afraid it would cause unions to come and most of their membership consisted of management people in the public sector, and they didn't want that.

17. Did you ever devote your full professional time to the City of Philadelphia?

No. I was always on a part-time basis, and was paid on a part-time basis.

18. Have you done similar work for other cities since then?

Yes, I was called by Hartford to advise them on their labor relations problems for a brief period -- I think it must have been in the late '50's or thereabouts when they had been having a lot of problems and they had heard about us and they had a City Manager form of government and he contacted me -- Elijah Freedman -- he is now the City Manager in Rochester, N.Y. -- and they paid me for the 10-12 days that I spent spread out over several months, giving me advice and talking to their union people and advising their city council which had to draft something -- I have forgotten the details. More recently, I was the advisor to Mayor Haskell in Wilmington. He is a Republican who had been a congressman in Delaware and he is a very independently wealthy man. He owns a controlling interest in Abercrombie and Fitch, among other things, and I think his wife may have inherited some Dupont money.

Hal Haskell had gotten my name from Rockefeller's office. He was an old friend of Rockefeller's. I think they had adjoining houses up in Maine, and he wanted to have good government in Wilmington and he paid me as a personal, private advisor out of his own sources -- I was not on the city payroll in Wilmington, and I think I did perform that on a part-time basis, of course. A day here and a day there...
for his four years in office. I may have worked elsewhere. As a matter of fact, Lindsay called me on the advice of Lou Harris, who was then advising him, when Lindsay was elected in the late '60's the first time. Lou Harris is an old friend and Lindsay was looking for a labor relations advisor to help him with his various problems, and I indicated that I did not think I would be interested.

Whether I actually took any other jobs that I can recall with other cities -- there may have been some, but I just don't remember it.

The next question is: do other cities submit themselves to arbitration? Well, there are two basic kinds of arbitration -- one is arbitration -- let me go back to question 18 -- have you done similar work for other cities.

I have received many offers besides the New York one. As unionism spread in the public sector people from New Orleans to Altoona in various directions called me. They desperately wanted help and advice on how to deal with this new phenomenon. All of this was in the '60's, a little bit in the '70's. And they would ask for the name of somebody -- so since Philadelphia had had this experience they would get my name. And I mention it not because it was me, but just to indicate again the preeminent position of Philadelphia in this field and how much earlier it had gotten into it and now it was an expert city whose experiences other people in panic desperately sought to borrow.

Question 19 is: do other cities submit themselves to arbitration?

There are two kinds of arbitration. One is arbitration of grievances and the other is arbitration of the terms of a new contract. How much of a general wage increase should there be and that sort of thing. In general, the courts had until recently -- and government officials also -- had felt that arbitration was illegal and improper. Either kind of arbitration because it was the delegation of authority by appointed, authorized governmental officials to outside private citizens, namely, the arbitrator, to make their decisions which they could not delegate. The courts changed gradually and upheld arbitration of grievances and today with court sanction or with specific legislative or even constitutional authorization. Some courts might still question whether you could arbitrate the terms of a new contract -- general wage increases and so forth -- by a mere legislative enactment. As you know, we have Act 111 in Pennsylvania, which provides for
compulsory arbitration of police and fire disputes on -- it was intended, it was a very poorly drafted act, it was intended to be for general wage increases. Once a year things, but as it is worded, it could be used for grievances, too. In any event, to make sure that that stuck, a constitutional amendment was pushed for by the Fraternal Order of Police, state-wide. It was supported by virtually every newspaper in the country. Again, the boys in the blue psychology -- the boys who were out there risking their lives for us -- worked, and it has been tremendously costly to the various entities of government across the state who have now tried desperately to have it revoked. (tape runs out)

... I would like to add on question 19 about arbitration, that the city of Philadelphia has used both of these acts -- both Act 111 and Act 195 to resolve annual negotiations. I think it has used Act 111 several times in disputes with the police and firemen and at least once it has used Act 195 for its annual negotiations with District Council 33. The other cities around the state have used both acts -- a city has no choice. If a union invokes Act 111 for a police and fire dispute, it has to use it. It is compulsory arbitration. But both of those acts -- 195 was passed after I left the city government, and I'm not sure about Act 111. But anyway, we did not use arbitration while I was there.

The next question is: what happened to your functions in Philadelphia city government under Mayor Tate and now under Mayor Rizzo?

Well, I really think that Harry Galfin should tell you about the Mayor Tate experience. He was there throughout. And under Mayor Rizzo, I have no direct experience. I have the feeling that politicalization took place gradually in Tate's administration and more speedily in Mayor Rizzo's administration. As far as the Tate administration is concerned I don't fault Harry Galfin for that -- I think it was primarily Tate's influence, but apart from that I think there were long-run influences at work here which would have forced that. We lived in a kind of Camelot. Briefly for ten years in Philadelphia and I think that even in our time under Dilworth you could sense there was a movement toward greater politicalism of the process and it's like the experience with the reform governments -- they never last. And while I think this was a more basic experience -- we did point out new directions and influence the new directions. It ended up, though, as I indicated earlier, with the unions having both the new type of collective bargaining plus the old political pressure techniques. And in a sense you might say they have the best of both worlds.
I will have one closing remark on that as far as the Rizzo administration illustrates it — but I'll save that for the end.

21. Will you tell me how extensively, in your judgment, Mayor Tate granted new and extended pension rights to city employees in order to gain their enthusiastic support for his reelection in 1963 and you might say in 1967, and by what authority was he able to do so?

Well, I think Galfin is your authority for that. I was not Tate's advisor. My impression is that he, whether he had the authority or not, he wielded it. He was not concerned about form and jurisdictional lines under the charter -- he was the Mayor and if he agreed to something with the unions, he would tell them. Tell the pension board to put it into effect.

We did not get into pensions in my time at all to speak of. I think maybe we did minor things for the policemen and firemen, but there was a pension board under the new charter and our feeling was that improvements in the pension plan were not questions for our collective bargaining process, but rather should be taken up in the pension board and if City Council would appropriate some money to the pension board, the pension board could then put in some improvements. The union didn't take serious issue -- remember, we had sort of a honeymoon in those ten years. The unions didn't take serious issue with that and the result was that we just didn't get into this large issue in the private sector, namely, pension benefits. From time to time the pension board made some improvement, but they already had started with a fairly generous pension plan when Clark came in. And I think the big emphasis in the Clark administration was finding money to fund the pension debt that we already had, let alone improving the benefits very much and we somehow got away with that.

Again, I don't blame Tate, but after '62 I think it would have been impossible to continue to resist what was happening nation-wide everywhere in the public and private sector, namely, pension improvements. And while you could have done it through the pension board by just having City Council appropriate some money for it and not have collective bargaining in the new sense, but just old-fashioned politicking with City Council on it, I guess Tate preferred to get the credit for it himself. And he negotiated it or had Galfin negotiate these improvements and then he wielded his muscle to get City Council to appropriate the money and then the pension board was I think the last step, but it was just a mere administrative implementation. So perhaps the role of the pension board
has been undermined since 1962 to one of primarily deciding who is eligible, who is not in individual cases, for a pension benefit, and how much. Whereas in our time, we looked upon it as a board that had the authority to raise the level of pension benefits generally.

Now I don't know how much money Tate spent for improved pension benefits, nor how much he did along those lines in 1963 when he ran in that primary or in 1967 in that primary or in his general elections.

What other issues were paramount in contract negotiations?

Well, I think I've covered that pretty well. They were pretty much the same through the years -- money, some improvements in Civil Service regulations, which we would often take up in a negotiation and then the Civil Service Commission would put them through, overtime improvements, -- the one thing that was important in about 1955, and that was not a monetary matter, that was, as I mentioned earlier, when we gave Macanty exclusive bargaining rights for all city departments other than police and fire. And that insulated him against raiding by outside unions. I had mentioned earlier that as part and parcel of that he absorbed the Civil Service Employees Association -- Denny Welch's union -- and thus got rid of that problem. That would have been the major obstacle, perhaps in the courts, even, to an exclusive bargaining contract, but with that out of the way we knew we'd have no flack from anybody on it and I wanted to do it. I thought that was the best way to have responsible collective bargaining. And that it would discourage the fragmentation of our bargaining unit in the future, after Macanty had passed from the scene, because nobody could have broken in while he was in office, and as I've said before, we were protected from having a hundred separate unions to deal with. And that's one of the reasons -- because you have one responsible union to deal with and you didn't have to worry about competitors undercutting him every time he took a reasonable position -- that's one of the major reasons we had successful collective bargaining with District Council 33.

25. Did the presence of a labor leader on the Civil Service Commission distort negotiations and settlements?

Again, George Bucher was the first labor leader on the Commission and he came in under Tate and I do not know the facts -- Galland or Tate would have to give you that story.
26. Was the labor leader's role disruptive as to contract enforcement and to proper adherence to Civil Service laws, rules, and regulations?

Same answer.

27. In my role, did I become aware of any favoritism, corruption, or other abuses in the administration of the city?

I was not personally aware of any of that. There may well have been some through the guise of grievance resolution at the department level. In other words, the union might have sought favored treatment of some individual -- this happens with unions in the private sector. An individual is important to the union or he is a union officer or something and they try to get him a better job and the employer in the private sector may be quite willing to cooperate for union good will. And you don't have Civil Service in the private sector so you're not doing something that perhaps is doing violence to a system that is established by law -- a civil service system. But without really calling it illegal there is still room for stretching favorites -- giving favorites some advantages in not perhaps the basic issues like appointments, promotions, but in other areas and I'm only talking of my ten years. I'm almost certain that at the department level where relationships were good between the union and the department and where grievances were frequently resolved, resolutions were often arrived at where somebody might say involved favoritism -- I wouldn't call it corruption, nor would I call it an abuse. Nor would I call it with my own orientation, call it favoritism.

Now what happened -- because I think the concept of labor relations envisages the sort of thing I mentioned above. Now what happened in later administrations, again I do not know.

28. How would I evaluate the office of Managing Director? Was he party to contract negotiations or was that handled entirely or primarily by the personnel director of the Civil Service Commission?

One of the things I did from the very start and which I attempted to maintain throughout and which many other cities copied, was to have a management team in negotiations such as they have in the private sector, but I felt it was even more important in the public sector to have on the negotiating team not just representatives of the Civil Service Commission and the personnel department, particularly since the money from these gains would have to come on recommendation from others and action from others, so we had throughout my time a management team made up of the Personnel Director, myself, in the early days we had the Managing Director himself, and the Finance Director himself -- Sawver and Moak -- plus someone from the law department. And I think we even had someone from the
Mayor's office on our first negotiating team -- a Bill Rafsky or someone like that who would sit in on some of our negotiations. Now the union of course had a team made up of all of their business agents who represented various departments. Now we kept that management team, but some of the faces were substituted -- in other words, instead of Len Moak we'd have Dick McConnell -- instead of Buck Sawyer we'd have Tina Weintraub -- the Personnel Director would always be there and I would always be there. I don't think towards the end we would have anyone from the Mayor's office. We tried a couple of times to have someone from City Council. I've indicated why we wanted to have everybody in on it so that we could get approval and authority for what we agree upon.

City Council also presented a problem as I mentioned earlier, of security. It's the essence of collective bargaining that the other side not know what your cards are and that you not show your cards until the right moment. With someone like a City Councilman it might be pretty hard for him to resist the temptation of telling the union, in order to win some brownie points for the union boys, as politicians always like to do with everybody, -- look, fellows, I'll give you some confidential information, we're going to give this amount, so hold out for that amount.

This was a problem of having members of City Council on this and also they didn't like to say no. We had to say no in these negotiations over and over again and toward the end we would begin to say yes on some things and that just ran against the grain of the councilmen. So sort of by mutual agreement, I think after one or two experiments with it, they stopped attending, but I would talk -- this is how I first got to know Tate. I would go to the President of City Council and say, "Jim, we're heading this way on this and Dilworth wants to do this and I think the Civil Service Commission would like to do it and we'll need your help and support on it when it gets to City Council and he would say, "ok," and I would try to tell him that you have to keep these things very confidential because you'll upset the negotiations if you don't. When we'd come to City Council, as I mentioned, Bill Macanty would never ask for a second crack at the ball. He would never ask for more than we had negotiated even though sometimes some of these city councilmen tried to get him to ask for more. They wanted to be the good guys and they'd say now this doesn't seem like very much of a settlement. Don't you think we ought to add something to this? And that put him in a terribly difficult spot. And yet Macanty would say, "We're satisfied with this package for this year."
That was the managing team. The Managing Director's office, in general, I thought was very useful for our collective bargaining. I thought this team was useful. We had balance -- we had people -- instead of just having an assistant to the mayor, or something like that, it was much better to have all of these -- certainly with the new charter we needed all of these people -- they all had authority. But we sort of ran the show and I guess I did as an individual.

29. Would you ... I'll just tell you individually my choice of people that I worked with in my period in the city government outside of yourself, Walter, and outside of the Mayors -- I would rank them in this order:

Vernon Northrup, Leon Mesirov, Abe Freedman, and then maybe Bob Crawford, and Jim Finnegan. I think those were the people I had the most respect for, in addition to a few people in the mayor's cabinet.

30. Would you say that Philadelphia led the field among cities .... I've covered that.

32. Can you tell what the state of affairs in this area of Philadelphia city government now is or became by the close of the Tate mayoraltyship?

Well, I think the politicalization was unquestionably greater under Tate but he still kept a specialist -- this unique instrument which we had long ago pioneered -- long before anyone else did -- namely, a labor relations advisor. He had a competent man in Galfar and they had negotiations and they tried -- I know Galfar believes in the give and take of collective bargaining of the type I've described.

There is one rather last statement I would like to make -- I think it got most political in the period of Rizzo (tape runs out)
One last comment, and I've really said most of this already. I think it's clear that as the unions grew more powerful, they would acquire greater political strength as well as greater "collective bargaining" strength -- the latter by virtue of their greater numbers, passage of collective bargaining legislation, etc. But you can't fault the unions really for using every possible weapon they had -- political as well as collective bargaining -- particularly since their right to strike was clouded by doubt.

Perhaps less easily excused, however, is the eagerness with which some politically elected leaders have themselves played this game -- seeing the growing union membership as a source of new political strength for themselves, personally. Rizzo has done this, and in fact, in his recent grant of 12% or 13% to the City employees, to gain black votes in the recent primaries, he conducted brief negotiations through his Managing Director alone, as I understand it, with Jack Soloff, the labor relations adviser not even participating. The phrase "collective bargaining" as we practiced it earlier has probably become meaningless, both in Philadelphia and in numerous other places. Perhaps this was inevitable from the start.

Lastly, I would point out that an individual who, at least initially, back in 1952, had a major amount of vision in this whole area was Walter M. Phillips, the City Representative and Commerce Director in the Clark administration, who recommended me for this job to Clark in 1952.
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Lastly, I would point out that an individual who, at least initially, back in 1952, had a major amount of vision in this whole area was Walter M. Phillips, the City Representative and Commerce Director in the Clark administration, who recommended me for this job to Clark in 1952.
Interview with Eli Rock re labor leaders

As I understand it you want the names and a little about labor personalities, starting with the time when Clark became mayor in 1952.

Some of the labor leaders I had known during World War II were still prominent in Philadelphia, notably Charlie Weinstein, the head of Amalgamated Clothing Workers and Harry Block, the top guy of International Union of Electrical Workers. Mike Harris had been prominent in the Steel Workers. There was also in the AFofL Joe McDunnough, who was the top guy. Norman Blumberg, who was the head of the Building Construction Trades Council. Jim McDevitt was another one. Those were the top three AFofL people at that point. Since then Charlie Weinstein has died and Joe McDunnough and Jim McDevitt have died and Norman Blumberg. So with the exception of Harry Block and Mike Harris of course left the labor scene many years ago.

The first people, in any event, although I was not here and you probably have more details about their role in the Clark election of '52 -- they clearly, with some exceptions in the AFofL, joined with the liberal and reformed movement as I understand it to help bring about the reform election when Clark was elected. Someone like Harry Block, who is the only survivor of that early period, would have continuing knowledge and experience from then to now about the role, negative or positive, and the relationship of the labor movement to city government in Philadelphia. He is in addition to being the top guy of the International Union of Electrical Workers in this region he was and still is the Secretary of the State AFofL-CIO and he is therefore still in politics as it affects local government in Philadelphia. So I would say he is a number one priority to talk to, not only in terms of his own experiences but in terms of giving you many other names that I will not have remembered. And I suppose Harry Boyer, as long as we are dealing with people at the state level, would have had even though he is not from Philadelphia like Harry Block is, but he has for many years overlapping the Clark period been head of the state AFofL-CIO council. Therefore would have had involvement in local politics.

Getting to the local scene there was when I came into the picture in '62 a major role of the labor movement of the Philadelphia picture and the Philadelphia political scene. In my earlier tape with you regarding the labor history of the Clark administration and the labor experience with the Clark administration I had mentioned the strain that had existed between Clark and the AFofL Central Labor Union. In those days the CIO and the AFofL were separated, which reminds me of another guy who is still around and who
you must talk to about all of this is Joe Kelly, who was the head of the local CIO while McDunnough and later Blumberg were the head of the local AFofL. One was the Central Labor Union and the other is the CIO council.

Joe Kelly, who for many years was the top guy of the CIO in Philadelphia, is retired but very vigorous and active and would have a lot to tell you about that period because he was active in '52 when I came up and he remained active locally for many years after that.

(WMP: Where does one find him?)

Harry Block can tell you where to reach Joe. Harry can be reached at his home. I think he still lives up in the East Oak Lane section. I would think Harry would be a good starting point for you.

Now in the early '50's the role of labor was very much affected by the role of District Council 33 of the American Federation of State, County, and Municipal Workers and Bill McEntee, who was the head of that. Now a crucial problem early in the Clark administration was this -- by and large the labor movement supported Clark for his election -- certainly all the CIO unions did. They weren't really beholden in any way to the outgoing Republican administration. But there were elements of the AFofL that had been very close to the old Republican administration and that caused even some of the leaders of the AFofL who might have wanted to side wholeheartedly with Clark and support him that caused some of them perhaps to be a little cautious. Although my impression was that during the election Joe McDunnough was then head of the -- and Jim McDevitt, who I guess had then gone to the state post -- they pretty clearly supported Clark. Clark was very close to McDunnough, in fact they were very close friends. But a conspicuous problem was District Council 33 of the American Federation of State, County, and Municipal Employees. The union of city employees which had been recognized by and had dealt with the old Republican administration in Philadelphia going back more than 10 years. And I told that story in my earlier interview. But McEntee and District Council 33 had openly come out in support of the Republicans. And McDunnough therefore had to, even though his influence with Clark -- as a labor leader he had to use his influence to protect McEntee. McDunnough had to use his influence as a labor leader to protect McEntee from retaliation by the Clark administration as well as by the victorious Democratic politicians, who felt that all the old Republican employees (?) and decimate McEntee's membership -- they were after all just a bunch of politicians.
But McEntee was fighting for the security of his people and McDunnough helped. To some extent there was some of this problem for Jim Forbes, the head of the Firefighters Union at that time, and he has died too. But Bill McEntee is very much alive and I'm not going to repeat the whole McEntee story but his relationship with the Clark administration affected the larger relationship of the top AFofL Central Labor Union with the Clark administration and as McEntee and Clark made peace during the '50s and Clark learned that he had to continue to live with McEntee even though McEntee had supported Samuels because of favors or promises Samuels had given to McEntee before the election and that relationship improved and had an important effect on the larger relationship of Clark with the AFofL. McEntee was one of the most powerful unions within the AFofL—McEntee's union was one of the most powerful unions within the AFofL Central Labor Union. He was highly regarded by the AFofL and particularly some of the top leadership. So that he and he remained in power in Philadelphia from 1952 until well into the '60s when he retired, all through the Clark and Dilworth administrations and on into the Tate administration and you really can't--at least with those days--you could not be a labor leader of public employees without getting involved with politics and in a larger sense with the government. So I recommend that along with Harry Black and Bill McEntee...

Bill McEntee is in retirement, living in Wildwood a good deal of the year. William J. McEntee in Wildwood, New Jersey, and I think he still has a house up in the Northeast. His son, Jerry McEntee, is now the most powerful public employee and labor leader for the state employees. He is the head of the union of state employees which belongs to the American Federation of State and County Municipal Workers also. And he is an international Vice President of the International Unions.

Now getting to other individuals, the Amalgamated Clothing workers leadership was very much involved with Charlie Weinstein--one of the best labor leaders we've had, who passed away years ago. There were several--Joe Deloro first and then he died. And then someone else whose name I've forgotten and currently the top guy is Harry Goldschmidt. Now Harry was the business agent for many many years with the Cottage Union in the Amalgamated Clothing workers. And Harry would remember a good deal of the politics going back 20 - 25 years. So I would suggest calling on the Amalgamated Clothing Workers and make an appointment with Harry Goldschmidt.

If you don't know any of these people with each one of them you may say that I suggested them.
Ed Toohey goes back many years politically. He is still around and I guess you should talk to him.

The present head of the Building and Construction Trades Council I don't know at all -- he's a guy who is buddy buddy with Rizzo.

Jim O'Neil, the head of the Plumbing Union, gets mixed up in politics a lot. Most of it starting with the Jim Tate era. I barely know O'Neil.

You have already interviewed Bill Rafsky. Bill could of course tell you a lot about the Clark relationship with the labor movement in the '60's. He was in that in ways that I was not and might give you more names.

Now Joe Schwartz died only a couple of years ago. He was the head of the Knit Goods local, local 195 of the International Ladies Garment Union, which was a powerful union in Philadelphia and he had many dealings with the Clark administration and he ran his own show. They had a joint board and Joe was really part of it but Joe just ran his own show. Now nobody replaced Joe in that job.

I think the one person you very definitely must see is Bill Ross. Bill Ross just retired June 3, but Bill's history goes back. As you know he came in after Sam Otto left. Sam Otto was the top guy in the ILG. Both the ILG and the Amalgamated had 25,000 members in this area. And the ILG is down to about 7,000 now. They both have taken terrific beatings.

Now Bill Ross -- he is an extremely sophisticated -- one of the best. As you know he was President of the School Board in his later years and was appointed by Rizzo and was a great supporter of Rizzo when Rizzo was first elected and broke with Rizzo completely. Bill would welcome an interview. I think retirement is going to be hard for him. He is very much alert and vigorous.

When you talk to Ed Toohey you might ask him if Joe Burke is still around. Joe Burke was another guy -- within the APofL Joe Burke was sort of like Joe Schwartz. He ran his own show and he was quite independent. But he was very active and interested in politics and in some ways more liberal than the -- than much of the APofL-CIO leaders. You must remember that during this period the APofL and CIO were split in Philadelphia as an organization even though they had merged nationally in the early '50's. They continued to remain split for a long time afterwards in Philadelphia.
Another person and he has just retired and he may not be around would be Hugh Carsello, who has been the district director of the Steelworkers for a long time and I'm sure has had some involvement in politics. You somehow get the feeling that some these people have been more involved than others. I would say Carsello was perhaps less involved.

Now a more recent name, but he goes back also, is James Mahoney, who came out of the ILG and is now -- he took the job that Mike (can't think of his last name). Anyway his job -- was a state-wide job for the labor movement. Jim Mahoney -- Jimmy is a delightful guy. I've known him for 20 some years and I'm very fond of him. He's a very warm, outgoing guy with a great sense of humor and he's just fun to be with. He is now executive vice president of the Pennsylvania AF of L-CIO and perhaps Harry Block is secretary. And Harry Boyer is President of the Pennsylvania AF of L-CIO. Anyway, the way to get James J. Mahoney is by calling his secretary in Philadelphia -- his office is in Harrisburg but he commutes pretty much from Philadelphia. And his telephone number of LO 8-2010. And you can set up an appointment with Jimmy through Rita and mention my name. You have to be a little careful perhaps when you talk to Bill Ross, not to mention that you have seen Mahoney. Ross is very embittered against Mahoney because Mahoney continued to serve on the City Planning Commission as a Rizzo appointee after Ross had broken with Rizzo and I think Ross, who was the top guy in the ILGWU, which is Mahoney's union, felt that was disloyal or in some way unfriendly to Bill Ross. Mahoney's staying on in the Rizzo administration and working for Rizzo too in the last election. Mahoney I think simply as a practical matter wanted to retain influence with the winners and those in power. You don't have to worry about telling Mahoney that you have talked to Bill Ross but I think if you mentioned to Bill Ross that you were going to talk to Jimmy Mahoney, Bill might freeze up and be less of a source to you than he otherwise could be. He could be a very good source to you.

Mahoney for a long time was a political liaison man for the ILG and therefore has a lot of independent knowledge that Ross might not have. But Ross had the muscle.

Ed Toohey has for some years been in charge of the Political Action Committee of the labor movement and I would imagine he has records -- although there might be a public record that they brag about to politicians that might not be the same as the actual record of membership. A lot of these unions have suffered declines in the last 10 years.
George Bucher has run an independent show also for years. He has had a furniture workers union, which was affiliated originally with the furniture workers or upholsterers international, which would be Sal Hoffmans union. Bucher, I think later on switched to the Teamsters. But he was for many years Tate's appointee as chairman of the Civil Service Commission. And which was something -- under the Clark and Dilworth administrations with really the support of Bill Macanty a labor person was never appointed in the civil service commission and it was felt that that wouldn't be a good thing. But Tate did not feel similarly constrained and George Bucher was his labor appointee and eventually George became Chairman of the commission. He wasn't a bad chairman. He's basically a pretty solid, cautious guy, but there is another person who would undoubtedly know a lot about the politics and as far as I know, he is very much around.

Now I mentioned -- Sal Hoffman. The Upholsterers International Union -- UIU -- is one of the few unions that has its international headquarters in Philadelphia and it is not a big union but it has its power. And its president is Sal Hoffman and he is located here. Whether -- I'm not sure how much political involvement he had.

You asked to what extent labor leaders have served as appointed members of boards and commissions -- I just mentioned Jimmy Mahoney, who was I believe on the City Planning Commission for a long time. George Bucher, was on the Civil Service Commission. Bill Ross was on the Board of Education. In the old days Joe Burke was on the City Planning Commission. Jim O'Neil, the head of the Plumbers Union, was on the City Planning Commission for a long time.

A lot of labor leaders have enjoyed that kind of post and I suppose they have had some influence in those jobs. These names come quickly to mind, probably are others.

(WMP: I'm not too clear about what labor leaders wanted from city government and perhaps you could say a few words about that -- )

First of all they like politics. It's a liking for politics that gets them into the labor movement. Some of the same interests: A source of power. A source of achievement. You do things for people. You avoid dull, routine jobs by being a labor leader as well as a politician. A lot of these people had no more than a high school education, if that, and if they hadn't gone in some of these directions they would have ended up with some dull job -- Bill Macanty started as a garbage collector. But they also unquestionably had an
automatic interest and involvement in the Democratic party. Many of them had long been committeemen or even ward leaders in the Democratic party. Some in the Republican party. And perhaps some of them used their influence as labor leaders to rise in the Democratic party -- it worked both ways. Each of these two careers would be helped by the other career.

But mostly I think they would rationalize it in terms of wanting to elect good liberal office holders because their members, the members of their labor unions, would benefit more from liberal office holders than conservative ones. The Democrats were usually certainly still regarded as being part of the workingman's tradition -- the Roosevelt tradition.

(WMP: How would you say the ethical standards of the labor leaders compare with the ethical standards of the business leaders?)

I don't know how much either of them have cared about "good government" per se. They are very practical people. They are not given much to theorizing and the theoretical idea of reform government or good government does not hold any special appeal for them and indeed, when they win, they want the spoils. They are like the old-time politicians. If they support you and help you get elected, then they want to be able to come back to you afterwards and get favors, like any other group.

Another major interest that the labor movement has in a city like Philadelphia, and this is one of the reasons they maintain contact with the city government or try to win points with whatever administration they think is going to win is the relationship with the police department. Picketing. A union on strike is vitally dependent on the good will of the police who are policing their picket lines. They are very dependent on the judges -- that's another reason they play in politics. They want to get judges nominated and elected who will be pro-labor. They don't want a good government kind of judge. An injunction can make or break a union in a strike. And policemen can make all the difference in the world in terms of whether you win or lose a strike. Now this is the guts of the labor movement -- economic gains, strikes. And above everything else, including their interest in Democratic politics and the sentimental attachment they have to the Democratic party which leads them to support Democratic politicians. Above all else, they not only want Democratic office holders but they want Democratic office holders who will be beholden to them and others -- or at least be sufficiently "liberal" from their point of view so as to treat them favorably in both the courts and on the picket lines by the police. This transcends everything and I'm quite sure it will be one of the first things that a Bill Ross would mention.
I have been reminded of one specific area of considerable interest to the AFofL unions particularly and that has to do with construction work done for government. The city of Philadelphia is still and always has been one of the major employers of construction labor. It is constantly building, it is constantly floating bond issues for capital improvements and the AFofL's major chunk comes from the building trades union. And therefore they wanted much construction work done as possible. They will support all capital bond referendums or amendments and they want the work to go to unionized contractors.

(WMP: Does the city require unionized contractors?)

It does not. And there might be some legal question as to whether a public agency could say we will only permit union contractors to come in and bid for our jobs. What the city did was to adopt what happened earlier at the federal level under the Walsh-Healy act and the Davis-Bacon act. The federal government, either in the '30's or '40's, either under Roosevelt or one of his successors passed legislation which said that any bidder on a federal government contract must obligate himself to pay the prevailing wages in that area. And this was something to satisfy the unions that you wouldn't get a lot of non-union companies who pay less than the union companies pay coming in and grabbing in all the contracts because they could underbid all the union contractors because they were paying lower wages.

That was a problem when Clark came in. The Republicans had had pretty good relationships with the conservative aspects of the AFofL, particularly the building trades unions and Bill Macanty. And they had probably made sure that the AFofL contractors got much or most of the contracts in Philadelphia. They probably threw some to their friends who were not union contractors, but the...

This may be repetitious, but regardless of what had gone on under the old Republican administration by way of giving the city contracts -- building construction and building repair contracts -- unionizing outside contractors -- it presented a problem for the new administration. As I indicated, the administration had come in with considerable labor support, including elements of the AFofL when the Building construction unions were very powerful and for the new administration simply to have given contracts to a bidder simply in terms of whether or not he was unionized -- in other words, to deny a bid to a low bidder because he was not union -- might have created some problems and if that defeated low bidder went to the court and had the award set aside because he was the lowest bidder
and it was denied him for illegal reasons, namely that he wasn't unionized, it might have been difficult and it might not have stood up and so what the city administration under Clark did was to adopt pretty much what had already been the established federal pattern, going back to the '40's or '30's, and that's the Davis, Bacon, and Walsh Healy Act which required that for federal bidding the contractor must pay local wages and fringe benefits, particularly local wages, so as to insure that someone doesn't come in and undermine by promising to undermine local standards and be the low bidder because it is possible to be lower and thereby get the contract.

Anyway, that was for a long time the federal practice that had already been in existence for many years and we simply adopted a similar kind of program in Philadelphia called the fair labor standards act and we appointed a fair labor standards commission, chaired, I believe, by Father Comie (?) and the contractors were required to say, when they bid, that they would pay prevailing local wages and fringe benefits, too, because the federal legislation did not I think speak specifically of fringe benefits but in the '30's when that legislation was passed fringe benefits weren't very important. Now they were already 20% or more of a wage bill and a contractor who didn't have to pay fringe benefits could easily say sure, I'll pay the prevailing wages and then shave his costs by 20% because he didn't pay the fringes that the unionized contractors had to pay. So we set prevailing wages and fringe benefits so as to insure that contractors would not seek to undercut each other in terms of what they paid employees but rather would have achieved low bidding status by greater efficiency and so forth. And this worked pretty well and for the most part we had few complaints. Most of the bidders who came in on city contracts in my time were unionized bidders but every once in a while I would hear of a non-union bidder who came in and he promised to pay the prevailing wages and fringes but he still was the low bidder.

If a non-union bidder got it the union actually would come in at the behest of a defeated unionized contractor and might allege that the succesful non-union bidder was not paying union wages or he was falsifying his payroll to make it seem that he was paying union wages when in fact he was not and that's how he was the low bidder and the procurement department I think would investigate that sort of thing. But I think what happened was that it discouraged non-union bidders from bidding. They realized that they might not have any greater efficiencies than the unionized contractors and in fact might be less efficient but for the fact that they pay lower wages and if they didn't have that advantage it wasn't the same as that of the bid. Also some of them who were up to then non-union contractors said what's the use of fighting. We might as well become unionized contractors as long as we have to pay the union wages anyway.
I have no recent experience with that program, whether the legislation on which that was based has been changed, I don't know. And it has been a good many years since I have had any experience with that. I suspect that it is still in existence and it is still being applied and that most of the contractors are unionized contractors.

(WMP: Was the legislation state or federal legislation?)

This is local legislation, passed by city council. We called it, I think, the Fair labor standards act. I don't remember the details now. It was done in the '50's and whether we did it just by legislation I don't know that we could have. But I know we set up a commission.