



Archbishop's Office
2699 Peachtree Road, N.E.
P.O. Box 12047, Northside Station
Atlanta, Georgia 30305

September 2, 1966

To:

The Honorable Ivan Allen, Jr. Mayor
Captain J. I. Martin, President, Atlanta Fire Fighters
Union Independent
The Honorable Sam Phillips McKenzie, Judge, Superior
Court, Fulton County

Our City of Atlanta is again confronted with the grave probability of another and more serious lack of fire protection. As one of the spiritual and moral leaders of the community, I feel that I have an obligation to speak out to both parties involved in the present confrontation over the wages, hours and working conditions of the Atlanta firemen, together with the impending work stoppage. As a religious leader, I am concerned about the justice involved on both sides: On the one hand the responsibility of the firemen to the community and the public interest; and on the other hand the responsibility of the community to the firemen and their families. The obligations in justice are mutual. As a citizen I am concerned over the practical implementation of this matter.

I also speak as one who is responsible for a school system in which thousands of children are enrolled. Surely everything possible must be done to assure the protection of all the children who are returning to school this week.

From all the information I have received from the news media and other sources as well as Dr. E. D. Harrison's recent hearing and findings, it seems to be well established, and generally agreed by all, that the municipal employees of the City are not on a wage-hour scale commensurate with current economic standards for similar services. That this general problem of inequitable working conditions for municipal employees requires a solution in the near future is without doubt. Nevertheless, the present problem is in the specific area of the Fire Department and its demands. I have heard that it is agreed that monies are available from present 1966 appropriations for the Fire Department due to unfilled vacancies in that Department throughout the past year.

On the other hand, the greatest obstacle at the present time in granting the increase immediately or retroactively from September 1, 1966 seems to be a legal one: namely, a law of the State of Georgia which prohibits the City of Atlanta from granting any pay raises after March 1 of the current fiscal year. The legal opinion that such a retroactive pay raise is illegal has been tendered by both the City Attorney and an unknown attorney employed by

Dr. Harrison. The attorney for the Atlanta Fire Fighters Union Independent is of a different opinion.

I realize that both parties have been subjected to various pressures to resolve these differences and both parties are also under great pressure from those whose concern is other than the firemen's immediate, economic problems. I feel that the Mayor has acted in good faith in his defacto recognition of Captain J. I. Martin representing the voice of the majority of the firemen in the Department. I have first hand information that Captain Martin and his Executive Board have been trying to do everything that is humanly possible to avoid another work stoppage, and that is his responsibility. Mayor Allen and the City are on record as recognizing and being in sympathy with the needs of the situation. Both parties, therefore, seem to be working honestly and in good faith.

Since it seems to be a legal question which threatens our community with such disasterous and unbearable consequences, may I respectfully suggest that the following possible solution be carefully considered:

First: That both parties put their legal differences in writing (perhaps in the form of a suit for a declaratory judgment).

Second: That this legal difference of opinion be resolved by submitting this legal point, and only this legal point, to an impartial legal arbitrator whose expertise in legal matters and sense of fairness are unquestionable.

Third: That this legal expert be Judge Sam Phillips McKenzie, subject to the approval of the Chief Judge of the Superior Court, the Honorable Virlyn Moore.

Fourth: That the attorneys for both parties submit their case to Judge McKenzie within 48 hours either by oral argumentation or by means of written brief or both for his considered judgment.

Fifth: That this judgment be rendered as expeditiously as possible by Judge McKenzie after due consideration.

Sixth: If Judge McKenzie rules that such a retroactive increase is illegal then the Union agrees that it will cease any further economic action to secure its demands prior to January 1, 1967.

Seventh: If Judge McKenzie rules that the City may legally grant said increase in salary and relief for the firemen out of available surplus funds (assuming the funds are available), then the City will grant such increases, retroactively to September 1, 1966, as may be agreed upon by the parties.

I realize that this is a stop-gap and temporary solution and does not bring into the picture the PAS report or the concern of other parties for the plight of other city employees. I believe, however, that it would certainly show the citizens of Atlanta that both parties have gone the last mile in order to bring about a reasonable, honorable and just settlement.

The citizens of Atlanta cannot and will not tolerate another strike by their firemen, and I do not think the citizens will tolerate their firemen not receiving fair and just wages and working hours.

If my offices can be used by either or both parties in resolving these or other differences, I respectfully offer their full resources. Should this be the case, I ask that you contact the Auxiliary Bishop, Most Reverend Joseph L. Bernardin, since I am presently in St. Joseph's Infirmary undergoing some tests.

May I ask that you consider this letter strictly confidential. A copy has been sent only to the three persons named on the first page. No mention of this has been made to the news media.

Respectfully yours,

+ Paul J. Hallinan

Most Reverend Paul J. Hallinan
Archbishop of Atlanta

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