

CHICAGO 1980: Anatomy of a Firefighters' Strike

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(When Chicago firefighters went on strike in 1980 – an unprecedented event for a city the size of Chicago– I was both thrilled and petrified when FIREHOUSE Magazine founder and editor Dennis Smith called me at home to discuss covering the strike. Smith, a best-selling author of “Report from Engine Company 82” had recently written another novel depicting a fictional fire department strike in New York City, and was considering coming to Chicago to cover this real strike himself. After questioning me on how I would approach the coverage, and on the recommendation of his managing editor who had worked with me in the past, he finally – and somewhat reluctantly – gave me the assignment for what was at the time one of the biggest stories that the magazine had dealt with. Little did I know that the strike would last over three weeks. His next call, after the completed article was submitted, was much more positive. In what I considered a major compliment, he decided to run the article and related sidebars without any changes.)

In Chicago, posters showing a picture of Mayor Jane Byrne with a target printed across her face are outselling similar posters depicting the Ayatollah Khomeini. Chants of “Burn, Witch Byrne” count the cadence for the first firefighter strike picket-line in the history of the city.

The third major strike to hit Chicago within a year had engaged the city administration in battle with the Chicago Firefighters Union, Local No.2, the second largest firefighters’ union in the country.

Union President Frank “Moon” Muscare won his second attempt to secure a strike authorization vote in December 1979 after the union voted down a similar attempt one year before. The second vote followed a strike by transportation employees and a teachers strike, both of which last several days.

The firefighters’ strike, however, resulted in heated and controversial debates between the union and the city, debates within the press, and, most of all, agonizing debates between firefighters over the difficult decision: “walk,” or “stay in.”

The question facing each firefighter was one of loyalties and goals. One was to the city for which they worked, and the other was to the union that struggled to obtain a contract and protections that had never before been specified in writing. For 23 days, firefighters, engineers, paramedics, and officers fought, shed tears, lost sleep, and wondered: what is happening?

The firefighter’s union had endorsed the candidacy of Jane Byrne after she had promised, during her campaign, that the firefighters would receive a written contract. Jane Byrne was elected, beating the strong “machine” that had offered Michael Bilandic for a second term. Bilandic’s defeat was blamed mainly on the ineptness of the city to provide adequate snow removal during the blizzard of 1979 and, then, at least as voters perceived it, lying about the city’s inability to remove the snow.

The main issues in a contract desired by the union would have directly affected most of the city’s 4,350 firefighters. The majority are members of the union, about 95 percent of the force, and

includes officers. They man 120 firehouses throughout the city, housing 107 engines, 60 ladder trucks, 107 flying squads, nearly 40 ambulances, and 3 fireboats.

The union wanted all members to be covered under the contract, including all officers up to, but not including, the fire commissioner and his three deputies. The union also wanted an increase in manpower on responding apparatus, from four men on an engine to five, and six men on all ladder trucks. They wanted an immediate increase, with the initial boosts to be accomplished by hiring new men and paying them overtime. The union said they would agree to a “no strike” clause only for the life of the contract. They wanted final and binding arbitration with one arbitrator.

Salary increases, though small and unconventional, were demanded, but it was assumed that the most important items were: (1) existence of a contract (without interference by city ordinances), (2) the inclusion of officers in the bargaining unit, and (3) manpower increases. The city offered to man half the rigs with additional manpower by March 31, 1980, by hiring 250 new firefighters. They demanded a perpetual “no strike” clause, and wanted three arbitrators for binding arbitration.

Resisting the demand to include officers in the bargaining unit, the city felt supervisory personnel should not be considered as anything but management personnel. They feared the union would control the department.

As the strike evolved, so did the issues. Each side alternately withdrew and reinstated demands for binding arbitration under various conditions. The question of “amnesty” became the primary point as the strike neared several unfulfilled settlements. It was the repeated “flip-flopping” on the issues and the matter of amnesty that broke down negotiations, or chances for substantive talks.

With all civil service protections withdrawn by Mayor Daley a few years before, many firefighters felt that politics was playing too large a role in both entrance and promotions, as well as in disciplinary actions. They felt a contract would solve these problems and had believed Jane Byrne when she had promised a contract.

Said one firefighter: “She’s trying to back out of her commitment to give us collective bargaining. The original contract she handed us was unbelievable. We’ll negotiate everything, for instance, and then everything is subject to the collective bargaining ordinance. If we agree on six men on the apparatus and the ordinance comes out and says five men, we’ll have five men.”

The union threatened to strike unless the city agreed to sit down and negotiate a contract free of outside interference. “No more handshakes, baby,” insisted Muscare. “We want it on paper.”

In a handout preparing union members for a strike, the union claimed the ordinance was a “union-busting tactic.” Noting that the city had retained the firm of Seyfarth, Shaw, Fairweather, and Geraldson (accomplished, pro-management labor lawyers), the handout stated: “These ordinances are designed to create the illusion of collective bargaining, while stacking the deck against real and meaningful negotiations.”

A strike groundwork had been laid. Headquarters were opened, strike chairmen assigned, and meetings were held with suburban union officials to try and deter efforts by the city to break an eventual strike with suburban firefighting forces (see sidebar, “Unmutual Aid”).

This action prompted the city to begin talks with the union, and negotiations were underway. The specter of the collective bargaining ordinance broke these talks down early in the effort and a strike was threatened again.

This time pickets were printed. The battle through the press began with the city maintaining it had a “contingency plan” that included strike-breakers, the Illinois National Guard, and suburban support to deal with basic fire protection of the city. The union was steadfast in their claims that a strike would pull over 90 percent of the work force out on the street, including officers.

Fire Commissioner Richard Albrecht called the union “irresponsible” and remarked: “As far as I’m concerned, we’re ready for any problem that could occur. We’re ready to keep citizens protected.”

The city rejected an offer by the union of what was called a “realistic strike plan” that would provide authorized union strikers to man rigs and still maintain protection for the city for the duration of the strike. The union wanted control of the department until an agreement was reached and ratified by both sides in the dispute.

Talks resumed and broke down. Again Muscare met with his membership and executive board. The decision was finally made to strike. The order came down to walk at 5:15 A.M. on February 14, Valentine’s Day. Firefighters left the stations with their helmets, boots, and bunker coats and formed the first picket lines ever to march in front of Chicago firehouses. The union claimed fl 87 -percent walkout and the city countered with figures closer to 50 percent. Some stations were virtually abandoned as total walkouts occurred throughout the city. Many stations housed no more than a few officers and recruits fresh out of the academy.

The mayor and fire commissioner went on television to assure the residents of Chicago that all the houses were manned and that there was no need for panic. The police department cancelled all days off for officers. Extra patrols were put on the street and cars were assigned to each firehouse.

In an emotional plea, Commission Albrecht called for firefighters to return to work. “The men of the fire department took an oath of office to protect the lives of citizens,” he said. “I expect them to obey the court order and return to work.”

When Mayor Byrne learned of the walkout, she secured a court order from Circuit Judge John Hechinger. Calling it a “very, very sad day for the City of Chicago, and a sad day for the fire department,” she added that “anyone who doesn’t return to work will never again work for the Chicago Fire Department. Never. If they walk off this job, they can forget they were ever members of the fire department.”

Holding a document informing firefighters they were violating a court order, Frank Muscare told a rally outside City Hall, “This is a Valentine from Jane Byrne. Can we send her one back?” The crowd of hundreds of firefighters cheered their approval of the disdainful Muscare. “I will go to jail if necessary!” shouted Muscare. Though he didn’t know it at the time, the statement was prophetic.

The battle over how many walked out and how many stayed in began immediately. Both sides looked for statistical support. The city pointed to 1100 lunches that were ordered out during the first day as an indication of manpower. (Non-strikers were not allowed to leave the stations to go shopping, and, according to Capt. Jim Simpson of Flying Squad No.7, while there was no initial vandalism apparent, “some of the stoves were dismantled just before the walkout.”)

“Show me a fireman who only eats one sandwich,” argued one striking firefighter. “Besides, they’re feeding all the city worker scabs they called in for support.” Street and sanitation workers were ordered to respond with apparatus to fire scenes and offer support services for non-striking firefighters.

The National Guard was not called in. Illinois Governor James Thompson agreed that the strike was illegal, but added: “The Illinois National Guard is not trained to fight fires, and will not fight fires. They will not enter burning buildings.”

Mayor Byrne called the strikers “lawbreakers” and said that she would not negotiate while firefighters were on the street. Fire Commissioner Albrecht set up a command center at the fire academy and directed operations as fire apparatus was put back in service and rearranged throughout the city. O’Hare International Airport, a major priority to both the union and the city, was allowed to remain open after Federal Aviation Administration officials inspected the stations and equipment that were manned by supervisory personnel.

What would it take to return the firefighters to duty? Said strike chairman William Kugelman: “First to re-open negotiations. Then to secure a signed contract.”

In an attempt to move things along, Mayor Byrne visited several of the fire stations and spoke face to face with picketers. At one point during a “sidewalk debate,” she told one striking paramedic that the city had agreed to include lieutenants in the bargaining and might even include captains. The paramedic responded that if she would “put it in writing” he would return to duty. After a few seconds, she waved her arm and said, “C’mon up.” This short blurb was enough to get both parties back to the table. At least for awhile.

A “no strike” clause was discussed, with the union agreeing to a “no strike” provision during the life of the contract. The city demanded a “no strike” agreement up front. Without the ability to strike at the end of the contract, the union felt they would have little or no bargaining power. The city said that Muscare kept changing the rules and the union said the city was lying.

Fires did break out and by the fourth day, several fires had been extinguished by both non-striking firefighters and strikers who left the picket lines and responded in their own cars, immediately returning to the picket lines after the fire was under control. Some strikers jeered and taunted firefighters who were fighting fires throughout the city. New recruits called up by Mayor Byrne were met at the fire academy by firefighters with pickets yelling, “You’re gonna have to deal with us someday!” and “What do you want to go in there for? She’s gonna fire you when it’s over!”

The few firefighters and officers who stayed on duty remained at the firehouses for days, resting when they could. Non-striking paramedics slept on cots at local hospitals under police protection while strikers outside the fire stations chanted, “C’mon out. C’mon out.” The city reported that some firefighters were returning to work, but others succumbed to the chants and left, joining the strikers. Those that left did so with tears in their eyes. They had tried to measure their own values and for various reasons altered them as the strike continued.

One non-striking firefighter had his reasons for staying in. “The fire department is my family,” he explained. “My uncle died on the job, my father is a retired fireman. I’ve got two brothers in the department and one of them is striking. I don’t know why.”

It was clear that the strike was going to last longer than everyone had feared. The city requested a contempt of court citation against the union. Judge Hechinger called both the city and the union

negotiators to the courtroom and tried to bring the two sides together. After failing in his own brand of “shuttle diplomacy,” Hechinger issued the contempt citations and levied heavy fines on the union, Muscare, and other union officials who refused to order their men back to work. The fines totaled \$40,000 a day. “We’re not going to pay,” said Muscare. “We might as well go to jail now.”

Mayor Byrne vowed never to speak to Muscare or other union officials again, and ordered the immediate hiring and “crash training” of 2,500 new firefighters. The thought of firefighters assuming firefighting duties after a two week course infuriated the union and strikers.

When union officials were threatened with arrest, the Chicago Federation of Police threatened to call a strike.

International Association of Fire Fighters (IAFF) Executive President Howie McClellan, a board member of the AFL-CIO, secured the support of the Chicago Federation of Labor through CFL President William Lee. The national AFL-CIO Executive Committee also voted support of the firefighters.

During another attempt at forcing talks, Judge Hechinger ordered both sides to report to his courtroom. Mayor Byrne reluctantly sent her negotiators. Also attending were CFL President Lee, teamster’s chief Louis Peick and other labor leaders. Later that evening, the same labor leaders met with Mayor Byrne.

With the firefighters and the city in separate rooms, quickly dubbed “The Firehouse” and “The City,” Judge Hechinger finally secured an agreement by which the firefighters would return to work the next morning, and the city would enter “around the clock” negotiations to settle the disputes. As a condition, total amnesty was promised striking firefighters.

For a short time spirits were high again, but caution was still the rule. The next morning, however, confusion began. Firefighters charged they were “locked out” and the city said that the union had not removed the pickets. “Hell,” said one returning firefighter, “I came here at 7:30 this morning to go back to work. I came here because the union told me to go to work and not to picket, and then it got all screwed up.”

One battalion chief raced to city hall in an engine, complete with flashing lights and siren yelping to complain to the mayor about the amnesty agreement. The strike was still on.

Judge Hechinger had had enough. He sentenced Muscare to five months in jail for contempt of court, citing his “big mouth.” “The emotions of your men were strong to return to work,” scolded Hechinger in a blast against the union president. “They had hope, Frank Muscare, which you doused. I’m not sure you ever wanted a contract...unless you got...your own terms.”

More meetings were held between the city and the union (now represented by Acting President William Reddy and other officials). Muscare was kept abreast of the situation and even addressed a membership meeting over the phone from jail.

On February 22, a “Memorandum of Agreement” was reached between the city and union officials. Amnesty was included, and the other items in dispute were to be reviewed by a team of “fact finders.” The meeting was arranged by CFL leaders and did not include union attorney J. Dale Berry, or International Association of Fire Fighters representative Michael Lass. The agreement was signed by Reddy for four other union officials.

When the agreement was presented to the full executive board, they had questions concerning certain provisions and refused to approve the memo until Mayor Byrne would clarify those points. Strike chairman Bill Kugelman said the city tried to push an agreement without proper representation for the union. Assured Kugelman: "They stuck our guys in there with the big guns and railroaded and ramrodded the agreement down their throats."

The agreement was finally rejected by the union after several labor leaders became involved and Bill Lee of the CFL refused to meet with the firefighters' union.

IAFF Executive President McClennan flew to Florida to meet AFL-CIO head Lance Kirkland to have pressure exerted on Lee to increase his support of the firefighters. Said McClennan: "All the firefighters feel he's been working closely with the mayor."

On February 26, the Federal Mediation and Conciliatory Service in Washington, D.C., sent mediator Edward McMahan to Chicago. Mayor Byrne refused McMahan's request to get both sides to a meeting.

Over the next few days, little progress was made towards reaching any kind of a settlement. After several fire deaths, (which the city maintained were not caused by the strike) and the injuries of six firefighters at an extra-alarm blaze, the city began disciplinary action against many of the firefighters, calling for either suspensions or dismissals. Saying that the city "can do with fewer firefighters," the mayor called for a total reorganization of the fire department.

March 3 brought renewed and additional support from several local labor organizations, including the City Worker's Union, Cook County Teachers, the Steelworkers, and others. Political accusations continued to fly in the Mayor's direction from city aldermen charging Byrne with unreasonable tactics and refusing to talk to the union. Mayor Byrne agreed to meet with IAFF Secretary/ Treasurer Frank Palumbo. CFL head Lee said that while he felt the union leadership was not accurately informing their membership, he hoped that the meeting between Palumbo and Mayor Byrne could re-open negotiations.

The mayor agreed to new talks but this time refused to grant total amnesty for strikers. A membership meeting was held, and 3,500 firefighters rejected the latest proposal. Attending the meeting was Reverend Jesse Jackson, the civil rights leader who himself had led many equal rights demonstrations over the years. At the meeting, Jackson pledged his efforts towards reaching an agreement, stating that his concern was primarily for those minorities who suffered the greatest losses from fire.

Mayor Byrne surprisingly allowed Jackson to serve as mediator in what her husband/press secretary Jay McMullen termed "a last ditch effort to settle the strike."

After a 12-hour session with Jackson serving as mediator, a tentative agreement was reached and a special midnight membership meeting was scheduled. The membership unanimously accepted the agreement.

Firefighters returned to work the next morning with an agreement of limited amnesty that required all striking firefighters to forfeit from one to four days without pay, depending upon their rank. The strikers would also lose pay for the time they were on strike.

In return the firefighters were guaranteed all rights and privileges they had had prior to the strike, and that all items in dispute would be submitted to a five-man fact-finding team. If the team's recommendations were not acceptable, negotiations would resume for another two months. Then,

remaining items would be submitted to binding arbitration, with the city able to reject the settlement. If rejected, the union could call another strike after giving 10 days notice.

The city agreed to beef up the manpower on apparatus during the interim periods (five firefighters on all trucks and one-half of the engines in 1980, and the balance in 1981) and agreed to a new grievance procedure. The issue of officers being included in the bargaining was submitted to fact-finding.

During the strike, 22 people died, including fire victims and emergency medical cases. Each time a fire death was reported – whether four children unable to escape, or medical emergencies that arrived DOA – questions arose concerning response time and efficiency of personnel.

After each emergency that resulted in a tragedy, the city insisted that the deaths were “unavoidable,” and made efforts to point out the short response times in each instance. Bystanders, on the other hand, claimed time lapses of 15 to 20 minutes between the time of the fire and the arrival of fire or medical equipment.

According to the Cook County Medical Examiner’s office, during the same time period in the year 1979, 26 deaths caused by fire were recorded. In the same time period in 1978, the figure was 13.

Some of the firefighters were questioning just how Reverend Jackson’s help finally produced an agreement. Strike chairman Bill Kugelman said it wasn’t all Jackson. “Sure, he represents a lot of minorities in Chicago, but there were at least 50 other religious organizations that were about to lower the boom on Jane Byrne. There was a lot of pressure being applied. She was getting calls from Kennedy [Senator Edward M. Kennedy had just visited the city as part of his presidential primary campaign] and some others.”

Returning firefighters, while all happy about going back to work, offered different feelings. “We’re firemen again!” shouted one smiling firefighter. “Great to be back,” remarked another. A non-striker, Deputy Chief Edwin Nelson was apprehensive. Said he: “Everyone’s a loser in this one. We do our housework together. We fight fires together. We socialize together. This has ripped the family apart. How are we to overcome this feeling?” Noted another firefighter: “There might be some silent treatment for awhile, but time heals.”

The strike cost the city an estimated \$16-million. Although the city saved salaries that were not paid striking firefighters, it had to pay the overtime earned by firefighters who remained, police, sanitation, and street workers who substituted, and the cost of feeding those who continued on the job. Extra fuel was used by police squads and new firefighting turnouts had to be purchased to supply newly hired recruits that the city had not budgeted for.

Outside the last membership meeting that resulted in the final ratification of an agreement, two firefighters were patting each other on the back after a 23-day emotional nightmare. Said one: “We showed her that we can do it.” Replied the other, still smiling: “Yeah, but it’ll take an atomic bomb to get me out of that station next time.”

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