

Raleigh Fire Department History - The Hubert Altman Affair

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Graphic



1969

International Association of Fire Firefighters local chapter 548 re-chartered and named Raleigh Fire Fighter's Association, Local No. 548.

The prior Local ceased operations in 1959, when the North Carolina General Assembly outlawed the rights of firefighters and police officers to belong to unions. In February 1969, the state statute was

ruled unconstitutional in federal court, after a challenge by Charlotte firefighters. Collective bargaining, however, remained prohibited between municipalities and labor organizations.

The application—dated June 10, 1969—listed these officers: Temporary President Ned Perry, Temporary Vice-President B. T. Fowler, and Temporary Secretary and Treasurer Maylon Frazier. It also included the names of 173 charter members. The charter fee was \$25.00. The initiation fee was \$1.00 per member. The per capita tax was 85 cents (active), and 42.5 cents (retired).

1974

On June 12, 1974, Hubert Y. Altman was promoted to Captain.

On December 12, 1974, Rufus E. Keith was appointed Fire Chief.

1976

1976-06-30 – Raleigh firefighters stage one-day ‘sick out’ to protest for higher pay. Three-quarters of firefighters call in sick, instead of reporting to work. Normally, 79 members would arrive at work. A total of 52 called in sick and 27 reported for duty. Three ‘fringe’ fire stations (12, 14, 15) and a rescue unit are placed out of service. Remaining companies and stations are staffed with the 27 firefighters, plus 22 supervisors, inspectors, ‘non-protesting firemen,’ and a few city employees who were also county volunteer firefighters. Eleven of 14 fire stations are staffed with 49 firefighters. As a result, all vacations are cancelled until further notice. Personnel are reminded of a new uniform sick leave policy, requiring a doctor’s note for approving sick leave pay.

Police and sanitation also consider their own job actions. Sanitation workers strike on July 7. The striking workers are fired, and private firms are hired.

Raleigh Fire Fighters Association members discuss having their own strike. They number 270 of the city’s 309 firefighters. A vote is held and they decline to strike. Hubert Altman acts the spokesperson for the RFFA during this period.

See blog post for more context, History of Raleigh Fire Department Labor Related Actions, Activities, <https://legeros.com/blog/history-of-raleigh-fire-department-labor-related-actions-activities/>

1977

1977, [month] – Raleigh Fire Captain Hubert Altman begins a ‘protest’ when Fire Chief Rufus Keith transfers him from Operations to Fire Prevention, recounts N&O 7/2/79. He ‘dropped that grievance before the procedure reached a point where action could be taken.’

1978

1978, April – Altman protests again when Keith transfers him from Fire Prevention and back to Operations, and Station 10 in south Raleigh. Reported N&O 7/2/79, both times he complained that the transfer ‘constituted harassment and punishment for his union affiliation.’

1979

1979-07-03 – News & Observer – ‘City panel hears firefighter’s complaint’

1979-07-03 – Raleigh Times – ‘Verbatim transcripts of talks leave city fire chief ‘stunned’’

Raleigh Civil Service Commission starts hearing of a grievance by fire captain Hubert Altman—who is also the spokesman and Executive Secretary for the RFFA—who contends he’s been made intelligible for the position of fire marshal, which he calls ‘one the department’s top administrative jobs.’ Altman’s attorney Howard Twiggs tells the commission that because of Altman’s union activity, he’s been (a.) transferred within the department against his will and (b.) ‘knocked out of the running’ for the city’s vacant fire marshal position.

Altman was the ‘chief spokesman’ for the RFFA in 1976, when the group’s protests over low pay culminated in a one-day ‘sick out’ on June 30, when three Raleigh fire stations were closed due to unavailable staffing, and the rest operated on ‘skeleton crews’ while ‘dozens of firefighters stayed home.’

Altman claimed Fire Chief Rufus Keith violated a city code provision—and a state law—that ‘bans harassment of or discrimination against employees because of union affiliation.’

The hearing is attended by ‘dozens of Raleigh firefighters [about one-fourth of the department’s 300 members, the Raleigh Times reported], Wilbur Hobby, state AFL-CIO president, and representatives from the state and national firefighter unions.’ No action is taken at the hearing, which is expected to resume sometime in August.

Altman was transferred from Operations to Fire Prevention in 1977, and from Fire Prevention to Operations in 1978, and both times he complained that the transfer ‘constituted harassment and punishment for his union affiliation.’ In the hearing, Chief Keith testified that both ‘were made as part of a new training program in which Altman was the first participant’ and was designed to rotate captains from ‘firefighting units into the fire prevention bureau and back out again.’ And their ‘inspection and prevention training’ would be put to use in the field.

Chief Keith testifies that he told Altman that ‘he was not inclined to promote to the high post because of his part in the 1976 “sick out” and his subsequent activities as a spokesman in the union.’ However, Keith never ruled Altman out for the post, and that Keith told Altman that he would consider his application for the position, which was still vacant.

Both Chief Keith and Altman's attorney refers to a series of conversations between Keith and Altman in the spring of 1978. Altman's attorney reads from 'an apparent verbatim transcript' of the conversation, though both Altman and his attorney decline to reveal their source, except saying that it would be revealed when the hearing resumed in August.



Fire Capt. Hubert Y. Altman
listens to testimony



Fire Chief Rufus E. Keith
testifies at hearing

During those meetings and conversations, '[Chief] Keith urged Altman to quit the union and told him his union affiliation was all that kept him from going far in the fire department.' Among other excerpts that were read:

"As a fire captain, I think you ought not to be in the local union," Chief Keith to Altman, March 2. At the hearing, Chief Keith also testifies "I don't think an assistant chief should be in the local." But Chief Keith declines to rule out the possibility that Altman might be appointed to the vacant Fire Marshal post.

"I think eventually we're going to have all captains out of the union, or they won't be captains any more," Chief Keith to Altman, April 2. Chief Keith says he did not recall saying that statement, but acknowledges that he agreed with the statement and that it referred to the firefighters union. Chief Keith explains "I don't think the City Manager would recommend me promotion anybody who would leave people going on a strike and leaving the city unprotected."

"In other words, my spokespersonship, speaking out or the union, has killed me?" Altman to Chief Keith, March 27. 'Yes, it really did,' Chief Keith to Altman, same meeting.

"If I ever suggested giving you the Fire Marshal job, they would turn me out." Chief Keith to Altman, March 27 [?].

Chief Keith protested several times that 'Altman had apparently taped the conversation without Chief Keith's knowledge.'

Chief Keith said that he was stunned to learn that several private conversations were apparently secretly taped by Altman, and apparently using a hidden tape recorder during three of the conversations. He was ‘visible shaken’ reported the RT 7/3/79, as the hearing ended early the following morning.

As reported an interview with the RT 7/3/79, Chief Keith said “If those conversations were taped, it kind of leaves a disappointment in the people you trust and worth with.” He added “And it leaves me with a little handicap in communicating with people.” He added “I don’t think I could trust him if he taped a conversation when I agreed [the conversation] wouldn’t get out of the room.”

Reported RT 7/3/79, rumors of the existence of Altman’s ‘secret tapes’ had been circulating around City Hall and Station 1 for months. Chief Keith said things have not been the same since then for him.” It gets so you don’t know who to trust, you just say ‘yes sir’ and ‘no sir.’”

Some firefighters said they have been asked to empty their pockets when entering the chief’s office. One, who declined to be named, said the chief” once jokingly asked him if he was speaking loud enough for a tape recorder.”

Chief Keith said that at recent meetings with large groups of firefighters there were tape recorders running. He said “I don’t mind that so much.” He added “But when a man comes into your office for a person-to-person, man-to-man talk, it gets to you when you don’t feel free to talk to anyone.” He added, “I treat everybody as cautiously as I can” and “Maybe they say you don’t have too many friends in the world anyway, and you try to live with that” and “I think it gets to the point where people try to use you to the best of their advantage if they can get something out of you” and “I regret it, I hate it, but maybe this is way the world is turning” and “We’ve still got good people in our organization—all our people are not of the suspicious nature.’

Chief Keith told the commission he had spent the last two weeks ‘working on nothing but the preparations’ for the hearing.

Reported RT 7/3/79, Chief Keith and Altman worked together at the same station in 1960s and were close friends. They ‘often took vacations together in the mountains.’ As they rose in the department, ‘men spoke of Altman as Chief Keith’s protégé.’ But the relationship between the began to sour a decade ago, when Altman joined ‘a handful of other officers in rejuvenating a dormant Raleigh Firefighters Association.’

Associate City Attorney Francis P. Raspberry represented the city in the appear. He asked commission chair Michael Boyd to disqualify him, because he has acted in the past as a spokesman and adviser for city employee groups. Boyd, who is the elected representative of firefighters on the commission, declined to disqualify him.

1979-07-06 – Raleigh Times – Editorial – ‘A case of trampled trust’

‘Fire captain and union activist Hubert Altman has provided Raleigh with a textbook example of the sticky, distasteful mess public-employee labor relations have become.’

Adds the editorial, 'Taping any conversation without both parties' knowledge, however legal it may be, is morally dubious' and 'No matter how valid [Altman's charge], the public is not sympathetic to secret-tape tactics.'

'One of Altman's goals may have been to force needed clarification of the confused rules of City Hall labor relations. But that end doesn't justify using dirty-tricks means more appropriate to the Watergate White House than to the friendly local firehouse.'

1979-08-07 – Raleigh Times – 'Some firefighters upset at taping'

At the Civil Service commission hearing Monday night, Altman's lawyer acknowledged that he had secretly recorded meetings with Fire Chief Rufus Keith. This revelation has 'apparently shaken and divided the 312-member fire department.'

' and 'You don't know who you can trust around here anymore,' Chief Keith said during a recess in the four-meeting. 'It's got to the point that I'm afraid to go out to dinner with the men and bless the food,' Chief Keith added. Several other firemen, when interviewed, said that Altman's actions had 'eroded trust between firemen and hurt department morale.'

Said Capt. C. E. Stell, "You could take a tape recorder and hide it and hang anybody you want to." He added, "I would say that when it came out that he those [conversations], it was a blow to everybody." When questioned by Altman's attorney during the hearing, Stell said he placed a paid advertisement in the Raleigh Times that was critical of Altman's taping. The ad, which ran for three days, reprinted the July 6 editorial in the Raleigh Times, that was also critical of Altman's taping.

Stell said after the meeting that at least 57 other firemen agreed to share the cost of the ad, and that about 100 firemen—or about a third of the department—shared his view that Altman's actions were unethical. Said Captain H. L. Gosnell, "I'd never work with [Altman] in a station. You couldn't trust him." Gosnell also said that two members of Engine 10, who were supervised by Altman, have asked to be transferred, since learning of the secret taping. The Fire Chief's Administrative Assistant confirmed the two transfer requests and said that one fireman had already been moved.

An estimated 125 firemen attended the Monday night hearing in City Council chambers. Many seemed to share the fire chief's 'frustration and anxiety' as he was questioned at length by Altman's attorney and by commission members, about 'his criteria for promotions and about the Altman case in particular.'



News & Observer photo

Altman's lawyer 'outlined what he described as a pattern of discrimination and harassment against Altman' beginning in October 1977. But Chief Keith said the transfer of Altman to Fire Prevention, and his later transfer to a 'relatively inactive post,' were intended to benefit Altman.

"I think I've given Captain Altman fairer treatment than all over captains," Chief Keith said. "Everybody says we're harassing him, but we're helping him. It's the rest of the captains that I'm harassing." At that point, Altman's lawyer summarized what he called the 'intriguing chronology' of the chief's 'favors'.

He recount (a.) after the 1976 sick-out, the chief said he should have fired him and couldn't trust him, (b.) in October 1977, you transferred him to fire prevention against his will, but as a favor to him, then (c.) 20 months later, you transferred him to the least active station in the city, against his will but as a favor to him. Said the lawyer, "let me ask you this, Chief, have you done him any other favors?"

The Fire Chief was also questioned about his 'criteria for promotions and transfers.' Chief Keith said personalities, experience, leadership ability, and the how others evaluated the applicants entered into his personal decisions. But noted a commission member, "These are all subjective. It bothers me that so many rules are left to your discretion."

Asked about his decision not to fire Altman and about 60 other firemen who staged a 'sick in' in 1976, a commission member asked Chief Keith, "Whose job is it to enforce this city policy [prohibiting such job actions]?" Chief Keith 'answered angrily' with "My job is to enforce them." He also said "I failed. I should have fired them."

The city personnel director was also questioned. He said he and the fire chief had not discussed Altman's union activity. The lawyer asked, "Would there be any discrimination at all against a person for union affiliation?" Replied director Robert P. Dominick, "I don't make those personnel decisions. I should hope not." The director also declined to comment on whether or not the city manager would consider inappropriate if Chief Keith told Altman that he couldn't submit Altman's name to the personnel or city manager's office for promotional consideration.

1979-08-07 – News & Observer – 'Lawyer admits fire officer's furtive tape'

About Altman's transfer to Station 10, the article noted, Chief Keith maintained that transfers were 'part of a policy of spreading captains with fire-prevention experience into all parts of the city.' But at Altman's lawyer's request, Chief Keith provided records showing that Station 10 was the 'least busy' of the city's 15 fire stations, and with 'no businesses and one institution—a school—to be inspected regularly.'

Said one commission member, "It would seem advisable to me to place a man with 20 months experience in inspections in an area where you would have a greater need for inspections, such as the downtown area." Chief Keith responding saying that he felt each fire station was equally important.

Also, appearing at the commission's request, state Labor Commission John Brooks said that recent court decisions combined with the 'vague wording of state statutes' made it difficult to tell whether state laws applied to Altman's case.

1979-08-09 – Raleigh Times – Editorial cartoon



1979-08-17 – Raleigh Times – 'Hubert Altman transferred to central station'

The transfer was ordered by Chief Keith and takes effect September 3, when Altman returns from vacation.

‘Altman said today he is pleased with the transfer, which he said will allow him to become active again in downtown fire inspections.’ But it will not affect his allegation of harassment.

1979-08-24 – News & Observer – ‘Fire captain said he feared firing’

Altman testified Thursday that he ‘routinely taped conversations’ during the past three years because ‘he feared has going to be fired for union activities.’ He also said at the hearing that ‘anti-union pressure reached into the upper echelons of city government,’ specially to City Manager L. P. Zachary and Assistant City Manager Dempsey Benton. Neither of those officials attended the hearing on Thursday, and Chief Keith denied he was feeling pressure from his superiors.

For the first time in the series of hearings—this was the third hearing—Altman testified that he had been denied the position of Fire Marshal because he was a spokesman for the union. Altman also spoke about his transfers and charged the fire chief with violating both a city code provision and state law banning discrimination because of union activity.

Altman’s attorney introduced transcripts of three taped conversations, ‘relying heavy on them during Altman’s testimony.’ Altman said that during the two years since the RFFA sick-in, he taped twelve conversations with Chief Keith and also ‘kept a diary of all conversations relating to his job.’

”I didn’t want to tape. I hate to tape anybody,” Altman said. ”But I felt like there was some people after me and I wanted to protect myself.”

Though the commission had said earlier that they would play the tapes, they relied on transcripts during the hearing. The tapes were given to the city attorney’s office, to be compared with the transcripts.

Altman also denied the claims by the fire chief at an earlier hearing that the conversations were confidential. He said in ten or twelve instances, other people were present, and that Chief Keith ”never said nothing about the others being man-to-man.”

Said one transcript, Chief Keith told Altman: ”I talk to the [unintelligible] manager about you today. He asked ‘Is Altman out of the union?’” Altman also testified that Chief Keith told him that his ‘high visibility as a union spokesman would probably keep him from being promoted for at least two years.’

Altman said, ”I told him that as long as Mr. Zachary and Mr. Benton are here, I’m not going to get anywhere, because they aren’t going to forget.” Chief Keith’s reply, said Altman, was ”but they aren’t always going to be here.”

Interviewed after the hearing, Chief Keith denied getting any ‘anti-union pressure’ from the city manager or other city officials. But after the July hearing, Chief Keith was quoted as saying ‘I don’t

think the city manager would recommend me promoting anybody who would lead people going on strike and leaving the city unprotected.'

Thursday, Chief Keith defended his earlier comments." All I was stating to him was that I've got to have loyal support for the fire service." And added "It's kind of hard to push one side [administration] and then turn around a push from the other side [union]."

Altman also disputed newspaper accounts that Altman claimed he was Chief Keith's friend 'and even his protégé.' Altman said their 'indirect friendship' ended fourteen years ago, when Altman married. He said "if forcing me to do things I don't want to do is friendship, then I don't want anything to do with it."

Altman said he stopped acting as spokesman for the Raleigh Employee Benevolent Association earlier this year, because he was under pressure. He then received pressure for being spokesman for the RFFA. Finally, Altman said, it became clear that Chief Keith 'intended for him to leave the union entirely.'

"I told [Chief Keith] I would be pretty low down to stand up here and present [the firefighters] and then all of a sudden sell them out. No, I would never do that." Altman's remarks were met with a 'scattering of applause' from about 100 spectators.

The Civil Service Commission had scheduled at least three more sessions, August 27, September 5, and September 24.

1979-08-25? – Raleigh Times – 'Altman: Keith under pressure'

Hubert Altman told the Civil Service Commission on Thursday that he believed Chief Keith was under pressure to 'force him out of a firefighters union.' Altman believed that Chief Keith was feeling pressure from the City Manager and other administrators.

At the meeting, for the first time, Altman handed out transcriptions of portions of three conversations with Chief Keith in March and April, that Altman said he secretly recorded. Altman said he recorded the conversations with a 'small pocket tape recorder about the size of a pack of cigarettes.' Altman said that the tapes contained 'no gaps, no cuts' although the transcripts did not reflect the 'complete conversations' and had 'numerous deletions.' Altman said he only transcribed what 'he considered intelligible.' Altman's lawyer gave Associate City Attorney Francis P. Rasberry the tapes, so city officials could 'attempt to verify the accuracy of the transcripts.'

Altman said that the fire chief had told him that Altman would be considered for the promotion to Fire Marshall, if Altman wrote a letter saying he had 'quit the union.' Said Altman, 'I know why he wanted the letter, he wanted to take it up there and show it to [the City Manager], that Hubert Altman had gotten out of the union.'

The meeting Thursday lasted four and a half hours.

1979-08-28 – Raleigh Times – 'Altman factions dig in for long fight'

As the hearing neared its halfway point on Monday, ‘both sides dug in for what promises to be a long battle.’ The case was expected to continue for another three or four sessions, each lasting five hours. There was already nearly 20 hours of testimony and 800 pages of transcripts.

The hearings were also costly. Commission members are not paid, and city staff didn’t receive overtime for working nights at the hearings. Two court stenographers, however, were paid by the city about \$250 each to record one night’s worth of testimony. Altman’s lawyer, Howard F. Twiggs, was also the lawyer for the RFFA and was being paid ‘several thousand dollars’ out of Altman’s own pocket. Altman also received \$250 a month in salary and expenses as the Secretary-Treasurer for the RFFA.

1979-08-29 – News & Observer – ‘Altman hearing continues’

At the Monday night hearing, a city attorney argued that city politics on discrimination against workers for labor activity should not apply to high-level supervisory positions. This was the fourth hearing about Hubert Altman and his allegations of harassment and discrimination.

1979-09-05 – News & Observer – ‘Attorney argues against charges’

Associate City Attorney Francis Rasberry asked for the dismissal of most of Altman’s complaint. He also argued that the remedies sought by Altman were beyond the authority of the Raleigh Civil Service Commission. At the suggestion of Altman’s attorney, the commission took Rasberry’s requests under advisement and would rule on them later.

Rasberry also argued that if the commission ordered a promotion for Altman, it would ‘violate merit principles’ because others have not had a chance to be considered for the job.

Altman testified for three hours Wednesday night, ‘detailing accounts from his diary of conversations with Chief Keith and other fire captains.’ Altman said he was told several times he could be fired for his union activities, and that he might be promoted if he left the union.

Altman gave two hours of testimony reported RT 9/6/79, totaling nearly ten hours in the witness stand. At the end of the hearing, Altman’s lawyer rested his case, reported N&O 9/7/79.

1979-09-06 – Raleigh Times – ‘Panel wants to hear from [City Manager] Zachary’

Commission members said at Wednesday that they want to hear from the City Manager. However, the commission has ‘no power to subpoena or compel witnesses to testify.’ And to date, the City Manager has only been asked to testify once before—in the appeal of a CETA employee—and refused.

The City Manager was unavailable for comment the following morning.

1979-09-07 – News & Observer – ‘City manager may be called in probe’

The City Manager said he had not received an invitation to the hearing and declined to say whether he would testify.

Altman's lawyer, who rested his case on Wednesday, said he chose not to call Zachary as a witness, because he'll have broad rights to cross-examine the City Manager, if Zachary is called by the associate city attorney as a witness.

1979-09-20 – Raleigh Times – ‘Court affirms civil service Munns ruling’

[This was a related case, where a Superior Court upheld a Raleigh Civil Service Commission finding that J. C. Munns was ‘unjustly overlooked for promotion to fire captain in 1974’ because of his RFFA activity. The judge ordered the city to promote Munns and give back pay with interest to 1974.]

1979-09-21-News & Observer – ‘Judge rules firefighter [Munns] to get pay’

[The commission first ruled in Munns' favor in 1975, but the city and Munns both appealed, with Munn contended he should receive full back pay instead of partial back pay. Earlier in 1979, the judge directed the commission to reexamine the case, and commission ruled that Munns get full back pay, and the judge's order upheld that ruling.]



News & Observer photo



News & Observer photo



News & Observer photo

1979-09-25 – Raleigh Times – ‘Zachary denies harassment’

1979-09-25 – News & Observer – ‘Zachary denies forcing transfer’

‘In earlier testimony before the commission, Altman said Chief Keith had told him that the city manager was watching Altman’s activities and that Altman would be in a better position after Zachary left city hall.’

In a letter presented to the commission on Monday, Zachary wrote ”At no time have I directed the fire chief, either orally or in written form, to transfer any employee because of affiliation with any organization. The only pressure the fire chief has in the manager’s office is to operate the best fire department he can with the economic, material and personnel resources that are available to him.”

1979-09-26 – News & Observer – ‘Panel votes to seek Zachary testimony’

The commission voted unanimously on Tuesday to ask the City Manager to testify in the October 22 hearing in the Altman case.

1979-09-26 – Raleigh Times – ‘Panel: May go to court to get Zachary testimony’

1979-09-26 – Raleigh Times – ‘Zachary said bound for collision’

‘The commission voted unanimously Tuesday to ask Zachary to testify at the Oct. 22 hearing in the appeal of Fire Capt. Hubert Y. Altman.’ Commission chairman Michael Boyd said today that Zachary’s letter stating he will answer only commissions members’ questions was ”a gross insult to the commission members and the general public.”

1979-10-23 – News & Observer – ‘Zachary testifies in Altman case’

He told the commission that he did not know whether Altman’s membership in the RFFA resulted in his transfer against his will.

‘Zachary said Chief Keith told him after Altman’s transfer that Altman had been ”born again and was praying and rethinking (about) his situation (with the union).”’

”The next time I saw Chief Keith I asked about the status of Altman, ” Zachary wrote.

Asked Altman’s lawyer to Zachary, “Are you aware whether Chief Keith informed Capt. Altman that unless he got out of the union he would be transferred from fire suppression to fire prevention? “

“I do not know,” Zachary replied.

1979-10-23 – Raleigh Times – ‘Zachary testifies he never pressured chief’

1979-10-24 – News & Observer – ‘Chief links union role to transfer’

Chief Keith testified that Altman’s union activity ‘was one of several considerations leading to [his] transfer out of the fire prevention bureau last April.’ But Chief Keith added, ‘he had never knowingly discriminated against any employee on the basis of union affiliation.’

Also at the hearing, Chief Keith produced an engineer’s report saying the tapes made of him and Altman ‘may have been edited.’ Altman had testified that he ‘did not stop the tapes’ nor ‘erase or splice parts of them.’

Altman’s attorney asked the commission to order that Altman ‘get the fire marshal’s job.’ Two commission members asked Chief Keith to bring material from Altman’s personnel file and six other applicants to the next meeting. Reading a prepared statement, Chief Keith said that would violate privacy laws, that information was not necessary and essential to the commission’s functions, and that the commission’s functions did not include reviewing fire marshal applicants, because Chief Keith had not yet made a decision on the person to promote.

1979-10-24 – Raleigh Times – ‘Altman hearing is over.’

1979-10-31 – News & Observer – ‘Altman promotion ordered.’

The Civil Service Commission unanimously agreed with Altman's complain about harassment and voted 6-1 that he be promoted, per their order.

1979-10-31 – Raleigh Times – ‘Ruling affects powers’

1979-10-?? – Raleigh Times – ‘Altman says appeal was a tough ordeal’

1979-??-?? – Raleigh Times – ‘Altman ruling discriminatory, say 6 aspirants.’

‘Three captains and three district chiefs’ who have applied for the position of fire marshal spoke to the Raleigh Times.

1979-11-01 – Raleigh Times – Editorial – Burning off the murk

1979-11-02 – News & Observer – ‘Fire officers blast Altman decision.’

1979-11-02 – News & Observer – ‘Six fire officers criticize Altman decision.’

Speaking on record about the Altman case, the six applicants were District Chief James T. Owens, District Chief James E. Warren, District Chief E. H. Beasley, Captain B. T. Fowler, Captain J. Wayne Robertson, and Captain Jack Wall.

1979-11-05 – News & Observer – Editorial – Altman ruling mixed result

1979-11-06 – ??? – ‘Altman lawyer asks to speak before council’

1979-11-07 – News & Observer – ‘City plans to appeal ruling’

1979-11-07 – Raleigh Times – ‘Council to appeal ruling on Altman’

1979-11-14 – News & Observer – ‘Firefighters encouraged to appeal’

The chairman of the Raleigh Civil Service Commission encouraged the six applicants for the fire marshal position to appeal the commission's ruling.

1979-11-15 – Raleigh Times – ‘Fire chief to involve rank-and-file in policymaking’

Fire Chief Rufus Keith created a special advisory task force that will recommend changes to the department's promotional system. He made his decision after a ‘secret ballot survey’ conduct at stations last week that should more than seven out of ten firefighters were dissatisfied with the current promotion system. The task force members will be elected by firefighters.

Chief Keith decided to create the survey after a November 5 meeting with about 60 firefighters. The ‘task forces marks a new initiative’ by Chief Keith, to ‘confront an issue that has been at the heart of a decade-long feud’ between RFFA and RFD officials.

The task force will include two representatives from each ‘non-management’ rank: Captain, Firefighter II, First Class Firefighter, and Firefighter I.

1979-11-20 – Raleigh Times – ‘Altman says ruling serves as a warning’

1979-11-20 – News & Observer – ‘Civil service board hikes Altman's award’

The Civil Service Commission voted 4-3 to raise Altman's award from \$15,000 to \$100,000. The commission chairman proposed the increase, as the initial award did not take into account (a.) full

cost of legal fees if there's a 'protracted appeal of the ruling' (b.) damage to Altman's professional reputation (c.) earning power Altman will forfeit if ruling is overturned.

1979-11-21 – News & Observer – ‘Opinion to be sought on state perjury law’

The Civil Service Commission chairman has asked the Wake County District attorney to see if state perjury laws applied to the hearing testimony, though he ‘declined to say whom he suspected of lying.’

1979-11-19 – Raleigh Times – ‘Perjury eyed in Altman case’

1979-12-05 – Raleigh Times – ‘Union agrees to aid Altman’s legal fight’

The RFFA has agreed to donate up to \$5,000 toward Altman’s legal fees.

Also, a Wake Superior Court judge has delayed implementation of the ordered promotion, until the city’s appeal is heard.

1979-12-06 – Raleigh Newsweekly – ‘\$100,000 given Altman’

1979-12-06 – Raleigh Times – ‘Munns clarifies comment’

Munns, now chairman of the RFFA, disputed a statement attributed to him in a Raleigh Times story on Tuesday. The story implied that some firefighters had dropped out of the union recently because of the secret taping by ‘union leader’ Altman. To clarify, Munns said the fifteen firefighters who dropped out left the union ‘because they sought favorable consideration for transfers and promotions.’

Munns also claimed that fire department officials are ‘still encouraging firefighters to leave the union’ despite the commission ruling that found Altman was harassed.

1979-12-28 – Raleigh Times – ‘6 firemen ask to join city appeal’

1980

1980-01-12 – News & Observer – ‘Solution offered in bias complaint’

1980-01-12 – Raleigh Times – ‘Altman attorney submits proposal for settlement’

1980-01-13 – News & Observer – ‘City Council to review Altman case settlement.’

The settlement proposes (a.) Altman waives the charge of anti-union discrimination against the city and Chief Keith and (b.) Altman would not seek any related legal actions, such as a civil rights suit in federal court, if (c.) he’s immediately promoted to fire marshal, (d.) paid the additional money he would have earned since April, and (e.) the city makes a cash settlement for Altman’s total legal bill, around \$10,000 to \$15,000. Source: RT 1/12/80, N&O 1/13/80.

1980-01-25 – News & Observer – ‘City rejects Altman offer’

1980-01-25 – Raleigh Times – ‘Altman getting more union aid on legal fees’

The International Association of Firefighters (IAFF) has agreed to match a \$5,000 grant from the RFFA, which is the IAFF local.

1980-01-31 – News & Observer – ‘6 Raleigh fire officers to join in city’s appeal’

1980-??-?? – News & Observer – ‘Credit union president elected’

January or February story. Hubert Altman has been elected president of the Raleigh Employees Credit Union. He was reelected to a three-year term on the credit union board at the annual member meeting on January 28. That meeting was attended by only ‘75 of the credit union’s more than 1,500 members.’

Altman was elected president by the credit union board, at their first board meeting since the annual member meeting.

1980-03-19 – Raleigh Times – ‘Judge has doubts on Altman award’

The Wake Superior Court judge said he doubted whether the Raleigh Civil Service Commission had the authority to award damages.

1980-03-20 – News & Observer – ‘Altman promotion overturned’

The Wake Superior Court judge said the Raleigh Civil Service Commission ‘grossly exceeded its authority.’ He directed the city to re-advertise the position internally, and that the appointment should be based on ‘objective findings’ and not discriminate against anyone, notably Altman, ‘on the basis of race, religion or union affiliation.’

Altman’s attorneys immediately filed notice that they would appeal the ruling to the state Court of Appeals.

1980-03-20 – Raleigh Times – ‘Altman loss in court not end of case’

1980-03-22 – News & Observer – ‘Fire captain to reapply for fire marshal’s job’

Altman says he will reapply for the position of fire marshal, but ‘he thinks his chances are slim.’ Said Altman, “I’ve never passed up an opportunity and I can’t pass it up now, even though I don’t think I’ll be fairly considered.”

Fire Chief Rufus Keith said that the city would begin the process of choosing a new fire marshal next Monday. Applications will be requested and ‘handed over to an oral review board, made up of professionals from outside the department.’ The City Manager will make the final hiring decision.

In the Wake Superior Court ruling, Judge James H. Pou Bailey ‘advised the city to leave Chief Keith out of the promotional process,’ since Chief Keith’s statements to Altman about his union activities ‘would make any action by him suspect.’

Captain J. Wayne Robertson, one of the six other officers that applied for the position last spring, said he expected all six to apply again.

1980-06-27 – Raleigh Times – ‘Experts test, rate fire marshal hopefuls’

Fire marshal applicants were evaluated at an assessment center last month, held for five days at the civic center. For the first time ever, the isn’t being selected by the fire chief. That’s because Fire Chief Rufus Keith is blocked by a court order from any involvement in the selection. ‘Five outside experts’ conducted the assessment center to help City Manager Lawrence P. Zachary evaluate the candidates. The City Manager will make the final choice.

During the assessment center, held April 28 to May 2, the candidates ‘took written exams, gave speeches to mock city council, prepared orders to fire crews at a make-believe nursing home fire, matched wits in a discussion of promotion policies and, play the role of fire chief, handled the grievance filed by a fictitious employee.’ Each employee was evaluated 95 times over the five days.

The assessment center members were ‘top administrators and fire chiefs’ from cities in North Carolina and Virginia, and who did not know any of the candidates. Reported RT 7/20/80, the five assessors included city managers from Winston-Salem and Georgia, a personnel manager and two fire chiefs from Virginia.

One of the applicants, James T. Owens, has been serving as acting fire marshal for over a year, James T. Owens.

The other applicants are Altman, District Chief Ellis H. Beasley, and Captains Richmond Davis, B. T. Fowler, J. Wayne Robertson, and Jack Wall.

1980-07-02 – News & Observer – ‘Naming of fire marshal ends long speculation’

1980-07-02 – Raleigh Times – ‘Acting fire marshal gets permanent appointment’

Effective on July 2, 1980, James T. Owens was appointed as Fire Marshal.

Owens, 44, had been acting fire marshal since April 1979, and, reported N&O 6/3/81, was appointed when the city first filed its appeal of the Civil Service Commission’s ruling on the Altman complaints.

The City Manager said Owens received the highest composite score on the applicant tests. Owens is an 18-year veteran of the department. He was appointed by Fire Chief Rufus Keith after the retirement of Fire Marshal A. R. Woodlief.

Owens disagreed with the argument made by members of the civil service commission that he had an advantage over other candidates, because he had been acting as a fire marshal for over a year.” The skills I have didn’t develop in the last six months,” Owens said.” Tomorrow is my eighteenth anniversary and it’s take me all that time to develop these skills.”

Owens is also the president of the Wake County Firemen’s Association. He was the RFD training chief until April 1979, when named acting fire marshal. His salary is \$25,617.

Similar concerns about an ‘acting appointment’ in the police department resulted in a state Supreme Court order Tuesday barring the Police Chief from naming an acting police major. This resulted from a claim by police captain James Stell, who contended that he was unfairly passed over for promotion last year.

1981

1981-06-02 – Raleigh Times – ‘Appeals court rules against fire captain’

1981-06-03 – News & Observer – ‘Appeals court rejects civil service ruling’

The state Court of Appeals today ruled against Hubert Altman. The higher court agreed with the lower court ruling, though they chose a different reason for overturning the commission decision. The ‘three-member panel of the appeals court’ said the Superior Court judge erred in his decision, that the commission had no authority to appoint Altman to the position. Instead, said the Court of Appeals, the case should never had been heard, because the position of fire marshal, as a city division head, is exempt for consideration by the commission. The ruling was unanimous.

The appeals court ‘considered only the issue of whether the commission had the authority under the Civil Service Act to enter its order in November 1979.’

1981-06-09 – News & Observer – ‘Fire captain to seek review of court promotion ruling’

Altman’s attorney said that he will ask the state Supreme Court to review the appellate court decision reversing the order that Altman be promoted to fire marshal.

1981-06-09 – Raleigh Times – Editorial – ‘Clearing away the haze’

‘The North Carolina Court of Appeals struck a blow for common sense with it ruled recently...’

1981-07-04 – News & Observer – ‘Fire captain’s appeal filed’

Altman’s attorney on Friday filed a petition, asking the state Supreme Court to review the appellate court decision. Because the decision was unanimous, Altman does not have an ‘automatic right of appeal,’ and must request a review.

[What did the state supreme court rule? TBD.]

1982

On December 30, 1982, Fire Chief Rufus E. Keith retired with 29.3 years of service.

1983

On June 29, 1983, Captain Hubert Y. Altman was promoted to District Chief.

1987

On December 1, 1987, District Chief Hubert Y. Altman retired with 26.9 years of service.

Related Reading

History of Raleigh Fire Department Labor Related Actions, Activities

<https://legeros.com/blog/raleigh-labor-history>

The Sick Out and Strike Vote – Research Notes

<https://www.legeros.com/ralwake/raleigh/history/writing/sick-out-strike-vote.pdf>