

Interview

with

NAPOLEON BONAPARTE CHISHOLM

May 10, 2006

by Elizabeth Gritter

Transcribed by Laura Altizer

The Southern Oral History Program
University of North Carolina at Chapel Hill

Transcript and tape on deposit at
The Southern Historical Collection
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Citation of this interview should be as follows:
"Southern Oral History Program,
in the Southern Historical Collection Manuscripts Department,
Wilson Library,
The University of North Carolina at Chapel Hill"

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Transcript – Napoleon Bonaparte Chisholm

Interviewee: Napoleon B. Chisholm
Interviewer: Elizabeth Gritter
Interview Date: May 10, 2006
Location: Charlotte NC, at his home
Interview note: Some of the interview passages should be checked against the tape. I was not able to do so because of time constraints (Elizabeth Gritter, editor of transcript).

ELIZABETH GRITTER: The Southern Oral History Program interviewing Napoleon Chisholm on Wednesday, May 10, 2006. Would you say your name so I can make sure?

NAPOLEON CHISHOLM: Napoleon Chisholm.

EG: Okay. Good. [The tape recorder is] picking up. I'm just going to, it's a little weird for me to talk at the same time. So I am just going to leave it on () make sure I am accurate on paper. Do you have a middle name?

NC: Bonaparte.

EG: Bonaparte.

NC: Um hmm.

EG: Like the French ruler.

NC: Right.

EG: Do you have a suffix at all?

NC: No, just mister.

EG: Okay, great. I'm going to make sure (). I'll check a little while later to make sure it's picking up. But I am confident that it's picking up. I have your address and your phone. What is your date of birth?

NC: Two-two-thirty-five.

EG: Two-two-thirty-five. You said you're from Charlotte.

NC: Um hmm.

EG: And you said you're married.

NC: Um hmm.

EG: What's your wife's name?

NC: Janie Darlene.

EG: J-A-N-I-E.

NC: Uh huh.

EG: And how do you spell the—

NC: D-A-R-L-E-N-E.

EG: Oh yeah.

NC: Chisholm.

EG: And children's names.

NC: Jonathan, J-O-N-A-T-H-A-N. Joel, J-O-E-L.

EG: Is that his middle name or is that your son's—

NC: Middle name, Chisholm.

EG: And what was his year of birth?

NC: May 24th, 1992.

EG: So he has a birthday coming up.

NC: Sure has.

EG: And you went to Hampton Institute from '52 to '54.

NC: Um hmm.

EG: Did you get a degree or what did you take classes in?

NC: No, it was in, well I started out in building construction and started working in the greenhouse and got very interested in horticulture and floriculture, particularly floriculture. I ended up trying to get into agricultural, well, to get in a school you needed so many hours of agricultural and scientific. I ended up going to A and T as a special student to get the agriculture courses and eventually ended up in UNCC Charlotte. I graduated from UNCC Charlotte.

EG: When you, so you went to after the Hampton Institute, the school in Greensboro from like '54 to—

NC: Uh uh. Well, yeah. '54, one year, '54 to '55. At least the exact times I can't recall. Then I ended up going to work for a while and then the postal service.

EG: When did you get your bachelors from—

NC: In '72.

EG: In '72 okay.

NC: Went to night school then, an evening program about seven years to do it.

EG: Wow. Yeah.

NC: I wanted to go to law school, but it's amazing how it happened. Simply asked the dean of admissions would he let me in the school and he said I had X number of hours I could transfer and I said, that was not my question. I don't want to transfer any. I want to start all over. So he did, and he advised me that business administration would be a very good pre-major for the law school. After finishing, the closest law school was Wake Forest. I was getting into debt at that time. So I never did get to law school. I didn't.

EG: You, what greenhouse did you work at?

NC: No, it was the campus greenhouse.

EG: Oh the—

NC: At Hampton, right.

EG: At Hampton, okay.

NC: Hampton was basically an agricultural type school, but they had gotten away from it. It was engineering and general education. So not only that it did not carry a major in landscape architect or landscape design. They did have flower, floral designs. But that's about as far as it went under the agricultural department, and that was like an elective-type course. It wasn't a major.

EG: Sure. Did you, so you worked as a letter carrier from 1957 to '74. But you were in the military from '58 to 1960.

NC: Um hmm.

EG: Then you were postal services examiner from '74 to '77.

NC: Um hmm.

EG: Then you were officer in charge of the post office in Kings Mountain, North Carolina from '77 to '78 and then Matthews, North Carolina from '78 to later in '78. Then what about after that?

NC: After that, actually those type of assignments were a detail-type training assignment. Then I was still, basically at all times during the postmasterships my residual actual position was a postal systems examiner. From there the court case came up [the court case was titled *Chisholm v. U.S. Postal Service*.] Then [as a] result of the court case I had experience in the post office at human resources, personnel department should have specialists or labor relations specialists that are normally advocates for the postal service against the union and any type of employee complaints. They are paid eight hours a day, forty hours a week to work purely for the post office case. When a complaint is filed, particularly non-union, the employee only has themselves or either resolve to try to get a friend or somebody to help him or to represent him or her in the case. In which case the going theory was you have enough problems of your own. You don't have any business bothering with somebody else's. Secondly, you had to do it when you could. You weren't really afforded the time on the clock to do it. Whereas the labor relations specialist was an actual position that worked eight hours a day. You can see right off the disadvantage that a complainant would have. So it dawned on me that during this () program particularly in the lawsuit that the complainant needed someone that worked for him eight hours a day. Even the union representative for the union complaint has to still perform an eight hour a day job. They're given a certain amount of time to work on the union grievance, but there again the post office can control, management can () that () of time. So you're somewhat at a disadvantage either way you look at it.

However if there was a position for the employee, that was totally unhampered by any degree of management interference, that had access to whatever records they wanted as opposed to the labor relations specialist who definitely had any records they needed and any time they needed to research, prior complaint, prior attendance records or whatever the case may be, even down the medical records. So I came up with the idea of an EEO complaints representative. That's an employee that had nothing to do. If the complainer wanted that individual to represent them, then they had the choice. They still have a choice of whoever they wished, but here was a post office employee who had an office, who didn't do a thing but work for the complainer. However the person was not obligated to take any kind of complaint. It had to be

one of substance, one that was meaningful and one that between the complainant and the employee they duely felt like something was wrong, the employee. So at the time I was in finance. That was my goal.

EG: What was your goal?

NC: Finance. That was my field, my () field. So I had no idea of taking the position. I was just creating a position. Jonathan [Wallas], the attorney, liked the idea, and between him and his team, they devised a job description for that position and submitted it to the judge, which was approved. Consequently when I looked at it, I just couldn't conceive of, I couldn't think of anyone in the post office I would want to have that type of authority, that he was controlled by no one in the post office. It was as if he was legally an attorney and discovery, office complex, equipment, budget, and you'd have to read that job description. I don't even know if I have a copy of it now. But before it was allocated two investigators and a secretary. That was conditioned upon workload permitting because coming out of the court case, it could've been all numerous complaints by employees. So he was only to let the postmaster know if he was or was not going to be at work. Other than that he reported to nobody except the court. That was about the only control between the attorney and the court, () the EEO complaints position went to Jonathan Wallas the attorney through the court. Other than that he simply had to tell the postmaster that he was not going to be at work. He was going to leave and that's it. I was not going to turn an employee loose on the agency with that type of authority. So I had to come out of finance, which I was really my interest, and I took the position.

EG: So you took this position that was created.

NC: Um hmm.

EG: And that was called the—

NC: EEO complaints, employee complaints representative.

EG: You had been in finance or not?

NC: Yes, the postal () examiners auditor.

EG: Oh the postal examiner.

NC: As an auditor. We had 202 offices. So they had to be audited periodically with all operations of the whole postal service. So it was a very good training program, and let me put it this way. If you are familiar with the United States postal inspector, okay they are the police arm, criminal justice

arm of the postal service. Now they have even arrest powers for drugs, narcotics, counterfeit money. That is the legal arm of the postal service, comparable to the justice department or the FBI even.

EG: Right. Right.

NC: () whatever involves the mail.

EG: So you were the EEO complaints, when did you start as EEO complaint?

NC: When the court case was finished and it was approved by the court.

EG: In 1981 was it.

NC: Now you're getting into dates.

EG: Okay. So I saw—

NC: Whenever the decision was rendered.

EG: Okay. I thought it was in '81.

NC: It may very well have been. You can put a question mark on that and check it back. [The Western District Court ruling was decided October 3, 1980. The Fourth Circuit ruling came down on Nov. 25, 1981.]

EG: Sure. When the circuit court—

NC: Well, when the circuit, well, I guess so because on appeal out of the district to the circuit, that finalized it since we were going to try to help the post office as much as possible go to the Supreme Court but they elected not to.

EG: So were you postal services examiner up to the point that you were EEO complaints representative?

NC: That is correct.

EG: Were you, because I see you were in Matthews, North Carolina.

NC: That was officer in charge is what that was called.

EG: Okay. Where were you at? Did you stay in Matthews, North Carolina?

NC: For a while until they got—wait a minute. When an office became vacant, the () temporarily officer in charge until they went through the promotion procedures to get a postmaster. So you got different levels of post offices, and you've got different types of operations. For example in Kings Mountain it was a combination of city and rural carriers as well as window service. Now to get thoroughly

oriented, Matthews only had rural carrier, but they had twenty-some rural carriers. The highest office we had out of 202. But that number of rural carriers, there were no city carriers in Matthews at the time. So you were really getting oriented to and trained in rural carrier operations as well as the window service. So there are actually detailed-type training assignments, and I was officer in charge in Matthews and officer in charge in Kings Mountain. So you are the postmaster while you're there. You have full accountability. I mean you are accountable and you sign for everything of or pertaining to postal operations for that time.

EG: So were you in Matthews up to the point you became EEOC?

NC: No, while I'm in Matthews my position is a postal systems examiner.

EG: Oh okay. You were—

NC: () Kings Mountain.

EG: So you were a postal systems examiner, and you spent time in Kings Mountain and Matthews, but were you based in Charlotte.

NC: Yeah.

EG: Okay. Good. That—

NC: I have an office to report to in Charlotte. But I'm on an assignment, let's put it that way.

EG: So you had assignments to—

NC: To Matthews and to Kings Mountain as the officer in charge of each.

EG: Okay. Did you remain EEOC complaints representative from '81 forward,

NC: Um hmm, until up until I retired and or we eventually worked ourselves out from under the court order. Implying that it had been fulfilled, whatever the judge said do. Now at that point you could just about say that the EEO complaints representative position as set up by the court was no longer necessary. It had become defunct.

EG: Oh okay.

NC: At that point we set [up] a program, but now bear in mind, I didn't come out of the position per se, primarily because under the EEOC rules an employee can have a representative of their choice. So they could just as well elected you in Raleigh, North Carolina or Durham, North Carolina or Chapel Hill to represent, that's their choice. You see. So if anyone still wanted to come to me for representation, it was like as if the position wasn't there to start with. You following me. I mean—

EG: The last part I do follow.

NC: Even before that position was set up, under the ruling an employee has a right to representation of their choice. Now that's when the employee elected another employee to represent them, but the post office can control both. Management can. You ask for a record, they don't have to give it to you. You see. You ask for time to work on the complaint, they don't really have to give it to you or they can limit it. The position was set up to circumvent the agency's influence on the representative. Now after the court order you see and the post office comes out from under the court order, took about twenty years out. Anyway, you see now that since the position was set up by the court, it would follow that coming out from under the court order, the position then is abolished. But in even if this was abolished, you could still represent an employee.

EG: So the position was abolished, but it still lived on in some form.

NC: Well, it lives on in the sense that the employee could still come to me you see, and coming to me based on prior experience in the position, working with the post office attorney, Joel Jacobs, Jacobson. I never, in other words the level didn't change. We had subsequently set up a Management Development Program, which was assigned to me to handle while I was the EEO complaints representative.

EG: So how long were you EEO complaints representative for—

NC: Until I retired.

EG: When was that?

NC: In '92.

EG: Is that when the, when was the court order taken off of that?

NC: Oh boy.

EG: Or an estimate.

NC: I've lost track of the date.

EG: We can probably find out from Mr. Wallas.

NC: Well, yeah, except that you could probably find-- It would take a motion. It would take a motion by the post office to the court so you could probably trace it by the *Employment Practice Decisions* on the subsequent motions. [Chisholm recommends reading material in the *Employment Practice Decisions* for information on *Chisholm v. U.S. Postal Service*. Information on the Western District

decision may be found in Vol. 24 of *Employment Practice Decisions*; a copy of this information is in the archival record. As for the Circuit Court ruling, here is the citation: 665 F.2d 482, 27 Fair. Empl. Prac. Cas. 425, 27 Empl. Prac. Dec. P32.240. A copy of the decision is in the archival record.]

EG: Oh right. Right.

NC: As to when the motion was filed that they had complied with the court order and it was no longer. Then if it was signed by the judge and entered into the order, that would be your date.

EG: So you said while you did that you were—

NC: Management Development Program.

EG: You were head of that?

NC: Yeah, the manager.

EG: Was that, that was until you retired.

NC: Um hmm.

EG: In '92. When did you start that?

NC: Oh that's it. I started that while I was, in other words at the onset I had preferred to be just by myself you see and because of the circumstances and nature of the EEO complaint representative job. But the postmasters came in being very empathetic, let me put it that way, made me staff level, managerial staff level. When I said, () eventually put me in an office beside him. Well, you'd have to almost bear in mind an incoming postmaster to a large degree is a chief executive officer. That can be a very lonely position. So coming into the city something like that occasionally you may want somebody to talk to. I ended up in an obsolete corner. At least it appeared that way to me, upstairs in the office next to the postmaster's office. Now two schools of thought there. Was I put there because the man needed someone to talk with or I passed his office every day. I only reported to him among staff level, on the same level floor rather as the postmaster's office. On the other hand an employee coming to see me primarily had to pass the secretary's office. So they could see who was going down to my office. Anyway this was the two schools of thought. It never was intimidating though.

EG: Did it ever interfere at all with what you were trying to do?

NC: No.

EG: So you () manager of this Management Development Program. When did you start that?

NC: Like I said, I don't know.

EG: Oh you don't know.

NC: Because in other words I'm wearing two hats. What had occurred was Don Peterson was a very innovative postmaster as several others, but I think he did more for Charlotte than anything else and by the time he got to Charlotte, the court order was becoming, let's say, it was becoming almost an intimidation tool to minority employees.

EG: When did he come?

NC: Oh boy.

EG: If you can remember I mean.

NC: I don't know.

EG: Okay.

NC: I don't have the slightest idea but the year rather than mislead you. You can probably get that from current office.

EG: Yeah. Yeah. I know I have to do these dates for the historical record but—okay anyway.

NC: Anyway he became very innovative and the employees had more or less was using the post office, I mean the court order as a shield, and they really seemed that way to me. Well, to get out from under that court order to me () you have to bear in mind now, my total feelings were for the postal service—

EG: Your what?

NC: My total feelings were for the postal service. I never intended to be antagonistic nor an advocate.

EG: Interesting.

NC: So this wasn't something that just materialized overnight because I was mad at somebody.

EG: Okay.

NC: It was something that I could see to me was a very bad problem. So I never was angry. As a matter of fact I was disappointed in the presentation of the postal service, which was almost my heart at the

time as far as an employer. In their presentation at the court. () What was on trial to a large degree was the rules and regulations of personnel practices of post office. That's what was really on trial. Now for years they had conducted questionable practices to me. I'm in the service as an assistant before I went in the military. Then I was drafted, went in the military, came back in two years time.

EG: What branch of the military.

NC: Army.

EG: Army, okay.

NC: In the Army.

EG: Where were you stationed?

NC: Training at Fort Jackson, South Carolina and stationed at Fort Gordon in Augusta. Well, I had seen a lot of changes of people I knew before I went into the service and coming back in two years time in management. For example the personnel officer that was there was Michael R. Greeson, and he was a driving training examiner when I entered the post office as an appointed, from the roster. When I came back () in less than two years time, he was the personnel director.

EG: And he was white.

NC: Um hmm. Yeah. My point was the practices, personnel practices of the post office during the trial. We had what you called a sectional center. Charlotte is a sectional center. The sectional center is a controlled office at the time of 202 post offices in North and South Carolina. They reported to the postmaster, sectional center manager at Charlotte, North Carolina. See our postmaster wore two hats. He also handled Charlotte as well as all the 202 post offices reported to him. He has a director of personnel, director of finance, director of mail processing and customer service. His personnel officer handles all personnel practices of the 202 offices as well as Charlotte. That's hiring, firing, promotions, all the procedures, insurance, everything pertaining to the employee. Also in Charlotte was the district office. The district office now controls several sectional center offices. Sectional office stretched to Wilmington, North Carolina, Fayetteville, Asheville, Greensboro, Raleigh-Durham, and that's a tremendous number of post offices. They're the district manager. In their archy they have the same control officers as a sectional center manager has. Therefore, you have a district director of human resources. From the district office you had a regional office, which was the regional postmaster general, which was in Atlanta or Memphis.

Came out of Memphis, I mean Atlanta and moved to Memphis. They have the same hierarchy, regional postmaster general, director of particularly of the four divisions, personnel, and mail processing, customer service and finance as well as others. Anyway, during the course of trial in Charlotte was a district office and the sectional center office. So you have a district director of personnel, and you have a sectional center director of personnel, and within a one-hour trip by plane, you have the regional director of personnel.

If you want to extend that, in a one-hour trip by plane you've got the United States postmaster general director of personnel operations for the whole United States on trial dealing for the first time in employment practices of the United States Postal Service period for the personnel practices. None of them elected to take the stand on behalf of the postal service. They turned the case entirely over to an attorney, Mr. Metcalf. I think his name is Stan Metzcell. Metzcell was his name. They gave him a personnel clerk, Miss Ann Davis that did over eighty-some percent of the testimony on behalf of the post office on the stand. She had never been on a promotion board. She'd never had the final say so in hiring folks. Nothing that the post office on trial for was she directly involved of at any time in her postal career but that's who they gave him. So in other words, it all goes back to political. If you can keep your hands off of this, you can survive. But they were the ones who initiated all the factors that brought [this] court case about, the personnel officers were. So I thought it was very, now wait a minute. The post office has its own legal department. You virtually can't think of a single occupation () that is not in the United States Postal Service possibly with the exception of ministers. But they gave him, I thought it was actually ridiculous. He had very little to defend with by virtue of the fact, don't get me wrong, virtually there wasn't anything to defend if you read the bill of particulars on which I wrote in the initial complaint--the twelve factors that brought the complaint about. If the section center manager made a decision, nine times out of ten it was almost pro forma if not personally involved the district office would uphold the section center office and the region probably would get involved and uphold it too. I mean down to-- I didn't, I didn't make a complaint on hiring.

But after consulting got involved in the case, and [consulting] was out of Chapel Hill. The name will come to me. He called me one day on the telephone and said, "Chisholm, are you familiar with the hiring procedures in the post office?" He said, "You'd be surprised what I've run across here." You see you take a clerk/carrier exam. Once you pass it, you pass either to be a clerk or be a carrier. At the time I

would say over eighty or ninety some percent of the minority employees that passed and was on the roster that was hired by the post office were channeled to the carrier craft. That means then if you walked out your door [and] you looked at the street, you would see a minority employee delivering mail. That's all the public would see. But if the public looked at the postal service, it's great. But all of the white personnel who were hired were channeled to the clerk craft.

EG: Which is higher than the—

NC: Not higher. The same position, same level, same pay, but they're at the windows and on the main floor. Anybody walking into a post office at mid-afternoon would not see a minority individual primarily because they're out on the street. What they would see on the floor and at the window services were all white employees. So he said there's a tremendous discrepancy here and a disparity in the assignment even from the people coming off the roster being hired. Well, I didn't make a case, I'm already hired. So I don't have standing to include that in the original case going back and amending. That requires for a whole new discovery as to whether they would accept the amendment. So we were so far-- His name was Carl Huffman. I thought of his name, Dr. Carl Huffman, a consultant out of Chapel Hill at this firm.

EG: He was a consultant initially you had or throughout the case.

NC: Throughout the case. Jonathan Wallas hired him. The law firm hired him, and they hired a statistician Dr. Otz of Howard University at the time. Anyway, what was taking place was that none of these personnel people wanted to defend the post office. In fact () I apologized to my own attorney for the showing that the post office made. I mean here it is the largest single type employee that touches every single individual in the country, and you expect more. I was real proud of the post office. We've got our own legal department. You tell me this is the best defense you can come up with barring the fact that you don't want to defend anyway and you didn't want to admit it. () So you see that never at no time was I ().

EG: So you wouldn't call yourself an activist.

NC: No. Uh uh. It wasn't that at all because bear in mind, I lost the documentation because I got mad that even triggered the case—

EG: What was the last part? You lost the documentation that--

NC: Documentation on this particular factor. So just depends upon how you wanted to leave it. I came out of service in 1960. Now 1960 to 1972 I'm looking and observing. I don't even let my left hand know what my right hand is doing. I don't even let my wife know because you've got a grapevine. My wife could end up in a beauty parlor some place and tell somebody who tells a beautician who tells somebody else and it gets back. I just didn't like what was taking place. My question was am I going to work under this for the rest of my life. So after I'd finished, I mean as [far as] time, dates, places discrepancies, differential treatment, I sat down and wrote a letter to the postmaster, and I simply explained to him that I'd been a post office employee for fifteen years, [and I told him I realize] you're a very busy individual and never had an occasion or desire to want to see you about anything else. I can get whatever I wanted done through your per se department heads and supervisors. I asked him for one minute of his time for each year I had been an employee. That was fifteen years. If any time during that interview he decided this should break it off, I would quit.

EG: You would quit the interview.

NC: Yeah, that I, well, I would stop the discussion and just let it go. Anyway, I got a letter back from him saying that no such meeting would be allowed. Now what do you do then when you work for somebody for fifteen years, and you ask to say well, can I come in your office and say hello and they tell you no. So where do you go? Fortunately the Congress had made an avenue as to where I could go. That was an EEO complaint because it was brought [to] the federal government through its amendment. Originally it wasn't under the Civil Rights Act for EEO to my knowledge.

EG: Title VII [of the 1964 Civil Rights Act.]

NC: Title VII. So that's what triggered the complaint. Anyway, I have to admit when I got the letter, I was, you could see where I could hardly end up being angry at the time. In retrospect I just balled the thing up and threw it in the trashcan. That's it. I'm not going to storm through the man's door. They've got guards. Fortunately my approach ended up to me probably one of the best lessons that I really learned out of the whole thing was after the court case to trial based on what I had done. Judge McMillan had entered his decision. And he was an amazing judge. I mean, he was one brilliant individual. He didn't take any time. I mean when he closed the case and the case was over with, he entered the decision almost from the—well he told what the decision was going to be. He said if you gentleman had spent as much

time on resolving this case as you have on separation we'd be way ahead of the game. But I'm going to tell you how I'm going to rule, discrimination yes. I'm going to give you ninety days to see if you can resolve it, and if you can't, be assured that I will.

EG: This was at the district court level.

NC: That was in the courtroom. He had the last remarks, and after that he left the stand. So the trial was over with. That was the end of the trial. I don't know if you know our post office or not, but they had an entry down here and an entry up here. We were unloading from the front entrance on the side, on Ninth Street. I was helping Jonathan bring his boxes and material and stuff out to the car on the entry close to Trade Street. The back entry was close to Fourth Street. I happened to look up, now wait a minute. Get the proper perspective. Jonathan goes up and shakes the judge's hand. He shakes the attorney's [hand] or whatever the case may be after the trial. I had never been in federal court before. So I don't know court protocol. So the crowd was all around Jonathan and whatever else the case may have been, and I just started getting the boxes and went out to the car. So—

EG: The boxes of documents.

NC: So I mean, God, we couldn't get it in this room. All of them, he reduced it to about seven boxes and carried it to the courtroom. Anyway, I saw Jonathan after the thing. I said, "Jonathan, I didn't know court protocol but you went up to shake Judge McMillan's hand. Would it have been all right if I went up and thanked him? Do you do that in federal court?" He said, "Sure you can. I thanked him most graciously when I won. I thanked him when I lost." So that cleared the ice. So I'm out there loading the car, and [the judge] came out the door on the Fourth Street side. He was going down to the parking lot to where his car was. I called to him and ran down the street, and he waited and put his briefcase down. I went up the stairs and said, "Well, I didn't know court protocol. That's why I did not approach you while we were in the courtroom, but I really wanted to thank you," and he carried on a conversation with me. He stopped and took his time and put his case down. See his office was in that main post office building. He said, "I've been witnessing things for quite some time." But nothing he could say pro or con. He's a judge until it's brought to him to decide. Anyway, he said, "Well, one thing I hope you got out of this and don't ever forget it that it does not take a demonstration in the street. Use what the law has provided for you." It dawned on me what he was saying. [gets emotional]

EG: It's all right. Take your time. [break in taping.] So you were saying it was brilliant.

NC: Yeah, that's the lesson. People are demonstrating in the streets, being put in jail. I mean the whole civil rights movement was in very much on everybody's mind at the time though it had somewhat settled down. But () to Title VII start establishing the EEOC a method of taking people to court. Seemed like every court case I ever read when I started subscribing to the *Employment Practice Decisions*. I would read the cases, so and so versus so and so and what conditions of law were being brought under.

EG: Were you subscribing before you got or during () or afterwards?

NC: After I set up the office.

EG: Oh the EEOC.

NC: EEOC. Seemed like every court case that I read may have had Title VII because it became an issue almost at the onset in one of the motions, and I couldn't understand why until it dawned on me sometime later. We had to settle with the judge on what conditions we were bringing the case. Under Title VII and Jonathan and them had included the U.S. Constitution, the amendments to the constitution.

EG: The Fifth Amendment.

NC: Or whatever Fifth or Fourteenth or whatever, due process or I don't know. But I think it's the Fifth.

EG: I think I saw Fifth somewhere.

NC: The Fifth Amendment, okay that's the one. Anyway, () because all court cases I've seen also had the constitutional Fifth Amendment attached to Title VII. In theory the issue was to establish whether or not you can get adequate relief under Title VII. Title VII has a limitation. It included the post office in the amendment of 1972 retroactive to 1970. That is as far back as you could go under Title VII for relief. The constitution is practically unlimited. Now to show you () there. I used to hate Sam Ervin. He was a senator from North Carolina.

EG: Yeah, I've—yeah.

NC: He fought Title VII as long as he was in office. But then when I look back and read why he fought Title VII, he was almost like, I guess-- [He] gave you the impression of being Matlock on television, the lawyer. He was the country lawyer, but the man would die for the United States Constitution. He was a constitutional type lawyer. He definitely believed in it. Reading some of his

comments it always states similar to me () that there was not one thing in Title VII that was not already in the United States Constitution.

EG: Interesting.

NC: So why pass a Title VII. Okay, then why didn't lawyers file cases under the United States Constitution long before we got to Title VII in the EEOC. It was political. If you wanted to be a congressman or senator, what have you, you had to bear in mind which environment you worked in. So it's a matter of—

END OF TAPE 1, SIDE A

START OF TAPE 1, SIDE B

NC: There wasn't a court case brought under Title VII that didn't have the title of the United States Constitution attached to it.

EG: So that law provided an opening for—

NC: For lawyers now to come—in other words you're almost saying in essence, okay lawyers you can turn loose now. You can go ahead and file your cases. So regardless to who you were, lawyers, I can't conceive of a law school not teaching lawyers at [the] time about discrimination and rights under the Constitution in particular the Fifth Amendment. They just wouldn't bring a case for anybody if you wanted to survive. Anyway, that's what happened and after that my whole approach to Sam Ervin changed. I had the highest regard and respect for the individual after that. That was long before his son wrote the circuit court decision.

EG: Isn't that something.

NC: In his circuit court decision he implied that the lower court didn't go far enough to relief. In other words he was almost implying you should've brought this case under the constitutional Fifth Amendment. In other words, you could've gone all the way back [to] the Charlotte-Mecklenburg post office from the first time the door opened. Now you see the amount of relief that it would have required. Not only had the cost of discovery. But anyway, you have to bear in mind to me also that Sam Ervin Jr., his son, was influenced by the father. Then that doubly influenced me to understand the greatest of Senator Sam Ervin whereas I could see where a lot of minority may very well had the same impression I had to start with and never had a reason or understanding to change their thought. He was a constitutional lawyer, and

all he ever said was there wasn't anything in Title VII that wasn't already in the constitution. If you want to bring a lawsuit, bring it under the constitution.

EG: How did you personally acquire your knowledge of the law and so forth because I saw for a while you didn't have legal representation when you were [undertaking your legal complaint against the U.S. Postal Service]—

NC: Well, no.

EG: If I'm right about that.

NC: You mean the preliminary hearing. I started the case through, I don't know where that transcript is. Jonathan might still have it. Anyway he gave me half of those boxes. Anyway, the EEOC hearing you could have a lawyer. But I handled the EEOC hearing up until the time he made the decision. Basically what had occurred in the EEOC hearing was just application of pure just logic. That's all, common sense. The key factor was there was a labor clause, which I stated on the stand in the trial, that I would defy you to find any other organization as large as the postal service that had such a beautiful labor clause. The clause was with the exception of education, and you wanted a promotion. To get that promotion you needed a particular quantity of general experience and a particular quantity of specialized experience. Then for each position it's spelled out the type of specialized experience you should have. In most cases the bottom line to the specialized experience was that you must have worked a certain number or length of time at a position level so many levels below the position you are applying for.

Now demonstrate that. If you were going after a level twenty position, then your specialized experience may say that you must have worked at a level of difficulty no less than three levels below level twenty for at least two, three, what have you number of years. For general experience you may need six years of general experience, three, four, whatever. Now general experience more than likely applied to simply being a post office employee. Specialized experience involved the levels of difficulty of each position carried. A certain amount of difficulty. As you go up the ladder it increases your responsibility. The controlling clause in the manual simply said except for the substitution of education, you must have that general and specialized experience. Also in the manual and paragraph on promotion procedures now, it would tell you how much education you can substitute for how many years of experience. You get the picture now. The United States Post Office in Charlotte, North Carolina you're finally thinking the court

case at the time there was 137 postal employees with degrees, all reputable collegiate degrees. Thirty-seven of that number had master's degrees at accredited universities such as Columbia, NYU, Indiana, et cetera. There was not one white employee out of a complement of over 2000 employees that had a collegiate degree period.

EG: So all the employees--ones that had collegiate and master's [degrees were] black.

NC: Um hmm. Carl Huffman said that was the first time he had ever been involved in a case where minorities outrated the whites in education. The post office was a cabinet position. It had been highly political. Anyway, these personnel officers administered that clause on the basis that although you had the education, you still had to have—

EG: Experience.

NC: So many years of experience below a certain level whereas the manual plainly stated that if you had a four year degree that could be substituted for X number of years of specialized experience and X number of years for the general experience. Now if you had been a post office employee for example for six years, you don't need to substitute. That's basically what general experience was. Simply being a post office employee. So you could then use your educational background for the specialized experience. Because of the number of degrees it seemed that you would've had a very high influx of black supervisors throughout the post office including the personnel officer position itself. You would've been hard pressed because he did not have—

EG: No degree.

NC: No degree. So I was declined an interview for a position because I didn't have the specialized experience. [telephone ringing] But subsequently look at the number of people who were interviewed, and there was a level four employee that was interviewed that didn't even put his name on the application.

EG: Didn't even apply for it, they just selected him.

NC: They told him to apply and he did. He didn't even bother to fill out the application that he even worked in the United States Post Office. You've got the heading up there, your name, address, and signed, and the reviewing official gave him an interview, and I was declined an interview. So basically in the administrative hearing with the EEOC, it was just that the documentation basically over twelve years

just I guess even had he expected, it wouldn't have done him that much good because it was obvious what had happened. Secondly, we had about 150 to 160 supervisors in the United States Post Office at the time.

EG: At the postal offices as a whole.

NC: In Charlotte.

EG: In Charlotte.

NC: Of that number I think only three were minorities and not one single female. One of the supervisors, a Mr. Zoel Hargrave, who I knew quite well. He had a master's degree. He was head of the national alumni association for Johnson C. Smith University. In other words you just about name it, president of the League of South Africa. You could see his managerial background and decision making ability. He eventually ended up as a supervisor in mail process room down in the basement, doing the work at night. So you would never see him or never even know unless you knew he worked in the post office.

EG: He was black.

NC: Yeah. That was one of the black supervisors. The other one was Mr. Stroud. He was in charge of the custodians. The other one had just been promoted, and his name was Willie Stratford. In other words the bridge you crossed up here is named after Willie Stratford when you came in off of that bridge.

EG: Oh how about that.

NC: He had just been promoted. He was a supervisor I think on the railway service. That's when the post office simply had a railway service with a postal car on the railroad. That was, well, they discontinued it entirely. So they were moved all those employees. They were United States Post Office employees, but they were railway type clerks. They were moved into the cities. He ended up being a supervisor. So those were the three.

Now the other program was, how does Elizabeth for example get to be a supervisor if the position calls for two years of specialized experience and say three years of general experience. But Elizabeth has, I'm using this as an example, she has six years of general experience because she's been an employee for six years. But she doesn't have the specialized experience nor does she have the education to substitute for the specialized experience. So an individual head of the department and then the immediate supervisor says what we'll do is we will detail Elizabeth to the position is vacant for training. Now the immediate

supervisor made the recommendation to detail or the supervisor's manager. Anyway the man has to concur. So two people have to sign off for Elizabeth to be detailed. Now Elizabeth is being trained in this position. They keep detailing her and keep her in the position for two years. Now while she's detailed she's paid at a higher level of pay. But her residual position may well be a five or a six. But she's been detailed to a level fifteen position or a supervisory position. She's kept in that position until the employee meets the required number of specialized experience. Then on the bulletin board you see an announcement, promotion vacancy. So anybody can apply now for the job. So out of 2000 employees here comes forty applications. So now the reviewing official who may have been Ann Davis or somebody looking at some things, and they check off and reduce it to five or six employees they're going to interview of which Elizabeth is one of them. Now Elizabeth appears before the promotion board. Now sitting at the promotion board, believe it or not on this promotion board, is the supervisor over the department that recommended Elizabeth to start with for this detail and the manager over the department and then some other individual. At the time to have a minority on, it may be one of those three black employees that were minorities. Now it takes a two to one vote. You're getting the picture. That's the way it occurred. So—

EG: That was just endemic.

NC: Yeah. Now at no time was there ever--. Although we had three people, you could have at least expected one time out of all the promotion boards that you may have wanted to break down and have at least two minorities and one white. If that occurred, it was for a custodial position. But never for a mail processor supervisor. And although Zoel Hargrave was the supervisor over it, he was then outnumbered by his manager and the director. So either way you look at it, there never was a two to one minority vote on a promotion board for any position until after that court case.

EG: Then did you see—well, these changes fairly ().

NC: Oh by the time they came out from under the court case, we still had 150 to 160 supervisors. But roughly 100 of them were black. And when I went to Julius Chambers [a lawyer for Chisholm] telling him about two other conditions, he said well, understanding the female position, he said if we bring that case, which would've been just a prominent, it's two different types of discoveries. We've got two different kind of cases within a case. So let's go with the discrimination case based on race, and that will automatically trigger the movement for the simple reason. He said win, lose or draw they're not going to

promote all black female supervisors and not promote whites. So that will relieve that problem rather than bringing two different cases with two different types of discoveries. [This passage should be reviewed against the tape. He's saying, in essence, that they thought that the relief of race discrimination would pave the way toward the relief of sex discrimination in employment.]

EG: Did that happen?

NC: We simply brought the race discrimination case. Yeah, females right away, the first move they made we had () vacant position, four of them were females. By the time they finished that's why if you read the decision-- The decision just wouldn't let the post office, in other words, you had thirty-some percent minority force in the city and a thirty-some percent minority force in your employment, you would expect for at least thirty percent of your supervisors to be minority. So out of 150, 160 [supervisors] we had three [black supervisors].

So any form of disparate impact you've got to see us working there somewhere. One of them was that although we realized that you are [a] very well educated individual, you've even got a master's degree, what happens is that we just cannot present a policy on the face of it to promote people who have disciplinary records. So one day for example, I'm late. The same day you were late. A week or so later I'm tardy again or late. But in the interim time you were tardy three times. I end up right away with a letter of warning or disciplinary action, and there's nothing to you. Now that goes in my personnel record. So now applying for a position, the review committee, the supervisory board has the authority to () and review personnel records. And on the synopsis sheet it would say disciplinary type actions if there's any problem with the employee or what have you, absenteeism, just et cetera. So there was a, all the discipline issued in the post office, over eighty-some percent went to the thirty-some percent minority employees. Whereas in documentation I mean how many times can you do this without me knowing that person working next to me came in to work five times late, and nothing was said to that person. But when I came in one or two times, I end up with a letter, a warning or something. I've got to go on the defense. Regardless to why I was late. So you see the disciplinary files were expunged, all thrown away in the post office, not to make reference to because disciplinary files are compounded. If you get a letter of warning, your next will be a seven day suspension. Next will be a fourteen day suspension, thirty day suspension, dismissal.

EG: When were they expunged?

NC: By the judge on the court order.

EG: Oh okay, I get it.

NC: He ordered every one of them and every one who had been disciplined to be paid retroactive with interest for the length of time that they were, like particularly if you had a suspension and you lost seven days pay or five days pay. So they recovered. That was in court. Now you see how all of minority supervisors with educational degree or whatever, it didn't make any difference. It, this couldn't happen by chance. It had to be by designed to give you an idea.

EG: How were you treated at the post office when all, when you were bringing these charges against the post office and with the legal proceedings and so forth? What were like the interactions like between you and I guess the white supervisors and—

NC: No, I was treated just fine. There was no problems. One thing about it though just, I had determined I could hold my own as far as work and which like in most cases you may have heard that expression that a minority employee has to be five times better just to keep the job, let alone get promoted. So for example I realizing what my intention was, we would have route inspections, and that's when your route inspector goes with you on the route and I was carrying mail to determine the length of your route and the time it takes to handle your particular route. If it's over eight hours, then your route is adjusted. So I would do a total time on my route that it would actually take and () wait a minute even in the comment, the route inspector would say, you're going to have to slow down. You cannot keep up this pace. I'm getting my mail delivered. The route would come back eight hours and forty-five minutes, sometimes nine hours. Now on each side of me surrounding the route were three white areas in another zone that was entirely out of my zone. So I've got a white carrier on this end, white carrier on this end, a white carrier on that end where my route would stop and start. Back here would be another zone which is Myers Park zone so they can't adjust into Myers Park. So they would come and tell me that we have no place to really adjust your route because you added to the other carriers and adjust all the routes. So you handle it, and whenever you feel like it's too heavy and you need carrier assistance, that's some help from another sub. We will give you assistance, but then they get into a budget crunch or what have you and work out of budget. I would rather get, I wouldn't even ask for it. Anyway, oddly enough Elizabeth when

the carrier adjacent to me would go twenty minutes over eight, under union control or what have you, I'm under the same union. See they had to represent all the carriers whether you were dues paying or not. They would adjust his route by adding twenty minutes to me. I didn't say anything. I would go ahead and carry it. In other words, if you've got in mind what this is ultimately going to come to, you don't want to have anything derogatory said about your work performance. So in which case I carried that route for well over two years and did not use any auxiliary assistance and overtime only at Christmas and cleaned it every day. That would've been fine. If I would've seen the postmaster, he'd committed to do something, at least put him on notice, I'm not going into blindside somebody with the complaint. It ended up being a blindside though because they wouldn't let me see the postmaster. So when they see the complaint, it's in the complaint form then. It's filed. If the only way in *Employment Practice Decisions*, they had listing of what the complaint was.

EG: They had part of it like your initial letter. Yeah, they had part of it, but I'm not, I don't remember if they had the whole thing.

NC: But anyway, that stated the statistics and the percentages. So when they see that, it's done. It's just a matter of defending it at that point. It wasn't anything any statistics they could break.

EG: So the two years you were doing this extra work, this was before—

NC: I went to see the postmaster.

EG: Before you went to see the postmaster. But you had in mind that you were going to do this.

NC: No.

EG: Oh no.

NC: No, but I'm doing that for, and I don't want to go into that postmaster saying I see some very bad problems at least I think they're bad problems in the Charlotte post office. He () can say you've been suspended for so and so; you're not carrying your mail or whatever. In other words you would have the whole conversation reversed if you come as defensive. I'm going in with a semi-offensive approach or just lay it out. Now you tell me how you see it. So I just made sure that it wasn't anything derogatory. If you asked me how are you doing on your route, I'll say well, on the last two years they've added an hour and forty-some minutes to me that was already an eight hour route, won't adjust it. Now let him figure out why they adjust it. So you see what I was doing.

EG: So it wasn't, you didn't want to have anything derogatory on your performance, but it wasn't necessarily, but it was connected with when you brought this complaint to him, he couldn't turn the tables on you.

NC: That was the idea.

EG: That was the idea. So because—so you start to notice these things in 1960 after [your] military [service]. When did you kind of start thinking about taking legal action or making a, like you said you first went to the postmaster general or whatever.

NC: I'm not thinking about legal action at all until I get the letter back saying I can't see him. I don't want to go in because wait a minute, now bear in mind now during this time I'm in night school. I'm in a business administration major. I've got labor law, economics, finance, accounting, and I can understand the aspect, I had a better understanding of corporate operations and business operations. See I'm finishing. So I don't want to go in helter skelter. It's like I'm talking off the top of my head. If you ask me about a certain specific thing, I've got the date and the time. So I'm not just surmising something. I'm there to tell him. That's why the documentation. If it comes back to well, how are you doing? As far as I know I'm doing just fine. In fact I wrote you a letter requesting to be exonerated from overtime except during Christmas because I asked for an adjustment to go to class in the evening and my supervisor wouldn't give me an adjustment for time. Well, () what you need an adjustment for? Well, I'm in school. Well, right away that triggers a light bulb. Am I a threat to him or what? I don't [know] why they wouldn't do that. So I don't get an adjustment until I made an appeal of his decision to get an adjustment for my reporting time.

EG: So you did get an adjustment.

NC: Oh I got an adjustment.

EG: And when did you get the adjustment?

NC: Now that's my first EEO complaint. I was going to file a complaint because I know other routes, wait a minute, don't get me wrong now. That wasn't necessarily race. They had adjusted for black and white. But why wouldn't they adjust for me, and he wouldn't tell me.

EG: So this was a separate complaint from the lawsuit.

NC: That was one that happened long before.

EG: It happened—

NC: That's a complaint that occurred in the context of this timeframe based on this—

EG: So this complaint was before '72 when you did the—

NC: Oh yeah it was definitely before '72. So anyway, that's for example is that if the postmaster, if I had gotten the interview, the interview would've simply been these are some of the things that I have observed. Now is this an isolated case, has it been going on long enough or is this the way it's going to be. Because I can read I think just as well as the personnel officer can, and this thing says "except for". He's making the except not exclusive but inclusive of the general and specialized experience that you've got to have both. Now how do you interpret this? At the time, believe it or not, I thought I had a whole card. That's exactly why I did it. Our postmaster—

EG: You thought you had a whole what?

NC: A whole card. Our postmaster was a post office employee who had come up through the post office ranks. So definitely I'm going to see him that can relate to me as another post office employee. That's why I was telling him I've got fifteen years of service. All other postmasters are politically appointed. Although this one was politically appointed, he also came up through the ranks you see. All the rest of them did not. They were owed a political favor based on their work in the party or something. So whoever won Republicans or Democrats, that's the postmaster (). So the Democrats lost, they just simply Republicans cleaned house, and you automatically knew you were going to get another postmaster. This one came up through the ranks. So I thought I would get to see him, but didn't because he was a Democrat, but the personnel was a Republican. He came in under the Republican regime that went in less than a year or two from a driving training examiner, which was a level seven to a level twenty-something personnel officer because of political connections.

EG: Political connections, yeah.

NC: You have to really understand and it's hard to do. Can we go off the record a minute?

EG: Yeah. [tape turned off and on] You were talking too about the differences between demonstrations versus the law. Did you ever participate in any demonstrations at all?

NC: No.

EG: Did you belong to any organizations like NAACP or anything like that?

NC: Uh uh. No. I was aware, but bear in mind now at that time you had to be very careful about what you did because even to go on strike in the post office comes under treason. You see it's a cabinet position. It's born out of the cabinet positions until John Fitzgerald Kennedy permitted it to negotiate as a union. So until that time we took an oath that you attempted, to go on strike was an attempt to overturn the government is really what you're trying to do. Believe it or not the post office could upset the whole United States government and economy. That's why it was so very difficult to unionize it. Right now it's a more vulnerable thing for terrorism.

EG: To what?

NC: Terrorism.

EG: Oh right. Right. Right.

NC: Because you, I mean it's absolutely astonishing what could happen if you interfered with the mail flow with some type of something you can't even see.

EG: Anthrax.

NC: You could kill somebody because they wouldn't know. We've not adapted to that nor () didn't cover. We had continuously planned in case somebody went on strike but never for terrorism. But now I guess the whole trend of thought changed. But anyway, at that time now I wasn't involved in demonstrations or anything because I just quietly, well, to tell you the truth about it. I'm astonished more than anything else. Is this really happening. Plus what you're asking yourself.

EG: What?

NC: Is this really happening what I'm observing, the promotions and what I'm being written and told and back to the point of examinations. You have to enter the post office with an entry exam, and it's a civil service position. It's a civil service exam. Now () remember taking the exam, but this is coming from the consultant. Taking the exam we had, which triggered that was we had supervisory exam. Now I'm doing mathematics, statistics in school. Your supervisory exam for the supervisory roster. You take this exam, and if you pass it, it places you on a supervisory roster. Now a position comes open they at least call in three people for each one position. You call the top three on the roster based on score. Now the civil service entrance exam is based on the same thing, your score. You're at the top of the roster if you go the top score coming down. I took this exam, and you fill out cards at the time you're taking the

application with your name. They say print clearly or the card will be mailed back to your address. You fill it out with the application. When you turn in the examination booklet () card, you turn in this card with it. It goes with your application () your exam. I get this notice back saying, "We're sorry to inform you that you did not pass the exam." I said, now, I'm taking this exam. Not the smartest person in the world. I'm not the dumbest one I didn't think. I couldn't conceive of myself not passing that exam. So I wrote the testing bureau on my own, the social security number and all that was on the card. They gave me a score that I had. So I wrote them and believe it or not, I'm sitting here one day, and I forgot about it almost. I got this letter in the mail and opened it. It's from the testing bureau. It said, "We have to inform you that we're not aware of what your score was that we don't score the exams nor do we dictate what your score may be. There is no really passing grades set by us on the exam. The passing grade for the exam is set by your local office." Oh boy. There goes a light bulb. Now I'm taking statistics.

EG: At the university.

NC: Yeah. With Julian Pyle, some of the top mathematicians in the area. These are the mathematicians that are at the school. Oddly enough you have to understand, all those cards that you filled out with your name and address on them and all that is a place for your score, a little block up there. Never left the city, but everybody who took that exam and instructions given at the exam testing site implied that they would go with. So what good would it have to have the cards here and the exam being scored in California some place. So California sends a whole list back from top to bottom, percentile type thing however you want to score it. Then they pull the cards out, and it might very well start at a 100 say percentile basis or however you want to see a straight 100 and go down the list and here are all the names of all the people who scored coming down from top to bottom. Your local personnel officer then probably knows these people or in a group discussions he could know them or talking with the staff he could know them. So we come down the list and he goes into the postmaster for example and could very well say, what cut off score do you want to use? If you use score X, then you're going to have say for example 150 people that passed the test of which sixty or seventy percent would be minorities. But if you use cut off score so and so, now you're between seventy and seventy-one you could get any number of finite points on a finite line. So if you have, if you use that one, then you're going to get say 120 to pass of which so and so would be minorities. That's what happened. So in other words, they can come up electing the score that they

want to use locally for the roster that they want to choose. That would eliminate the greater percentage probably of minority employees or at least reduce them. So now you're on the roster. So you see the discretion that the local office had even establishing a roster, how race could play a factor in even establishing the roster. But they tell you, you've got to pass an exam. You'd be surprised how many people passed that exam [who were] informed that they didn't. In other words it's quite possible that an eighty-five would not be a passing score on the exam if your office elected eighty-six. The cards then come from your local office, and since they were post office cards, it's not a postmark on them where they're coming from.

EG: All these ways of manipulating.

NC: So you're just dealing with one aspect of employment in the workforce that brought about a court case. Anyway, that's what triggered me based on and that's when Dr. Carl Huffman gets involved.

EG: From Chapel Hill.

NC: From Chapel Hill, the consultant. Now he follows it through and confirmed—

EG: Was he involved right away?

NC: Well, Dr. Carl Huffman gets involved when Julius and them decided to take the case.

EG: When did they decide?

NC: Oh well, I went down to—. Because that was one of my lowest points in the whole case.

After the administrative hearing I went to see the attorney, Julius Chambers. I was talking with him about the case. He was reading the administrative file. It was amazing too. I don't know why I never did. But anyway, it was a big thing, the administrative file, the hearing. So I'm sitting there. I'm taking up his time. He said this is your administrative file. I said, yes it is. Well, let me read this and then we can talk. I got to sit there, I'm thinking, while he's reading. [The administrative file, Chisholm indicated, was at least a foot high.]

EG: The entire—

NC: At a cost for hour. Talk to me. Anyway, I saw it almost demonstrated again with Judge McMillan. It was the manual they were talking about. He was saying, gentlemen, I get the impression that this is a pretty important document here and they said, yeah. He said, well, let's take a brief moment here until I can read this. I'm on the stand. He's to my left.

EG: This is Judge McMillan.

NC: Yeah. Same with Julius Chambers. He was across the table. That was my first time looking at that, and he's just going, speed reading. I had heard about it. But I never experienced it until those people. So he had his court to stop briefly while he read a whole manual, and then put himself, said okay gentlemen you can proceed now.

EG: How long did it take him?

NC: Not but a few split seconds. [laughing] (). I was knocked off my feet. I had never seen that. In my mind, you hear about this, but to see it done firsthand and the position he's in, he's not saying let's take a recess and reconvene court tomorrow. He's saying wait briefly here a minute. Give me a few minutes here. He took that manual, personnel manual that we're arguing about, and he's flipping through that whole thing and then, crumbled it up and put it over to the side and () "Okay, now proceed." Julius got to him and said you did one fantastic job with this administrative review hearing. If you did this, we shouldn't have too much trouble with the case. But I'll let you know after I pass this around. Well, I need an attorney because I'm under a timeframe.

EG: How so?

NC: Because there is a timeframe under the EEOC rules. So I had my checkbook. I've got my checkbook out of my pocket, got up on the edge of the seat to his desk. Okay, "Well, let me pay you." He said, "No you, I'll get in touch with you." I said, "No I want to pay you." I say, "I can pay you some. I don't know whether I can pay you all or how much you charge." Now wait a minute. We were, () passed my house just every day and I wave at him. Anyway—

EG: So you knew him beforehand.

NC: Um hmm. So because his brother was a doctor. Anyway, he kept saying, "Don't worry about the money. I'll talk with you about that later." I just kept insisting. I wanted to know that I had an attorney and I was going to have a court case start. I guess I'm angry. It's just been building up. So he said, "Chisholm, do you know what a ream of paper is." I'm on the edge of this seat, and I stopped. I said, "A ream of paper." I said to myself, "Now what's paper got to do with it." I said, "You mean," I looked, I said, "You mean one of them 500-sheet things." He said, "Yeah, that's exactly what I mean." I said, "Well, I know what a ream of paper is." He said, "Chisholm, offhand I would estimate that it would take

something like \$5000 worth of reams of paper to put this case on." I just thought, \$5000 worth of paper, and I didn't even have any words written on it. Now I understand why he says I'll talk with you later. But all of a sudden I wasn't as aggressive as I thought I was going to be. I backed down and went outside, and fortunately at that time as a carrier or something. Off duty I used to go fishing right after we would leave work or something like that. In the trunk of my car I always carry my ice chest, had a soda pop in it, but I may have had a gin in it, rum, Coca-Cola or what have you. I sat out in the parking lot, and that's the only thing--. It took me about two hours to three before I could move the car. Thinking what the cost of something like that would incur. He called me one day after that, sometime after that. I'd just about, enough to stop a whole lot of people. So he called me one day after that--"Could I come down to the office"--and I did. He said well, I walked in and a big round table. He said come down about seven, seven-thirty when you get off. Go home, he said, eat your dinner, whatever the case may be and then come down because I don't want any interruptions. So he said I'll be here. So I went down there and I walked in. Wasn't anybody around. I kept hollering yoo hoo. Going through the office complex. He said, we're back here. I went to the back and sat down at this round table. It was five lawyers plus Julius at that table. Jonathan Wallas was on the right side with [Lou Lasain?]. The other lawyers were on the left side of the table. He said, "There's your seat right down there." I sat at this end of the table. Julius sat at that head of the table. He said, "Well, these gentlemen here just want to ask you a few questions. Just feel comfortable and relax and answer it." I said, the first question came to me from the left side of the table. Now I'll never forget that question.

EG: Just a moment. Let me change it so I don't lose this.

END OF TAPE 1, SIDE B

START OF TAPE 2, SIDE A

EG: Okay. Go ahead.

NC: So my complaint started off stating the premise that I was discriminated against because I was denied an opportunity, an equal opportunity, to be promoted to the position of finance examiner. And [he said], "Well, that's my understanding of what you were stating." I said, "Yes." He said, "I've got a question." "What?" He said, "Well, just because you're black, what makes you think the post office owes you a promotion?" [laughing] I mean you're kidding me. In other words, I did not have the slightest idea

what I was talking about when I said discrimination. You've got a mindset on what you think you're talking about. [In] reality, you're talking about discrimination based on law. Now it's a whole different ballgame.

EG: That's very interesting.

NC: So that started the interrogation. I had been on this side and the attorneys for the () on this side. So here we go. All of them, like cross-examiners, I mean in fact, I was as if I was on the stand, but I don't have one series then another series. They're intermittent. Questions just popping from everywhere and Julius is just sitting there observing. He's mediator.

EG: These are lawyers from his firm.

NC: In his firm. Anyway, he got to it. He said, "Gentlemen, we have any other questions." I'm sitting there about drained. They said, "No. I think you've answered them all." He said, "Mr. Chisholm from this point forward, you've just hired yourself a legal firm. You'll be represented from the firm by Mr. Jonathan Wallas and Mr. Lou ()," who was trying to help me on this while those three were cutting me to pieces. He said, "I'm going to turn you over from now on [to] Mr. Wallas." Jonathan said, "Okay, we can go into my office now. We can talk money." Oh boy. Here my heart drops again based on \$5,000 worth of paper. So I go over in his office. He said, "Have you got a dollar?" I've got a dollar. "Whether you have one or not. I'm going to write you out a receipt for one dollar." I gave him a dollar and he wrote me a receipt for one dollar. "Now you have officially retained this law firm."

EG: A dollar.

NC: For a dollar.

EG: Wow.

NC: What they had done was proceeded and sent the case with administrative process and their analysis for the NAACP Legal Defense Fund.

EG: Yeah, I saw them listed in the *Employment Practices*.

NC: So the NAACP Legal Defense Fund I think had two other cases in process. To my understanding they instructed the attorneys on those two cases--one was in Jacksonville, and one was somewhere else--to discontinue or put aside, not discontinue but delay the progress of those two cases pending the outcome for the one in Charlotte and to proceed at all haste with the one in Charlotte.

EG: Why? Because this one they thought was more ()

NC: () in other words, when they appealed to the circuit court, we were somewhat surprised. But when they did it, and we got the ruling back from the circuit court, and if you read that circuit court ruling you can see where it's almost stated in a very unique way that I think this will give you an idea of what he said. He said even to the eve of trial after we filed the case in '72, we don't go to trial until '80 something I think. Somewhere in there. All during that time the post office did not stop doing what they were doing.

EG: So during the course of the trial or the period of the lawsuit, they didn't make any changes.

NC: No changes at all. They never did say yes, no, maybe we'd better do something about this or look at it. So Senator, not senator, Judge Ervin said that even to the eve of trial the post office made no effort to discontinue or to improve their actions. So I'm down in Wilmington. To appear before the circuit court. We had to go to Wilmington. In () in that decision, it looked like [Judge Ervin] got angry that Judge McMillan and the ruling in the lower court did not go far enough, in the lower court. But he can't go any farther than what the initial ruling was.

EG: Interesting.

NC: Implied that they could and that was a three-judge panel, they would have inferred discipline on the post office far greater than what was imposed.

EG: So how did victory feel after that long?

NC: Relieved because my house wasn't in jeopardy any more. Because even, I'm signing away everything that I owned or had at the time.

EG: To pay for the—

NC: Different () you've still got a legal fee or what have you. I don't know whether it's going to be covered, what the outcome is going to be. At any rate, after reading that decision and a roundtable discussion we were hoping the post office would appeal the case to the Supreme Court. Then you could have very well I think have changed the outcome or whatever they were going to do. Anyway, let me put it this way, had the post office written an appeal to the Supreme Court we were getting geared up with the NAACP Legal Defense Fund and the Charlotte office to help them as much as possible get it heard because they wanted it to go. So we can't go—

EG: Without the post office.

NC: Yeah, () the Supreme Court. That was triggered on I think the circuit court's position [was] that they implied that the lower court did not go far enough because going back to 1970 the limitation it was almost evident that this had been going on long before 1970.

EG: Right. With your legal battle, you retained the service of the lawyers, NAACP got on board, who else do you feel provided with you support or—

NC: It was whoever, I had to sign a release for them to hire. Whoever they thought. So they hired Dr. Carl Huffman as a key consultant, systems analyst from Chapel Hill, and [said] they would need a statistician based on the impact study. So that was Dr. Otz. He was apparently on the staff at Howard University and had been certified as an expert in statistical analysis by the U.S. Supreme Court. Dr. Carl Huffman's firm to give you an idea, () Jonathan said we sent this bill on to the NAACP. They had paid some of the bills locally that were being processed. But I was down there when Dr. Otz was there. He had flown down and they had a consultation. He accepted the case, and they were asking him when could he start. He said, "What's wrong with now?" He said, "I happen to see a hotel over there." That was the Adams Mark. I don't know if you're familiar with the Adams Mark on McDowell Street. He said, "Can I call over there and see what they've got available?" So I think when he called over there if I'm not mistaken, I don't want to mislead you, I think he ended up with a floor.

EG: Really.

NC: He called back to Washington, DC for his staff to start into Charlotte with whatever equipment. But they had to be as close as possible to the law firm where they were incurring travel. So Jonathan Wallas and they were on Independence Boulevard and McDowell diagonally across. It was the Adams Mark. Because sometimes they used the overflow parking lots. Dr. Carl Huffman and both of them though the truth about it, the initial fee to my knowledge was \$50,000. That's just to get the name. Then you do the expenses and hiring and whatever else you're going to do. That's who was hired. Dr. Carl Huffman and both, they did a fantastic job. The post office had a statistician but he ended up agreeing with our statistician.

EG: Yeah, you can't really debate statistics.

NC: The consultant is feeding the information to Jonathan ().

EG: The consultant, so the consultant—

NC: The systems analysis of the United States Postal Service from top to bottom.

EG: And he was, he had a consulting firm in Chapel Hill.

NC: Um hmm. Dr. Carl Huffman.

EG: What—

NC: The theory was, he told me that Judge McMillan doesn't know one thing about the post office. Presenting a legal case it was an education for me. You see we have to know. That's what takes it so long in discovery. We have to know everything there is to know about the post office that we've been working there for twenty years. Now we got to then explain to the judge how the postal service operates. So they have to know in order to get him to clearly understand the operation. So the systems analyst is feeding the lawyers.

EG: Oh okay.

NC: And he's feeding the judge.

EG: Okay, so he's figuring out how the post office operates and ().

NC: He's figuring out how it should work and how it is working.

EG: Right.

NC: Or how it was meant to work and how it is working. Then they explained it to the judge.

EG: I saw you eventually [got] other people [to become] plaintiffs too.

NC: Intervenors. I had, you would think you would have an influx of people at that time. I was disappointed there because I think I ended up with five intervenors. All of them deceased now except one. They're all deceased.

EG: Why do you think more people didn't come to be plaintiffs?

NC: Well, as I grew older () understand it. For example one supervisor testified for the post office.

EG: One of the black supervisors.

NC: In my hearing. In my EEO—

EG: One of the—okay.

NC: Hargraves. He testified because he was the supervisor I was telling you about in mail processing that was down in the basement--that he did not detect any discrimination in the post office, and he wasn't aware of any. Now I highly respected that individual, and his mother and my mother were just like that. I couldn't understand that. Then at trial the post office put all the minority employees that were supervisors from other areas on the stand. They used minority employees in Charlotte that were in management. Now these people knew exactly what was going on. They knew what I was saying was correct. They knew it was discrimination. But why couldn't they come out on the stand and [say] yes, it is discriminatory. Well, I kind of lost faith in quite a few of them until later. You see Elizabeth, those people that I'm dealing with had mortgages, homes, families, kids in school, automobiles to pay for. I should've known right off the threat, the economic threat, which is a powerful tool that can be used against a group of people or a person. So I mellowed over the years since it was all over with now, although I'm listening to them on the stand and in the transcript saying no discrimination. They don't feel like they had any or they weren't aware of any discrimination. This is an open court, which I know they know better. I'm wondering why they're saying this and I knew them quite well. The ones that were testifying that it [were] discrimination was the ones who had been victimized at one point or another and disciplined and the intervenors who tried for positions, promotions, had taken exams, and none of them were supervisors at the time. They were civil service employees, and they could hold their own. They knew their job. The age-old story, the person who knows how and knows how well will always have a job, but the person who knows why will always tell him what to do. So these were the how people that were testifying. So that's what happened at that time as to why. I was surprised. Now after the case and the ruling, none of the information goes out. Who wanted to join the class action or whatever the case may be up to that point and then the publication in the paper. Then we ended up eventually seeking again in some 200 or more employees came forth. They were involved in the settlement.

EG: The ones that came forth.

NC: Yeah, so wait a minute. If you didn't even know why you were complaining, but you were aware that something was wrong, you simply put your name on the form and mail it back to the law firm. A lot of people did that and never did say why or what went wrong, but just because they had been in the post office--. For each year they had been in the post office, they were paid a certain amount of money for

relief. So everybody who did come forward then received some compensation. All the discipline was erased. If you had been disciplined, you were paid for it with interest retroactive.

EG: But the ones who didn't come forward didn't receive—

NC: No, just because you were a minority did not automatically make you a member of the class.

EG: You had to come forward.

NC: You had to come forward and make yourself known to the court.

EG: Right. Wow. You were saying you had to leave by three to pick up your son.

NC: Yeah.

EG: Okay. Because I'm aware of the time and just had one or two more questions.

NC: My wife has just come in. She's still a postmaster being victimized by those mean people.

EG: Oh my. Hello. [side conversation] () tell me anything.

WIFE: I wasn't involved in that. I was there during it all but I was ().

NC: A lot of people—

EG: You said something about I mean like the impact of the court order, did it meet expectations with how the postal service handled things after the court order was issued?

NC: Well, let me put it this way. That was another very interesting thing. () an attorney can get a decision in a case, no problem. It's either going to be this or it's not going to be this. That's your decision. The value of the attorney is getting his decision implemented. So the judge is through with it after he renders the decision. You simply report to him what you've done and what you haven't done after that. So you have to say the firm--. And Jonathan was quite brilliant in getting implemented. If you notice in the decision, he didn't submit the post office to say you need thirty percent minority employee supervisors. So you've got levels in the post office from level seven as a supervisor to level thirty-something. The higher up you go, the higher the level. So to satisfy a percentage factor, the post office could've very well appointed supervisors at the initial level to meet their thirty percent. So it broke down a category of supervisory positions, initial level, say from seven to thirteen, mid-level from fifteen to fourteen, upper level from twenty and above. Now in each category, you must have thirty percent minority supervisors.

EG: Very savvy.

NC: Now you've got to report to court periodically how many you have, when and where until you meet. Now the next order was you must attain this and retain it, and that was your judgement. So all you have to do is sit back and wait for reports to come and somebody tells him that they applied for something and didn't get it. Now he might write and inquire why. So by the time he got through with his implementation, he had well over from three to 120-some supervisors at one time in the county. Not only was the court order doing it, you have to surmise that in a majority of the cases, the merit of the applicant got in the position. Whereas he would not have been considered prior to that time or his consideration would've been circumvented by some scrupulous mean ().

EG: So were you satisfied with the final outcome of the court case?

NC: Yeah.

EG: Because reading it was like, wow, this is like complete victory.

NC: It was. As a matter of fact it moved the district office. The district office was in Charlotte, North Carolina, but because of the Mecklenburg County all of a sudden the district, Charlotte wasn't the right place for the district office. It had to go to Greensboro. That was what they say now. They may have—I think it's () they had bulk mail facilities, and I think at the time they were inaugurated into the post office operations as a distinct facility, and they set up district offices at the same time. Seemingly it was an understanding that the district office should be in the city that had the bulk mail facility if in fact there was a bulk mail facility within your district. However, politically at the onset when they set the sectional center office and the district offices, the district manager was from Rock Hill, South Carolina, and he didn't want to go to Greensboro. You see the politics coming into play. So the district office was set and that was Strom Thurmond's influence, Republicans out of South Carolina, and the district office was set in Charlotte, North Carolina where he could commute because we had a sectional center in Charlotte rather than a central post office.

EG: All these politics.

NC: So it never was in Greensboro although it may very well should have been in Greensboro. So when the court ruling came down establishing all those different positions in Mecklenburg County, and the district offices in Mecklenburg County, it started to move because your district control could have been very well minority because you don't have to be in the city of Charlotte to apply for a position. You've got

to be in the post office. So you could've had a black employee who was very well qualified say from Chicago, New York City or what have you into Charlotte.

EG: Do you think there was discriminatory intent then in—

NC: Moving the—

EG: Moving the office.

NC: The district office. Not really. Not really. It was in other words, you were having some very drastic changes in supervision that could very well have affected production in a sense that the person going into a new position's got to first get acclimated to it. Then in a sense you may have had some people who were in the positions that really were over their head. Well, you didn't want this to happen at your district office, which not only controlled Charlotte. That office is controlling Wilmington, North Carolina, Asheville, Columbia, Spartanburg, I mean it's a whole enormous [area], Durham, North Carolina, Chapel Hill, Greensboro, Winston-Salem. That's what your district is controlling. So at very best, you don't want to put something or have to put something in the district office that you're not pretty much sure. Although I'm not saying that you couldn't find someone that could that could've been a minority. You very well could have. You have to understand the post office. We're talking about Charlotte and the sectional center. We had 202 offices at the time. We're directly dealing with four to five thousand employees. Look at the number of vehicles you see on the street. You've got vehicle maintenance facilities, vehicles all over, Harrisburg, all around. Now just take the number of employees to start with, 5,000. We can handle thousands of pieces of mail per day. I don't know whether Chapel Hill is a multi-zip code city.

EG: Um hmm.

NC: It is a multi-zip code city. You've got branch stations in Chapel Hill.

EG: Um hmm.

NC: Other than the main post office. You've got a branch substation like a classified station that's on the main post office building.

EG: Yeah.

NC: Okay, well in Charlotte for example at that time we had over fourteen. We've got more than that now that are substations. What we call classified stations within a post office handling a particular zone. You have that same thing in say New York City, Philadelphia, Chicago, stations within Chicago

itself that handles a particular zone. Well, this total operation of 5,000 employees is a whole big huge operation as far as we see in Charlotte. But now mind you, that could be comparable to a classified station in New York City. You see the difference?

EG: Yeah.

NC: So how much of a difficulty would it be for a manager who has managed over 8,000 employees or more in a classified station to come in here and manage 5,000 people although they're scattered, logistically. So you see it doesn't mean that the district moved because they didn't want an influx. It doesn't mean that you could not find a minority that could be a district manager, you could. It just it seemed to me at the time and the ruling was ruled that did put the district office. Now they're saying they moved because of that. That's the grapevine. So it makes sense. Let me put it this way, I would not have hesitated to move it if I'd been caught in the reverse because the impact that the (), and you may not be sure based on a quota filled per se. Not really a quota, but it's handled as a quota, and it's perceived as a quota. So you could've had, and consequently we had some positions to go that were moved to the district office. But they were not the top echelon positions like building maintenance officer, something like that to be out there. Real estate people that were specialists. () minorities in Charlotte who have delved in real estate took positions at the district office. But not like district managers and district directors. So I don't recall having a black district director at the district office because it was moved.

EG: Yeah. You said there was a union. Were you a member of the—

NC: Well, not a dues paying member. The union was given the right for representation. It had the right to representation of all the employees regardless to whether they were—. In other words, I was not maybe a dues paying member, but I came under the union contract.

EG: Right.

NC: I had to abide by the union contract. Therefore if I wanted to file a grievance, I could file one through the union.

EG: Did you ever become a dues paying member?

NC: No.

EG: Why did you decide not to?

NC: At my preliminary hearing at that time I had experiences with the union. There was not a black officer in the union locally because it had its local offices. I had the occasion to help an employee in a grievance with the union, and the union didn't want to represent him and refused to represent him. So I sat down and wrote a certified letter requesting representation. When I got that the day of his hearing, they changed their minds. So I went with the union employee to his union hearing as his representative. But when I had got to where the hearing was to take place, the union representative turned up after they got their certified letter knowing that I had a copy where they refused and had the certification where they received the request. If they had refused representation, then you have a complaint you could've made to labor relations board. So all the white employees were receiving the benefit of the union contract. So I never did bother at that time on the premise that I couldn't see where it was going to materially help me, for example, in particular or the black employee as a group.

EG: We have to leave a little bit of time for going over some of these names and signing this form. But is there anything else that we—I mean, I see that this is such a rich topic and [we] could go on for many more hours I'm sure.

NC: It was over a twenty-year period of time. So all kind of things occurred. I didn't know really what specifically you were after. If you want to send me a questionnaire or something like that, I might, can review it if it's something that wasn't covered.

EG: Okay, is there anything that stands out that we haven't discussed that you think would be important to—

NC: Uh uh.

EG: No.

NC: The result definitely justified the means. That was the main thing. The law firm was brilliant and they similarly handled the school board case here.

EG: The () you mean. Sure.

NC: Yeah.

EG: Well, thank you very, very much for sharing all this. I'm going to leave this on just to make sure I can verify the, if I can't read my handwriting or something. You mentioned Joel Jacobson. That was J—

NC: Joel Jacobson was assigned here by the United States Postal Service as a lawyer for the postal service to handle the case.

EG: Is it J-A-C-O-B-S-E—O-N, S-O-N.

NC: Yes.

EG: And J-O-E-L?

NC: Now we became very good friends although we were advocates.

EG: Oh that's interesting.

NC: Anything of or pertaining to the Chisholm case had to go through his office and was not handled anymore by the personnel. His office was beside mine.

EG: Oh, how about that. During the lawsuit.

NC: No, not the lawsuit. He wasn't involved in the lawsuit. This was after.

EG: After.

NC: Yeah, after. What happened was over the period of time in working to come out from under the (). We went to hearings twice. He was an advocate for the post office that involved the Chisholm case, and I was for the plaintiff. Labor relations—

EG: Oh so when you became the EEOC. Okay.

NC: He won one, and I keep telling him though that it's expected for you. You're (). You are. I said, "You know something Bruce"—his name was Bruce—"I don't have to beat you but once. That would be the case that would be heard around the United States." Consequently we had a hearing before Judge Murrihead, the EEOC judge, and I won the case. It was heard around the—

EG: Around the what?

NC: Around the postal service. I mean, not just Charlotte, it went to, it just flew all around because he was ready to be the number one labor lawyer for the post office.

EG: This Joel Jacobson.

NC: So after that when something would come up, it was to my advantage () because we negotiated and settled the cases into a win-win situation.

EG: Did you ever get any formal legal training aside from the business administration.

NC: No.

EG: Wow.

NC: As a matter of fact, Jonathan my son his middle name comes from Bruce and he ended up being in my wedding.

EG: Joel Jacobson.

NC: Bruce and Jonathan.

EG: Now his nickname was Bruce.

NC: Yeah, that was his nickname, Bruce. His name was Bruce Joel Jacobson come to think of it.

EG: Oh Bruce Joel Jacobson, B-R-U-C-E.

NC: Um hmm.

EG: You mentioned an innovative postmaster—

NC: Don Peterson.

EG: Don Peterson, D-O-N P-E-T-E-R-S-O-N.

NC: Um hmm.

EG: You mentioned Michael—

NC: Greeson. G-R-E-E-S-O-N. He was the personnel officer.

EG: G-R-E-E—

NC: S-O-N.

EG: S-O-N. Attorney Stan Metzen.

NC: Stan Metzell was attorney for the post office at the trial.

EG: Is it M-E-T-Z—

NC: Z-E-L-L, I think.

EG: Z-E-R or—

NC: L.

EG: Oh Metzel. One L or two Ls.

NC: I don't want to mislead you. I guess I'm not quite sure. I think it was two Ls.

EG: Then Ann Davis, is that —

NC: She was the personnel clerk.

EG: Is that A-N-N-E?

NC: No, A-N-N.

EG: Then D-A-V-I-S.

NC: Um hmm.

EG: Carl Huffman. Is that Carl with a C or K?

NC: Carl, C.

EG: And is it H-U-F-F-M-A-N.

NC: Um hmm.

EG: Dr. Otz.

NC: Yeah, O-T-Z.

EG: O-T-Z. What was his first name?

NC: Oh boy.

EG: I probably can ()

NC: Yeah, you will get it out of that. () Dr. Otz.

EG: Then you mentioned the three black supervisors. One was—

NC: Zoel Hargrave, Z-O-E-L.

EG: Z-O-E-L and how do you spell his last name?

NC: H-A-R-G-R-A-V-E.

EG: And the Mr. Stroud.

NC: Let me think, Gershwin, not, no it wasn't Gershwin.

EG: It's S-T-R-O-U-D.

NC: Um hmm. I can't think of his, it's in the transcript.

EG: And Willie Stratford.

NC: Um hmm, S-T-R-A-F-F-O-R-D.

EG: S-T-R-A—

NC: F.

EG: F.

NC: F-O-R-D.

EG: Willie is that with a Y or I-E?

NC: I-E.

EG: And you, oh the math, Julian Powell.

NC: Oh, that was just an instructor. He had no bearing on the case whatsoever because I was taught statistics under him. He was rated one of the better mathematicians in the city.

EG: So—

NC: That's what I'm saying when they were telling me I couldn't see where I had failed that exam. The reference to him was just a statement that I made.

EG: That's J-U-L-I-A-N and then P-O-W-E-L-L.

NC: No, P-O-P-Y. You spelled it Pyle, P-Y-L-E.

EG: P—what was the last, how do you spell that name?

NC: P-Y—how do you spell that name, P-Y-L-E. Julian Pyle.

EG: Oh, P-Y-L-E. Oh Pyle. Like Ernie Pyle. You mentioned Harrisburg a city.

NC: Oh that's just a surrounding.

EG: Is that like Harrisburg, Pennsylvania.

NC: No, you mean as far as, this is Harrisburg, North Carolina. That's just one of our offices. I don't know what was I saying when I made reference to it.

EG: You were just mentioning a different cities and I think that had jurisdiction over—

NC: Yeah, okay.

EG: That was H-A-R-R-I-S-B-U-R-G.

NC: Um hmm.

EG: And then finally the, what was the name of the EEOC judge that you won the case against.

NC: Judge Murrihead.

EG: How do you spell it?

NC: Oh wow, oh boy. M-U-R—seems like it's Murrihead, M-U-R-R-I-H-E-A-D.

EG: M-U-R-R-I—

NC: I-H-E-A-D.

EG: Okay. Great. Let me, thank you again, very, very much. This is excellent.

END OF INTERVIEW

Transcribed by L. Altizer, June 19, 2006