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COLLECTIVE BARGAINING BILL FOR CALIFORNIA TEACHERS

On September 22, Governor Brown signed into law SB 160, authored by Senator Albert S. Rodda (D-Sacramento), which establishes a comprehensive collective bargaining system for some 450,000 teachers and other employees of California public schools and community colleges. Specifically, the Rodda bill covers classroom teachers in kindergartens and in grades 1 through 12, community college faculties, and non-certificated (i.e., classified) public school employees. The new law, authorizing written agreements, repeals the Winton Act of 1965 which provided for "meet and confer" procedures between representatives of a public school employer and employee organizations on matters specified to be within the scope of negotiation. In essence, the Winton Act gave a public school employer authority to make final decisions regarding wages, hours, and other terms and conditions of employment; recognized the local boards of education as the agencies administering the Act; and specifically did not provide for bargaining units.

EDUCATIONAL EMPLOYMENT RELATIONS BOARD

A major new feature of the Rodda bill is the creation of a 3-member Educational Employment Relations Board (EERB), appointed by the Governor to administer the act. The Board will come into existence on January 1, 1976. Among other duties it has broad powers:

- (1) to supervise elections and certify exclusive bargaining agents;
- (2) in disputed cases, to determine whether items are within the scope of bargaining;
- (3) in disputed cases, to determine appropriate unit;
- (4) to investigate unfair labor practice charges or violations of the act; unfair labor practices include the following:
 - impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, interfere with, restrain, or coerce employees because of their exercise of rights guaranteed under the act;
 - refuse or fail to meet and negotiate in good faith;
 - refuse to participate in good faith in the impasse procedure set forth in the act;
- (5) to seek court enforcement of any of its orders, decisions, or rulings;
- (6) to promulgate rules and regulations and take such other actions as is necessary to discharge its powers and duties.

In addition, the Board establishes lists of qualified persons broadly representative of the public, who would serve as mediators, arbitrators, or fact-finders in the resolution of

impasses. The bill does not give teachers the right to strike.

Other significant provisions in the Rodda bill designed to improve labor-management relations in the public schools are:

Scope of Bargaining — In addition to wages and hours of work, other "terms and conditions of employment" are defined as including health and welfare benefits, leave and transfer policies, safety conditions, class size, employee evaluation procedures, and organizational security (the latter providing for the *negotiation* of either an agency shop or maintenance-of-membership agreement).

Unit Determination — Criteria of appropriate unit include community of interest, established practices, extent to which employees belong to the same organization, and the effect of unit size on efficient operations. The statute sets forth that managerial, confidential, and supervisory employees cannot be included in units of classroom teachers, and that classified and certificated employees cannot belong to the same bargaining unit.

Employee Rights — Public school employees have the right to form, join, and participate in the activities of employee organizations of their own choosing or the right to refrain from doing so, except that once the employees in an appropriate unit have selected an exclusive bargaining agent, no employee in that unit may meet and negotiate individually with the public school employer over wages, hours, and other conditions of work.

Exclusive Representation — The Rodda measure establishes petitioning procedures for employee organizations seeking exclusive representation. The public school employer may recognize the petitioning organization if there is evidence of majority support, no request for representation of a competing organization, and the unit is appropriate. SB 160 also provides for representation elections for certification as well as for decertification procedures to be administered by the EERB.

Arbitration of Grievances — The bill *allows* the parties to negotiate provisions for the arbitration of grievances. Thus "... a written agreement covering matters within the scope of representation may include ... procedures for final and binding arbitration ... involving the interpretation, application, or violation of the agreement." (Sec. 3548.5 of the act)

Provisions of SB 160 dealing with recognition and unit determination are effective April 1, 1976, and the entire act becomes effective July 1, 1976.

The enactment of the Rodda bill is widely viewed as a compromise, falling short of the long-time effort of the Legislature and the Governor to establish a comprehensive collective bargaining system for all California public employees at the state and local levels. While the measure undoubtedly is a "piecemeal" approach to this goal, its proponents are confident that it could be instrumental in extending coverage to other public employees when the Legislature reconvenes in January, 1976. The bill holds real promise, however, of improving labor-management relations in the public school system because of its support by all major California teacher organizations, the Service Employees International Union which has organized large numbers of school employees, the Association of California School Administrators, and the California School Boards Association.

QUALITY OF WORKING LIFE — PROBLEMS AND PROMISE

The Institute's newly formed CENTER FOR QUALITY OF WORKING LIFE recently concluded an intensive "short course" on *Job and Organizational Design to Improve the Quality of Working Life and Organizational Effectiveness*. Forty representatives from fifteen major industrial corporations in the United States and Canada, four international trade unions, three universities, one private foundation, and one government agency met in Los Angeles for ten days, September 16-26, to gain knowledge of how socio-technical design affects worker satisfaction and organizational performance.

Among the participants were three members of the Jamestown Labor-Management Committee: **Joseph H. Mason**, Business Agent for District 65 of the International Association of Machinists and Aerospace Workers, and **John E. Walker**, President of the Jamestown Manufacturing Corporation, co-chairmen of the committee, and committee coordinator **James B. Schmatz**, a former Teachers Union negotiator and labor relations consultant. Jamestown, New York, has attracted national attention in recent months in the labor press. The Labor-Management Committee was formed to help increase the productivity of local industry, which appeared to be headed for economic disaster. A long history of authoritarian management of the mostly family-owned establishments had spawned militant unionism, resulting in frequent and often bitter strikes. The committee, whose members represent 20 Jamestown companies and seven labor unions with 25 affiliated locals, seeks to improve communication between management and the unions and sponsors training programs as well as job redesign experiments to upgrade worker skills.

The QWL Center also organized a conference at Franklin Pierce College, New Hampshire, in July of this year, entitled *Designing for Increased Productivity: Adding Socio-Technical Systems Concepts to Design*. Cosponsored and funded by the Engineering Foundation, the conference was a pioneering effort in bringing together experts in organizational design for improving QWL and other professionals responsible for the management of engineering activities and education. Case studies of four new plants were presented to the 40 participants, who discussed the implications of these new developments, focussing on how engineering design can lead to more effective organizations and satisfying jobs. The presentations included descriptions of a paper mill designed by the *Mead Corporation*, a pet food plant of *General Foods*, a cigarette plant in England

designed by *Players Tobacco*, and an automobile assembly plant of the *Volvo Corporation* in Kalmar, Sweden.

As a result of the enthusiastic response to the concepts presented at this conference and the urgent request for similar programs to reach more professional engineers and managers as well as engineering students, the QWL Center is now planning a series of regional conferences in 1976 in such locations as San Francisco, New York, Chicago, Atlanta, Dallas, and Washington, D.C. (Program details will be announced in future issues of the Institute Newsletter.)

THE NEW SWEDISH ACT ON COLLECTIVE BARGAINING

The Institute and the Swedish Embassy in the United States cosponsored a conference on this important new legislation, on October 8-9 at the Ambassador Hotel in Los Angeles. Sweden, a recognized pioneer of social and economic reform among Western industrialized nations, has recently become one of the world's foremost laboratories for improving the quality of life at the workplace. The Swedish Act on Collective Bargaining, therefore, is not only of ~~immense significance to the development of labor-~~ management relations in that country, but it is also of considerable interest to employers and unions in the United States.

The group of distinguished Swedish scholars and key officials of the public and the private sector attending the conference was headed by **The Honorable Ingemund Bengtsson**, the Swedish Minister of Labor, who called the forthcoming legislation a bill on the right to co-determination at work.

Stig Gustafsson, of the Swedish Central Association of Salaried Employees, **Gunnar Lindstrom**, of the Swedish Employers' Confederation, and **Bo Bergnehr**, of the Swedish Confederation of Trade Unions, were panel discussants on the topic, IMPACT OF THE NEW ACT ON SWEDISH INDUSTRIAL RELATIONS. Another panel discussion involving the LEGAL AND INDUSTRIAL RELATIONS CONSEQUENCES OF THE NEW ACT featured **Ake Bouvin**, of the Swedish Ministry of Labor, and Professors **Axel Adlercreutz**, Lund University, and **Folke Schmidt**, University of Stockholm, as discussants. *Proceedings* of the conference will be published (see future issues of the Newsletter for details).

IN MEMORIAM—SIGMUND ARYWITZ

The Institute of Industrial Relations joins the California community in mourning the sudden death of Sigmund Arywitz, Executive Secretary of the Los Angeles County Federation of Labor and a vice-president of the California Labor Federation AFL-CIO. Mr. Arywitz died on September 9 of a heart attack in his home in Los Angeles. One of the most influential labor leaders in California as well as the nation, he supported labor's fight against "right-to-work" legislation in California in 1958, assisted the United Farm Workers fight to gain collective bargaining rights, and helped the civil rights movement in general. Always receptive to new ideas and approaches, he endorsed numerous Institute programs over the years. The labor movement has lost a great and dedicated leader, and the Institute has lost a valued friend and counselor.

William R. Robertson, Assistant to Mr. Arywitz since 1973 and a former president of the Hotel and Restaurant Employees and Bartenders International Union Local 549, has been appointed interim Executive Secretary of the Los Angeles County Federation of Labor.

INSTITUTE PUBLICATIONS

*For information contact Publications, Institute of Industrial Relations
University of California, Los Angeles, Los Angeles Ca. 90024
or call (213) 825-1964*

SPECIAL SALE

SPECIAL SALE

the following Institute monographs are now half price

ISBN 0-89215

Monograph No. 3

THE KNIGHTS OF LABOR IN BELGIUM (1959)

by Leon Watillon (translated by Frederic Meyers)

-005-x \$1.15

This volume deals with a little-known episode in the history of American labor — the activities of the Knights in Europe. The Order had a significant development in both Great Britain and Belgium, which has been largely neglected by American historians.

Monograph No. 4

INSIDE A SENSITIVITY TRAINING GROUP (1959)

by Irving R. Weschler and Jerome Reisel

-006-8 \$1.35

Sensitivity training is designed to help people become more effective in dealing with others, both on an individual and on a group basis. Development of social sensitivity and of behavioral flexibility is the key objective. This volume should prove of particular interest to teachers, personnel administrators, and to work group leaders.

Monograph No. 7

EUROPEAN COAL MINING UNIONS: Structure and Function (1961)

by Frederic Meyers

-009-2 \$1.75

This case study deals with unions active in the coal mining industries of four countries: Belgium, France, Great Britain, and West Germany. The structure of unionism is examined in terms of (1) the hierarchy of union government, (2) the mechanisms of such government, and (3) the locus of decision making.

Monograph No. 8

UNION GOVERNMENT & THE LAW: British and American Experiences (1961)

by Joseph R. Grodin

-010-6 \$1.85

Labor unions, because of the growth of their economic and political power, have become increasingly subject to legal control over their internal affairs. This study compares the statutory and common law of Britain and America bearing upon the union-worker relationship as it affects intra-union government.

Monograph No. 10

SOLDIERS AND SPRUCE: Origins of the Loyal Legion of Loggers and Lumbermen (1963)

by Harold M. Hyman

-011-4 \$1.85

During World War I, the U.S. Army created a labor organization in the Pacific Northwest to head off strikes by the Industrial Workers of the World in the lumber industry. This study of "an Army-in-the-woodlands union" sheds light on an unusual event in American labor history.

Monograph No. 11

OWNERSHIP OF JOBS: A Comparative Study (1964)

by Frederic Meyers

-012-2 \$1.75

This study examines the historic and contemporary development of certain institutions which express a social concept that workers in industrial society acquire some kind of property-like relation to their jobs. Four countries with different legal, trade union, collective bargaining, and cultural backgrounds are considered: United States, France, Britain, and Mexico.

Monograph No. 12

CONSOLIDATED BARGAINING IN CALIFORNIA CONSTRUCTION: An Appraisal of Twenty-Five Years' Experience (1966)

by Gordon W. Bertram

-013-0 \$1.85

This study traces the origin of the most important feature of industrial relations in the California construction industry—consolidated collective bargaining: systems of regional bargaining covering large geographic and population areas that have replaced traditional local systems.

Monograph No. 13

THE SETTLEMENT OF LABOR DISPUTES ON RIGHTS IN AUSTRALIA (1966)

by Paul F. Brissenden

-014-9 \$1.75

In Australia industrial disputes over rights, or grievance controversies, are dealt with by a number of public tribunals which make and vary awards. This volume examines the origins of the federal and state systems, explains their structure and jurisdiction, and assesses their effectiveness.

Monograph No. 14

TRAINING IN EUROPEAN ENTERPRISES (1969)

by Frederic Meyers

-015-7 \$1.75

This comparative study examines the locus of responsibility between private and public institutions concerned with preparation for employment. Post-war changes in the educational systems and in government training functions involve manual as well as professional workers in four countries: Britain, France, Italy, and West Germany.

Monograph No. 15

ESSAYS ON LABOR AND INTERNATIONAL TRADE (1970)

by Daniel J. B. Mitchell

-016-5 \$1.65

In an attempt at bridge-building between the fields of labor economics and international economics, the author reviews labor and the structure of international trade, tariff protection and wage issues, currency depreciation and incomes policy, as well as the occupational structure of American exports and imports and worker adjustment assistance under federal legislation.

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INSTITUTE STAFF NEWS

Professor Archie Kleingartner, who served as Acting Director and Executive Associate Director of the Institute from 1973 to June 30, 1975, has been appointed **Vice President—Academic and Staff Personnel Relations**, of the University of California. His new responsibilities include the development, review, and administration of university-wide personnel policy, the University's affirmative action program, employee relations, and the administration of employee benefits. A member of the UCLA faculty since 1964 (professor of industrial relations at the Graduate School of Management), Kleingartner served on the university-wide Staff Personnel Board since 1972 as member and as its chairman. He was also chairman of the Academic Council Committee on Collective Bargaining during the 1973-74 academic year.

Dr. Kleingartner discussed some major aspects of his new function in a recent interview with the UCLA Staff Personnel News. He noted that staff and supervisory development, affirmative action and the merit system, as well as career development in general are issues of high priority. Another area that, in his opinion, will gain in importance is improving the quality of working life.

Professor **Benjamin Aaron**, who recently resigned as Director of the Institute, has been appointed to membership on the United Auto Workers Public Review Board; he also has been elected Secretary of the Section of Labor Relations Law of the American Bar Association.

Professor **Irving Bernstein**, former Associate Director-Research of the Institute, is President-Elect of the Industrial Relations Research Association; he will become President for the year 1976 at the Association's meeting in Dallas in December, 1975.

Geraldine Leshin, of the Institute's Center for Labor Research and Education, has been appointed by UC President David S. Saxon to serve as a member on the university-wide Staff Personnel Board for a three-year term ending August 31, 1978. The Board's responsibilities include advising the President on personnel policies and practices affecting staff employees on all campuses. Ms. Leshin's impressive background in collective bargaining and labor-management relations in the private as well as the public sector qualifies her admirably for this important position.

Professor **Frederic Meyers**, who was appointed Acting Director of the Institute effective 30 June 1975, has been invited by Mayor Bradley to serve as a member on the Los Angeles City Manpower Advisory Board.

Dr. Paul Prasow, the Institute's Associate Director-Community Services, has agreed to serve on the *Committee on Public Employee Dispute Settlement* of the National Academy of Arbitrators. The committee is concerned with significant legislative developments in this subject area and with court and agency decisions in the various states and provinces as well as the federal governments of the United States and Canada.

Rhonda Starr, a Research Assistant of the Institute who recently earned her MBA degree in industrial relations at UCLA's Graduate School of Management, has been appointed a Field Examiner for Region 31 of the National Labor Relations Board in Los Angeles.

THE INSTITUTE OF INDUSTRIAL RELATIONS ASSOCIATION

Members of the Executive Board of the Association met recently with representatives of the Institute to explore possibilities of conducting joint informal programs — conferences and workshops — in areas of mutual interest. This effort would serve to strengthen the ties between the two

organizations: members of the Association would become better acquainted with the Institute's research and training mission, and Institute staff would have an opportunity to gain insight into community problems that may relate to Institute research and other activities. These programs would supplement the regular monthly dinner meetings of the Association.

MONTHLY DINNER MEETINGS

Robert G. Howlett was the guest speaker at the October 15 dinner meeting, the first of this season's monthly events. His topic was *Strikes vs. Arbitration in Public Sector Disputes*. Mr. Howlett is Chairman of the Michigan Employment Relations Commission. He has written extensively on employment relations in the public sector and is the current President of the Society of Professionals in Dispute Resolution (SPIDR).

Mario Obledo, who was appointed *Secretary of the Health and Welfare Agency*, State of California, by Governor Brown in January, 1975, is the guest speaker at the NOVEMBER 12 dinner meeting. He will discuss some aspects and functions of the Agency, which oversees eleven departments and offices employing some 48,000 persons. Prior to his appointment to this important cabinet post, Mr. Obledo served as General Counsel of the Mexican-American Legal Defense Educational Fund in 1968, and he was on the faculty of the Harvard University School of Law.

Assemblyman Howard L. Berman (D-Van Nuys) has been invited to address the Association at the DECEMBER 10 dinner meeting. Details of that event will be announced in the *December Meeting Notice*. For information please call Helen Mills (213) 825-3180.

The presentations of the guest speakers at the October, November, and December dinner meetings will be extensively reviewed in the January, 1976 issue of the *Newsletter*.

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HONORING GRADUATES OF CERTIFICATE PROGRAMS

At the October dinner meeting, the graduates named below were awarded certificates in the following areas:

Certificate in Industrial Relations

Carol Ann Ackerly	Susan Janovici
James A. Adler	Janet D. Lombardo
Jay D. Aldworth	Molly Ann Lowrie
Raymond Wm. Benning	Gregory Edwin McLemore
Susan E. Chapman	Janet Elizabeth Musial
Nancy Lorraine Claton	Ernie H. O'Dell
Robert Gerald Coburn	Patricia G. Ossen
Dennis Wayne Collins	Nate Parks
Kathryn J. Drews	Dennis Michael Predmore
Barbara J. Goetzinger	Deborah Joan Reinartz
Gerald Jerome Harper	James T. Shanahan
Magdalena Jacobsen	

Certificate in Public Sector Labor-Management Relations

Catherine Sepulveda Alex	William J. Sharp
Raymond Lee Gibbs	Walter C. Small
Richard Allan Root	Richard J. Sokolowski

Certificate in Labor Studies

Graduates will be awarded certificates at the December 10, 1975, IIRA dinner meeting, and their names will be announced in the *January 1976 issue* of the *Newsletter*.

INSTITUTE PROGRAMS

Public Conference

December 5-6 (Friday-Saturday) Collective Bargaining Rights for California Teachers and other Public School Employees under SB 160 — the Rodda Bill

Hilton Hotel, downtown Los Angeles
DETAILS WILL BE ANNOUNCED

(for further information write or call Sandra Lind (213) 825-8034; Janis Okida (213) 825-8175 — Institute of Industrial Relations, UCLA)

November 13-14 Administrative Procedures: Unfair Labor Practices and Bargaining Unit Determination
Rodeway Inn of Fresno, Fresno, California

December 8 Health Maintenance Organizations (HMOs) and Implications for Industrial Relations
Los Angeles (details will be announced)

January 7-9, 1976 Training for Trainers in Labor Relations
Los Angeles (details will be announced)

January 21-22 Jurisdiction of California State Industrial Relations Department
Los Angeles (details will be announced)

Management Programs

October 30-31 Symposium on Labor Relations for Government Managers
Airport Marina Hotel, Los Angeles

(for further information contact *Management Programs* (213) 825-8034, Institute of Industrial Relations UCLA)

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