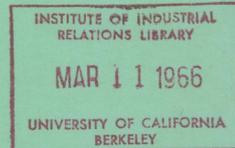


COLLECTIVE BARGAINING
FOR
PROFESSIONAL
AND
TECHNICAL
EMPLOYEES

(Conference Report)

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UNIVERSITY OF ILLINOIS

Institute of Labor and Industrial Relations

Division of University Extension

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INTRODUCTION

The Institute of Labor and Industrial Relations and Division of University Extension of the University of Illinois arranged a Conference on "Collective Bargaining for Professional and Technical Employees" in May 1965 as part of its efforts to explore new and significant developments in labor-management relations.

While professional and technical employees in the United States have shown only limited interest in collective bargaining as a means of dealing with problems confronting them, there have recently been signs of increasing interest in and experimentation with forms of collective action, particularly on the part of teachers and nurses. Our society faces a growing market for highly educated employees who may, in future years, seek greater power through some form of group action. The conference tried to anticipate the variety of forms that such action might take and analyze their appeals and chances for success. Conferees searched for the factors that contributed to successful collective bargaining programs but also expanded their conversation to include the entire gamut of elements that influence the organization of highly educated employees.

The case study method seemed particularly appropriate to an investigation of professional and technical employment because of the great variety of (1) work situations, (2) characteristics of the work group, (3) amounts of education and training required of practitioners, and (4) types of employers. Speakers representing groups of engineers, nurses, teachers, and government employees described their organizations' experiences while each of five panels had one "academic" speaker who attempted to look at the broader problems and implications of the subjects under discussion.

We suggested that the people with direct experience try to answer such questions as:

- What factors persuaded your members to work for collective bargaining?
- How did you appeal to your members to persuade them of the value of collective bargaining?
- What issues do you raise in collective bargaining negotiations?
- Does your organization concentrate on the problems of your members' economic and physical well-being, or do you discuss employer policy-making in other problem areas as well?
- Why does your organization not affiliate with the AFL-CIO, if it is not affiliated?

The people who discussed the broader implications of collective bargaining for professional and technical employees were asked to discuss some of the following:

- Motivation of professional and technical employees.
- The comparative attractiveness of unions and independent professional associations

Interrelationships and separation of professional objectives and personal rewards.

Social mobility and status-seeking as influences on a collective bargaining program.

Participants in the conference included representatives of trade unions, professional associations, executives from private industry and government, and university labor education and research staff.

Following are excerpts of the presentations with a summary of the conference by Professor Russell Allen. Professor Allen included ideas from the discussions that followed the panel presentations in his excellent review of the conference. The conference, it is hoped, will serve as an impetus to the study of this field by leaders of organizations that hope to represent professional and technical employees in the years ahead.

The conference was largely planned by Mil Lieberthal, Associate Professor of Labor and Industrial Relations and Extension.

Phillips L. Garman
Coordinator of Labor Programs
Institute of Labor and
Industrial Relations

COOPERATION AMONG PROFESSIONAL, TECHNICAL, AND NONPROFESSIONAL
ORGANIZATIONS IN THE ELECTRICAL INDUSTRY

Association of Scientists and Professional Engineering Personnel

American Federation of Technical Engineers

International Union of Electrical, Radio and Machine Workers

Henry J. Andreas
Executive Secretary
Association of Scientists and
Professional Engineering Personnel

The opening words of the introduction to this conference refer to an "awareness of the often negative reception collective bargaining has received from many highly educated groups." To those of us who have been active in organizing and representing such groups, this awareness is of long standing. We have engaged in a great deal of study in an effort to isolate the causes of the "negative reception." We think we have defined at least some of the problems and we are working toward finding the necessary solutions.

Several years of experience with ASPEP, one of the very few organizations in this country which successfully bargains for professionals in industry, has led me to the conclusion that industrially employed engineers and scientists will never be successfully organized --

- If the AFL-CIO continues to rely upon the standard operating procedures for organizing blue collar workers as the method for organizing professionals in industry.
- As long as the majority of new entrants into the ranks of employed professionals come from nonprofessional family backgrounds.
- Until established unions within the AFL-CIO subordinate their jurisdictional problems to the basic problems of organizing professionals.
- Unless there is acceptance of the fact that engineers and scientists will not, in the foreseeable future, permit themselves to be assimilated into existing industrial union organizations.
- Until there is an acceptance of the fact that a single, separate, and craft-type organizational structure is the only kind which can attract and be supported by industrially employed professionals.
- Until industrially employed professionals themselves can be brought to the realization, en masse, that their employers consider them, and treat them, as employees--not as professionals.

Within the time limits assigned to this panel it may not be possible to provide the complete background for these assertions, but by addressing my remarks to the specific questions which have been assigned to me I hope to demonstrate the validity of these positions.

1. What factors persuaded your members to work for collective bargaining?

The usual factors -- plus some that were peculiar to the times and circumstances of a rapidly growing segment of the nation's industrial work force -- such as:

- A diminishing belief in the effectiveness of their individual ability to obtain results and recognition through the multilayer corporate management structures of large industrial employers;
- A growing knowledge that "resigning" is a costly and ultimately ineffective way of achieving personal and professional objectives; and
- A realization that gains achieved collectively would establish a known and firm base to stand upon, and to measure from, while commanding recognition of their individual talents and skills.

2. How did you appeal to your members to persuade them of the value of collective bargaining?

The initial persuasion took place 20 years ago, and we are currently engaged in a comprehensive and objective study to find out just what the persuasive factors were.

Over the years, I have heard persistent stories that the employer condoned, or even tacitly encouraged, the formation of our Association, but our research thus far has failed to turn up any evidence which would substantiate such stories. In fact, we are finding that the Association's founders (many of whom today occupy fairly high management posts) were, by any standards, quite militant and very dedicated organizers.

As an example, during the negotiations for the first agreement a letter from the Association's first president to the membership made it quite plain that if the members really wanted to win specific gains, they must be willing to strike to win them--and this was twenty years ago!

It seems then, that early recognition of the role engineers and scientists were to play in the Company's future, plus a wide dissatisfaction with then-current conditions motivated these professionals to form their union.

As time has progressed, our Association has naturally broadened the scope of its activities and services to its members in non-collective-bargaining areas in addition to the constant effort to improve the collective bargaining agreement itself.

To meet the need for maintaining and advancing technical skills in the face of leap-frogging technology, and the hyper-specialization, underutilization, and misutilization of engineering and scientific skills so prevalent in large industry, we established and operate our own Technical Development Program in which those of our members who work in fields which constitute the "advanced-state-of-the-art" serve as instructors for courses available to our entire membership.

Over the years we developed broad and liberal insurance programs for our members and then negotiated those programs into our collective bargaining agreements.

We operate research programs, publish salary surveys, cost-saving new car purchase programs, and similar activities, all of which we find to be effective adjuncts to the principal function of collective bargaining to attract and hold the interest and support of our members.

3. What issues do you raise in collective bargaining?

There are no categorical differences between the issues raised in contract negotiations by a professional union and those raised by any other kind of union. Differences do show up in the area of attitudes and methods of bargaining, and in the provisions necessary to meet the peculiar requirements of engineering and scientific work.

For example, there still exists (although to a far less degree than heretofore) a feeling of indentification with management on the part of some industrially employed professionals. Their educational training and background focused their attention on a goal of advancement through management ranks, but their experience as employees in industry has tarnished the desirability and demonstrated the unavailability of such advancement.

While there is a recognition that economic strength is the dominant factor of their bargaining strength, there is a desire to exercise forms of sanction other than the strike to achieve bargaining objectives.

Even at the cost of permitting the inclusion of unilateral supervisory judgment in determining their relative job security, scientists and engineers insist that education, salary, and merit rating shall be factors, in addition to length of service, in determining the order of layoff and rehiring.

Coupled with a complete aversion to the requirement to "punch the clock," there is often an attitude of permissiveness toward working overtime, frequently without

compensation even though overtime premiums are provided for in the agreement.

Even more important than the amount of vacation time provided is the right to select the time when the vacation is to be taken.

The methods used in bargaining have gone through quite an evolution over the years. A review of early negotiation records of our Association has disclosed that the major reliance for bargaining results was placed on logic, reason, and moral suasion, and very little on raw economic pressure. But during the past few years the pendulum has swung and the use and the threat of strike action has been recognized as the more effective force in bargaining.

4. Do you concentrate on issues of the economic and physical well-being of your members, or do you discuss employer policy-making in other areas as well?

All I can say in this connection is that in recent years our members have learned the bitter truth that attempts to influence the employer's policies in any area constitute an almost impossible task. The principal reason is that, in the field of industrial employment of professionals, there are more levels of supervisory and managerial authority than in any other segment of industrial employment. The lines of communication between the salaried professional and the management level at which effective influence can be exerted on the employer's policy are so long, so inefficient, and so fluid as to be useless.

Our discussions in negotiations are now concentrated much more on the results of the employers' policies as they affect our members' well-being, rather than on the policies themselves. We have learned that our efforts are better expended in developing and fighting to advance our own policies regarding the down-to-earth economic issues such as job security and salaries.

5. Why does your organization not affiliate with the AFL-CIO and identify itself as a labor union?

First, let me dispel any idea that the Association of Scientists and Professional Engineering Personnel does not identify itself as a labor union. There may have been some reluctance to do so six or seven years ago, before our members had undergone the purgative process of mass layoffs, but it is not so today.

There was a time when the employer used tauntingly to call our organization a "union," and the members would indignantly point out that we were an "association"--

nowadays our members are the ones who remind the employer, frequently by their actions, that we are a union, duly certified as the legal collective bargaining agency for engineers and scientists, and knowledgeable in the art of bargaining and negotiation.

As for affiliation with the AFL-CIO, I think that it is high time that a more objective analysis be made of the matter than has apparently been made up to now. In addition to having inventive and theoretical talents, scientists and engineers are extremely practical in matters which involve their participation and support.

- They insist, because of their training and education, upon being treated by the employer in a fashion "different" from other employees.
- They are absolutely unwilling to lose their identity by being assimilated into industrial type unions; their motivation has inevitably been toward the "horizontal" or "craft" type of organizational structure.
- There is the feeling that existing AFL-CIO unions lack the degree of democracy upon which they insist.
- I believe that the negative sentiments which exist are not against affiliation with the AFL-CIO as such, but rather against affiliation with any one of the national or international unions which comprise the AFL-CIO. I believe that if a way could be found around the jurisdictional problems which beset the members of the "Family of Labor," and if a "Separate Room" could be constructed within the "House of Labor," which would meet the needs of professionals, many of the inhibitions which now deter independent organizations of such professional employees from considering the subject of affiliation might be dispelled. In the eyes of organized scientists and engineers, there is no more unity and there are no more advantages available within the AFL-CIO than they now possess within their own independent organizations.

6. What are the problems and advantages of cooperation with IUE and AFTE at RCA?

Perhaps because of the fact that Harold Ammond, Assistant Executive Secretary of ASPEP, and I both spent many years within the trade union movement before we accepted full time positions with ASPEP, we quickly reached an easy rapport with the leadership of both the IUE and AFTE Locals at RCA in the Camden, New Jersey area.

For the almost four years that I have served as Executive Secretary, I have experienced no problems in our

interunion relationship, and I can truthfully report that the atmosphere of reciprocal trust, our ability to cooperate on common problems, and our employer's knowledge that this is so has worked to the mutual advantage of all three unions.

Despite the fact that I have set down a series of conditions which I believe are prerequisites for any successful program for organizing industrially employed scientists and engineers, and despite the fact that some of those conditions appear at present to be impossible to meet, I am not without hope that such a goal can be achieved.

The holding of this conference, and hopefully others like it, as a means of focusing the attention of all who are concerned with the problem on the need for a new and objective approach toward finding solutions, is encouraging. It is not too early to start -- the number of professionals in industry is quite large and growing. And it is not too late, but if we fail to recognize the impact of the growth of numbers and influence of employed professionals upon the entire employment picture in our country, it may soon be too late.

Walter Holt
President, Local 241
American Federation of
Technical Engineers

Why a Union of engineering technicals? What has it done, and where are we going? How did it start? This is the area I would like to discuss with you today.

In 1918, across the Atlantic, a continent was engulfed in a war. At about this time it began to dawn upon the white collar workers, both professional and technical, albeit a very few members, an awareness that not all injustice was far-removed and impersonal.

The concerted, forceful action of mechanics and laborers, the great family of blue collar workers, had opened many doors of advancement and remuneration that remained tightly boarded against the white collar employees. But those doors were destined to open. Slowly -- cautiously, but they did open.

It was a long needed movement and was, not surprisingly, met with bewilderment and chagrin. Professional and technical engineers organized in the American labor movement? This was hard to understand, because were they not already organized into the ethical professional societies? (ASME, IEEE, etc.)

The praise of the boss, the prestige of smart titles was beginning to wear thin. It was becoming increasingly difficult to reconcile

the mechanics' reasonable gains to the engineers' meager ones. The paternal approach of the employers towards its salaried employees was a sort of "Father Knows Best" attitude.

By 1914 there had been an attempt to correct these ills through organization. Marine architects and draftsmen of private shipyards -- later joined by the Navy yard draftsmen on the East Coast -- formed the National Society of Marine Draftsmen. The leaders of the early movement called a convention with representatives from the West Coast, the Gulf Coast, Great Lakes, and East Coast regions. Resolutions were presented and discussed. At last they came to the vital question in the back of all minds -- salaries. Pandemonium broke loose. No questions of wage scales or salary schedules could be discussed. The members began to investigate. They found that their officers were all men of high position in large shipbuilding corporations, much like the professional societies of today. No wonder they could get no consideration of wages. Their societies had developed into company dominated unions.

It was at Norfolk, Virginia, that the first decisive action was taken. Disillusioned by former affiliations, this group consulted local labor leaders. On their advice, a petition was submitted to the American Federation of Labor, and a charter was granted to the Draftsmen's Union, Portsmouth, Virginia, in October, 1916.

Other units were subsequently formed and, because it was found that there was no means of bringing the unions together -- and without this close association they were unable to act in a representative manner nationally until May, 1919 -- a national conference convened in Washington, D. C., which resulted in an international charter being granted by the AFL.

From this beginning the American Federation of Technical Engineers International, AFL-CIO, subsequently grew to hundreds of local unions in all corners of the country, and Puerto Rico, Hawaii, Alaska, and Canada.

The Local Union came into being at the RCA, Camden, New Jersey plant in June, 1944 -- strangely enough during the Second World War era. The engineering and technical employees at RCA had made many overtures for organizing help from the plant unions but never seemed to get the kind of cooperation that was needed to do the organizing job that had to be done.

In researching the history of the Local Union at RCA, back to 1944 and beyond, it appeared that there were considerable inequities and injustices foisted upon the nonrepresented employees (favoritism was obvious), with its many uncertainties as regard to job security -- allowable sick leave -- upgrading -- job content -- salary rates -- and overtime pay. Believe it or not, the salaried engineering and technical employees' overtime pay was such that for two hours or more work in the evening he was paid seventy-five cents supper money, and most likely, no extra pay for Saturday work.

Strange as it may seem, much of the agitation for organization was generated in the engineering departments. Later, many of the administrative employees (as defined in the Walsh-Healy Act) joined the crusade. The engineering department employees included the professional engineers, design draftsmen, and laboratory technicians -- while the factory occupations

involved were product cost estimators, process engineers, quality control technicians, manufacturing development engineers, and tool designers.

However, in accordance with the Taft-Hartley Act, which gives the right to professional engineers to have a separate election to determine their bargaining representatives, the professional engineers did vote to go independent as the Association of Professional Engineering Personnel (ASPEP), whereas all the technical and administrative employees decided to stay within the ranks of organized labor.

Most of the early negotiations -- which, incidentally, took two years to conclude and embody in a signed agreement -- had established formal grievance machinery (up to, and including, impartial arbitration through the facilities of the American Arbitration Association), formal job descriptions, formal merit review plan, min/max salary rates, allowable sick leave, and overtime pay for all members.

Perhaps a major cause of the extended negotiations was that much of the urgency was removed by an agreement that any economic improvements would be retroactive to 1944, and at settlement, individual retroactive checks were as high as \$1,000 dollars.

As proof of the need for -- and the success of -- our union, we can point to the fact that after the first ten years of bargaining history our wage rates doubled and so did our membership; and after the second ten years, our wage rates doubled again and so did our membership.

It is the general feeling of our members that union dues paid are well worthwhile if they guaranteed nothing more than seniority protection, grievance machinery, and a formal merit review plan -- subject to review by the grievance machinery. We have been averaging four arbitration cases per year.

However, don't let this mislead you, because over the years our union -- as well as all other unions -- has become more involved in the areas covered during negotiations, including hospital and surgical benefits, guaranteed sick pay, guaranteed paid vacations and holidays, pensions, annuities, and the many other areas involving the welfare of the worker on the job and away from the job.

At times "status" items are pressed during negotiations -- for instance, after several years of Union pressure, the company finally agreed that our members would no longer be required to ring a time clock.

EDUCATION

While it may appear throughout this discussion that our local union is concerned principally with the meat and potato issues, nevertheless we have felt strongly -- and more so in recent years -- that education of our membership is of prime importance. By education we refer, of course, to that involving the understanding of the collective bargaining agreement by the members, and this educational program is conducted through our regularly elected district chairmen and executive officers under the direction of a regularly elected Director of Publicity and Education.

More recently, however, the union has had to turn to the area of upgrading the talents of our membership in order that they not become obsolete because of the great technical strides in electronics brought about by space age developments. The union encourages our members to pick up once again in the field of formal education, which -- incidentally -- is mostly paid for through the company's Employee's Tuition Refund Plan. Also, the union sponsors in-plant training -- by experts in a specific field -- where formal education in colleges and technical institutes has not yet caught up with the state of the art. It has been our experience that when a union-sponsored program has been established, there is a great deal of participation by those whose jobs will be directly affected by technical advancements. Also, some indication of interest is shown by those members who may have a collateral job interest in the subjects covered.

COOPERATION

While there are several unions representing large segments of the employees in the Camden plants, including production and maintenance, office clerical, professional and technical engineers, generally speaking, each union retains its own autonomy, except in the few areas where, because of company action, the united front of all the organizations is required. At this point, there is never any doubt as to who is our adversary.

In fact, any threatened strike in the Camden plant conducted by any union is usually assured of complete respect for its picket lines by all other unions in the Camden plant. This the company must always remember if, and when, it might consider "taking on" any union.

Similarly, when the company showed signs of closing buildings and moving product lines to other states, the unions once again joined hands in appeals to city, state, and national leaders to prevail upon the company not to abandon the Camden plants.

So, you see, we have learned to live together and, in a crisis, work together.

It should be pointed out, also, that through our local union's affiliations with city, state, and national AFL-CIO bodies, much emphasis and coordinated effort prevails in the political field in the fight for social security, medicare, workman's compensation, aid to education, etc. So, you see, we consider our union, The American Federation of Technical Engineers, a stable and mature union which has never shirked its responsibilities to its members.

Edwin Checkley
 President, Local 103
 International Union of Electrical
 Radio and Machine Workers

A union means organization for common purposes: increased earnings, job security, and fringe benefits. Many factors have affected union organizations over the years, but lately the major one has been the switch

from the use of strikes to dependence on arbitration to settle disputes between unions and management. I think we ought to go back to using strikes.

Workers and their unions are urged to be responsible and not too demanding, but there are no limits on management's desire for profits. Therefore management thinks only in terms of dollars without consideration for human beings. This attitude prevails throughout the organization, all the way down to the foreman level. When a grievance is taken to arbitration, there is a long delay before an issue is settled, and the arbitrator is often motivated to strike a "happy medium" even though this "medium" may be unjust.

Labor is losing ground today. It has become complacent and is failing to capture the loyalty of young people. It must reach high school students to give them a clearer idea of what unions are and what they do. It must get the idea across that the unionized production worker has established the base for the benefits of all employees.

Corporations are concerned only with profits, and they can brainwash management and spend enormous sums on propaganda. Unions must have strikes to gain and reinforce a collective feeling.

In our situation at Camden, we respect each other's picket lines and realize that there are many differences of skill at every level.

COLLECTIVE BARGAINING FOR ENGINEERS AND TECHNICIANS

IN THE AUTOMOBILE AND BROADCASTING INDUSTRIES

United Automobile, Aerospace and Agricultural
Implement Workers of America

National Association of Broadcast Employees
and Technicians

Hubert H. Emerick
Assistant Director
T. O. P. Department
United Automobile Workers

I extend the greetings of the UAW and its Technical, Office and Professional Department and best wishes for a successful conference. The UAW is the second largest international union on the North American continent, with a million and one-quarter members. Of this membership, approximately 50,000 are engaged in occupations normally deemed as white collar occupations; and of the 50,000 about 15,000 are in technical and professional occupations. It is difficult to break this number down further, because of the national debate going on as to where the technical occupations begin above the level of skilled trades and where they end at the top or professional end of the spectrum.

The TOP Department is the result of an organized, well-motivated caucus which came to the 1962 UAW International Convention. The E. T. O. (Engineering, Technical, Office) caucus approached the convention with good purpose and justifiable criticism of the international union's failure to make a dedicated effort to organize and service the white collar potential within the UAW's jurisdiction. The E. T. O.'s caucus brought a resolution directing the International Executive Board to expand its efforts and pay greater attention to public relations, communications, research, greater autonomy and a high level directorship to a department committed to organizing white collar workers.

Following the convention the incumbent Director of the Office and Technical Department having retired from the UAW, President Reuther, with the approval of the International Executive Board, appointed Executive

[REDACTED]

Board Members-at-Large Douglas A. Fraser as the Director of the newly named Technical, Office and Professional Department. Studies were made of the efforts to organize white collar workers by other unions both in the United States, Canada, and Europe as a foundation for structuring a new department. Director Fraser then launched on a deliberate program to provide an organizing staff which originated from white collar occupations and which had the ability to contract or expand to meet the variable demands of organizing. This was achieved by having a nucleus of full time permanent staff members whose efforts could be supplemented by temporary full-time staff members.

The part-time organizer performs his functions after he has completed his normal day of work with his employer. A training program was established for such part-time organizers and experienced personnel were drafted to lead these training sessions in subject areas such as knowledge of the UAW and the labor movement in general, procedures of the N.I.R.B.

A graduate economist was placed on the staff to do research work for the white collar groups. A staff member experienced in writing publications and public relations was charged with establishing a more effective communications system. A regular monthly news letter entitled the T.O.P. Reporter is published.

Advisory Councils were established in five geographical locations of the United States and the delegates to these Advisory Councils are elected by and from white collar locals or white collar units of amalgamated locals as the case may be. These councils meet regularly with the International staff for an exchange of reports, criticism, and advice. The three officers from each of the geographical councils represent an International Advisory Council of 15 who also meet regularly at six month intervals with the International TOP Department Staff.

Nineteen hundred sixty-five was pointed out as an exceptional year for the UAW in organizing in the white collar field. It was reported that during the first four months of the year some 17 elections or other organizational efforts had been made. Of these 17 efforts, 10 were successful and added 625 members to the white collar membership of the UAW. Three were lost involving 242 people; five are awaiting final determination or certification and these five involve approximately 1200 people. It was also reported that elections or hearings are pending in eight other areas which involve approximately 1550 people.

In examining the reasons for this increased activity, the TOP Staff would naturally like to think that the increased staff and increased quality of their activities was responsible. However, a frank review would insist that other factors be given weight as well. We believe that our mobility and ability to respond when the opportunity knocks had been helpful. It is our experience that the door only opens for a short period of time for white collar organizational opportunities. If you are not present and able to act during this short period the opportunity may not present itself again for a considerable period of time.

There are other major reasons outside of the labor movement itself which have contributed to the more fertile opportunities in white collar organizing. Highly competitive conditions in the parts plants and the supplier industries have increased the pressures to keep costs down. Most of these plants have their production and maintenance employees organized into unions which have demanded the pattern settlements made by the major producers, and in most instances those patterns have been met. However, competitive conditions have interrupted the traditional tandem adjustments for the white collar employees and this failure to pass along negotiated gains has resulted in increased contacts and organizing opportunities to our TOP Department.

Other corporate activities such as mergers, purchase, acquisition, and takeovers are going forward rapidly. This has resulted in disruptions at the management level and the upsetting of traditional, comfortable habits. We have benefited from the resulting sense of insecurity of white collar employees.

The introduction of computers and other office automation are disrupting and disturbing traditional and occupational lines as well as

creating security problems because of the centralization of the computer operations at locations convenient to top management. These factors have aided our organizing efforts.

Structural changes within the UAW which guarantee a greater measure of autonomy in running their own affairs has aided our efforts.

The teachers' activity on the collective bargaining front has also acted to elevate the general regard for collective bargaining.

George Maher
Regional Director
National Association of
Broadcast Employees and Technicians

When Professor Lieberthal asked our organization to participate in this workshop, he delighted us by stating that the Institute of Labor and Industrial Relations was far more interested in a contribution from me on the positive aspects of our experience rather than on the reasons why we have not made greater progress in our efforts to organize and bargain successfully for the professional and technical employees in our industry.

We are genuinely pleased, too, that we are permitted the latitude of a nonacademic approach to our discourse since our daily activities are aligned in the direction of organization, contract enforcement service to the membership we represent, and contract negotiations.

By way of acquainting you with the National Association of Broadcast Employees and Technicians, permit me to tell you that we are an organization of some 6500 members in the radio and television broadcasting and recording industry of the United States and Canada.

Our membership is comprised predominantly of engineers and technicians, but we have had and are continuing to have a measure of success in organizing what we call peripheral groups who work in areas immediately adjacent to the technical operations of the broadcasting industry. These groups are made up of employees, such as announcers, who are classified as professional employees, down through varying degrees of skills to switchboard telephone operators, who are classified as white collar employees. We follow a pattern of industrial union organization rather than the craft union approach.

The largest single group of clerical employees have been organized at the American Broadcasting Company studios in Hollywood, California, and comprise some 175 employees. At the large production centers in New York, Chicago, Hollywood, Montreal, and Toronto, union organization of the industry is adequately accomplished among the technical employees as is

the organization of this same category of employees in the 25 major retail markets in the United States and Canada.

The basic organizing problem has been and continues to be with the professional, semi-professional and white collar employees in the large production centers and the aforementioned 25 major retail markets.

Our purpose here, however, is to relate our specific experience in developing a collective bargaining program for technicians in the broadcasting industry.

The four topical headings given us as guidelines are:

1. What factors persuaded your members to work for collective bargaining?
2. How did you appeal to your members to persuade them of the value of collective bargaining?
3. What issues do you raise in collective bargaining negotiations?
4. Do you concentrate on issues of the economic and physical well-being of your members, or do you discuss employer policy-making in other problem areas as well?

With regard to topic number one, we can say that almost without exception our membership has been persuaded to work for collective bargaining by the desire to achieve the following:

- (a) Greater economic gain (wages).
- (b) Adequate job security (seniority rights and protection against discriminatory layoff or discharge).
- (c) Working conditions (hours, overtime, and premium rates).
- (d) Fringe benefits (vacations, holidays, insurance, retirement plan and/or profit sharing plan, and severance pay).

It should be stated that the relative order of importance in the foregoing headings (a) through (d) has shifted and is continuing to shift in direct ratio to the age factor of the employees involved in the industry.

For instance, in 1934 the emphasis was on improvement of wages, greater job security, and improved working conditions. The reason, of course, was the relative youth of the broadcasting industry and the people employed in it at that time.

On the other hand, in the early 1950's the primary emphasis shifted to the fringe benefit areas as the employees approached middle age.

The primary emphasis is now being placed on what might be properly labeled job-survival because the broadcasting industry is readily adaptable to all forms of automation. Although it is still an expanding

industry insofar as the potential number of television stations is concerned, the number of employees required to do the work is on a declining scale.

Topic No. 2 affords us an opportunity to reflect on our great good fortune of having a host of guardian angels working overtime in our behalf.

Imagine if you can a situation where for eight hours during each working day a group of employees are bombarded by extravagant advertising claims and then attend a union organization meeting at night. Sales resistance at this point is high and the union organizer has a king-size job ahead of him, I think you will agree.

We have found that a low pressure approach has been most successful, and we have made our case largely on a comparison of contracts that have been negotiated at stations in both the geographic area and throughout the industry as a whole.

An example is to be found in our most recently concluded organizing effort. It involves a radio station employing 18 persons and is located midway between Detroit and Flint, Michigan. The wage scales among the broad operating group are \$193.50 per week in Detroit and \$160.00 a week in Flint for a basic 40 hour week. The employees at this station were receiving \$80.00 per week on an average for a basic 40 hour week.

Obviously, our task of persuading these employees was a simple one since the economic facts of life were self-evident in the wage comparison factor alone, and there were other equally persuasive factors in other important clauses of the area contracts which we presented to these employees for their inspection and study.

In situations where wages, working conditions, and fringe benefits are more nearly equal in the area, we generally rely on some peculiarity of management administration to alienate the employees and provide us with the opportunity to establish a dialogue with them.

One such recent successful organizing effort revolved around the sale of a television station to a different owner. In this case apprehension among the employees was the dominant factor.

We have used appeals to the employees ranging from the resentment flowing from a paternalistic attitude emanating from the management to the revulsion expressed by the employees against the nepotism practiced by the management -- which practice is quite prevalent in the broadcasting industry I might add.

One additional gambit employed by unenlightened management out of which we have successfully mounted an organizing drive is the current philosophy of "crush or corrupt" the effort to bring the union into the plant.

We come now to Topic No. 3.

The broadcast industry is really no different from any other industry insofar as labor-management relations and their complexities are

concerned, although much lip service is given to the proposition that it is unique by its very nature.

There are the prosperous operations, the marginal operations, the efficiently managed operations, and the inefficiently managed operations; the enlightened and unenlightened are ever with us as in all of life.

Two possible exceptions can be made about the broadcast industry being different. One is that the only commodity a broadcaster has to sell is "time." Any loss of production is irretrievable. The other exception is that the industry operates under license by the Federal Communications Commission which is a regulatory administrative agency of the U. S. Government.

As to the issues we raise during negotiations, we naturally raise the basic ones having to do with so-called "bread and butter" considerations as they apply to the economic package. And, we inevitably struggle with the "gut" issues involved with the philosophical and sociological aspects of the contract language we are trying to attain.

Our "bread and butter" issues are self evident and need no elaboration. However, for purposes of identifying them, they are:

1. Wages.
2. Hours of work.
3. Overtime rates and other premium pay.
4. Vacations.
5. Holidays.
6. Severance pay.
7. Insurance plans.
8. Retirement plans and/or profit sharing plans.

Our "gut" issues are:

1. Union security clause (Union Shop).
2. Jurisdiction clauses.
3. Dues check-off clause.
4. Seniority clauses.
5. Recall rights clause.
6. Discharge clause.
7. Management's rights clause.

8. Subcontracting of work clause.
9. Automation clauses.
10. Grievance and arbitration clauses.

Any discussion of the foregoing leads quite naturally to Topic No. 4.

We are tightly committed as a matter of union policy to concentrate on the economic and physical well-being of our members, but equal stress is placed on, again as a matter of union policy, an insistence upon negotiating in areas that management considers its private domain. This, I suppose, could be said to be in the area of policy making.

The most vexatious and contentious areas we are negotiating in today are in management's rights, subcontracting, and automation.

All unions that I know of today recognize that management has the responsibility of managing the enterprise and as a result have to retain certain rights. However, most of the contention, when negotiating in this area, springs from the drive on the part of management to re-establish the outmoded "Divine Right of Kings" philosophy.

It has been our unfortunate experience to in effect negate most of the provisions of the contract clauses by not paying proper attention to the drafting of the management's rights clause.

Likewise, the jurisdiction clause can be rendered ineffectual if the subcontracting of work clause is loaded on the side of the management.

The automation clause must be clearly written to provide adequate protection for union members. Two principal safeguards must be provided: one to provide for economic compensation in the event of job dislocation, and another to provide for retraining of members when the technical character of the job is changed to an extent where previous training and/or practice will not suffice to equip the member with the know-how to perform his job.

James Stern
Professor of Economics
and Labor Education
The University of Wisconsin

The interesting comments made by the previous speakers suggest to me the following generalizations. If some of my generalizations do not reflect precisely the points raised, they may flow from conversations with them and others of you on this topic or possibly from preconceived opinions that I hold. Be that as it may, I offer tentatively and rather gingerly the following points for your consideration:

1. Organizing Prospects: I do not think that organizing white collar workers is as different from organizing blue collar workers as has been suggested. Perhaps in the past this was true but now I think the difference is one of degree rather than a difference in kind. The blue collar units still to be organized are becoming more difficult to organize while the acceptability of unionism among white collar workers may have grown to the point where the odds of winning or losing elections are the same in both cases.

2. Management: Because white collar workers traditionally are regarded as "closer" to management, the role of management in election campaigns is more crucial and for this reason management errors may prove more significant. It should be noted in passing that management appears willing to spend more money to prevent unionization of its white collar workers and professional workers than it is to combat unionization of its blue collar workers.

3. Government: Just as government had a crucial role in the mid-thirties when unionism spread through basic industry in America, so government is exercising an important influence today. Executive Order 10988 has provided the impetus for significant gains in white collar unionism within the Federal sector. State laws introducing collective bargaining for municipal and state employees have had much the same effect.

An interesting aside concerns government policy about the "strike." Strikes are illegal in Federal employment and either illegal or contrary to public policy at the state or municipal level. This has the amusing effect of enabling the unions to answer charges concerning their propensity to strike with the reply that such questions are not germane because the law says "we can't strike." Also this may mean that it takes less commitment to join a union because the person joining is aware that supposedly he will not be called upon to strike.

4. Labor Market: Conditions in the labor market are less favorable for the organization of white collar workers than for blue collar workers. Employment opportunities for professionals and technicals are expanding relative to the opportunities for other segments of our work force. The greater job security of these groups may make them more impervious to union organizing drives.

5. Automation: The computer and other technical advances are cited by unions in their organizing efforts. Perhaps such changes in our technology introduce uncertainty into the picture, but as yet the influence of the expanding job market for professionals and technicals appears strong enough to override the fears arising from displacement caused by automation.

6. The attitudes of young people: There have been comments about how different the potential young union member is from his counterpart of 30 years ago. Improvements in wages, hours, and working conditions have reached the point where union appeals frequently are directed to the important but less obvious concepts such as the right of self-determination, the insurance policy concept, and the notion that unionism replaces favoritism with fairness. Yet all of those reasons may seem less compelling than the traditional ones. It is interesting that some of you here have suggested that the wage level is still the basic issue despite the outpouring of writings concerning the sociological and psychological aspects of job satisfaction.

7. Jurisdiction and structure: Engineering unions have suggested for over a decade that they be offered direct representation within the AFL-CIO. Local professional associations, while resisting the suggestion that they affiliate with the AFL-CIO, have at the same time suggested that they could join a national association of engineers which in turn might be affiliated with the AFL-CIO. We may find it difficult to assess how important this point is, but from the comments made here, I gather that the present structure and jurisdictional lines are not those which reflect the most favorable environment for organizing engineers.

8. Self-representation: It should be clear that the pride of higher-paid technicals and professionals in their own work leads them inexorably to the conclusion that nurses should be represented by nurses, teachers represented by teachers, draftsmen represented by draftsmen, and engineers represented by engineers. "Represented" within this context means doing the organizing, bargaining, and sustaining the life of the organization. Outside financial help might be welcome by such groups, but personnel who do not carry the occupational credential of the profession are handicapped in their efforts to provide assistance in a unionization campaign.

9. Conclusion: Finally, in assessing the prospects for the future, I would guess that unionization of professional and white collar workers will increase at about the same rate as at present. Essential to the slow but apparently successful efforts of the unions is the continued benevolent attitude of the government. So long as employees in the public sector are protected by laws regulating collective bargaining, so long as the NLRB interprets the industrial scene in a manner that promotes bargaining, I think that it is reasonable to expect continued success in the efforts to increase the number of unionized professional and technical employees.

COLLECTIVE BARGAINING FOR NONUNIONIZED PROFESSIONALS

Minnesota Nurses Association

Utah Education Association

Mrs. Geraldine Braucht Wedel
Assistant Executive Secretary
Minnesota Nurses Association

Professional nurses in Minnesota have long been attempting to improve their employment conditions. Since 1938 when the first committee of our Association was appointed to meet with representatives of the Minnesota Hospital Association, we have been improving our conditions of employment. That committee tended to rely on education and persuasion for improvement of the nurses employment conditions. After World War II, the shortage of nurses continued because of the substandard economic position and at the same time, health facilities were expanding, hospitalization programs were growing, and advances in medical science were increasing the need for professional nurses. In 1946, an organizing attempt was made by one of the unions in Minneapolis to form a nurses union. It was that unionizing attempt, as well as the acute shortage of nurses with the need to delineate nursing responsibilities, that lead to the adoption of the economic security program by Minnesota Nurses Association (MNA) in 1947.

Some of the same problems we experienced faced nurses throughout the country. In 1940, the California Nurses Association initiated a collective bargaining program which lead to the adoption, on a national basis, by the American Nurses' Association (ANA) of what is known as the economic security program. As some of you may know, the MNA is a unit of the ANA. Through the professional organization, nurses work for high standards of nursing practice, promote the professional and educational advancement of nurses and the welfare of nurses to the end that all people may have better nursing care. The two objectives of the Association's economic security program have remained unchanged since they were adopted in 1946. The two basic purposes are:

1. Assuring the public of adequate and satisfactory nursing care,
2. Promoting and safeguarding the economic interests of nursing.

We have 4700 nurses who are members of our Association. Our membership recruitment is focused on all the Association's activities and programs. Some of MNA's programs and services provided are legislation, counseling and placement, recruitment of nursing students, education (workshops and institutes), research, setting standards of nursing care, salaries and conditions of employment, definition and promotion of the implementation of functions, standards and qualifications for practice.

One of the groups of nurses -- general duty, assistant and head nurses -- utilizes collective bargaining techniques to improve their conditions of employment. Approximately 3500 nurses in 48 written agreements participate in the economic security program and are covered by contractual agreements. The economic security program is only one of the many Association programs. We do believe that nurses, as well as other people, have the right and the responsibility to participate in deciding their employment conditions. The tenth plank of the Code for Professional Nurses states:

The nurse, acting through the professional organization, participates responsibly in establishing terms and conditions of employment.

The program, as adopted by the nurses at the national level, has the following broad policies which serve as guides to state Associations in the implementation of the program:

1. State Associations are the exclusive spokesmen for nurses in matters affecting their employment.
2. State Associations are encouraged to develop bargaining techniques.
3. Membership is encouraged in only one organization which can act as a bargaining agent.
4. There shall be no discrimination on the basis of race, color, creed, sex, or marital status.
5. A no-strike policy:

In recognition of the fact that the nursing profession and employers of nurses share responsibility for provision of adequate nursing service to the public, the American Nurses' Association, in conducting its economic security program, (1) reaffirms the professional nurses' voluntary relinquishment of the exercise of the right to strike and of the use of any other measures wherever they may be inconsistent with the professional nurses' responsibilities to patients; and (2) reaffirms its conviction that this voluntary relinquishment of measures ordinarily available to employees in their efforts to improve working conditions imposes on employers an increased obligation to recognize and deal justly with nurses through their authorized representatives in all matters affecting their employment conditions.

6. The nurse maintains a neutral position when other disputes are occurring at her place of employment. This policy states:

Registered professional nurses in an institution or industry as employees are accountable to management for the satisfactory performance of professional services for which they are employed, and at the same time, as licensed members of a profession, have direct legal and ethical obligations to patients.

In addition, nurses, in recognition of the same obligations to patients, should maintain a scrupulously neutral position in regard to labor-management relations between their employers and non-nurse employees. Especially during any dispute which may arise, they should avoid any participation in activities designed

to influence the outcome of the dispute, whether these activities are conducted by non-nurse employees or by management. They should neither, as partisans to the non-nurse employees, refuse or fail to carry out their proper and necessary nursing duties; nor, as partisans of management, accept the assignment of duties normally discharged by the non-nurse personnel unless a clear and present danger to patients exists.

The ANA believes that the best relations among management, nurses, other employees and the public will be maintained if management, the other employees and the public recognize that nurses by virtue of their professional obligations occupy a neutral position in management-labor disputes and continue to perform their distinctive nursing functions during such disputes solely in fulfillment of their professional duties to the patient.

When the contractual agreement is a feasible instrument, we are prepared and do deal with the issues of professional services. All the agreements provide definitions of duties for the positions covered by the contract. In one recent election, there was not a clear delegation of authority within the hospital. As a result of the hearing for a certification of election, the labor conciliator ordered the hospital and MNA to write a job description for hospital nurse supervisors. The supervisors will then be offered the position and at that time will be removed from the bargaining unit.

We have developed a program for the physical protection of nurses during hours of darkness in the twenty Twin City contracting hospitals. Week-end scheduling of services and a health provision are a part of each agreement.

One multi-employer pension plan and a small hospital pension plan have been implemented. In the past year, the two most recent requests for assistance by the Association have been brought about by the need of salary increases and job security. We have avoided the issues of management-rights or union-rights clauses. About one-half of the agreements have membership participation varying from voluntary deduction of Association dues to required Association membership.

At times during collective bargaining sessions, the nurses in the hospital discuss the improvement of nursing services, although it is not a part of the collective bargaining relationship between the Association and the hospital. Some of the areas discussed are: improved nursing techniques, classes for expectant parents and extension of hospital services to home care programs.

Nurses have long used the professional Association as an avenue of affecting changes in their economic welfare. In fact, one of the original objectives of the ANA in 1896 was "To promote the usefulness and honor, the financial and other interests of the nursing profession."

Private duty nurses in the early 1920's in districts of MNA decided and implemented a fee schedule for services. During the 1930 depression, they developed a system for work sharing. The MNA believes that in order to

maintain and preserve a profession, it is essential to maintain its economic standards. Our basic philosophy and our procedures have a two-pronged effect, that of protecting patient care and, at the same time, improving economic conditions.

The MNA board of directors, an elected body, has overall responsibility for the program. The executive secretary is the chief administrator. Perhaps it will be clearer if I give you some of the specific characteristics of our internal procedures.

1. The program is carried out by the state Association. Districts (some involve 4-5 counties) participate only indirectly in this program.
2. In establishing an agreement, nurses must request assistance of the Association in writing.
3. In our meetings with nurses, we discuss not only personnel policies, but current issues facing the profession, such as a forthcoming workshop, a professional goal, etc.
4. If the local group of nurses requests a provision which violates the principles of administration or ethics, the staff worker is not authorized to negotiate such a provision.
5. Prior to the drawing up of a proposal by the nurses covered by the agreement, the staff worker discusses the agreement with the director of nursing to determine difficulties in administration of the past agreement and to get her suggestions for improvement. During collective bargaining, as is usual in most situations, everything is brought back to the bargaining unit for final decision.
6. Not all members of the MNA are represented by written agreements. Many categories of nurses within our Association have established minimum standards of employment which serve as guides to nurses and employers.

There are many different stages of development of the economic security program from state to state. Nationally, the exemption of hospitals from the Taft-Hartley Act has left the choice to local hospitals as to whether nurses have a voice in their salaries and conditions of employment. Because of our state statutes, we, in Minnesota, are fortunate to have a voice in decisions which affect our working conditions. The Minnesota labor relations act provides that hospital management must recognize and bargain with the duly elected representatives of their employees in regard to conditions of employment. The Division of Conciliation prevents and remedies unfair labor practices, conducts elections, provides for conciliation. There is an additional provision by law, known as the Charitable Hospital Act, passed in 1947 which prohibits strikes involving charitable hospitals and makes all disputes regarding maximum hours and minimum wages subject to compulsory and binding arbitration. In the past 18 years of our program, we have had five arbitration procedures.

Through collective bargaining we have achieved improvements which the normal increases in economy wouldn't have brought us. In 1947, the

standards of employment in the Twin Cities provided a monthly salary of \$190.00. At the present time, the beginning monthly salary for general duty nurses is \$381.00, for head nurses - \$421.00, and on June 1, 1965, the salary will go to \$396.00 for general duty and \$436.00 for head nurses.

Last year, Dr. Roberta Jane Nelson, associate professor, Wisconsin State University, as a part of her doctoral dissertation in industrial relations at the University of Minnesota, sent a questionnaire to 1400 nurses for evaluation of the Twin City nurses' viewpoint and preference for collective bargaining. Forty-eight per cent returned the questionnaire. The overwhelming majority answering the questionnaire perceived no conflict between professional behavior and collective bargaining. They thought that MNA had done a good job bargaining.

Professionals always have a responsibility to maintain high standards of performance. If all nurses were given the right to speak responsibly about salary and nursing conditions, it would go a long way toward solving some of our problems in nursing, e.g., critical shortages, high turnover rates, and the quality of nursing care in many Minnesota hospitals and agencies.

We like to quote Florence Nightingale, who said back in 1886, "I would far rather than establish a religious order open a career highly paid." Recently, Dr. Robert K. Merton, ANA's consulting sociologist from Columbia University said, "If a profession is to move ahead, another requirement is that its practitioners must be adequately paid. Every profession has a social obligation to do all it can to insure a satisfactory income and satisfactory conditions of work for its practitioners. Low paid occupations will not attract the necessary share of talent, and without recruits of high calibre, a profession diminishes its capacity to do its job."

We have not yet reached these goals, but we are on our way.

John C. Evans, Jr.
Executive Secretary
Utah Education Association

First, I should like to make it crystal clear that I do not believe I, or the Utah Education Association (UEA), or the National Education Association (NEA) or the American Federation of Teachers (AFT), or the AFL-CIO have all of the answers to all of the questions on this subject. In my judgment each of us probably has some of the answers, or some of the facts, that would be beneficial for all of us to have. Also, I prefer the title of "Collective Negotiations" to "Collective Bargaining" as this subject relates to Utah's experience for, according to my own definition of the terms, Utah teachers did not, at any time during the recent controversy, actually carry out a strike. Unlike a strike, the recess, which was called on May 18 and 19, 1964, was intended to be made up; it was for the dual purpose of allowing teachers time to assemble in Salt Lake City from all over the state

and to enable them in a democratic process to determine collectively what the next step in their quest for quality education should be; and, it was not for an indefinite period of time nor to extend until such time as specific demands were met.

I consider the invitation to participate in this conference a very splendid opportunity, although, I dare say, even after the conference has been concluded, we will find that as Dr. Roald F. Campbell told the Utah School Study Committee, "Facts alone will not supply the answers; all they do is illuminate the problem." The answers to all of our problems concerning the advancement of education in general and teacher welfare in particular will have to come as a result of sustained and creative effort on our part. And in this regard, I might say, I don't look upon myself as in competition with the American Federation of Teachers. Rather, we ought to continue working together and exchanging notes as we are doing in this conference.

The Utah Education Association, like the National Education Association, is an all-inclusive organization. For years we've enrolled better than 95 per cent of all of Utah's public school teachers, administrators, and supervisors. Eighty-six percent belong to the National Education Association.

The Utah Education Association is also strong as far as staff is concerned, having probably the highest ratio of staff to members-at-large in the nation. In general, our aims are the same as those of the NEA, although our methods have tended to be more aggressive and militant. In my opinion, however, our actions have had a wholesome effect on the NEA by forcing it into a position it had been reluctant to take before.

Collective action then is not something entirely new to Utah teachers. Some Materials Used in Collective Negotiations by the Utah Education Association, 1963-65, have been used individually by UEA affiliates over a period of years. For instance, a number of our locals have as a matter of course, collected power-of-attorney authorization forms from their members, which have given the association the sole right to negotiate for all of its members. Resolutions such as the one passed on March 16, 1963, by the entire UEA membership, and entitled, "The Signing of Contracts--the Individual's and the Association's Responsibility," have likewise been used effectively by local education associations over the years. It is true, of course, that ours was the first experience on a state-wide basis which involved the National Education Association as well.

Chairman Lieberthal has stated that this conference was planned primarily to tell the successes of collective bargaining. We in Utah feel that ours is a success story. For the first time, in 1965, education was considered by the general public as well as by the Utah Legislature and the Governor as our number one concern. Even those who ran for public office in the fall of 1964 made education the number one, or at least the number two, issue. Education was not left until the waning days of the Legislature to be given attention. Instead, a very significant boost to the tune of about \$25 million was added to the support of Utah's schools well before there was a thought of adjournment. This appropriation, for all practical purposes, completed the program which had been requested from the 1963 Legislature. It also provided another significant increase (about \$700 over a two-year period) in the salaries of Utah's teachers. Previously, teachers' salary increases had been sporadic, separated by long dry spells.

Before the 1963 session of the Utah Legislature, for example, Utah had slipped to 49th among the 50 states as far as improvement in teachers' salaries was concerned, and this was true whether viewed over the last ten-year span or 15-year span. In contrast, Utah teachers have, in the last two legislative sessions, had back-to-back raises of significant proportions.

Now the reason for our success is a complex rather than a simple one. NEA sanctions certainly contributed, but they were not the sole factor. They advised all 900,000 plus NEA members that there were intolerable and unsatisfactory conditions in Utah's public schools and that teachers outside of Utah should not enter into contracts with Utah school boards until improvements were made. Incidentally, NEA has recently gone even a step further in Oklahoma where sanctions were invoked this month. Whereas teachers in Utah were encouraged to "stay and stick it out," placement bureaus have been set up to aid Oklahoma teachers to "help them move out of the state."

It is interesting to note that a year or so ago the Executive Secretary of the Oklahoma Education Association wondered what was wrong with the leadership of the Utah Education Association -- that such things could be happening there. Well, now he, as well as the entire nation, knows that those kinds of things can happen anywhere anytime the needs of education are neglected and unmet.

Other factors contributing to the success of Utah teachers in the area of collective negotiations included two threatened boycotts of contract negotiations -- one in 1963 and the other in 1964; two objective, comprehensive studies of Utah school needs: one by the NEA PR&R Commission and the other by a blue-ribbon Governor's School Study Committee, neither of which, of course, would have been made without the strong stand taken by Utah teachers; the two-day recess held by teachers on May 18 and 19; and the entry of Utah's teachers into the political arena. The part they played, for example, in the election of a Governor and Legislature that would be friendly to the problems of education has been universally recognized throughout the state.

Now, as I have stated in an editorial in a recent issue of our official Association journal entitled, "Hats off to the Past -- Coats off to the Future," although we have had considerable success in collective negotiations, we have a long way yet to go.

The teachers of Utah expect to have a say in the total educational program of the state, not in just economic and welfare matters alone. Internal relationships between teachers and administrators need to be re-examined and re-evaluated in terms of our recent experience. Some administrators were supporters of UEA's position; others were not. For example, some principals actually recruited so-called teachers from among PTA members during the recess. In the early stages of our campaign for funds, superintendents gave their support. On still other issues their society often hasn't taken much of a position one way or another. We have recently worked out a statement of agreement which describes the role of the school principal in time of association stress and extreme stands. We now need a similar agreement regarding the role of superintendent.

I believe that the UEA will continue to be an independent, professional organization because it has proved itself effective and capable.

Morale was never higher than it is today, largely because teachers now are respected as they never were before in Utah. If the time ever comes when the professional organization cannot get the job done, then surely our teachers will look to another organization to accomplish it.

Benjamin Solomon
 Research Associate
 Industrial Relations Center
 University of Chicago

My remarks will be arranged around three concepts -- pluralism, professionalism, and power.

Under the pluralist concept, society is seen as a multiplicity of power centers, no one of which is dominant and in which all significant interests are represented in a general give-and-take process. However, the pluralist idea by itself does not guarantee that all relevant interests will be adequately represented. If it is true that the teaching and nursing professions do not yet effectively represent their members' employment interests, then we can say that from the pluralist standpoint they are not pulling their weight in society.

Somewhere in our society we must also have sources which will nourish the democratic-humanist tradition which is supposed to be its guiding force. However, as I look around, it appears to me that a powerful commercial logic together with the dictates of technological and bureaucratic efficiency may exert a much more pervasive influence on the values and behaviors of people. The direct concern of teaching and nursing is the individual and his fruitful development. Public school teachers, however, are not ordinarily considered to be part of the intellectual community of our society and are not prominent in advancing the cultural life of our cities. Nevertheless, professions such as nursing and teaching represent a great potential, even if still largely unrealized, of resources of human values that this society badly needs. I believe we would be better off if these professional groups had greater strength and with it a wider vision of their roles in social life. Perhaps a sense of such larger role would help turn their attention to the problem of attaining greater strength.

Our second concept is that much-abused term, professionalism. What can we ask of a definition of it? (1) It should contain a valid core of the idea. (2) It should confront the serious and hard implications of responsibility and autonomous power particularly as these arise out of the fact that the professionals are employees in a bureaucratic structure. (3) It should portray a sense of development from a less to a more advanced stage. (4) It should appeal to the capacity and need for idealism and suggest a meaningful direction which commitment can take.

The starting point I would like to suggest is the potential for an occupation to be a professional occupation. A specific occupation should

be looked at in a dynamic sense -- as in a process of realizing or not realizing the implications of this potential. Occupations which assert that they are professional are, one might say, putting their claims to unique social significance to test in the social world.

We suggest that some occupations have more profound implications-- or society thinks they have -- than others. Occupations who have this potential in the general judgment of society may possess other attributes. To perform their tasks adequately, they usually call for intellectual attainments of a substantial nature, as well as for highly developed techniques requiring the use of individual judgment and discipline in application. Also the nature and aims of the service are such that the need exists for a high level of integrity in key relationships such as with clients and colleagues. Two further implications follow: (1) To society, the profession is responsible for the effective provision of its service. (2) To the individual, a profession insofar as it realizes itself holds out the prospect of fulfillment far beyond that of many other vocations. The implications of professional work include, of course, appropriate compensation and working conditions.

Finally we come to the concept of power. It is meaningless to talk about the responsibility of a profession unless it possesses commensurate group power. The location of power in the organized profession should be in the hands of the rank-and-file practitioners who directly provide services to the clientele. Group power, if it is to attain its potential strength and accomplish its purposes, must be rooted in the workplace and must express itself with respect to employment conditions and work processes that are immediately experienced by the professional workers.

Group power is very often a difficult concept for teachers and nurses to grasp or discuss. Concerted action runs counter to the desire for respectability in its challenge to legitimate authority, its prospects for openly unpleasant relations with administrators, and its associations with unions and working-class behavior.

The wave of unrest among teachers and on a lesser scale among nurses in recent years does seem to indicate a growing readiness to think and act in terms of group strength. Yet there is undoubtedly still a long way to go and perhaps a major task of professional leadership is to help their occupations gain an adequate concept of group power, one which is relevant to their positions and responsibilities and with which they can feel comfortable.

Lynd's view that "power in a genuine democracy may be a human resource which can be used for the enlargement of human freedom" is suggestive of the reorientation in outlook which would be helpful to teachers and nurses. They know a lot about their work structures and the power processes they contain, but they lack capacity to analyze them, to generalize from the implications of analysis, and to conceive of alternatives or modifications on which action might be taken.

Hierarchical work structures are vulnerable to critical analysis. Such analysis should start from consideration of the nature of the work process and goals that the structure is supposed to serve, not from some preconceived notion of administration. In a process such as education, which

centers around the human element, certain broad questions may be raised. Does the system have a negative and inhibiting bearing on the personnel involved, tending toward cautious and conformist behavior, a limiting of horizons, and a drawing inward into a defensive shell, the forming of weak bonds among colleagues, and dependence on the vertical line of authority? Or is the pattern of relationships conducive to development and maturing of the individual, to eliciting of a larger contribution, to cultivating a sense of responsibility, and to the emergence of a colleague group which gives a supportive and demanding context for a larger participation? To what extent does the present administrative organization produce a fragmentation of the education process and of the goals of education?

In a 1959 article in the American Sociological Review, Melvin Seeman discussed five alternative meanings of alienation: powerlessness, meaninglessness, normlessness (anomie), isolation, and self-estrangement. What would we discover if we tried to find to what extent these various processes are operative in some of our school systems?

Problems of power, autonomy, and participation reside and need to be resolved primarily at the local level. Professional organizations should place much more emphasis on workplace organization and activity. Here can be developed both the vital bonds of cohesion among professional colleagues and the basic machinery of autonomous power. And here is where professional employees can shape the context which makes possible group and individual participation, with respect to both employee and professional issues.

Do we need a basic change in work structure? The answer will come as organized bodies of teachers gain a sense of group strength pegged to their immediate work situations and as their horizons correspondingly broaden as to their roles and responsibilities as professional people. Personally, I am of the opinion that there is no pressing need for the centralized work structure in education; that there can be more than one power center which, with new norms, new divisions of functions and responsibility, and new relationships, will elicit the potential of the professional staff more effectively than is the case with the present structure.

In summary, (1) it is difficult to put ideas across or generate discussion among teachers or nurses when using such concepts as power or conflict. In part it is a matter of terminology, which can be corrected, but to an important extent it may be a result of different frames of references. An important problem is how to bridge these differences. (2) Professional employees should shake loose from habitual modes concerning the legitimacy of the present work structure, the nature of professionalism, the question of power, and the use of collective action. (3) Collective bargaining describes a process which can take many forms and has many possibilities. I think a theory of natural harmony or lack of different interests between employees and executives is incorrect, unrealistic, and probably as unfair to administrators as to employees. (4) Group power for professional employees will undoubtedly develop first around economic and employment issues, but the ultimate aim should be much broader to include participation in determining relevant aspects of the work process. (5) The front line of the collective relationships is in the local workplace, but the focus in bargaining is often on negotiations at the top. If there is little change of experience at the working level, then one may question the ultimate significance of the process at the top.

COLLECTIVE BARGAINING FOR PROFESSIONALS
IN GOVERNMENT SERVICE

American Federation of State, County
and Municipal Employees
Unions Representing Federal Employees

Al Bilik
President
Cincinnati Central Labor Union
(American Federation of State,
County and Municipal Employees)

Although all professional workers should be organized within the AFL-CIO, there are many state and local government employees who have not yet accepted collective bargaining. Our problem, therefore, is to give some sense of purpose, some positive meaning, to unionism and collective bargaining that will appeal to these people.

In Cincinnati, there are 5,000 government employees in our union ranging in skill from the unskilled to professional engineers. But we do not organize the professional and white collar workers into general AFSCME locals. Instead, we have established white collar locals with autonomy in the handling of their own affairs and in the setting of their own objectives.

We have still successfully kept a sense of cohesion in collective bargaining among the white collar, professional, and manual worker locals. This cohesion has benefited both professionals and nonprofessionals. Each local has representation on the bargaining committee which means that professionals have the backing of nonprofessionals within the Council. For example, the professionals wanted in-service training programs for their members. Although the nonprofessional locals did not feel this was one of their major interests, they supported the professionals who won an agreement for the city to pay half the course tuition. Later, we will push for full tuition payments by the city.

Although I have described our small success in organizing professionals, questions remain. Why don't professionals join unions in larger numbers? Why don't they see the light? The real problem is that the labor movement itself has alienated the professional. Where has the labor movement failed?

First, the labor movement has not shown an ability to solve the most important problems plaguing union members. I am thinking particularly about problems created by technological advance and automation, such as changes in the labor force, unemployment, and employee insecurity.

Second, unions use the slogan "economic democracy" but have failed to sell the idea to our own members. Members see the union in terms of benefits without recognizing the value of union participation as good in itself. Is a union an economic instrument alone? No! The union has a larger role in providing relief from the insecurity a worker feels at the workplace-- a responsibility to provide the worker with a say in the decisions that affect his life.

Third, unions oppose the individual, selfish idea that "I'm all right, Jack" and never mind about the other guy. But still unions have accepted the idea that "We're all right, Jack" and don't bother us about the other groups in society that desperately need representation and the power to improve their lot.

What is the solution? We might attract professional and technical employees to unionism by showing them the realities of their situation. They might be attracted by the "muscle" of the trade union movement. In fact, some have accepted the Teamsters because they see the value of collective power. However, we have a better chance of attracting professionals if the labor movement begins, again, to believe in the ideas and ideals which helped unions to grow in the past. We must work again on the idea that no group is "all right" as long as many groups live in poverty and isolation. Professionals tend to identify with power and prestige and would be attracted to a labor movement that directs its energies to the solution of problems that face the nation -- the problems of unemployment, poverty, medical care, housing, discrimination.

With this basis for collective action, we have a chance of attracting professionals to a labor movement that contributes to its members individual well-being and the well-being of the nation as a whole.

Otto Pragan
Assistant Director
Education Department, AFL-CIO

The terms, "white collar" and "blue collar," are confusing when describing the types of government employees. Federal employees are divided by the way they are paid and classified according to wage systems. The 2.4 million Federal employees can roughly be divided into postal employees (600,000), wage-board employees (800,000), and classified employees (1 million).

Although the degree of overall union organization among Federal employees is about the same as it is in private industry, this figure is quite misleading. In Federal employment as well as in private employment, about one-third of those who can be organized belong to unions. However, a breakdown will show that this figure is not meaningful at all and must be broken down by the degree of organization in the three main categories. The number of union members is very high in the postal service -- 86 per cent; it is very low among classified employees -- less than 10 per cent; and it is about 20 per cent among the wage-board employees.

Government unions so far have negotiated 260 agreements. Of this number, 222 agreements have been negotiated by 39 unions affiliated by the AFL-CIO, and 38 agreements have been negotiated by 23 independent unions. These unions deal with 24 Federal agencies or, to put it another way, the employees of more than two-thirds of all Federal agencies are not covered by the negotiated agreements. Of the 39 unions affiliated with the AFL-CIO, ten represent less than 100 employees each, and so do 11 independent unions.

Postal employees account for three-quarters of all Federal employees working under collective bargaining agreements. Aside from the postal unions, only two AFL-CIO unions have real strength in the Federal sector: the American Federation of Government Employees (AFGE) representing 86,000 employees (having 132 agreements covering 63,000 employees) and the Metal Trades Councils affiliated with the Metal Trades Department representing 81,000 employees (having 18 agreements covering 64,000 employees). Among the independent unions, except for the National Association of Internal Revenue Employees which represents 18,000 employees, only the National Association of Government Employees (NAGE), with approximately 18,000 employees in exclusive units, is of importance. Most of the other independent unions are one-agency unions representing a small number of specialized units in a single agency. By and large, it can be said the AFL-CIO unions represent the bulk of Federal employees under collective bargaining agreements (about 650,000 employees are covered by AFL-CIO agreements as compared to roughly 80,000 who are represented by independent unions). Contrary to predictions, it must be noted that the independent unions have not been able to organize classified, particularly professional, employees. The great success of NAGE lies in the blue collar sector. Here it has become a challenge to the AFL-CIO unions, particularly to the Metal Trades Department and the AFGE.

By and large the growth in unionization is small, but all Federal government unions have been increasing their membership. Although the amount of union dues is very frequently used as an argument against AFL-CIO "mixed" unions (that is, with representation both in the private and Federal sectors), the results of organizing, small as it may be, shows that the amount of union dues does not play a very important role. The "mixed" unions have higher dues, as do BSEIU and the various maritime unions who have been successfully competing with the AFGE which historically has had low dues.

Of great significance is the fact that the "mixed" unions have been by far the most successful in negotiating genuine collective bargaining agreements. An analysis of collective bargaining agreements shows that government unions both in the AFL-CIO and independent, have not yet been successful in negotiating issues relating to working conditions that go beyond the practices experienced prior to the Executive Order. On the other side, an analysis of the agreements negotiated at the Defense Department shows a growing number of issues regarding working conditions and personnel policies that are being negotiated in a bilateral sense. Such analysis also clearly shows that the collective bargaining experience of these "mixed" unions in private industry is an important factor for the substance that can be found in wage-board collective bargaining agreements.

The reasons for the slow growth of government unionism and the slow development of meaningful collective bargaining agreements are many. Perhaps they can be summed up as follows:

1. In the wage-board area, the jurisdictional fight between the AFGE and the Metal Trades Department has seriously affected the AFGE's ability to organize blue collar workers. In the classified area, the AFGE or any other union has not yet found effective means to increase

their membership. It can be said that not a single union is identified by the classified employees as the union of white collar employees and, therefore, as the best representative of the interests of classified employees in the Federal service.

2. Since bilateral collective bargaining is so new in the Federal service, the unions with experience in the private sector naturally have been more successful in dealing with government management than the so-called government unions. However, as unions know from their experience in the private sector, the administration of an agreement is just as important as negotiating the contract. Considerable difficulties arise in many unions, including those affiliated with the Metal Trades Department, in policing the agreement. Metal Trades Councils are formed and exist by voluntary accord among the various crafts in a local installation, although the Council cannot supply the same services that are supplied by one international union. An international union can make available to the government workers the same types of services as they do in private industry, such as organizing, handling grievances and arbitration, and research and education services.

3. "Government" unions experience a most serious problem insofar as they have to "learn" that collective bargaining is just as important, or even a more important function of their union activities, as their legislative work which for many years has been their main function. For the same reason, many unions see no difference between collective bargaining and the type of consultation they had been carrying on prior to the Executive Order.

4. Finally, and it does not have to be mentioned at this conference, the lack of economic power requires a great amount of resourcefulness to negotiate a meaningful agreement. Since the strike weapon cannot be used and advisory arbitration is limited to processing of a grievance, persuasion and other forms of negotiating techniques are the only weapons a union has. Quite often government management realizes this weakness of government unionism and tries to limit the areas for bargaining by enlarging the areas of regulation. The purpose of the Executive Order 10988, as particularly clearly expressed in the Task Force Report to the President, was to decrease the unilateral areas of labor-management relations by way of regulations and orders and to promote the bilateral areas of collective bargaining. However, in daily practice of collective bargaining, management often finds ways to decrease the authority of local management to negotiate meaningfully.

No doubt great gains have been made in Federal collective bargaining. However, it will not be possible to achieve the goals of free collective bargaining, as we know it in private industry, unless the union can turn to an impartial agency or board in case of a deadlock in negotiations or can appeal to an arbitrator who has the power to make a final and binding decision.

A meaningful increase in union membership will come only when unions can prove that they are willing and equipped to represent the employees in all phases of collective bargaining in such a way that collective bargaining will prove to the employees a tool for improving working conditions and for fair personnel policies.

NEW YORK TEACHERS' EXPERIENCE

American Federation of Teachers

David Selden
Assistant to the President
American Federation of Teachers

What happens in New York City continues to have a profound influence on the American Federation of Teachers and the entire teaching profession. But before we go into that, let me give you a historical review of the past ten years. In 1955 there were 45,000 teachers in the AFT. The New York local had about 2,000 members out of a total of 40,000 teachers in the city. The New York City union was largely a protest group. There was no New York City unit of the New York (state) Teachers Association, NEA, the accepted group upstate, and the NEA had about 1,000 members in the City, most of them administrators.

The most powerful opposition to the AFT came from the High School Teachers Association. The state legislature had, in 1947, wiped out the salary differential between high school and elementary teachers and thus activated the HSTA to fight to bring it back.

Mayor Robert Wagner granted collective bargaining rights to public employees of the City in 1955, but he was not prepared to extend these rights to the teachers. An attempt to introduce legislation to allow teachers to bargain was unsuccessful. The AFT leadership was convinced that collective bargaining was important, but few teachers knew anything about it.

Conditions in the New York schools were irritating to teachers. The main problem was a general lack of status. Many teachers have lower class backgrounds and consider teaching a rise to professional status, but on-the-job conditions emphasize lack of status. The greatest disappointments existed in the junior high schools. Conditions were worse there than on either the high school or elementary levels, and junior high students are hard to teach. All New York City teachers are required to pass competitive examinations before their names are placed on a list for appointment to a school. Because these examinations are scheduled irregularly, the result is too few teachers. From one-fourth to one-third of the New York teachers are full-time substitutes, most of them in the junior high schools. Although substitutes do hold degrees and must pass qualifying examinations, they were denied most of the benefits of the regularly appointed teacher.

The union therefore aimed its organizing efforts at junior high teachers and substitutes, offering a militant program involving mass action of various kinds, and succeeded in establishing a strong power base.

In 1959, evening high school teachers conducted a month-long strike, under the sponsorship of the union's chief rival, the High School Teachers Association. Instead of attempting to undermine the strike, the union lent its unstinting support. Friendships were established with some of the more militant HSTA leaders, and within a year these leaders split away from the HSTA to join the union, which was thoroughly reorganized at the same time. This action put union membership over the 4,000 mark and paved the way to victory in the representation election held in December, 1961.

As soon as the union had won exclusive recognition, it began negotiations on a contract. Most of the other City unions were content to negotiate for limited, specific gains, without trying for a comprehensive contract. The AFT, however, was determined to "go all the way."

A one-day strike in April, 1962, resulted in settlement of all monetary issues, but there was still much to be done on other parts of the agreement. The most troublesome obstacle was the Board of Education's insistence on a no-strike clause. This was finally resolved by the union's accepting the clause, but adopting a no-contract, no-work policy. Thus failure to come to terms on a new contract would automatically result in a strike.

The effects of the New York City breakthrough on the AFT and the teaching profession can hardly be exaggerated. The developments in New York City also hold great significance for the AFL-CIO. AFT membership now exceeds 110,000, of which 30,000 are in New York City. Other big cities have "gone union," and soon other contracts will be ratified. As AFT membership continues to grow, teachers will gain a greater voice within the labor movement and thus will come to have a greater impact on society itself.

Wesley Wildman
Director, Labor-Management Projects
Industrial Relations Center
University of Chicago

The facts and figures concerning current developments on the teacher bargaining and professional negotiations scene are probably quite well known to most of you, and I think that the sketchiest sort of summary will suffice here. Membership of the AFT is now approximately 100,000 while the NEA claims around 950,000 members. The important thing to note is that the AFT has been growing at a rate of 10,000 or better per year over the past several years and is beginning to better, if only slightly, the rough ten to one ratio which has existed for more than a decade between AFT membership and direct NEA membership. The majority of the AFT's strength is in our major cities. Another important consideration is the fact that over 90 per cent of the nation's teachers are enrolled in either the NEA or state and local affiliates thereof. This, of course, gives to the NEA and its affiliates a large edge over the AFT in terms of financial and organization potential.

In elections which have been occurring with increasing frequency between AFT locals and NEA affiliates in the past couple of years, it would appear that since 1963 the NEA is ahead in terms of total victories won. However, the AFT wins, including those in Detroit and Philadelphia, give the overall edge in terms of teachers represented to the AFT.

The incidence of collective activity among public school teachers on the local level is clearly increasing, and it seems evident that the essential thrust and desired effects of the attempts by teacher organizations to assume greater power in the local system is shared control over policy formation and administrative decision-making in areas traditionally considered the unilateral responsibility of boards and administrators.

Why the ferment, or, if you will, revolution?

Possibly there is some degree of conflict inherent in the teacher's "employee" as distinguished from his "professional" role in the average bureaucratically organized school system. Teachers, like most others, wish more material rewards for what they do, and this may put them into conflict with their board and/or the community at large and lead to the desire for more power to wield in that conflict. The community may be primarily worried about the tax rate and less about the needs of education. The school board may reflect community attitudes, and the chief administrator may be at least as interested in efficiency and minimization of cost as he is in quality education. With regard to the nonwelfare items in the teacher employment relationship, there appears to be a "web of rule" in schools (regulations concerning class size, number of assignments, program preferences, seniority, service and merit increases, promotions, etc.) which teachers may well desire to share in formulating. Also, they may feel a need for a formal and protected method of protesting allegedly discriminatory application of rules and policies.

The recent incidence of teacher collective activity has resulted from this sort of conflict present in some systems, operating in conjunction with a number of historical factors: (1) the increase in government employment which is creating pressures for enabling legislation at the state level to provide organization and bargaining rights of which teachers can take advantage, and the example of ever more widespread bargaining throughout the public employee sector; (2) support for teacher organizing activities which is arising out of the desire of the larger labor movement to organize white collar workers; (3) pressures developing as a result of the problems of the large city school system; (4) the increasing educational level and "professionalization" of teachers, and (5) long-run increase in the percentage of males in the teaching force and a decrease in turnover within the profession.

Under the impact of comprehensive law and extensive experience, collective bargaining relationships in private industry have come to display great uniformity. In the absence of comparable law and experience in public education, school board-staff negotiating relationships display diversity in even the most basic elements of the relationship.

It is possible, though, to detect some common elements in the diversity, three of which deserve some treatment: the structure of negotiations, the scope of negotiations, and "closure" in negotiations, or what to do in the event of impasse.

The key variable in the structure of negotiations seems to be the role played by the superintendent. Three structural types seem to have appeared, and all have been formalized in written agreements: (1) negotiations directly, from the outset, between the school board and

the teachers' organization; (2) tripartite negotiations, in which the superintendent is called upon to act as a third force in the school board-staff relationship; and (3) negotiations, at least at the outset, between the teachers' organization and the superintendent, or his representative, in his position as chief executive officer of the board. What do these various structures imply for school boards, school administrators, and the relationship between boards and administrators?

I am quite convinced that where collective bargaining is the order of the day in a school system, if the superintendent is to be an effective leader in his school system, he must have working responsibility for and authority over the collective relationship with the teacher group. The concept of the chief administrator as a "middle man," interpreting the teachers to the board and the board to the teachers, providing information, counsel, and mediating services to both during the bargaining process, does not seem to me realistic or tenable.

In large school systems, it may be unreasonable to expect the superintendent to conduct negotiations himself. Expert help may not only be desirable but necessary. This situation is not to be differentiated from the case in which the superintendent does the bargaining, for it is the location of responsibility for negotiations which is crucial. Assumption of this responsibility demands that communication between the superintendent and the board be excellent if the superintendent is to enjoy sufficient authority to bargain and thereby make it unnecessary or impossible for the teachers' representatives to circumvent him in favor of direct interaction with the board.

Teacher negotiation agreements in existence today are concerned for the most part with recognition and procedures for negotiations. Where such agreements do include substantive provisions regarding conditions of employment, salaries are about the only item which appear with any great regularity, followed by grievance procedures. However, a few suggestions from the population of demands and agreement provisions which have appeared to date on the teacher bargaining scene, should serve to give some indication of the potential in this area: (1) What is the appropriate overall support level for the school system? (2) How are available funds to be divided among alternative uses? (3) To what extent should teachers' salaries be increased at the bottom of the schedule as a means of facilitating recruiting as opposed to increases at the top as a means of rewarding long-service teachers and facilitating the retention of teachers in the system? (4) To what extent should seniority be used as a criterion in transfer, promotion, assignment, and layoff of teachers? (5) To what extent should teaching and nonteaching assignments be strictly rotated as a matter of policy among all teachers in the interests of equity within the teaching staff? (6) To what extent should the length of the teaching day and the use of teacher free time be uncategorically limited as a means of protecting teacher rights?

The use of power in negotiations is a matter related to what may be termed closure of negotiations. In private industry, if agreement cannot be reached by the parties, they must ultimately resort to a test of power or the threat of it. Teachers are, of course, denied the right to strike

by law. They have not, in all cases, however, relinquished this right. For the most part, impasse resolution procedures, imposed by law or adopted voluntarily to obviate the strike, involve the traditional techniques which have been applied in the private sector -- mediation, factfinding, or combinations thereof into multiple step procedures.

Collective bargaining, as it is practiced in industry and in at least some school systems, is essentially a power relationship and a process of power accommodation. The essence of bargaining is compromise and concession-making on matters over which there is conflict between the parties. The engine which makes the bargaining relationship real is the right and ability of each party to inflict loss on the other in the event of failure to reach agreement as to how they shall live together for a specified period. The avowed theoretical purpose and practical effect of collective bargaining is to grant to employee organizations an increased measure of control over the decision-making processes of management. While much problem-solving may take place in negotiations, particularly at the inception of a bargaining relationship in public employment, true, mature collective bargaining in either industry or in school systems is much more than an elaborate structure of communications or a new, formal procedure for the mutually satisfactory resolution of problems in the organizations.

When attempting to assess the appropriateness of collective bargaining to education, we must at least recognize the disadvantages and disutilities which can accompany it. For instance, once the bargaining relationship has been established, the employee organization, as a political entity, and its leadership may develop a vested interest in seeking out and maintaining conflict situations.

There is little hard evidence on the question of whether collective bargaining or formal professional negotiations are either inevitable or desirable on a widespread basis in American education. We do not yet know the extent to which the assumptions concerning employer-employee conflict which underlie our structure of private sector labor relations are true of or appropriate to our public education system. We do not yet have sufficient analyses of specific collective negotiation relationships between boards and teacher groups which weigh both the utilities and disutilities which must inhere in every such relationship, to guide us in making a judgment as to what the impact will be of collective bargaining, and all it implies, on the school system conceived as an institution of client-centered professionals offering services to a public constituency. Rigorous research is simply not as yet available to indicate whether the type and degree of conflict to be found in any school system needs or deserves institutionalization through the establishment of a formal collective employee-employer relationship.

Providing any significant number of the key elements of collective bargaining such as machinery for determination of bargaining units and majority representation, exclusive representative status, union shop, dues checkoff, right to bargain and sign an enforceable agreement, grievance procedures, binding arbitration, the strike, etc., to an employee organization constitutes an effective grant of power to that organization to wield in

the collective relationship, and results in the institutionalization of the conflict presumed to exist by the assumptions which underlie the concept of bargaining. Extension of any or all of these key elements of private sector collective bargaining to teachers or other public employees may be made by state legislation, municipal ordinance, or voluntary adoption (depending on the local legal picture) by a board of education or other public employing agency.

It may be considered doubtful that formal, mature collective bargaining relationships will become dominant in public education in the U.S. until or unless the procedures and concepts which support meaningful collective employee-employer relationships are made generally available to teachers, most probably by state level legislation. The discernible trend seems to be in many states to make an increasing number of the key elements available by court decision or statute to public employees, or to at least grant sanction and legitimacy to many of the procedures and practices of bargaining in the event that a public employing agency should see fit to embrace them voluntarily and encourage its employees to enjoy their fruits. Good evidence of the impact of law can be seen in California and Wisconsin. The California Teachers Association and its affiliates have used the 1961 law and policies established under it to achieve formal recognition in a large number of districts. In a number of jurisdictions in Wisconsin, representation elections have been held under the very important 1959 law, and recognition of teacher organizations has led to formal, negotiating school board-staff relationships in that state.

I would like to conclude with some more or less random observations on the AFT vs. the NEA. The union accepts as a given the existence of significant conflict in school systems, declares the need of teachers for power to wield in that conflict, and sees collective bargaining on the industrial model as the appropriate means for gaining power and handling conflict. The NEA is not so sure about the inevitable inherency, nature, and depth of the conflict, is somewhat uncomfortable using the idea of power and opposed interests to discuss the relationship of one segment of the educational fraternity vis-a-vis another group within the profession, and is instinctively wary of collective bargaining as a suitable method for structuring the leader-led relationship within a school system.

The significant differences between the approach and outlook of the organizations are manifested in such still real and important issues as: (1) affiliation with organized labor; (2) inclusion of administrators in the local bargaining organization; (3) applicability of traditional private sector labor law procedures and practices to the educational context; and (4) sanction vs. strike.

As to the future, if current trends continue, collective bargaining will expand in public education. Whether an alternative to collective negotiations as a means for teacher influence in policy formulation and the administrative decision process will appear is an open question. Whatever such a form might be, it will have to make allowances for organized teacher power at the local level.

A question which I think is going to receive increasing attention is that of the implications of the tendency to push disputes toward the state level and what may be the consequent changes in the structure of decision-making for the entire educational enterprise, at least with respect to questions of finance and control by the teaching profession over certification and entry generally into the teaching ranks.

SUMMARY

THEMES OF THE CONFERENCE

Russell Allen
Associate Professor of Industrial Relations
Michigan State University

The emphasis in this conference has been on case studies of successful professional and technical organizations. The situations described and the methods used have been widely diverse, yet even a casual review of the material presented shows a number of themes and refrains running through the conference. This summary will point up these themes, at the risk of missing significant points which were not recurrent.

Status, identity, and "differentness." The most important theme seems clearly to be the feeling of status and "differentness" and the desire for identity of professional and technical employees. The clearest indication of this feeling came in the discussion of the kind of organizational structure provided and in the matter of AFL-CIO affiliation.

For the nonaffiliated, occupational-type organizations -- such as the Association of Scientific and Professional Engineering Personnel (ASPEP) and the Nurses Association -- these matters present no problem, except in a negative way when the subject of affiliation is considered. The articulate representative of ASPEP, Henry Andreas, saw no room for the scientific and engineering professional in the house of labor with its present structure. Mrs. Wadel, speaking for the Minnesota Nurses Association, cited the provision in the economic security program of the ANA requiring a "neutral position in labor-management disputes" between their employers and non-nursing employees -- a clear renunciation of the solidarity principle inherent in affiliation.

The occupational-type, affiliated unions (American Federation of Technical Engineers, American Federation of State, County, and Municipal Employees) have found it desirable to emphasize the differences between white collar and blue collar goals. The AFSCME reported on a separate local in Cincinnati for its professional social workers, with allocated representation for this local in the union's councils. It sponsors in-service professional upgrading courses with a local university.

The Technical Engineers (Camden, RCA) sponsors both in-plant and out-plant job-related training programs, with company-paid tuition refunds for university courses -- a further index of the greater emphasis on education and training among white collar organizations. The Technical Engineers also espouse merit review in place of the pure seniority principle for special wage increases and promotions. (This is akin to the "retention credit" concept of the engineers, where seniority is but one of several factors considered in retention.)

The problem presents itself in the sharpest way among the industrial unions seeking to organize the industrial technical, office clerical, and professional worker. The UAW representative described the Technical, Office and Professional (TOP) structure set up within the UAW to provide specialized staff, publications, and organizing approaches to industrial white collar workers. (It is worthy of note, however, that it took a well-organized and vocal caucus at the national convention in 1962 to pry loose this concession, and that it followed by several years a similar arrangement for the skilled trades within the UAW.)

To summarize, the feeling on the part of white collar workers of their "differentness" from blue collar workers had led in each case of successful organization to both structural and programmatic devices to meet this feeling.

The blurring line between white collar and blue collar. Another theme was that the line between blue collar and white collar work is becoming indistinct. Once again, this is a point that fits more readily those unions seeking to organize both manual and non-manual workers. The conceptual approach of the British sociologist, David Lockwood¹ is useful here in comparing the market situation (income and employment), the work situation, and the status situation of white collar and blue collar workers. The contention was made, and some illustrations given, of the shifting line between the two groups, once sharply demarcated. The UAW representative contended that the industrial white collar worker is coming more and more to share the market situation of his blue collar fellow, as well as similar conditions at the place of work, and he has long since lost any special claims to status in the hierarchy of prestige of the large-scale corporation. If this be true, there may come with it a greater responsiveness to union appeals, if the conditions discussed under the first point can be met. The Retail Clerks representative also gave illustrations of the greater responsiveness of "grey collar" workers to union appeals once conditions of work had changed.

Importance of legislation. References were made from time to time to the inhibiting effect of the lack of legislation guaranteeing the right to organize and bargain for employees in the public service and those of nonprofit organizations. This lack could affect teachers and nurses as well as other public employees. Organizations in these fields must look to state or municipal laws (favorable to organization in the cases of Minnesota and Cincinnati), and these are few and far between. Federal employment is an exception, with Executive Order 10988 providing the framework for collective bargaining. It is significant that, with the exception of the special case of the postal service, no important white collar organization has emerged subsequent to the Executive Order, as was pointed out by Otto Pragan of the AFL-CIO Education Department. (The reason for this may be found in cases where single-agency organizations have been formed.)

Although this was a recurrent point, its importance is probably underestimated as will be pointed out later.

The uses of power. Much of the discussion over the program and tactics of white collar organizations dealt, directly or indirectly, with the use of power. The manual workers' unions exercise of power -- strikes, slowdowns, physical violence at times, bitter verbal exchanges, and a clear feeling of conflict of interests between labor and management -- has been repugnant to white collar psychology at least within a broad area of labor-management relations.

1. David Lockwood, The Black-Coated Worker (London: Allen & Unwin, 1958).

The white collar worker appears to shy away from the whole notion of conflict of interest and the exercise of group power, or at least to shy away from the forms in which power has been exercised and the names given to power tactics. He prefers to think in terms of a broad community of interest between employee and management. Indeed, in the case of public employees, teachers, and nurses, there is some difference between their employment relationship in a public or nonprofit establishment and the situation in private business or industry -- up to a point, at least.

As Ben Solomon of the University of Chicago stated, the use of group power has posed a dilemma for the humanist seeking to come to terms with the realities of modern urban-industrial society. Solomon quoted Robert S. Lynd's comments:

The traditional identification of power with dominance ... renders public reference to organized power in a society professing democratic values furtive and its use awkward.²

But Lynd sees a way out in that "...power in a genuine democracy may be a human resource which can be used for the enlargement of human freedom."

It is perhaps only in that sense that large numbers of professionals can find group power consistent with other values of individualism and freedom. In any event, unless the white collar worker can come to terms with the use of group power, he is lost to any form of occupational organization that seeks to be more than a social club.

But even for those white collar workers accepting the legitimacy of group power, and of an organization to achieve it, there are many stopping-points of a labor-identified organization. The organizations represented at the conference unaffiliated with the AFL-CIO -- notably the ASPEP, the Nurses, and the Utah Education Association -- all gave evidence of having accepted the legitimacy of group power and of having developed considerable agility in its application. The difference from affiliated unions seems to be more a matter of form and nomenclature.

The engineers in ASPEP bargain for themselves at the RCA Camden plant but in a clearly tandem relationship with the Technical Engineers for the draftsmen and the IUE for the production and maintenance workers. The Nurses say that they will not strike nor take any "other action inconsistent with their professional responsibility." But they have approved a "staggered withdrawal of services" from a hospital not meeting their standards for professional nursing care. (This was a unique example, but it illustrates the point.)

The Utah Education Association stood on the brink of state-wide "sanctions" against the entire public education system in Utah, the imposition of which would have urged all teachers not to renew contracts

2. "Power in American Society as Resource and Problem," in Problems of Power in American Democracy, Arthur Kornhauser, editor (Detroit: Wayne State University Press, 1959), p. 5.

or accept initial teaching employment in the state. Other teacher demonstrations have been called "professional holidays," "recesses," and other euphemisms.

The issue, then, seems to be not whether power should be used but how it should be used. The ambivalent attitude appears most directly when the matter of the right to strike is confronted. Executive Order 10988 reiterated the Taft-Hartley prohibition against strikes by Federal employees, denying the benefits of the order to any organization asserting (not exercising) the right to strike against the Federal employer. Some states have statutory strike prohibitions, but even in the absence of a law, the common law itself militates against public employee strikes. The Nurses and the NEA have disavowed strikes in policy declarations, although the 1965 NEA convention showed that the feeling is not unanimous even there. National leaders of only the AFT and the AFSCME have held that their members do have this right, though large segments of their members probably disagree.

(In my opinion this issue has been frequently fogged over by the confusion between the right to strike and the indiscriminate use of that right. I think it is an insult to the common sense, judgment, and sense of responsibility of public employees to imply that, given the right to strike, they would use it often and on trivial issues. It is pertinent to point out that the UAW, by no means a pantywaist outfit, did not have a national strike against General Motors from 1946 to 1964.)

Whatever the attitude of the white collar employee toward the strike, there are obviously some ways in which the professional employee at least cannot respond. The teacher cannot half-teach a class. The engineer cannot look at a gauge sideways to permit a product to fall within the limits of quality control tolerances. The nurse cannot provide substandard services and be true to herself and her profession. Their professional training in each case cries out against this kind of violence to their self-esteem and professional integrity.

In exercising group power, then, these groups in particular are constrained by training and disposition to find means which they regard as socially responsible and consistent with their professional ethics. And these means will differ in many cases from the means used by manual workers' unions.

Professionalism at the place of work. The point was made with respect to both nurses and teachers that true professionalism can only be exercised when the organization has a high degree of control at the place of work. Otherwise, professionalism can be achieved only in the abstract and not in the way professionals act day by day. The importance of consultation with teachers at the individual school level on matters of policy was mentioned, as was consultation with nurses at the hospital level. It was felt by some questioners that a top-down structure, without strong grass-roots organization, fails to develop a sense of professional responsibility on the part of the individual, whatever else may be achieved in the direction of professionalism. Efforts by the American Federation of Teachers, AFL-CIO (New York City) to achieve consultation on policy at the school level was mentioned, but it was felt that all professional organizations have a long way to go in this regard.

Characteristics of successful white collar organizations. From the case studies of successful white collar organization presented at the conference, a number of common points emerged. In each case, the organization had:

1. Sought to give structural identity to the white collar group if it was not an exclusively white collar union.
2. Sought to tailor its programs to the particular needs, interests, and goals of the white collar members.
3. Committed itself to the idea of "exclusive representation," in practice if not in policy. No example was cited of successful actions where the organization did not clearly speak for a large majority of its constituency, or when a serious competitor was in the field.
4. Seen its role as more than bread-and-butter.
5. Committed itself to collective negotiations or bargaining, whatever it might be called.
6. Taken advantage of favorable legislation (where it was relevant) but had not been deterred by unfavorable or nonexistent legislation. The New York and Detroit teachers are examples, both organized in states with no established bargaining procedures and with stringent curbs on strikes by public employees.
7. Come to terms with the use of group power in some form.

Structural diversity. Examples of successful organization ranged from unaffiliated, purely professional organizations at one extreme to thorough-going industrial unions at the other, with many stages in between. It was clear that there was no single form which could lay claim to being the "right" way to organize white collar workers. Some at the conference (I among them) prefer the affiliated organization which makes common cause with others in achieving social and political ends as well as economic and occupational goals. But it is clear at this stage that what is a failure to gain membership by one organization may be a net gain to white collar organization as a whole. The very flexibility that comes from structural diversity not only gives a wide range of choice to the individual but also provides a healthy form of competition. It seems apparent that organization begets organization. When teachers, nurses, and NLRB lawyers organize, can the other white collar workers ignore their example?

Not enough attention was paid at the conference, as noted by Jim Stern of the University of Wisconsin, to management responses to white collar organization and management among white collar workers. Perhaps this was so because the emphasis was on successful examples, where management in a sense has "lost out." I prefer not to see labor relations in these terms, but there was a missing element in the discussion because of this lack. However, time would not admit of anything more. Perhaps another time.

Finally both Ben Solomon and Al Bilik raised a note of idealism which I find appropriate for a conclusion. A paraphrase of Bilik would be that, just as the notion that "I'm all right, Jack" is hardly a moral response to current problems, neither is the notion that "We're all right, Jack." If white collar groups see the limits of their organizational goals as cutting themselves in, they are missing opportunities which they may particularly be qualified to achieve, over and above their individual and occupational ends.

Solomon put it differently but in the same vein when he said that white collar professional organizations can make an appeal to idealism and provide a direction for the commitment of intellect and emotion in the course of which they utilize the democratic, humanist tradition to nourish the programs and policies of interest groups.

It may not be amiss to end on that secular prayer.

Speakers and Staff

Russell Allen	Associate Professor, School of Labor and Industrial Relations, Michigan State University, East Lansing, Michigan 48823
Henry J. Andreas	Executive Secretary, Association of Scientists and Professional Engineering Personnel, 318 Cooper Street, Camden, New Jersey 08100
Al Bilik	President, Cincinnati Central Labor Union (American Federation of State, County, and Municipal Employees), 1015 Vine Street, Cincinnati, Ohio 45202
Edwin Checkley	President, Local 103, International Union of Electrical, Radio, and Machine Workers, 319 Cooper Street, Camden, New Jersey 08100
Hugh Davison	Conference Supervisor, Division of University Extension, 116b Illini Hall, University of Illinois, Urbana, Illinois 61803
Hubert Emerick	Assistant Director, Technical Office and Professional Department, United Automobile Workers, 8000 East Jefferson Avenue, Detroit, Michigan 48214
John C. Evans	Executive Secretary, Utah Education Association, P. O. Box 2159, Salt Lake City, Utah, 84110
Phillips L. Garman	Professor of Labor and Industrial Relations and Extension, Institute of Labor and Industrial Relations, University of Illinois, 504 East Armory Avenue, Champaign, Illinois 61822
Walter L. Holt	President, Local 241, American Federation of Technical Engineers, Technical Engineering Building, 203 Vine Street, Camden, New Jersey 08100
Bernard Karsh	Professor of Sociology, Institute of Labor and Industrial Relations, University of Illinois, 504 East Armory Avenue, Champaign, Illinois 61822
Mal Lieberthal	Associate Professor of Labor and Industrial Relations and Extension, Institute of Labor and Industrial Relations, University of Illinois, 504 East Armory Avenue, Champaign, Illinois 61822

George Maher Regional Director, Region 4, National Association of Broadcast Employees and Technicians, 80 East Jackson Boulevard, Chicago, Illinois 60604

Otto Pragan Assistant Director, Education Department, AFL-CIO, 815 Sixteenth Street, N.W., Washington, D.C. 20006

David Selden Assistant to the President, American Federation of Teachers, 716 North Rush Street, Chicago, Illinois 60611

Ben B. Seligman Director, Labor Relations and Research Center, University of Massachusetts, Amherst, Massachusetts 01002
Former Research and Education Director, Retail Clerks International Association

Benjamin Solomon Research Associate, Industrial Relations Center, University of Chicago, 1225 East 60th Street, Chicago, Illinois 60637

James Stern Professor of Economics, School for Workers, University of Wisconsin, Madison, Wisconsin 53706

Mrs. Geraldine Braucht Wedel Assistant Executive Secretary, Minnesota Nurses Association, 2395 University Avenue, Room 310, St. Paul, Minnesota 55114

Wesley Wildman Director, Labor-Management Projects, Industrial Relations Center, University of Chicago, 1225 East 60th Street, Chicago, Illinois 60637