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HAROLD NEWMAN'S CLOUDY CRYSTAL BALL

"We are born for cooperation, as are the feet, the hands,
the eyelids, and the upper and lower jaws."

"Mediations"

Marcus Aurelius Antoninus
(121-180)

When I was yet in my early teens, my father, having noted that I was much too uncoordinated for any mechanical or artistic pursuits suggested to me that I become a bookmaker. He had been much involved with them both in England and after his emigration to the United States. "Bookmakers are good chaps, every one of them," Joe Newman told his youngest son, "The work they do is important and useful and they make a bloody good income." Alas, I was a dud in math. My father abandoned his original proposal. "If you can't do sums," he said, "you'll never understand odds." "You'd best be a clergyman," he said sorrowfully. "You don't have to know anything for that." More than forty years have passed since my father's vocational counsel but it remains vividly in my memory. I did in fact, many years later, seriously consider an opportunity to attend the Meadville Theological School at the University of Chicago, but I changed my mind and divinity escaped me.

I am sharing this autobiographical fragment because I had occasion recently to address the Chautauqua County New Economic Process Organization on the subject of labor-management cooperation in the public sector. Before Stan Lundeen resigned his post as Mayor of Jamestown to run (successfully) for a Congressional vacancy, he had with the assistance of labor and management groups in the Chautauqua County area set up the New Economic Process Organization. With the assistance of Dean Bob McKersie of Cornell ILR and members of the ILR faculty and under the chairmanship of PERB panelist, Jim McDonnell lured from Buffalo, much has been accomplished in improving the economic climate of the area through labor-management cooperation. Major employers have been encouraged to come into the region and others have expanded plant facilities. The idea of labor-management cooperation to expand job opportunities and to provide increased job security for those already employed is not, of course, new in the private sector. The idea of labor-management cooperation in the public sector to advance mutual concerns is considerably less prevalent. Yet, I feel so deeply the need for such programs and even more, the need for new attitudes in the public sector, that when I was invited to address the Chautauqua group at a meeting at the Holiday Inn in Fredonia, I spoke with such deep-felt missionary zeal that Rodney Dennis, a brilliant mediator-arbitrator and a good friend, expressed the view that had I but worn clerical garb, he would have raced up the aisles with a collection plate.

Never have I preached a sermon I felt more deeply. We are living in a time that demands that government managers and public employee unions ally themselves against

a mindless negativism about government that appears everywhere. Political candidates describe themselves as "not part of the Washington establishment". The media tends to imply that the fiscal crisis of the cities results, at least in large part, from the rapaciousness of public employees and their unions. Lockheed, Penn Central and the rest of that melancholy list are disregarded as the editorial wise men inform that in the private sector there is wise management and great efficiency while public sector "bureaucrats" (not managers) blunder and fail. I know a great deal about state and local government in New York at least. I know that the employees of our hospitals and schools, the employment security personnel and the forest rangers, the State police and the highway engineers, and thousands of others in scores of other classifications and the officials who direct them, do a fine job. The drumfire of attack on government may do more damage than we would like to imagine in the denial or diminution of essential services to the segments of the population which have the greatest problem in being able to articulate their needs and concerns - the sick, the elderly, the very poor and the children.

But it would be irresponsible and dishonest to pretend that government services are without blemish. When the citizenry are enjoying a good economic climate, they have a right to demand and expect that their tax dollars are well spent. In times like these, it is even more imperative that efficiency in government be maximized. What is required is that we neutrals encourage public employers and the unions to be innovative and that they cooperate with each other in imaginative programs to give the most efficient services at the least cost - this, without unfairness to either employer or employee. Dean McKersie, to whom I referred earlier, helped blueprint such a program for Nassau County and CSEA. It is temporarily in limbo, but I believe it will be revived and put into effect. In Orange, California the police have bonus arrangements based on reductions achieved in five major crime categories. In the recent negotiations between the CSEA and the State, the so-called "Armour Plan" was borrowed from private industry to meet at the same time the government employer's need to have programmatic reductions and economy RIFs if necessary, while funding a joint union-management committee to solve problems that might arise, including the use of transfers, retraining, job sharing, etc. Our Board, in a recent decision involving scope of bargaining (Matter of White Plains U-1867) held that certain matters that hitherto were considered mandatory as "safety questions" were now non-mandatory issues because they fall under the purview of managerial responsibility. But more important, the Board urged on the parties that these matters were best left to the employer and union to work out by committee. What mediator would not agree that it is absurd to argue the question, for example, of whether there ought to be two policemen in a patrol car or just one? The answer is, of course, it depends. Two may not be necessary in broad daylight in accompanying the mayor to a ribbon cutting at a supermarket. Two may, indeed, be needed after midnight down by the docks. Sure it is a managerial function and, of course, it may be a safety issue. But if the parties are encouraged to work it out themselves, they benefit and so does the public they serve.

Prior to the advent of the Taylor Law, it was a commonplace for school superintendents to call upon teachers for input in the choice of curriculum, textbooks, etc. Now, apparently, there are many school administrators and boards of education who feel a certain uneasiness because the teachers are not just teachers any longer but are a group of employees who engage in collective bargaining. Cooperation between teachers and school administrators on school programs, textbooks, curriculum, etc., is highly desirable and should be encouraged. This is especially true in a climate in which, because of the understandable unhappiness of the people with high taxes, board of education candidates frequently seek office on a "Know Nothing" platform of keeping taxes down and without reference to education.

We simply must strive to change attitudes in public sector bargaining from the "issues between us" to the "problems we have". People who enjoy adversary roles at the bargaining table for the sake of being adversary are not understanding the current public sector climate. Cooperation between government managers and public employee unions is an absolute necessity in the '70s. Governor Patrick Lucey of Wisconsin, no foe of public sector bargaining, has cautioned that innovative negotiations looking toward increased productivity, etc., are an absolute necessity for both public employee unions and governments.

I am not proposing that the Lion lie down with the Lamb. (Max Doner argues that that is only possible when there is an inexhaustible supply of lamb.) I do not expect far fewer impasses in public sector bargaining. I do, on the other hand, hope and expect that governments and public sector unions will recognize the political and economic pressures that make it imperative that they recognize a community of interest that requires they cooperate to improve both the image and substance of governmental administration.

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FROM OUT OF THE WEST. April 1, 1976 is a very special day. In terms of State operations, it marks the beginning of a new fiscal year with all of the monetary implications it carries for us and for the branches of local government which we service. April 1 also marks the beginning of a new season, not in terms of sports or the fine arts necessarily, but in terms of the annual round of school district negotiations. A few of our clients have already been at our door requesting that their baskets be filled with fact finders and mediators, hearing officers, and even conciliators. It has been difficult to accede to their requests without using our panelists. After April 1, this use is again authorized and the conciliation staff shall again be summoning you to the demanding task of public sector dispute resolution. All of which brings me to the point of my message.

The PERB western region of the State is generally that area west of a line drawn through Seneca Lake. It includes 14 counties, including the Cities of Buffalo and Rochester; it also is that area which is the primary concern of the PERB Buffalo office. Certain administrative adjustments shall become effective after April 1, when the panel will be utilized more fully than in the last three months.

The Albany office will continue to make the initial assignment to impasses. Thereafter, matters which pertain to the processing of the assignment should be handled through the Buffalo office, which shall include requests for an extension beyond the normal time allowed panelists, and other questions regarding matters of technique and procedure. Consultation which bears on the question of moving cases from mediation to fact finding or to conciliation, shall occur with the Buffalo office. We shall also begin to maintain a file of all fact-finding reports written on impasses in the western region. In order to identify "western region" cases, an insertion will be made with your assignment notice which indicates that this is a western region case. Please interpret this insertion as an invitation to keep the Buffalo office current with regard to the specific case assigned.

We are adopting these altered procedures in the face of staff adjustments and as a consequence of certain economic factors with which we have had to deal. We believe that the adjustments outlined here will help us maintain an effective level