



HAROLD NEWMAN'S CLOUDY CRYSTAL BALL

"After quashing a magistrate's order for a 12-stone Great Dane to be destroyed because it was dangerous, Judge Robert Lybery yesterday gave it a friendly pat at Bedford Crown Court. The dog bit the judge's hand twice-and the judge was taken to hospital for treatment."

(NEW STATESMAN, London, England)
January 9, 1976

"The people, Sir, are a great Beast."

Alexander Hamilton, 1755-1804

I have not offered the first quote above because I wish to demonstrate canine ingratitude. It simply reminds me that I have frequently been bitten when I have held out my hand to those who thunder that there must be more public involvement in public sector bargaining. The advocates of more public involvement tend to be wroth with me because I state that it is a consummation devoutly to be wished - but I don't know how. "Tell me," I say. Then they bite me.

Ed Kelly, the labor affairs editor of the "Buffalo Evening News" who is one of the best labor reporters in the State, quotes an angry citizen, "What do you mean, public sector bargaining?" "The public has nothing to do with the bargaining. The public's only role is to stand helplessly by with its pocketbook open, ready to cough up the price of settlements." And J. Edmund Kelly adds, "An oversimplification, surely, but symptomatic of the mounting frustration eating away at large numbers of citizens who see themselves going down for the third and last time in a boiling sea of rising prices, higher taxes and strikes, or threats of strikes, by public workers. So it's readily understandable why more attention is now being given to discussions of what - if any - role the public itself should play in collective bargaining between its school boards and governments on the one hand, and the unions representing the boards' and governments' and therefore public's employes on the other."¹

Ed Kelly mentions some proposals which have been made. There is the suggestion that the public accept or reject public sector agreements at the ballot box. I read an article in a learned journal last year suggesting precisely that.² I have some small problem with the vision of taxpayers voting to raise their levies yet higher in this bitter time. Another suggestion is to hold a public hearing

¹ "More Public Involvement in Bargaining Urged" - Buffalo Evening News, January 17, 1976.

² Foegen, J. H., "Public Sector Strike-Prevention, Let the Taxpayer Decide." Journal of Collective Negotiations in the Public Sector, Vol. 3 - No. 3, Summer 1974.

invited only as observers, and the meetings were often long and tiring. Toledo, Ohio teachers invite the community to assist in formulating demands. (But no further role for them.) In Fairfax County, Virginia, final ratification of the teachers' contract is postponed for six months while the community is informed and given an opportunity to react." (Were I mischievous, I would seriously propose this last to the parties in a certain county near New York City.)

Admittedly, what has been described either failed of its purpose or lacks much meaning. But the effort was made and we in New York with the cooperation of unions and governments might explore what we can do. The pundits have observed frequently of late that there is a lack of trust in government now and this with regard to public sector negotiations has been compounded by our economic ills. It would seem to everyone's advantage to attempt to reduce public mistrust and maximize community knowledge without injuring the bargaining process.

* * * * *

TRAINING SEMINARS. PERB will be holding three one-day training workshops for panel members early in March and we're looking forward to sharing experiences with you on the impasse procedures for police and fire disputes. The first will be at the Holiday Inn, 911 Brooks Avenue, Rochester on March 1; the second at the Holiday Inn, 1614 Central Avenue, Albany, on March 9, and the final session at the Holiday Inn, Tarrytown Road, Elmsford, March 12. There's still time to register for one of them. Please contact Muriel Gibbons.

The program will be as follows:

- 9:30 a.m. Introductory Remarks
 Harold Newman
- 9:40 a.m. Arbitration Procedures
 Ronald Kurach
- 10:15 a.m. Coffee Break
- 10:30 a.m. Legal Experience To Date
 Martin Barr
- 11:45-12 Noon Statistical Report
 Thomas Joyner
- 12:30 p.m. Lunch - Dr. Robert D. Helsby
- 2:00 p.m. Scope of Bargaining
 Jerome Lefkowitz
- 3:00 p.m. Criteria - What Do They Mean?
 Harold Newman
 Erwin Kelly
 Robert Doherty
- 4:00 p.m. Adjournment

* * * * *

REMINDER. All panel members who have retired under the New York State Employees' Retirement System and anticipate their earnings to be under \$2,500 for the calendar year 1976 should inform the Retirement System that they wish to be employed under Section 212 of the Retirement and Social Security Law. Those retirees who anticipate earning over \$2,500 should contact Erwin Kelly at PERB.