

EMPLOYMENT RELATIONS IN THE PUBLIC SECTOR



All wars are follies, very expensive and very mischievous ones. In my opinion, there never was a good war or a bad peace. When will mankind be convinced and agree to settle their difficulties by arbitration? -- Benjamin Franklin

T. Zane Reeves, PhD
Fall 2018
PUBLIC ADMINISTRATION 527
School of Public Administration

COURSE OVERVIEW

This course is designed to accomplish three interrelated objectives: First, to familiarize students with the essential principles and practices of employment relations in the public (governmental) sector. Secondly, attention is given to the nature of dispute resolution, with a particular emphasis on fact finding and arbitration techniques. Thirdly, students will be exposed the peculiarities of work life in a unionized organization and how they can function effectively within that environment to change an adversarial organization culture to improve the quality of work life for all employees.

Employment relations encompasses broad and dynamic relationships among three political actors:

Employees in bargaining units as well as their *union* representatives;

Employers, both in the public and private sectors;

Policymakers and stakeholders in the political and policy making processes.

Employment relationships between employees, unions, employees and citizens are fluid and ever changing. Nonetheless, this course focuses on policies and procedures for improving employment relationships, as well as understanding the political and legal frameworks in which they occur. The focus of this course is on the process of employment relations by which employee rights and employer responsibilities are protected. Students will be presented with techniques to apply so that employment relations between unions and the employer is enhanced.

REQUIRED READINGS

T. Zane Reeves, *Cases in Public Human Resource Management*, (2nd ed.) Cengage Publishers, 2006. (available in UNM Bookstore, Amazon.com, or Barnes and Noble)

T. Zane Reeves, *Applied Employment Relations in the Public Sector*, book package may be purchased from Outcomes, Inc., located at 1503 University Blvd., NE (behind the red Blood Bank Bldg) or call (505) 243-2551 to arrange shipping (\$45) or pick up in person (\$40).

AGENDA

August 25: Course Overview and Syllabus

Concepts and Terminology
Review “Collective Bargaining Glossary”
Preparation

September 1: Labor Day weekend. No class

September 8: Historical legacy of unions: Salt of the Earth

Discuss “Salt of the Earth” film

<https://www.youtube.com/watch?v=ixSCmBxytbQ>

Prepare (a written response, with references):

After watching Salt of the Earth on You Tube, prepare a critique of the following statement, “Unions are about solidarity; that transcends concepts of race and gender, which are divisive to working people.”

September 15: Unionization: Public and private sectors

Stages of Public Sector Unionization
Unionization: Why Do They Join?
Professionalism and Unions
Mandatory Overtime and Professionalism
Impact on Merit Systems
Divorce in the AFL-CIO
Read: Reeves, Ch. 8, “Dissing the Border Patrol”
Reeves, 1-43
Prepare: Answer questions 1 & 2 on p. 43

September 22: Unions as political actors

Impact on public policymaking
Hatch act concerns
Influence in political campaigns
Read: Reeves, Ch. 17, “Political shootout in the Lone Star State”
Reeves, Ch. 7, “Hiring the unqualified”
Reeves, Ch. 12, “An African-American woman among the good ol’ boys...”
Reeves, 44-70
Prepare: Answer questions on p. 70

September 29: Employee representation and due process

Representation during disciplinary investigations

Pre-determination due process rights: Loudermill, Garrity,
Weingarten and Miranda
Read: Ch. 15, "Sergeant Preston of the Yukon Police"
Reeves, 71-101
Prepare: Answer questions on p. 101

October 6: Grievance handling disputes

Grievance structure and procedures
Lock-step grievance appeals
Grievance outcomes and post-hearing results
Discipline and just cause
Read: Reeves Ch. 1 "Deer Valley Hires a New Coach"
Reeves, 103-130
Prepare: Answer two questions on p. 130

October 13: Fall Break

October 20: Discipline in the just cause environment

Just cause, not just cuz'
Punitive versus positive discipline
Progressive discipline
"Tests" of just cause, or not?
Alternatives to traditional discipline
Read: Reeves, Ch. 22 "Cattery Row"
Reeves, 131-172
Prepare: Answer questions on p. 172

October 27: Understanding the CBA

Language by which to grieve
Vague and Unclear language
Writing Clearly and Unambiguously
Contrary past practices
Contract (Rights) Interpretation
Interest interpretation
Read: Reeves, Ch. 3 "Some Counselors Are More Equal than Others"
Reeves, 173-198
Prepare: Answer questions on p. 198

Impasse Resolution: Coercive Techniques

Non-Sanctioned Job Actions
Employee Work Stoppages
General Strikes and Political Pressure
Efficacy of Strikes
Read: Reeves, 199-234
Prepare: Answer questions on p. 233

November 10: Impasse Resolution: Neutral Third Party dispute resolution

Arbitration, Mediation and Fact Finding

Read: Reeves, 235-281

Read: Ch. 10, "Taking the Fire Fighters Heat,"

Read: Ch. 28, "Billy Goat or Old Goat?"

Prepare: Answer questions 4, 6, and 7 on p. 280

November 17: Arbitrators and Arbitration

Selecting the Arbitrator

Read: Reeves, 281-318

Prepare: Answer questions on p. 318

November 24: No class; Thanksgiving holiday**December 1: Understanding Arbitration Proceedings**

Read: Reeves, 319-339

Discussion: "Waldenville Jogger"

Prepare: Answer question on p. 238 (final slide)

December 8: Future of Applied Employment Relations**GRADE DETERMINATION**

Because this is a graduate course, students will be eligible to earn one of the following grades:

- A+ Truly outstanding performance on all self-assessment exercises and through insightful participation in classroom discussion. No more than 3 absences/tardies.
- A Excellent contribution on all self-assessment exercises and solid participation in classroom discussion. No more than 3 absences/tardies.
- A- Excellent contribution on most self-assessment exercises and consistent participation in classroom discussion. No more than 3 absences/tardies.
- B+ Excellent contribution on a majority of self-assessment exercises and through consistent participation in classroom discussion. No more than 4 absences/tardies.
- B Solid contribution on a majority of self-assessment exercises and through consistent participation in classroom discussion. No more than 5 absences/tardies.
- B- Solid contribution on at least half of self-assessment exercises and through participation in classroom discussion. No more than 6 absences/tardies.
- C Unacceptable level of performance on most self-assessment exercises and inconsistent participation in classroom discussion. More than 7 absences/tardies.

For purposes of grading, the following factors will be weighed in the final grade:

Self-assessment answers	50%
Individual class participation	30%
Small group participation	20%

Answers to Self-assessment questions are due on the dates indicated and must be sent directly to me at www.tzane@unm.edu by 9 am on the relevant class date. Answers must be lucid, cogent and thoughtful. Do not answer in outline or bullet formats. These are essay answers and must be supported by non-assigned references. Readings, relevant examples from your own experience as well as definition of all terminology and concepts should be explained. All references included in your answer must be listed as complete citations in a References section at the end of your answers, according to the following examples:

References:

US, Transportation Security Administration (2003) "TSA's Loy Determines Collective Bargaining Conflicts with National Security Needs," (January 9) Washington, DC. <http://www.tsa.gov/public/display>

Wall Street Journal. 2012. "Wisconsin unions see ranks drop ahead of recall vote," May 30.

Weiner, Rachel. 2011. "Issue 2 falls, Ohio collective bargaining law repealed," *The Washington Post*, November 8, https://www.washingtonpost.com/blogs/the-fix/post/issue-2falls-ohio-collective-bargaining-law-repealed2011/11/08/glQAYZ0U3M_blog.html (accessed on January 16, 2016).

Appointments must be scheduled in advance to meet after class on Saturday morning.