Police Organization & Administration

CJ 3600
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Labor Relations

• From 1959 – the 1970s a number of events combined to foster public-sector collective bargaining.
  – The needs of labor organizations
  – Reduction of legal barriers
  – Police frustration with perceived lack of support with the war on crime
  – Personnel practices in police agencies
  – Salaries and benefits
  – An increase in violence toward police
  – Success of police unionization
The *Needs*

- Prior to the 1960s labor organizations focused primarily on private sector labor.
- The rapid growth of criminal justice opened up new opportunities for labor
Reduction of Legal Barriers

- Private sector workers were allowed to bargain collectively under the federal National Labor Relations Act of 1935.
  - Public employees could not for more than another quarter century.
  - Wisconsin was the first state in 1959
  - This was a long way from the Boston police strike of 1919.
Police frustration

- The police perceived, more than existed, a public antipathy toward the level of crime.
- The *Warren Court* was severely criticized for handcuffing the police with many of the decisions during the Due Process Revolution.
Personnel Practices

• Past practice becomes precedent, precedent becomes tradition, and tradition is the cornerstone of any organization.

• Among the many practices that police personnel found distasteful:
  – Unpaid role call
  – Uncompensated court appearance
  – Short notice shift changes
  – Return to work for minor issues
  – Arbitrary discipline practices
Salary and benefits

• In the 1960s police salaries and benefits, like many other public sector jobs, were considered inadequate.
  – Compensatory and overtime
  – Paid court appearances during off-duty hours
  – Paid holidays
  – Pay raises
Collective bargaining

• The broadest grant of rights afforded to the work force.

• Under collective bargaining, wages and benefits are guaranteed for the duration of the agreement.

• There are three basic models:
  – Binding arbitration
  – Meet and confer
  – Bargaining not required
Binding arbitration

- Employees are granted the right to select exclusive representatives for the purposes of bargaining.
- The neutral, third party decides what the terms and conditions of the agreement will be, usually using standards set by state statute.
Meet and confer

• Employers are obligated to meet and confer with the employee representatives.
• There generally is no method of impasse resolution typically specified in the bargaining law.
• When there is an impasse the “last, best offer” is usually what is discussed.
Bargaining not required

- Some states do not require or allow for collective bargaining.

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Unfair labor practices

• Certain labor practices have been identified as “unfair”
  – Refusal to bargain in good faith
  – Interference, restraint, or coercion of employees
  – Domination of the organization by the employer
  – Failure to furnish information
  – Inappropriate interference with the labor union.
  – Discrimination against union employees.
Grievances

- Are *real* or *imagined*.
- It is a complaint or an expression of dissatisfaction by an employee with respect to some aspect of employment.
- Grievances may be limited to items specifically found in a negotiated contract.
- It is a formal process that can involve informal resolution.
Job actions

• Several types of activities in which employees express dissatisfaction with a person, event, or condition.

• The attempt is to influence the outcome of a matter that is pending before a decision maker(s).

  – Include

    • Vote of confidence
    • Work slowdown/speedups/stoppages
    • Blue Flu
Response to the Job Action

• No simple response or suggestion
  – Many personal and independent variables
    • Organizational leaders
    • Union leaders
    • Community support/antipathy

• Suggested approach is to accept that both sides have a mutual responsibility to aovid them.

• Management must appreciate the long-range implications.
  – Think it through
  – Facts before acts