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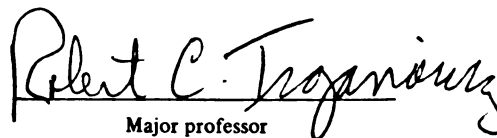
POLICE UNION EFFECTS ON ADMINISTRATORS'  
MANAGEMENT RIGHTS OR "PREROGATIVES"

presented by

T. Michael Hartman

has been accepted towards fulfillment  
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MS degree in CJ

  
Major professor

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POLICE UNION EFFECTS ON ADMINISTRATORS'  
MANAGEMENT RIGHTS OR "PREROGATIVES"

By

T. Michael Hartman

A THESIS

Submitted to  
Michigan State University  
in partial fulfillment of the requirements  
for the degree of

MASTER OF SCIENCE

School of Criminal Justice

1989



603558

# ABSTRACT

## POLICE UNION EFFECTS ON ADMINISTRATORS' MANAGEMENT RIGHTS OR "PREROGATIVES"

By

T. Michael Hartman

The major purpose of this study was to identify and describe some of the policies and policy practices of unionized police departments in the State of Michigan. The study will also describe and assess the administrator's perception of their management right and style and the effect police unions are having on their management prerogatives.

The data is based on the administrator's perceptions and the collection involved a mail survey to the 545 police departments in Michigan.

An overall response rate of 65.5% was obtained with the survey instrument. In the analysis phase of the study comparisons were made between unionized and non-unionized departments with univariate and bivariate techniques. Different policies and policy practices, administrative styles and prerogatives were identified, many of which were considered to be different due to the effect police unions have on the administrator's management style and prerogatives.

## ACKNOWLEDGEMENTS

I would like to express my sincere thanks to David L. Carter, Ph.D. and Robert Worden, Ph.D. for their guidance and advice in preparing this thesis.

I would especially like to thank my father and mother, Michael and Betty Hartman for their support, encouragement and understanding during the time of my graduate studies.

I want to express a special thanks to my good friends, Dale and Rebecca Drake, for their help which they unselfishly gave me throughout my college studies.

Special thanks should also be attributed to the many relatives and special friends here at Michigan State University for their support and assistance in the completion of my graduate studies.

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# CHAPTER I

## THE PROBLEM

### INTRODUCTION

The aim of this study is to present an examination of the policies and policy experiences within the police agencies of Michigan that are either unionized or non-unionized. Union and departmental activities will be assessed to determine if they alter a police administrator's management rights; and finally, the study will focus on the administrator's perceptions of management prerogatives and the unions effect thereon.

"It is trite to note the accelerating pace of technological and social change, the pace is already taking on the qualities of a nightmare" (Marrow, Bowers, and Seashore cited in Catlin 1974: 1). No research is needed to assess this statement's validity as one can look around and experience the everyday changes within society. Most organizations adjust to the social and technological changes. However, if one were to look into the organizational structure of law enforcement the validity might be questionable.

Law enforcement administrators are faced with adjustment in their policies and procedures due to these changes. Thus, the administrator is facing the difficult task of outside and inside forces that seek a say in the decision-making process. Therefore, administrators must be adequately trained and educated to deal with organizational change and effects on their managerial prerogatives.

The concept of authoritarian leadership is dissolving as employees no longer idly sit by as "there is an increased demand on the part of all employees to have some say in the direction of their destiny" (Tannenbaum and Schmidt cited in Catlin 1974: 2). Because police officers are concerned with their destiny, many administrators are faced with changes in management as officers seek some say in their destiny through police union support.

Police administrators are continuously open to scrutiny from council members and taxpayers as many believe their tax dollars provide the right to criticize police administrators' performance. Nevertheless, one must take into consideration, that despite their training, expertise, experience and attempts to reach a higher professional level, police administrators are human just like the taxpayer. They too are confronted with personal problems, stress and strain, and everyday problems that must be dealt with. While maintaining strict order through standard operating procedures the objectives of the agency can be obtained more easily.

This change within society and the department means that the administrator must adopt new management styles and realize that their management prerogatives are not as broad as they once were, especially if they intend "to maximize the utilization of the most precious commodity--human resources" (Tannenbaum and Schmidt cited in Catlin 1974: 2). Thus, efficiency and effectiveness within the department should

operate at a more cost effective level to better serve the public.

"The authoritarian model (of leadership) does not have the flexibility that is necessary to make effective use of human resources. An innovating organization requires a different structure of the relationship between people. It requires a team organization rather than a command organization" (Quick cited in Catlin 1974: 2).

The days are over when administrators in law enforcement could operate by the seat of their pants. The administrator's position is a stressful one, thus it is not unreasonable to assume that they may need assistance in the decision-making process.

The result of poor management, wages, hours and general working conditions is that unionization seeks a voice in the operations of the department in order to improve overall working conditions for patrol officers.

Through the literature and stationhouses, one can observe that police unionization has provided improvements with regard to the wages and conditions of employment.

However, Dr. Daniel Kruger states that

(1) a union is a multifaceted economic institution that strives to bring about improvement in working conditions; and (2) a social institution that organizes meetings to bring people together as an (3) educational institution for the purposes of educating its members and (4) the union acts as a political institution as the members elect the officers of the union and are responsive to the members' needs and finally the union is always the changing party arising to change the status quo (Kruger 1988, Lecture).

One could assume that unions affect the law enforcement field through education, and social and political institutions as well.

Administrators often attempt to please their employees while at the same time answering to their superiors. Neither the union nor the administrator can survive if they continually give in to one another as the union will be driven out by its members and the administration will find itself bankrupt.

This study will focus on the policies and policy experiences from the administrator's perception and the effect police unions, through collective bargaining, are having on their management decision-making process, thus the overall administration of police departments will be a major focus with comparisons between private and public administration.

Comparisons will be made between unionized and non-unionized departments, employee participation, and the administrator's view of the union with regard to benefiting the department.

#### PURPOSE AND FRAMEWORK OF THE STUDY

The major purpose of this study is not to seek opinion, but to examine various policies and policy experiences of the police agencies within Michigan, through the administrators' perceptions and to examine their view of the unions impact on their management rights.

Second, the study attempts to review the changes, if any, in the administrator's management style or rights in departments that are unionized.

Third, the study attempts to identify the relationship between the union and administrator and to determine if the administrators in unionized departments believe that union-management conflict exists.

Finally, building on these objectives, the study seeks to look at the historical development and union events in policing, and where they currently stand with regard to negotiations for its members.

Overall, the study is intended to explore and adopt a practical approach on a difficult issue to measure in law enforcement, that of the policies and policy experiences within unionized and non-unionized departments which affect the chief's reserved right to manage.

Thus, the researcher can discuss through the findings whether police administrators are adjusting their management style, due to union presence, or continuing to operate under an authoritarian management style to best meet the needs of the public.

The research is designed to identify and discuss various police union-management relations through the survey. Its intention is to look at a small aspect of the working relationship and to raise questions of interest for future research in this area. Law enforcement is publicly funded, therefore immediate designed methods for the adjustment of

improving labor-management-relations to better serve the public are often scrutinized by the public.

This being the case, this study will make no attempt to answer the vital question of how administrators should adjust their management style to reduce the number of grievances filed with the union, thus causing adversarial relationships between interested parties. This raises further questions and develops a field of study of its own for future research.

The emphasis of the research does not look at all possible aspects of how police agencies might develop improved administrative relationships with the employee association, but it examines the effects unions have on the chief's management rights and the outcomes of union pressures on the administrator.

#### RESEARCH QUESTIONS

This study is largely exploratory in nature therefore, the work is guided by a set of formal research questions taken from the previously stated purpose and framework. As the work progressed, these research questions served to shape the literature review and to identify those variables for which the questionnaire was designed and the data was collected. The research questions are listed below with a short summary and are analyzed in detail in Chapter IV.

- 1) What perception do the police administrators have of their management style and structure of their police departments (i.e., are they authoritarian with a quasi-military structured department)?

This question is fundamental to the entire study. The criminal justice system is highly fragmented in nature, along with local jurisdictions, this ensures that departmental policies and procedures will be significantly different. To an extent, this is somewhat true in the area of investigating administrator's management styles and structure of the agency. If police agencies can vary with regard to policies, procedures, and management style and structure yet continue to remain effective in the detection, apprehension, adjudication and rehabilitation of offenders, any study which attempts to draw the management styles and structure of organizations together, thus allowing their respective management strengths and weaknesses to be critiqued, is potentially of value to rookie and veteran police administrators.

Veteran police officers and new recruits entering law enforcement realize that more than likely they will be working within a quasi-military structured agency. There have been changes in management, but not to the extent that some traditional quasi-military structured police agencies are no longer in existence. Many administrators may view this as the most effective method for goal attainment, promotions based on the merit system, and an effective system for discipline.

- (2) Do administrators believe there is union-management conflict within their organization?

Regardless of the administrators' beliefs concerning union-management conflict there remains conflict between the

two sides as grievances are filed and go to arbitration as one can easily read in the papers. The problem remains, thus causing the taxpayers increased funding as other interested parties also seek the same resources to operate other public services. Administrators management styles along with the collective bargaining process need adjusting to better preserve vital resources.

- 3) Has the union actively caused the administrators to adjust their management style, thus changing their management to that of a participatory management structure?

Prior to the police union, administrators did not have a potent force within the system that caused pressure and change on their administrative practices. Unions, with employee support, have and continue to threaten administrators and executive boards alike. Unions came into existence due to poor police administration.

- 4) Do administrators believe that their departments would function better without a union, thus leaving the management decisions solely in the chiefs' control?

In today's society with the technological changes and advances it is becoming increasingly difficult for administrators to effectively manage the departments on their own without outside and inside support. The objective is to serve the public by responding to societal demands at the most cost efficient level possible, while answering to the board and public both with justification for expenditures. Administrators, in small and large municipalities, find it



difficult and are requiring more time and resources into the managerial operations of the agency.

#### OVERVIEW OF THE STUDY

A review of the literature, divided into three sections, comprises the subject matter of Chapter II. The review of the literature will present the following:

(1) the organizational management structure in both private and public administration: discussing bureaucracy, public versus private managerial prerogatives, quasi-military model and the differences and similarities between the two.

(2) the second section will consist of collective bargaining in the public sector: limitations of public sector collective bargaining, PERA ACT 1947, Act 312 1969 and outcomes of Act 312 in police labor disputes and finally the analysis of Act 312 with a conclusion of this Act.

(3) finally, the third section will consist of police unionism and its effect on the police administrator: discussing the origins of police unionism in the United States, police militancy, unions and their impact on the police administrator and last a discussion on present day unions.

The methodology of the study is presented in Chapter III. A brief description of the survey instrument and the measures it was designed to generate for analysis are included. The research is based on descriptive analysis of the union-management relations and the administrators' perceptions of unions effects on their management prerogatives

and if agencies would function more effectively without a union.

The analysis of the data will be presented in Chapter IV using univariate and bivariate analysis to present the flowing narrative of significant findings of union characteristics and administrators attitudes with regard to the management of the organization.

In the final chapter, a summary, conclusions, recommendations, and management implications are presented in context of the original four research questions.

#### DEFINITION OF TERMS

To avoid confusion, certain key terms will be defined according to their usage in this study.

##### Union

For the purposes of this research the terms "union," "employee association", and "employee organization" will be used interchangeably.

A standard definition of "trade union" is "an association of workers in a particular trade or craft organized to promote a common interest and to further that interest through negotiation of wages, hours, and other conditions of employment" (Roberts 1986: 719).

All union organizations have various aspects unique to the organization, but whether one is referring to a group of craftsmen, factory workers and or professional associations,

the main objective of these organizations is to increase the economic interests for their members.

However, unions are no longer designed entirely for economic benefit as they seek action in non-economic areas of employment, thus for this study the researcher extends the broad definition to that of, "...a union is a social, educational, and political institution as well" (Kruger, 1988).

A further note with regard to economic and non-economic issues in collective bargaining is that unions seek a action on both issues under Act 312. In policing, the economic issues consist of wages and benefits, (i.e., pension funds, vacation time, holiday pay, over-time, retirement funds, insurance etc.). The non-economic issues usually entail aspects of the job function such as: two-person v. one-person patrols, uniforms, equipment, outside employment, residency requirements etc.

### Management

Within the context of this study management is defined as "the process of working with people in a humane fashion toward the accomplishment of organizational objectives and goals in as efficient and effective a manner as possible" (Roberg 1979: 7).

### Collective Bargaining

Collective bargaining is defined as "a comprehensive term that encompasses the negotiating process that leads to a contract between labor and management on wages, hours, and

other conditions of employment as well as the subsequent administration and interpretation of the signed contract" (Shafritz 1985: 73). Thus, it is designed to maintain an ongoing relationship between the union and the employer.

#### Grievance Procedure

This is the procedure by which filed grievances are handled and channeled for their review and adjustment through the progressively higher levels in both the organization and union.

Usually, it is considered the "heart" of a labor contract; they are becoming functional in non-unionized departments as managers are realizing the necessity of an adequate procedure to appeal their supervisors' decisions that affect the employees who feel the decisions are unjust (Shafritz, 1985).

#### Management Rights

For this study the terms "management rights," "reserved rights," and "management prerogatives" will all be used interchangeably.

Management rights shall be defined as "those rights reserved to management that management feels are intrinsic to its ability to manage and, consequently, not subject to collective bargaining" (Shafritz, 1985: 252).

## Chapter II

### REVIEW OF THE LITERATURE

Prior to examining detailed aspects of the effects of unionism on police administrator's management rights it has been necessary to acquire certain background knowledge. The review of the literature then, for this study, shall be divided into three categories: (1) Police unionism and its effect on the administrator; (2) Public and private administration and the context of the organization; (3) Collective bargaining in the public sector.

This review will center on literature concerning the mechanics and process of collective bargaining; sources describing collective bargaining and unionism in the public sector; literature on collective bargaining and police unionism; and public and private administration.

The researcher has found a significant amount of information on public sector bargaining. More important, however, there are significant differences between public and private sector collective bargaining and the administration of the organization. The researcher will discuss the noteworthy differences as well as many similarities.

#### Police Unionism and its Effect on the Police Administrator

Through the literature review the researcher has found an abundance of material on the topic of police unions, thus it is important to discuss the origins of police unionism,

unions from passivity to the emergence of police militancy, and the impact on the administrator and the development of police organizations to the present.

### Origins of Police Unionism

Walker notes the following:

American Police officers attempted to organize police unions on three different occasions. The first two efforts, 1917-1919 and 1943-1946, were defeated by the combined opposition of police chiefs, elected officials, courts, and public opinion. The third attempt, beginning in the 1960s, was successful and established police unionism on a permanent basis (Spero cited in Walker, 1983: 287).

What was the basis for police officers seeking organization? Basically, the first two efforts were the result of economic factors as both occurred during wartime when the inflation reduced the purchasing power of police salaries. However, the successful effort during the 1960's was started due to a complex mixture of economic, social, and political factors that continue to shape the nature of American police unionism. The most important include: lagging salaries and benefits, poor police management, social and political alienation, new generation of police officers, law-and-order mood, and a new legal climate (Walker, 1983).

During the sixties, police administrators were concerned that police employee organizations, by challenging the status quo, were a threat to the stability of policing. The Commissioner of the Baltimore Police Department at the 1969 International Association of Chiefs of Police Conference

expressed this viewpoint when he stated that "...employee organizations as they exist today represent the greatest deterrent to the professionalization of law enforcement" (Pomerleau cited in Burpo, 1971: 67).

Police administrators did not countenance many of the goals and activities of fraternal or benevolent associations; the prevailing atmosphere was one of grudging acceptance. However, the administrator's concern was greater toward the efforts of organized labor entering the police field (Burpo, 1971).

During this period police chiefs relied upon various tactics to divert the emergence of American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) affiliated police organizations, thus departmental regulations prohibiting officers from joining or participating in the activities of organizations affiliated with organized labor were widespread (Burpo, 1971).

Resistance to labor organizations was strong among police chiefs as they refused to recognize the existence of or cooperate with labor unions that sought to represent the interests of police officers (Burpo, 1971). Chiefs commonly used the tactic of raising the spectre of the union-inspired Boston police strike of 1919 to combat the movement toward unionism (Burpo, 1971).

### Basics for Unionism in Policing

Police officers in the late 1800's and early 1900's were instrumental in the formation and continuance of police labor organizations.

A noteworthy example is the Boston Police Strike of 1919. The morale of the Boston Police Officers prior to the strike was low due to inadequate working conditions, among which were many vermin-infested stationhouses, low wages, long working hours per week, the lack of uniform allowance, and favoritism on part of the command staff toward the assignment of beats.

In the heated stages of the police labor movement, the police officers, as individuals or in groups, used and found the strike to be an effective tool to overcome the highly political resistance toward improvements in overall wages and general working conditions.

It is obvious that the strike used a considerable amount of time as the tool to protest grievances in comparison to this post period, probably due to the lack of an established procedure mandated by law, such as Michigan Act 312, designed to settle labor-management disputes (Burpo, 1971).

There are various types of unions ranging from professional associations to industrial unions, however the basic function of all unions is to bring about improvement in the working conditions with regard to economic benefits for all members. Unions are no longer designed entirely for economic benefit, thus for this study the researcher will expand the



broad definition to that of, "...a union is a social, educational, and political institution as well" (Kruger 1988, Lecture). As a result the employee organization will assist to provide various aspects or all of these employee needs.

The structure of police labor organizations varies within the field as many organizations are nationally affiliated with the Fraternal Order of Police (FOP), AFL-CIO, and the Teamsters to name a few of the national labor organizations some of which represent other interests outside of law enforcement as well.

Like national affiliation, many police organizations are affiliated through state unions such as the Police Officers Association of Michigan (POAM) while others have no union affiliation as they are only locals or independents such as the Kalamazoo Police Officers' Association.

To place police associations into a more specific niche for definition purposes the researcher has stated the following:

Police Unions continue to advocate a traditional approach with regard to the improvement of wages, hours, and general conditions of employment for the employees.

### Police Militancy

During the 1960's and into the 1970's angry and dissatisfied officers gained public attention, thus police militancy had become the key to success. The officers had no support groups to fight for their demands, so the strike

became the weapon to achieve their demands. Besides the strike, police employee groups used tactics such as sick calls, picketing, and other activities to achieve their economic and job goals.

As sociologist Jerome Skolnick, author of Justice Without Trial, stated in The Politics of Protest:

The police have become more militant in their views and demands and have recently begun to act out this militancy, sometimes by violence but also by threatening illegal strikes, lobbying, and organizing politically. These organizations...originally devoted to increasing police pay and benefits, have grown stronger...Moreover these organizations have begun to challenge and disobey the authority of police commanders, the civic government, and the courts to enter the political arena as an organized militant constituency (Skolnick cited in Juris and Feuille, 1973: 2).

One example of police militancy occurred when officers went on strike in 1967, as 870 members of the 4,400-man Detroit Police Department entered into a "sick call" strike. Two hundred forty-four were suspended, and the tactic ended the very next day. Two months later, the city signed a collective bargaining agreement with the Detroit Police Officers' Association. The mayor stated the agreement as "a milestone in labor relations since it marks the first agreement of its kind ever made between a municipal government and its local police officers" ("A labor milestone for police" The Sacramento Union, August 23, 1967 cited in Gammage and Sachs, 1972: 80).

Taking the brunt of public disorder, a police spokesman stated to the public that officers were tired of being cursed

at, spit on, and shot at. During the 1960's and early 1970's police work stoppages occurred by the dozens, the most publicized were the 1969 strike in Montreal, Canada and the 1971 walkouts in New York City and Milwaukee (Juris and Feuille, 1973).

The ultimate cause of police militancy was dissatisfaction, (Burpo, 1971) which stemmed from various sources. Law enforcement during this period faced a hostile external environment and officers considered themselves as receiving low economic benefits.

Law enforcement in the sixties was chaotic, with the civil-rights movement and the emergence of black militancy, ghetto riots, Black Panthers, student campus disorders and Students for a Democratic Society (SDS), and long-haired anarchists along with disrespect for the law (Juris and Feuille, 1973). These unresolved factors along with the rise in crime rates and the United States Supreme Court decisions such as the two cases of Miranda v Arizona 1966 and Chimel v California 1969 (Weinreb, 1978) helped in causing a difference between the judicial system and law enforcement activities normally conducted by officers. Thus the officers' notion that it is their role to guard and protect property and lives was threatened.

These external factors and the public's demand for the police to react and control the crime rates coupled with the built-in pressures of the job made officers feel their pay was too low. Juris and Feuille felt that these factors

contributed to discontent. They found in their research "four general factors contributing to the dissatisfaction (increased public hostility, law-and order demands on the police, low pay and poor personnel practices) and three factors contributing to the police willingness to engage in confrontation tactics (the demonstration effect of other public-employee successes, the influx of young policemen, and group cohesion)" (Juris and Feuille, 1973: 19).

To the dismay of the police administrators and municipal leaders, the employee organizations had become head strong with a momentum that made them harder to control. In the late 1960's various police employee organizations were working to obtain increased economic benefits and improved working conditions. Among these groups were the Fraternal Order of Police; International Conference of Police Associations; police unions affiliated with the American Federation of State, County and Municipal Employees, autonomous statewide and local police associations, such as the Patrolmen's Benevolent Association and other local, state and national organizations.

During 1968 at the International Association of Chiefs of Police (IACP) convention there was a report by three police chiefs reporting that unionism was becoming head strong in policing, and it expressed the concern that policemen would organize into autonomous independent organizations rather than affiliate with various labor unions:

The objective of labor unions are, by definition narrow in scope, immediate in nature and almost entirely non-altruistic in outlook. There is a definite lack of evidence to indicate that any police union has ever gone on record in defense of raising the educational requirements for police officers or for any other phase of professionalization. The advancement of social or professional goals is definitely not an important part of union programs, and it is quite likely that, if police unionization were to become the rule rather than the exception, the struggle for professional status would deteriorate into a struggle for immediate financial betterment (Broston, Pegg, and Pomerleau cited in IACP, 1969: 19).

### Unions and Their Impact on the Police Administrator

The literature provides an abundance of information on police unions and their impacts on chiefs' ability to manage, however, limited data only provides advice as how chiefs might adjust to the growth and impact of unions; however, there is limited data from administrators' perceptions on managerial discretion.

This section provides an insight into the managerial authority and working environment as well as data on various collective bargaining agreements that benefit the policemen with wages, hours and conditions of employment. According to Prasow and Peters:

management's authority is supreme in all matters except those it has expressly conceded in the collective agreement, or in those areas where its authority is restricted by law. Put another way, management does not look to the collective agreement to ascertain its rights; it looks to the agreement to find out which and how much of its rights and powers it has conceded outright or agreed to share with the union (Shafritz, 1985: 252).

"Traditionally, public officials in general and law enforcement executives in particular have opposed the idea of police unions" (Swanson, Territo, and Taylor 1988: 294).

"Police services are delivered within the context of broad policy guidelines" (Lewin et al, 1988: 542).

[Administrators are often faced with less freedom in the decision making process as one basic drive of union objectives has been to place limits on the managerial discretion] (Lewin et al, 1988). Staffing of shift preference, for example, may be stated in the union contract by seniority.

Therefore, one major concern of any manager faced with unionization for the first time as stated in Juris and Feuille, is "what will be the impact of the union on my ability to manage, that is, my freedom to allocate the resources of the organization" (Juris and Feuille, 1973: 119).

Equipment allowance, for example, affects the administrator's decisions in allocating resources as the union contract may state that a certain percentage shall be allocated strictly for this.

[Traditionally and today, many chiefs continue to maintain the power to discipline, dismiss, suspend, reprimand, and reward in a field that has been patterned after the military model, thus led to a substantial degree of authority and control in personnel matters. However, over the years we have observed changes in power due to unionization.]

As with the control over personnel activities the chief has also lost a great deal of say with regard to policy

formulation over the years; as the civil unrest of the 1960's and the police response to these situations brought about a greater public awareness and concern of the decision-making power. One concern is that it be taken from the police agency and put in the hands of elected officials and vice versa (Juris and Feuille, 1973).

This just shows that someone always believes they can effectively and/or efficiently operate a public agency, when the fact is that those on the inside and the layman on the outside should better understand each other's position to work more effectively in a combined fashion.

The union has clearly undermined the traditional authority of the chief as in both cases the union emerged as a new power in the determination of policy-making. However, unions are not limiting their activities to the improvement in economic issues as they are also concerned with the policy determination process (Juris and Feuille, 1973: 182).

During 1972, Police Commissioner John Nichols of Detroit made the following comments to an audience composed of police chiefs, police personnel administrators, and some police-union leaders:

In closing, let me sound the 'certain trumpet' of danger of 'It can't happen to me-ism.' Police unionism is on the move-power struggles are forming, and I would fully expect the rise of police unions almost across the country to closely follow the patterns of ascendancy of other labor unions, which resulted in attempts to immobilize equipment, harassment of nonparticipating employees, work slowdowns, control of organizations by a well indoctrinated, vociferous few, a diversion of loyalty from organizational goals to union goals, and ultimately, as expressed to a public seminar on community

relations by two of our most outspoken union leaders-one from New York and the other from Detroit-who said, 'Chiefs, Superintendents, and Commissioners are temporal. They'll change. The Union is the only permanency in the Department. It is us with whom you will deal, we will make the policy!' So for those of you who feel that unionism has no designs on management prerogatives, no desire for power, no intentions to covertly or overtly control the organization, forget it (Nichols cited in Juris and Feuille, 1973: 2).

"A paramount concern of police administrators is that unions will inhibit their ability to manage" (Burpo, 1971: 71).

Burpo further notes that:

A police union will demand, says the chief, that any proposed departmental policies or programs be referred to it for approval before being implemented. This situation would place excessive managerial power into the union's hands, depriving the administrator of effective control over his department (Burpo, 1971: 72).

On the other hand the argument is whether police unions should have a voice in departmental policies because these policies have a direct impact on the officers (Burpo, 1971). However, one must note that police unions do not want to become involved with managerial decision-making (i.e., policy formulation etc.) because they do not want to take on the liability that accompanies any policies within law enforcement (i.e., insurance policies, criminal and or civil liability through litigation, etc.,).

This is probably one reason why police unions avoid the enhancement of professionalism as they limit their activities to negotiations with economic improvements. They would find themselves alienated from police officers, as do many



administrators, because they would be involved in policies that restrict the mobility and actions within the job.

Police unions are without question, attempting to play an active role in the departmental decision-making process.

The quest for administrative power is not, however, limited to police organizations affiliated with organized labor. Fraternal and benevolent associations are also demanding a voice in police management policies (Burpo 1971, 72).

When police chiefs state that police unions are not desirable due to their efforts to achieve administrative power, they are not stating the problem in the total concept of the labor picture. All police labor groups, whether AFSCME-affiliated, FOP, or PBA, struggle to seek a greater voice in management, and police administrators are concerned not only with organized labor's efforts in this area, but with fraternal and benevolent groups as well (Burpo, 1971).

Chamberlain and Cullen provide a useful definition of the management function that bypasses the controversial question of management rights and prerogatives. They view the managerial process as "the balancing of competing interest groups within an organization so as to achieve the goals of the organization while still meeting the needs of these groups" (Chamberlain and Cullen cited in Juris and Feuille, 1973: 182).

Thus, they are stating that no one person should solely reside with all the administrative management prerogatives to operate the organization. The managerial process is complex,

thus chiefs may often find it necessary to seek assistance in the management process from other interested parties with the objective of effectively operating the organization in the most efficient manner to meet the needs of those who pay and request the services provided.

### Present Day Union

Throughout the 1960's and 1970's police employee organization efforts and collective bargaining greatly expanded. Officers fought for organization and collective bargaining because they wanted better wages and working conditions, and they had a variety of needs and complaints that they felt demanded answers.

Since then the union has faced new challenges in its working environment as it is confronted with increased legislation, new technology, and social changes. Unions must also battle with other interest groups that seek the necessary resources to operate the department and provide for its members.

Law enforcement is faced with the increase in population and advanced technology which result in an environment that is more complex and dangerous for the police to work within. Due to increased dangers and societal attitudes, inconsistent with law enforcement ideologies, thus many police officers probably view these conditions as a basis for labor organization.

Police continue to seek higher wages and hope that working conditions will be brought to the attention of the public, through the collective bargaining process, hoping that those who are not employed in law enforcement will become more aware of police officers' role and increase their financial support through taxes.

Another reason why police seek organization of the labor force is to increase the level of professionalism, and draw the public's attention to their situation through the efforts of the organization. Society considers the officer as the immediate representative of the legal system and only brings law and order to bear on the people, thus the officer's social status is not high; through the organization they hope the public will be more informed of their role and will show how important of an element in society they actually are.

The Police Executive Research Forum conducted a study in 1982 on the educational levels of police officers and police executives, which indicated that there has been a definite improvement in the educational qualifications of the law enforcement administrator in recent years. The educational level achieved declined based on the total number of years of longevity in the department, this most likely reflects a societal trend toward additional formal education for the young (Witham, 1985).

Society has changed and put pressure on those working in law enforcement, thus it must have more educated personnel within the field to be more effective and to be able to adapt

more readily to the changes in society directly affecting the administration of law enforcement.

There were a number of the respondents' comments from the survey that concerned the importance of the establishment of minimum standards for law enforcement officials, with many indicating the need for additional training and education. Two such comments are listed below.

With an increasingly complex society, more violence and diminishing resources, the challenges of the eighties can only be met by high-level selection, training and development of the nation's police chief executives (A Sheriff from California cited in Witham 1985: 87). I would certainly hope that somewhere in the near future that persons running for elected office and in particular in law enforcement should have minimum qualifications before becoming eligible (A Sheriff from Colorado cited in Witham 1985: 88).

Society no longer tolerates what has been sometimes called the "John Wayne" police officer of earlier years as agencies increasingly seek to hire those with two and four years of college attained. Through higher education and advanced training levels agencies hope the officer's discretionary use in decision making will reduce the civil suits against the officer and municipality.

Due to these advanced working conditions officers, through their union, are demanding wage commensurate with the increased level of job difficulty, training, education, and seeking greater professionalization. Thus, it appears as though unions have improved various economic issues, through collective bargaining, and seek a voice in policy determination.

Thus, it would appear as though this effect on decision-making is limited to the area of economic improvements such as wages, benefits etc., which the chief has no control over in the first place. Therefore, administrators probably observe union influence in negotiations, while maintaining their management rights.

#### Public and Private Administration and the Context

The literature on management prerogatives and organizational structure in law enforcement is unlike that of business and industry. Therefore, rather than limiting the scope of the review only to the public sector (i.e., law enforcement) administrative management prerogatives and the structure of the organization, the private sector is also examined for comparing public v private administration.

Both public and private administrators have similar management prerogatives of which they exercise for effective operations in the agency. For example, each sets up the rules and regulations, delegates authority through the proper channels for work assignments (i.e., staffing etc.), and each is confined to work within the budget allocated. However, public and private administrators have different constraints due to the nature and environment of the organization, thus effecting their management prerogatives. Limitations on public managerial prerogatives seem to appear more often than their counterpart therefore the researcher feels the

differences are of importance for the reader and will later be discussed.

In reviewing the literature the researcher discovered many definitions of organization and for this study organization will be defined as "social units (human groupings) deliberately constructed and reconstructed to seek specific goals" (Parsons cited in Whisenand 1971: 71).

Along with organization the researcher feels it is helpful to define some other concepts that are frequently confused with it. First is Management--the term has almost as many meanings as there are authors in the field. For example, it may be used to identify all those in an organization who maintain supervisory positions - from first line supervisors on up to chief executive, the list goes on and on (Roberg, 1979).

The reader should understand that when one discusses efficiency, as above, that its concern is with the proper use of human resources, and secondly, with the uses of material resources; however, when effectiveness is discussed it is concerned with the degree to which agency goals and objectives are attained. All managers are concerned with these two terms as they seek to maximize both the efficiency and effectiveness of the organization.

Roberg also discusses a fourth feature of the definition of management dealing with the concept of "humaneness", which is rarely mentioned with respect to management. Funk and Wagnell define humans as "having or showing kindness and

tenderness; compassionate" (Funk and Wagnell cited in Roberg 1979: 8). "Several synonyms listed are: benevolent, charitable, gracious, human, merciful and sympathetic. Several antonyms listed are: barbarous, cruel, fierce, inhuman, merciless and selfish" (Roberg 1979: 8).

Thus this definition of management is intended to foster the awareness of human dignity for improvement in the quality of the working environment as police officers and the organization could improve associations with each other in a more humane fashion. The term "humaneness" is often a desirable quality for management, however, not all managers follow this style of management as they are authoritarian. Therefore, such a term contradicts autocratic management styles and the quality of the working environment may not always improve under such conditions.

Third is Bureaucracy, as stated by Francis E. Rourke:

bureaucracy is more than a mere conduit through which the values and aspirations of various segments of the community are incorporated into public policy. Within its own ranks, public bureaucracy numbers a wide variety of highly organized and technically trained professional personnel, whose knowledge and skills powerfully influence the shape of official decision. While bureaucratic policy-making in many fields has been primarily a reflection of a system of external group pressures, there are other areas such as science and national defense where the expertise and interests of bureaucratic organizations have themselves been controlling factors in the evolution of public policy. In most cases policy decisions within bureaucracy represent the outcome of a process of interaction between these two sources of power-the needs or aspirations of groups within the community with which executive agencies are allied, as well as the expertise and interests of bureaucrats themselves (Rourke 1976: 2).

The rise of bureaucracy in the American political system has enhanced aggravation and disrupted inequalities of the power structure in the private sector. Many executive agencies repeat the ideas of dominating economic interests in society, thus keeping the power structure in the hands of the already wealthy and powerful. However, public agencies often support the less obvious groups in terms of economics and power.

The bureaucratic structure allows effective expression in policy for community groups or organizations that have less political power, lack funding, and may be poorly organized, thus they attempt to gain a more equal basis within the political structure for attainment of policies through a stronger voice (Rourke, 1976).

## BUREAUCRACY

### Introduction

Bureaucracy has changed over the years as many companies hire the new generation of managers who are considered to be more aggressive with orders to tighten loose ends and increase output at a lower cost. New managers are to "bureaucratize" the plant through activation of stringent rules and new ones, demote personnel who fail to carry their weight, thus the only thing that counts is the worker's ability to perform the job. Prior to new managers with the task to "bureaucratize" the plant was considered a



"traditional" form of organization, or in the terms of Max Weber, "a 'traditional bureaucracy,' which became a 'rational-legal bureaucracy" (Perrow, 1986: 3). The rational-legal bureaucracy consists of rational principles designed to meet the interests of management and not those of the employees; usually supported through legal methods and within a legal framework (Perrow, 1986).

With "bureaucratization" comes disruption and turmoil among employees as they are confronted with rules and regulations never enforced before, thus they may strike as an attempt to display their dislike for order. Perrow states that most of the key elements of the rational-legal bureaucracy include:

1. Equal treatment for all employees.
2. Reliance on expertise, skills, and experience relevant to the position.
3. No extra organizational prerogatives of the position (such as taking dynamite, wall board, etc.); that is, the position is seen as belonging to the organization, not the person. The employee cannot use it for personal ends.
4. Specific standards of work and output.
5. Extensive record keeping dealing with the work and output.
6. Establishment and enforcement of rules and regulations that serve the interests of the organization.
7. Recognition that rules and regulations bind managers as well as employees; thus employees can hold management to the terms of the employment contract.  
(Perrow 1986: 3).

"The rational-legal form of bureaucracy developed over many centuries of Western civilization. It grew slowly and

erratically, beginning in the Middle Ages, and reached its full form on a widespread basis only in the twentieth century" (Bendix cited in Perrow 1986: 3). The vast majority of large complex organizations in the United States, for example, can be better classified as bureaucracies, however the degree and form of bureaucratization vary.

As one can observe, the degrees and forms of bureaucratization differ within organizations due to elements such as the size of the company, their economic position, the managerial policies and structure of the agency; the list is vast and varies for each organization. However, the "ideal" form is never accomplished as it attempts to eliminate workers' influences on the organization. This will hopefully never be accomplished as it is the individual workers that provide valuable input and insight into the heart of the organization which makes the organization run, while continuously acting in the interests of the organization to meet the goals.

Second, when rapid changes are required within an organization the ideal form will fall short of its objectives. Bureaucracies are designed to deal with routine and stable tasks to become more efficient. The stable tasks provide stable divisions of labor (i.e., chief, lieutenant, sergeant, patrolman etc.), certain skills and experience are inherent with each position, and formal planning and coordination make up the bureaucratic structure.

Changes are inevitable in any organization. However, the bureaucratic structure is designed to handle various

changes with the least amount of disruption to reduce them from becoming frequent and rapid in pace, thus a bureaucratic structure should allow for organizational efficiency and effectiveness to be continuously measured.

Finally, the ideal form of bureaucracy falls short of its expectation because every organization must contend with employees that are different with regard to intelligence, work level, and commitment. Therefore, all organizations must design their organizational structure for the "average" person within each position and realize people are not super-human (Perrow, 1986).

With regard to police organizations the ideal form of bureaucratization is never accomplished and if it could ever reach a level of this within policing it would probably prove to be ineffective. Policing is more effective when employees provide extra organizational influences, as long as police officers continue to act in the interests of the agency. The field requires a vast amount of discretion to become effective as a police officer and to reach organizational goals.

Law enforcement operates within a bureaucratic management structure as they attempt to deal with stable and routine tasks (i.e., report writing, arrest procedures, etc.), thus there is a division of labor with prescribed tasks and skills required of each division.

Therefore, the structure is designed so that each division knows their tasks which come from higher divisions of labor and through policies. Management attempts to keep the

structure rigid so when changes do arise within the structure the goals can still be achieved and the efficiency of the agency can still be measured.

Lastly, the ideal form of bureaucracy within policing falls short of its expectations because all police officers are different with regard to their work performance due to their moral beliefs, educational and intelligence levels, persistence and energetic commitment. Thus administrators take into consideration that each police officer is different with regard to their daily activities and must evaluate them accordingly.

The problem with an ideal form of bureaucracy is that it almost always falls short of the ideal model that Weber outlined, neither Weber in his time nor many people of today would feel comfortable with the ideal (Perrow, 1986).

Both private and public organizations seek to maintain stable and routine tasks so that the efficiency and effectiveness of the organization can be measured. However, neither private nor public organizations are entirely stable and routine. Reasons for this range from faulty equipment that breaks down, employees' physical and mental input into their job for effectiveness and the public's demand for a service or product all having an effect on the stability and daily routine tasks of the agency.

Police administrators often manage the department in an authoritarian style to maintain stability through the chain of command and policies and procedures to be carried out.

Policing is unique, thus police administrators often acquire authoritarian managerial skills. The level of authoritarian management may be reduced due to union pressures and societal demands, however, many authoritarian managers may continue to see this as an effective way to manage the department to obtain objectives.

The nature of policing, due to changes in society, tend to cause an environment that is non-routine, thus chiefs probably believe an authoritarian management style is the most effective method of controlling personnel and seeing to it that the operations are carried out without their immediate presence, however, the lack of flexibility on part of the management is not always the most effective method of controlling departmental personnel.

The bureaucratic structure probably makes the grievance procedure more difficult and formal as it forces those filing grievances to administer papers and discuss problems through the proper channels. Thus, the formalities provide upper management more time to deal with other priorities while grievances are reviewed by those assigned to this.

The bureaucratic structure maintains that the work force continues its operations even when collective bargaining is in process under Act 312, thus employees cannot break their tasks just because they may be displeased with certain policies or contract stipulations.

Professionalism and Unionism: Are they Compatible?

It is evident that both public and private organizations are often faced and operate under a bureaucratically structured system that paves the way for administration to follow so that the objectives of the enterprise can be more easily obtained.

Police agencies are more likely to be bureaucratic in nature partially because of the quasi-military model in which they operate designed to obtain objectives through strict rules and regulations facilitated through cynicism and dogmatism. The military model also seeks to reduce corruption and to increase professionalism, however, agencies can be bureaucratic in nature even if they are not efficient. Through an organization that is autonomous, such as police agencies, administrators may often view this as a method to enforce greater control over the personnel as each person knows their function and end results of their actions.

At times the differences between that of labor and management serve to foster a higher degree of professionalization in the administrative aspects of police agencies to work with union existence and demands.

The union can be a powerful ally when their objectives are the same as the administrator's and at times when they are not similar the union may still back the chief and provide support if it is not too costly for the union. This may be because the union looks to promote police solidarity even though they may dislike the city manager/mayor less than

the chief of police, as a desire to support their self image or for other interests (Swanson, Territo, and Taylor, 1988).

However, professionalism is not always compatible with the bureaucratic structure. As Jerome Skolnick argues, "professionalism acquired a special meaning in American policing. It is fundamentally different from the meaning of professionalism in other occupations" (Walker 1983: 82).

Professionalism should advocate individual judgement. The individual acquires special skills through formal training and has a skill unique to the job that others on the outside are not considered qualified to perform.

Bureaucracy, on the other hand, seeks to control the worker through a strict written set of formal controls such as, standard operating procedures, evaluations, and appeals process. A bureaucrat works "by the book," while professionals work based on discretion (Walker 1983: 82).

American police organizations have created a process of bureaucratization rather than professionalism, including more complex organizational structures and more specific rules and regulations to have greater control of police discretion. Skolnick supports this as he argues that the bureaucratic form is incompatible with true professionalism (Walker 1983: 82).

Walker further states that "alternative organizational forms, such as team policing and the democratic model, are intended to introduce a truer form of professionalism into American policing" (Walker 1983: 82).

O.W. Wilson states that "in the past decade there has been increasing interest in professional career development through reorganization of the traditional police-position classifications and promotion structures; encouragement of education; adoption of minimum standards, certification, and lateral entry; and encouragement of phased, departmental career-development plans" (Wilson 1977: 290).

Through the readings it is obvious that O.W. Wilson's police leadership style and within his writing strongly supports and reflects the ultimate authoritarian bureaucratic leader. When he was chief of police in Wichita, Kansas, beginning in 1928, he introduced many new methods and policies, including techniques for the allocation and distribution of patrol manpower, planning programs, new records and communication system, upgraded recruitment, selection and training and a vast number of other new innovations.

During 1960, O.W. Wilson became the superintendent for the Chicago Police Department during a period of a police burglary scandal. Within the next few years he had transformed a department with a national reputation for corruption and mediocrity into one of the top major police departments in the world (Wilson, 1977).

It was through his innovation, reorganization of personnel, adjustment of administrative and operational concepts and his desire to improve policing as a whole due to his ability to make important decisions with great conviction



that law enforcement has improved and realized changes and strict structure are effective.

It is also argued, through sociologists and those in policing, that police unionism and "professionalism" are incompatible toward the final objectives. There have been two main traditions, one emphasizes professional ideals and values, while the other stresses technical competence.

Durkheim's view of what is distinctive about the concept of "professional" groups is that they have an infusion of work and collective organization with moral values, and that sanctions are enacted to insure that these moral values are maintained. The "professional" groups are not merely a group of high status, or skill, or a politically supported monopoly over certain kinds of work and or distinctive structured control of the agency (Skolnick, 1986). Durkheim pleaded for the introduction of morality into economic life:

When we wish to see the guilds reorganized on a pattern we will presently try to define, it is not simply to have new codes superimposed on those existing; it is mainly so that economic activity should be permeated by ideas and needs other than individual ideas and needs...with the aim that the professions should become so many moral milieu and that these (comprising always the various organs of industrial and commercial life) should constantly foster the morality of the professions. As to the rules, although necessary and inevitable, they are but the outward expression of these fundamental principles. It is not a matter of coordinating any changes outwardly and mechanically, but of bringing men's minds into mutual understanding (Durkheim cited in Skolnick 1986: 235).

Within bureaucratic organizations, there is the ultimate possibility of division of labor through administration set

by technical specialists who are trained and continuously add to their experience through constant practice. Thus, "professional" execution is completed without regard to the individual employees morals and or input into the system.

In policing one must constantly view the police officer as an individual that must continually uphold their moral values and discretion to allow for increased effectiveness for the attainment of objectives. The union, on the other hand, is more concerned with technical and or economic outcomes without really taking the individual's morals, discretionary activities, and perceptions in the working environment into consideration. Thus, the bureaucratic structure of which unions operate are incompatible with the goal of true professionalism as the researcher stated from various writers in the above paragraphs.

#### Public Versus Private Managerial Prerogatives

As previously stated there are differences in managerial prerogatives between public and private administrators due to their work environment for example: the contract in public agencies (i.e., police departments) state the various aspects of the administrator's authority as the union tries to minimize their management rights. Private administrators, on the other hand, are not as susceptible to unions that attempt to reduce and or control their management rights.

The above difference is greatly affected by the fact that private organizations are not publicly funded, thus they

do not generally draw the same amount of public attention. However, there are many instances where private corporations draw as much or more attention toward the managerial operations of the company. A few noteworthy examples are the Eastern Airlines strike and Exxon's Oil spill in Alaska's Prince William Sound: also, the stock market greatly affects the public's attention and concern in operations. One major reason for the public attention is because each issue greatly affects what the consumer will ultimately pay for the service.

One could easily state that police administrators' management prerogatives are closely monitored in comparison to private managers. This is due to the nature (i.e., funding), thus taxpayers often feel they should have a greater voice in public budgeting and operations as they often have no control over the amount of taxes they are forced to pay toward the funding of public agencies. For example, Act 312 brings in an outside arbitrator who as the head chairperson and decides what the final outcome of the negotiations will be between the city and union. Thus, taxpayers are often forced to pay higher taxes and or may be short handed in other public agencies as resources may be shifted from the agency to the other to cover the binding arbitration award.

Police administrators find their management prerogatives limited due to unions and the civil service system and perceive their prerogatives as all the administrative functions

under a bureaucracy that have not yet been taken away through legislation and/or police unions.

Police agencies should be governed by some form of civil service personnel system so that personnel decisions should be based on objective qualifications and not on favoritism. Through this system there should be written specifications for recruitment (exam requirements the same for all races), promotion, and the discipline of personnel. As previously stated the civil service system was designed to eliminate favoritism as politicians often rewarded their friends with governmental employment.

Today the personnel practices in local government are usually governed by formal procedures mandated through local ordinance or state law. The Justice Department conducted a survey and in 80 percent of the cities the ultimate authority over personnel procedures resides with either a board or commission consisting of three to five persons (Walker, 1983). Because civil service boards are responsible for personnel policy the police chief's management prerogatives are greatly limited in nature (i.e., the chief cannot suddenly promote an officer who has performed above other officers).

Another effect of the civil service system is the inflexibility within the rank structure. Under this system there are specific ranks specified, job descriptions for each rank, and the procedures for the promotion or demotion of personnel.

Dorothy Guyot argues that "an impressive list of management problems...are exacerbated by the prevailing rank structure of police departments." Due to the civil service law and reinforcement from union contracts, any attempt to make adjustments in personnel procedures in police departments is like "bending granite" (Guyot cited in Walker 1983: 85).

The allocation of funds within police departments may allow for managerial discretion, however, the flexibility is limited as administrators know that each division must receive a certain percentage of funding for effective operations. The police chief may receive a grant, however, most don't receive them. Many times the use of a grant will be limited for certain operations as specified (i.e., patrol cars assigned to the reduction of drunk drivers), thus reducing their control of resources.

Private administrators, on the other hand, can use the resources within various aspects of the organization that they feel are necessary to increase the revenue coming in. The boards of directors in private corporations are mainly concerned with the profit margin and dividends that it must pay out to the stock holder. They want to see the bottom line figures with less concern as to how they were obtained. Efficiency can be measured in the private sector through a cost-benefit ratio method where as police agencies have no real method of measuring the efficiency of the operations.

These are just a few of the differences between public and private management prerogatives as the researcher feels

that review of the literature with regard to this topic is of importance when one makes comparisons between management prerogatives and the structure of organizations to discuss some of the limitations.

### Quasi-Military Model

"The purpose of organization is to simplify the direction, coordination, and control of members of the force so that the objectives of the department may be gained easily, effectively, and satisfactorily" (Wilson 1963: 63).

Police departments operate under the quasi-military structure, so the purpose of organization can be more efficiently and effectively obtained. All organizations strive to be more efficient and effective, thus they too may use a highly bureaucratic structure.

Therefore, it is the administrator's function to act as authoritarian leader to delegate authority throughout the hierarchy of the department. The delegation of authority is necessary as personnel must be directed; they are given definite tasks and later evaluated on their performance.

Police organizational structures are modified or designed by the police administrator in order to fulfill the mission which has been assigned to the police. Under a quasi-military model there is an organizational chart that directly reflects the tasks and chain of command relationships within the agency which is determined as the most suitable method toward the police mission. However, in recent

years various police agencies have moved away from the traditional military model of rank structure and have adopted, instead, alternative titles noted below in Table 2-1.

Table 2-1 - Traditional Police Ranks versus Alternative Titles

Traditional ranks	Alternative titles
Chief of Police	Director
Deputy Chief	Assistant Director
Colonel	Division Director
Major	Inspector
Captain	Commander
Lieutenant	Manager
Sergeant	Supervisor
Detective	Investigator
Corporal	Senior Officer/Master Patrol Officer
Officer	Public Safety Officer/Agent

However, in many police departments there still remains a distinction between the rank and title. The above rank denotes one's position in terms of grade of authority or the hierarchical rank, while the title indicates one's assignment. Where the distinction is made, a person holding the title of "Division Director," may be a captain, major, or colonel in terms of the hierarchical rank structure (Swanson, Territo, and Taylor 1988: 104).

Tansik and Elliott further suggest that when one considers the formal structure or chain of command relationships of an organization, one typically focuses on two areas:

- (1) The formal relationship and duties of personnel in the organization, which include the organizational chart and job descriptions;
- (2) The set of formal rules, policies, or procedures, and controls that serve to guide the behavior of organizational members within the framework of the formal relationships and duties (Tansik and Elliott cited in Swanson, Territo, and Taylor 1988: 105).

"American law enforcement is described by its own membership as being quasi-military. Ranks are identifiable by insignia and by verbal notation such as corporal, sergeant, lieutenant, captain" (Becker 1970: 11). The majority of police organizations perceive their role as quasi-military in nature for rank-order as well as for reprimand. The chain of command is used to delegate authority to carry out various assignments and is used for cases of violations of the standard operating procedures. J. Edgar Hoover interprets municipal law enforcement as "the first line of defense" (Becker 1970: 28).

However, Becker notes that this perceived role of law enforcement agencies on part of the personnel can often create some difficulties:

Although the similarity of the soldier and policeman seems obvious in terms of uniforms, armament, exposure to danger, discipline, etc., there are important differences. The primary one is that the soldier's object is the external enemy; he seldom takes punitive action against his own community. Thus his support is regarded as a matter of necessity, as a bulwark against alien threat. The investment in the soldier is regarded as insurance which may be expensive and little used but perilous to be without. The policeman, on the other hand, is the potential antagonist of every citizen, and, unlike the soldier, he is always at war. He is the public conscience, threatening the status and treasure of the wrongdoer (Preiss and Ehrlich cited in Becker 1970: 28).



Other noteworthy differences are that police officers are always in the public eye and under verbal attack because the taxpayers feel they have a voice as to how officers and police agencies should operate, when the majority probably have no conception as to how the agency should operate and exactly what officers' functions entail. Unlike the military, citizens feel they have a much stronger say, as they should, in local policing through tax support; thus they judge, criticize and/or appraise the police. At the federal level of national security most citizens probably perceive any voiced efforts toward the administration and/or performance of the military officers as out of their control and what can one person do to change federal policies.

It is obvious that there are superficial similarities to the military and fundamental differences. As one writer on police management stated:

The vast bulk of police operational problems now consist of those that can be handled by one or perhaps two people. What is required is initiative, imagination and a willingness to make decisions-not regimentation. The military managerial philosophy, which has been used by the police for the past 150 years, probably was inappropriate after the New Police were formed and, at least at the present time, it is completely inconsistent with the American concept of the police function (Elliot cited in Deakin 1988: 24).

The basis for adopting the military model was not decided by one person, but it was a philosophy during the progressive movement, endorsed by a vast majority of the American public, and later adopted by police

administrators. The argument for this model was probably due to the need for discipline within large organizations.

The military model probably appeared to be the most effective management style as modern managerial concepts were non-existent and the objective of the patrol officer in combating crime had not previously been researched.

Therefore, discipline in policing could improve control for the administrator, lessen political influence and ward chiefs (Deakin, 1988).

The administrator, due to his or her rank and position, is often the brunt of criticism as it is generated from the line officers toward administrating policies and role within the agency. Whether it is in public or private administration, those at the lower ranks or bottom of the chart will almost always criticize those at the top.

Human instinct may at times advocate verbal statements and/or resistance toward administrative authority. However, this may depend on the worker's attitude toward the job assignment, the leadership quality and job satisfaction, which contribute to the worker's acceptance of administrative authority.

Most policemen showed little sense of involvement in policy-making. Probably, this scarcity of constructive feedback can be attributed to the semi-military structure of the department, which led to a fear that suggestions would be construed as criticisms and would result in punishment rather than approval.

Thus there was fostered a tendency to take things as they came and not to waste energy in fruitless efforts to change the system ... reflecting a kind of apathy

with respect to organizational routines in a manner quite characteristic of bureaucratic organizations (Preiss and Ehrlich cited in Becker 1970: 28).

### The Differences

The primary aim of public agencies is to provide a service to the general public which is provided on an "as needed" basis and thus at no direct cost to the consumer. Almost everyone pays for public services, such as law enforcement and fire protection, however, not everyone may have the occasion to use them. The amount of taxes one pays does not change the amount of service one is entitled to receive; the person who pays less taxes is entitled to the same services as the people who pay more (Hale 1977: 12).

On the other hand private organizations are not publicly funded as they operate in a competitive market to receive revenue via sales, share holders etc., by providing goods and services to those who want to pay for them. With private enterprise buyers or consumers can shop around for a service or product. However, government organizations are usually the "sole source" for a particular service, thus one cannot shop around for the most adequate police and fire protection as they take what is available (Hale, 1977).

However, two examples that are exceptions to this rule are those citizens who choose to send their children to private institutions and private corporations that often hire private security personnel either as a supplement or in lieu of police protection.

Thus, public organizations are not competitive in the sense of trying to corner the market as private enterprise, but public agencies do compete for available resources; however, the efficiency of the daily operations can not always be measured (i.e., one can not measure the cost of breaking up a fight, stopping a speeding motorist or saving a life), however, policing is usually effective and continues to survive as a public demand.

Another distinction between public and private administration is that public activities are often open to greater scrutiny than those in private firms (Hale, 1977). Felix Nigro pointed out that "public officials, unlike their counterparts in private industry, operate in a 'fishbowl'" (Nigro cited in Hale 1977: 13).

Citizens can greatly impact the affairs of public agencies, through such efforts as lobbying, which can bring about pressure on public administrators which in turn affects the agency as a whole. A change in judicial interpretation of constitutional requirements can greatly affect the field as a whole, such as Miranda v Arizona (Weinreb 1978), which changed certain aspects of law enforcement administration and enforcement to the present. This is one example of the interpretations of cases that came before the United States Supreme Court during the 1960's that placed new and more stringent controls on criminal procedures.

Basically, consumers are not as effective in the private market for bringing about a change. The most effective way

they bring about pressure on private corporations is through the power of buying or withdrawal of it.

Public agencies, unlike their counterpart, are created by law and are regulated by statutory authority derived from the electorate. Election of positions, the actions of officers and their responsibility to the public are all guided by law, thus citizens have a direct impact and control over public activities (Hale, 1977). Private agencies, however, operate with almost unlimited freedom from government control and intervention. Certain activities are subject to government review and control, such as the Environmental Protection Agency, the Federal Communications Commission and others, but basically they are free to conduct business as they desire.

#### The Similarities

It is obvious from the literature review and everyday life in the community that public and private organizations have an abundance of differences in the context in which they operate, however, they are very much alike in regard to the administrative procedure.

An example of similar administrative processes is that administration draws from a common body of knowledge the most efficient way to achieve their goals and objectives.

Both public and private administrators are faced with similar activities/problems within the entire gamut of personnel administration such as training, budgeting, hiring,

answering to board members and the public, rewarding, monitoring, disciplining and promoting are just a few of the activities common to both.

Administrators reward those who have helped with the attainment of objectives and provided their best performance and they must also release those that have shown an incompetence or lack of performance within the area of work assigned. Both public and private administrators measure employees' performance on the job, however, they are often measured differently.

In private organizations the management can easily measure an employee's work performance by the total number of product parts one has completed (i.e., assembly line). But in policing it is difficult to measure the effect an officer has on a subject who he/she has confronted in a domestic situation. Although, sergeants can numerically measure various aspects of police officers' performances (i.e., number of traffic citations, total number of property checks as well as the total number of arrests), a vast majority of policing cannot be measured numerically to evaluate the effects (i.e., number of verbal warnings, stationary radar which could reduce the number of total accidents due to speed, one on one discussions with subjects that need assistance, and just friendly conversation with people all plays a key role in policing).

Like the differences, the list of similarities goes on and on. The important thing to remember is that the context

of public administration may differ from private administration, yet the administrative procedures are alike in many forms.

Although the administrative procedures of public and private organizations are alike this does not mean that the managing of police agencies is no different than the management of a department store or computer company. Police agencies are unique with many characteristics not found in private companies, thus the police administrator must be sensitive to them (Hale, 1977).

The above differences were discussed to acquaint the reader with a better understanding of the working environment in which public and private administrators operate. It is the researcher's belief that these differences help to explain various questions the reader may have with regard to managerial differences between policing and private corporations.

As previously stated, police administrators work within the eyes of the public and are under constant scrutiny. Thus, one could assume that the context of public organizations is what causes police administrators to be authoritarian in management, thus operating the agency in a quasi-military order.

The basis for this comes from the fact that police administrators may feel that an autocratic style of management is the best method for controlling personnel and obtaining objectives. However, chiefs may find that this style of

management is not the most efficient means by which an agency should operate, thus the agency will continue to survive even if he/she does not.

Therefore, police administrators probably maintain the belief that in order to be efficient and effective there must be strict policies and procedures administered throughout the entire department. Thus, all employees know exactly the "do's and don'ts" of the agency and what is expected of them with regard to performance.

Within private and public agencies there is often the problem of people pulling their weight in work output and many times this is attributable to one's perception of seniority. Private agencies operate under a bureaucratic structure, however, assignments may be broad and given to everyone working. Thus, the person who has ten years seniority may feel they should not have to work as hard as the person with one year. In policing, the question of seniority is of little doubt as the ranks are identifiable by insignia from chief on down to patrol officer. Thus, each person knows what is expected of them and is to pull their weight to achieve various objectives.

### Collective Bargaining in the Public Sector:

#### Its Effects and Outcomes

For the most part, the U.S. industrial relations system features decentralized collective bargaining, especially in the public sector, where multi-employer bargaining is



virtually unknown and where government employees become members and receive representation by a vast number of labor organizations (Lewin et al., 1988).

During the 1980's, and in the 1970's and the 1960's, collective bargaining contracts are negotiated between single employers and unions, with a multitude of such agreements in active force at any point in time in a certain agency. Thus, the structure of the public sector (and, increasingly, the private sector) collective bargaining has been in the past and remains at the present to be highly decentralized (Lewin et al., 1988).

It is important for the reader to understand that the growth of unionism and collective bargaining in the public sector is approximately two decades old, and that public sector bargaining laws were almost nonexistent prior to the 1960's, thus from a historical outlook the parties involved in bargaining have had somewhat limited experience (Lewin et al., 1988).

#### Public Sector Collective Bargaining

The economy is divided into the private and public sector, thus collective bargaining in the public sector is vastly different from the private sector in important respects. For example, the 1935 National Labor Relations Act (NLRA) established collective bargaining for the majority of the private sector. It has several exemptions however, including: agricultural workers, employees of certain small

businesses, and public employees. "As a result, public employees are covered by different legislation, and public sector unions operate in a very different legal context" (Bureau of National Affairs cited in Walker, 1983: 293).

The National Labor Relations (Wagner) Act of 1935 legislatively guaranteed to most private workers the right to join unions, engage in concerted activities and established collective bargaining as the basic method for settling labor-management problems in this country (Lewin et. al., 1988).

Police and other public and private employees represent the interests of their members primarily through collective bargaining.

"The basic principles of collective bargaining are that of (1) employees have a right to form organizations of their own choosing; (2) employers must recognize the existence of such organizations; and (3) employees have a right, through negotiations, to participate in determining the conditions of their employment" (Walker, 1983: 292).

Basic assumptions underlie these principles. One can assume that conflict in the work place is inevitable and the economic interests of society are better served through the development of procedures (i.e., collective bargaining) for resolving conflicts as they arise.

Secondly, collective bargaining is viewed as one aspect of democratic rights in our society as unions allow members to have a voice and provide political representation.

Finally, an individual is viewed as having no voice or power in an organization due to the magnitude of various companies, thus the union allows them to negotiate contracts on an more equal basis as collective bargaining provides a more equal employer and employee working relationship (Walker, 1983).

A few important key issues in collective bargaining that police chiefs are faced with are relevant for discussion.

Union Recognition - The first issue in collective bargaining is that the chief must officially recognize the union at all levels. Bitter police strikes such as the famous Boston Police Strike of 1919 and those during the 1960's were the result of the employer who refused to recognize and negotiate with the union.

Today the issue is somewhat settled, and police unions have become generally accepted as a fact of life. The National Symposium of Police Labor Relations recommended that "the right to recognition should no longer be an issue in police labor relations....Employees have a right to form and be represented by responsible labor organizations of their choice" (IACP cited in Walker, 1983: 294).

However, unions are not accepted in the "right to work" states such as Texas, Missouri, Alabama, etc., as the employer does not have to recognize a union. Thus, causing mixed and heated emotional feelings among employees that are not represented under union contracts.

There is no doubt that police unions, despite their short existence of less than thirty years, have had considerable impacts in the field. However, public officials in general and law enforcement executives have traditionally opposed the concept of police unionism.

A 1944 publication of the International Association of Chiefs of Police (IACP) concluded that police unions could accomplish nothing. In a 1967 address to the State House at Annapolis, Maryland, Baltimore Police Commissioner Donald Pomerleau concluded that 'a police union is not compatible with police responsibility' (Swanson, Territo, and Taylor 1988: 295).

Today police administrators should not be too overly concerned with the type of union representing the staff. Better yet, they should direct valuable time and resources toward improved working relationships with the union and employees to reduce unnecessary conflict and still work toward maintaining their management rights.

This may require new policies and other areas of improvement to maintain employee interest, trust, and a feeling of humanitarianism through participation.

Unit Determination - The determination of the bargaining unit is the second key issue, however, labor law generally stands on the principle of "commonality of interest." Unions should represent those employees whose jobs are essentially the same and or have the same interests.

This concept is implemented differently in various cities. In Pittsburgh the union only represents all officers up to the rank of captain, while in Detroit and Boston the

union represents those employees at the rank of police officer. In Boston a separate union exists, the Superior Officers Federation (SOF) representing sergeants, lieutenants, and captains. Civilian employees are usually represented by a separate union of their own, thus officials in various cities must deal with two, three or more separate unions that represent employees of the entire police agency (Walker, 1983).

From unit determination it is obvious to see that the police administrator's role has increased with regard to dealing with the various levels of personnel consisting of grievances, policies, staffing, etc. Not only has the union increased the chief's managerial time for administration of the department, but so has societal attitudes. The changes in society directly affect what and how the administrator is to prepare policies and interact with employees and how these employees are to carry out their role.

Thus police chiefs must be continually re-educated to keep abreast of the vast changes that occur within society everyday. Therefore they need be a law enforcement officer, accountant, secretary, social worker, and humanitarian, to name a few roles, just to keep the agency operating efficiently and effectively in an environment over which they have no real control.

Management Rights - It is natural for both the union and police administrator to negotiate a contract that provides their individual side with the greatest amount of control

over the decision-making process. The Police Executive Research Forum says that the goal of management is to obtain "contract language that allows maximum discretion and flexibility in running the department" (Rynecki et al., cited in Walker, 1983: 295).

Management rights in the context of labor-management relations undoubtedly evoke the most emotion and controversy, for the concept of management rights and its counterpart-the union's quest for job security and other improvements and protections for its members-are naturally the center of conflict between labor and management. Cullen and Greenbaum observed the following:

The management rights issue is one of those exceptions on which the cleavage of opinion is so deep that the contending parties cannot even agree in principle. Not only is the economic power of the parties on the line, but their self-esteem, their standing in the eyes of others, and some of the values each deems important in a free society may all be called into question whenever the rights issue is open for debate. Small wonder, then, that agreement on management rights is hard to come by on any level, whether in lofty principle or ... in the real world of legislatures, courts, and collective bargaining (Cullen and Greenbaum cited in Hill and Sinicropi, 1986: 3).

Thus it is obvious that neither side wants to give in to the other for fear of losing either a managerial right or the union official losing their credibility to the members of the union. However, each side survives through maintaining some form of working relationship which should foster a give and take type of relationship.

As noted earlier the nature of the public sector labor relations is unlike that of the private sector because background characteristics affecting public employers are different. Therefore, the researcher feels that two of these characteristics are worth mentioning. First, management power in the public sector is diffused throughout various branches of government and public officials.

The responsibility placed on management for collective bargaining in the public sector "is generally divided or shared, and the formal responsibility often differs from the actual" (Derber cited in Lewin et al., 1988: 24). The governmental structure of the United States is organized into three branches (executive, legislative, and judicial) across different levels (federal, state, and local). Thus, the authority to develop and implement policy is dispersed across government levels and specialized agencies or appointed bodies that are created within the government branches. Therefore, the negotiated agreements between a public organization and a union may require the approval of an elected executive and a legislature.

Subsequent approval of collective bargaining contracts by the executive or legislative branches has handicapped public management officials at various times. For instance, there have been cases where mayors or councils have negotiated agreements with specific public employee unions that failed to include a representative of management from the public organization to be involved on the city' bargaining

team. This can potentially create a problem of making bargaining mistakes, which has been fulfilled in various jurisdictions (Lewin et al., 1988). This exclusion of management from negotiations is rare today; however, the number of officials and agencies that have the opportunity to get involved in the collective bargaining process may increase the complexity of public sector bargaining (Lewin et al., 1988).

Police administrators are also faced with the diffusion of power which is influenced by the appropriations process in the public sector. Thus, they may often find that their funding is allocated from several sources to which they may have to answer at any point in time. Portions of revenue a police agency receives may be restricted to certain purposes (eg., task force for drunk driving).

The result of various sources of funding is that other levels of government often have responsibility to oversee the expenditure of a public agency. The purpose for the oversight function is to provide higher levels of government with authority to become involved in negotiations or review of union contracts. Public sector negotiations can often become very time consuming as a result of politics and appointed government labor relations personnel in the bargaining process. The problem of the over-complexity of collective bargaining process adds confusion as to where the accountability lies as a result of the negotiation of "bad" contracts (Lewin et al., 1988).



Secondly, public employers are ultimately responsible to an electorate; therefore, in extreme situations, public employees may find the administrator to be inadequate to the administration of the agency. This can often occur as the electorate, when voting for public officials, may be unaware of their administrative capabilities. The reality of this is that public employees can have an substantial amount of political power in some cases thus, they can use that power for bargaining gains. The result of public employees political power through voting can affect the labor relations process.

These two factors that affect the public employer with regard to labor relations suggest some of the difficulties and the complexity inherent in public sector collective bargaining. Management fragmentation may lead to confusion and inconsistency with those involved in the labor relations decisions. Union members express their self-interests through their voting behaviors which has the potential to alter or influence public employers' decisions at the expense of the taxpayers. These structural characteristics are unique to public sector bargaining and do not typically arise in the private sector. Although, these characteristics combined with societal demands and or movements (i.e., neighborhood watch programs, foot patrol, Mothers Against Drunk Drivers, etc.) help shape the essence of public sector labor relations.

Limitations of Public Sector Collective Bargaining

The nature of government is often to be growth oriented, especially state and municipal government (Lewin et al., 1988). The result of growth means bureaucracy, thus the individual worker soon feels a sense of isolation as they become lost in a big combine. Growth also means the chain of command is lengthened causing depersonalized employment relationships and can contribute to a sense of powerlessness on part of the worker. Thus, one's manhood seems threatened.

Thus, one would tend to believe that the smaller the agency the better the labor-management relations are; however, this may not always be true as small agencies often run into the same obstacles such as poor administrators and personnel, and may operate on a tighter budget therefore, tensions more readily arise.

Another important factor that might tend to cause poor labor-management relations could be of city council members and city managers who have little if any knowledge as to how and what is required to effectively operate a police agency. Thus, they may reduce the budget allocation for the police department, which in turn affects the operations of the agency causing the chief to become displeased and can increase police officers desire to unionize.

The researcher received comments in addition to the survey questions asked of this type. Various police administrators commented on how police officers had become disgruntled with inept council members and sought unionization in an

effort to see that their demands would receive greater attention.

Employees in the public sector want to share the management or governance of the employment relationship in the public sector as is often done in the private sector, and this must be through the device of representation, which means unionization. The increase in the size of economic units in private industry generated unionism as the enlargement of governmental bureaucracy has fostered public employees to turn to collective action for a sense of control over their destiny (Lewin et al., 1988).

Public agencies have pressures (i.e., internal and external pressures) which are often generated from the size and bureaucracy and can lead to inescapable disruption in labor unless these pressures are recognized and the existing decision-making procedures are adjusted to accommodate these pressures. The argument is that peace in public employment can best be established through union recognition and collective bargaining as an accepted public policy (Lewin et al. 1988).

The following sections will consist of the PERA ACT of 1947 and Act 312 which were put into effect to curb police officers' activities that resulted from their belief that they had no representation and power to have a voice in policy to achieve improvements, thus they used the strike as a weapon to achieve their demands.

Following PERA Act of 1947 there is a discussion of of collective bargaining cases under Act 312, which has affected the administrators, police personnel, and finally the taxpayer. Ultimately, the sections provide information stating that collective bargaining has made improvements under Act 312, however, labor lawyers propose that adjustments should be made with regard to the bargaining process to better serve those involved.

#### PERA ACT 1947

The Public Employment Relations Act (PERA), Act 336 of 1947 was put into legislation to prohibit strikes of certain public employees; to provide disciplinary action, mediation of grievances and holding of elections; to state and protect the rights and privileges of public employees; and to carry out the enforcement and penalties for violating this act.

Police employee organizations used the strike as a weapon to get their demands for better wages and working conditions even though the Public Employment Relations Act (PERA), Act 336 of 1947 under Sec. 2 stated:

No person holding a position by appointment or employment in the government of the state of Michigan, or in the government of any 1 or more of the political subdivisions thereof, or in the public school service, or in any public or special district, or in the service of any authority, commission, or board, or in any other branch of the public service, hereinafter called a "public employee," shall strike (Fremont, 1982: B-2).

During the mid-1960's there was a cry by the public to legislators to make amendments to PERA as the Act had failed

to live up to the provisions within the act. The public could not tolerate the outbreak of police and firefighter strikes and the work stoppages that were taking place in Michigan as officers were walking off their job at any point in time, thus leaving the taxpayer vulnerable to the criminal offender.

#### Act 312 1969

The Michigan legislature enacted Act 312 of Public Acts of 1969, on an experimental basis, that established provisions for compulsory arbitration of collective bargaining disputes in police and fire departments in Michigan, MCL 423.231 et. seq; MSA 17.455 (31) et. seq.

The purpose of the Act, as described in Section 1, is to provide an alternate, expeditious, and peaceful method of reaching a collective bargaining agreement for those public safety employees (i.e., police and fire), who pursuant to MCL 423.202; MSA 17.455(2), are prohibited by law from striking. /

Then in 1971, the Legislature had to decide whether Act 312 should be continued or allowed to expire. The legislative debate was over two issues.

(1) Concern that Act 312 diminished the parties voluntary settlement efforts in the course of collective bargaining; and (2) concern that conventional arbitration resulted in giving arbitration panels too much opportunity to issue excessively high awards (Fremont, 1982: 18-3).

The Legislature responded to the first concern by amending Act 312, thus giving the arbitration panel chair-person

the ability to send the dispute back to the parties for further collective bargaining for a period not to exceed three weeks. MCLA 423.237(a); MSA 17.455(37)(a). The second concern was ratified by the legislature amending the act and replacing the conventional arbitration procedure with the economic last best offer process which directed both parties to submit within a given time as so prescribed by the arbitration panel, a last offer of settlement on each economic issue. MCLA 423.238; MSA 17.455(38).

In March 1975, the Legislature amended the act and again repealed Section 15 (MCLA 423.245; MSA 17.455(45)), which provided for the expiration of the act on June 30, 1975. At this time the Legislature set no new expiration date for the act.

In 1977, Act 312 was also amended, thus affecting Sections 2, 3 and 10. Under Section 2 there was a new provision that emergency telephone operators employed by fire or police departments for relaying emergency calls to personnel working within these agencies would be covered under the binding arbitration provisions of the act.

Section 3 was amended by the provision that grievances that are related to the interpretation or application of an existing contract cannot be arbitrated under Act 312. As a result the law had to conform to court cases which upheld MERC's refusal to order an arbitration panel for grievance disputes, such as Grosse Pointe Farms Police Officers

Association v. Michigan Employment Relations Commission

(Michigan Appeals Reports Vol. 53 1974: 173).

Since 1969, Legislation has altered the provisions of Act 312. More importantly, however, the Act has survived constitutional challenge. Two cases of note are City of Detroit v. Detroit Police Officers Association (DPOA), (408 Mich 410) in 1980 and the Dearborn Fire Fighters v. Dearborn and the Police Officers Association of Dearborn v. City of Dearborn (394 Mich 229) in 1975.

In the first case the City of Detroit filed an action that sought review of the arbitrators' award and challenged the constitutionality of the statute which provides for compulsory arbitration. The case involves two critical issues: first, whether unaccountable arbitrators should be held with the political responsibility and second, whether the panel's award was supported by competent material and substantial evidence required by Act 312. The defendant (DPOA) and intervening defendant (DFFA) brought counter-claims to seek enforcement of the arbitration award and payment of interest on its economic portions from the time of issuance.

The Wayne Circuit Court, Victor J. Baum, J., granted judgement to enforce the award, and later enforce a supplemental award concerning the hardship exemption from the existing residency requirement and use of grievance arbitration to resolve individual claims of hardship. The plaintiff appealed prior to the decision of the Court of Appeals.

However, the Michigan Supreme Court held that the compulsory arbitration statute is constitutional.

The second case with the Dearborn Fire Fighters Union and the Police Officers Association of Dearborn was over the issue that in each case the defendant city had refused to appoint a delegate to the statutory arbitration panel on the ground that the statute providing for compulsory arbitration in municipal police and fire departments is unconstitutional. Thus, both organizations brought action against the City of Dearborn for specific performance of an arbitration award and for mandamus to compel specific performance of an arbitration award.

The Wayne Circuit Court, Charles Kaufman, J., granted summary judgement for the plaintiff. Thus, the Court of Appeals and the Circuit Courts granting enforcement of arbitration awards were affirmed. "Michigan has adopted a broad view of 'conditions of employment,' making most issues mandatory subjects of collective bargaining and presumably, subject to arbitration under Act 312" (Levin, J. cited in Michigan Reports 1975: 265). Thus, this broad view allows for many grievances to enter collective bargaining, probably without much pre-screening.



Outcomes of Act 312 in Police Labor Disputes

Various economic constraints, pressures and incentives, have an impact on all other components of the collective bargaining system, thus shaping the bargaining procedures and outcomes. Economic factors are often separated into the macro (economy-wide) and the micro (issues relevant to a particular bargaining relationship) (Kochan and Katz, 1988).

In negotiating union contracts there are two issues that are primarily discussed. First are the economic factors and second are the non-economic issues. In policing the economic issues, to list a few, basically consist of the following: wages, benefits (i.e., insurance policies for hospitalization, dental, eye, etc., retirement pay, pension funds and the like) the non-economic issues entail issues over equipment, uniforms, policies, rules and regulations etc.

A few noteworthy cases under Act 312 are worth mentioning as positive benefits within the collective bargaining process, that continue to support the necessity of Act 312. Act 312 was designed to remedy labor disputes among police employers and employees that took too long or would never get resolved, and to become the substitute for a strike. As a result of the Act labor disputes were resolved and the public no longer had to fear the strike of the policemen.

On June 28, 1983 the DPOA filed a petition for arbitration under Act 312 with MERC regarding wages, hours, and other conditions of employment against the City of Detroit. One non-economic issue was that the union proposed to

eliminate a residency requirement. However, this was voted down by the Panel under MERC as they commented on the following during the arbitration period:

This Panel accepts the fact that the police officers employed by the City of Detroit are well-trained conscientious officers who provide a very valuable service to the community. To reduce the crime rate in the City of Detroit there must be a close and effective partnership between the police officers, the department and the citizens. Permitting officers to live outside the City in the view of this Panel, will negate the forming of such a partnership or an alliance (Michigan Employment Relations Commission (MERC) Case No. D83-B-596 1985, 22).

Another non-economic issue the union proposed was outside employment for patrolmen. The union had sought to add that employees should be allowed to work in private or personal security business or employment that could help supplement their income. However, the Panel denied the union's proposal as they were concerned with the City's argument in regards to potential liability that could be placed on the City as a result of an officer moonlighting. The Panel took note of the Michigan Supreme Court decision in Ross v. Consumers Power (420 Mich 567) December 1984.

On the economic side of the dispute the DPOA wanted to increase the wages of the officers over a three year contract from 1983-86. During arbitration the City's last best offer for 1983-84 was 3%, 1984-85 was 0.3% and 1985-86 they offered a 2% increase. While on the other side of the dispute the Union's last best offer was 4%, 3% and 4% for the years 1983-84, 1984-85 and 1985-86 respectively.

The final result was that the Panel awarded the following percentage wage increase of 3% of 1983-84, 0.3% for 1984-85 and 4% for 1985-86. The Panel voted to take the City's last best offer for 1983-84 and 1984-85, however, they felt it was necessary to take the Union's proposed increase of 4% for the third year of the contract due to the projected financial standing for that year (Michigan Employment Relations Commission Case No. D83-B-596, 1985).

From the above awards cited it appears that Act 312 has provided a system that is designed to use outside arbitrators when contract negotiations cannot be resolved with the objective of saving valuable resources and to handle contract negotiations on an immediate basis to keep the police officers from striking. Compulsory arbitration provides that contracts will be investigated and resolved, thus giving police officers the representation that they were once lacking with the old PERA ACT of 1967.

Thus, the Act is intended to provide a panel which is to be unbiased and determine the elements and evidence given to determine the best possible solution for all parties interested (i.e., the city, union, and taxpayer) in the most expeditious manner possible.

Another arbitration dispute over wages occurred with the City of Dearborn and the Police Officers Association of Michigan (POAM). On January 8, 1981 MERC appointed a Panel to handle and resolve the case.

One economic issue was that the Union requested a wage increase equal to 8.5% across the board, effective on July 1, 1980 for all employees; and for the second year they sought a 7.75% increase to take effect as of July 1, 1981. At the same time the City's last best offer was an 8% increase for the first year of the contract, effective July 1, 1980 and a 7% increase effective July 1, 1981.

After the evaluation of the foregoing comparisons and the record, the Panel awarded the City's last best offer on wage to take effect on July 1, 1980. It was the Panel's decision to award the City's last best offer as they felt it more closely complied with Section 9 of Act 312 (Michigan Employment Relations Commission Case No. D80-F-3241, 1981).

The above cases indicate that unions do not always get what they bargain for, but they have provided improvements for police officers; whether this is the most efficient process is another question for future research. With the DPOA the union did not gain all the concessions it sought, it received no improvements in the non-economic section and with the economic issue the union did not receive their last best offer except in the final year of the contract as the Panel sided with the City's last best offer for the previous years. The second case also proved the similar as the Panel felt the City's last best offer was adequate.

These two cases are just a few of the many that go to arbitration under Act 312. However, Act 312 has positive and

negative aspects some of which are presented and further discussed in the following sections.

Another instance where Act 312 was effective occurred when MERC's hearing officer had to make a recommendation with regard to the staffing levels in the city of Sault Saint Marie. The issue was that the City proposed in bargaining with the FOP to replace a contract that expired June 30, 1983, as the City sought to eliminate or modify the contract's minimum staffing clause, thus requiring a certain number of sergeants and patrol officers to be on duty at certain times of the day. However, the FOP had rejected such a proposal, thus an impasse and other aspects of the contract proceeded to mediation. However, before the case was to be submitted to mandated arbitration both sides had filed complaints against each other.

MERC's hearing officer recommended an order holding that minimum staffing was not a mandatory bargaining subject, however, upon review MERC found that it was a mandatory subject and was therefore subject to arbitration. On an appeal the court reversed the decision, as they found that staffing levels are for management to decide. Thus, the proposal was a permissive bargaining subject - not mandatory - the court says.

The court further states that if it could be shown that the proposal affected employees' safety or workload, the dispute could then become subject to arbitration. The evidence before MERC was insufficient to reasonably support a

finding that the workload and/or safety of the police officers was affected by the minimum staffing provision, thus the question is not a mandatory subject of bargaining.

The court makes note of a study of San Diego police finding that officers assigned to two-officer patrol units merely "perceived" them to be safer than one-officer patrols. The court stated that there was no evidence before MERC to indicate that two-officer patrols improve the safety. "Indeed the evidence - including the study, state data on officer assault, and local data on Soo police officer injuries - 'strongly suggest that officers assigned to two-man units are in greater danger of suffering an assault while on duty,' the court comments" (City of Sault St. Marie v. Fraternal Order of Police; Mich AppCt No. 91751, Sept. 22, 1987 cited in Government Employee Relations Report Vol. 25, No. 1240, Nov. 23, 1987: 1641).

#### Analysis of Act 312

Act 312 has survived within the political structure. It has reduced the strikes from literally dozens during the mid-1960's to only one that stands out occurring in the City of Detroit from June 30 to July 1, 1976. The strike occurred when officers took "blue flu" (Walker, 1983) work action. Arbitrators were called in and resolved the dispute between the department and the union. Act 312 is a successful deterrent of police strikes and it resolves disputes between the employer and the union, thus officers have not resorted

to the strike as a weapon to achieve better wages and working conditions.

There is however, public criticism of Act 312 as many municipal agencies feel that the taxpayer is receiving the burden of compulsory arbitration. The Michigan Townships Association cited that the impact has been "...disastrous for Michigan townships and the citizens they represent..."

The Association further cites in a resolution passed at the January 30th meeting that "...serious difficulties and excessive cost burdens for the taxpayers in many Michigan townships..." is one of the reasons they seek repeal of Act 312 (Michigan Public Safety Report, Spring 1987: 1). Basically, Michigan townships perceive the use of ad hoc arbitrators who have no direct accountability for the consequences resulting from their awards is improper and an intrusion on local authority of elected officials.

Furthermore, they contend that Michigan has proven that last offers on individual issues, rather than package proposals tend to:

(1) artificially prolong the collective bargaining process in the public sector by encouraging impasse on issues which would not otherwise block an overall agreement between the parties; (2) lead to awards which disturb the contractual relationship between the parties in ways which would not be a natural result of good faith bargaining; and (3) preclude the appropriate consideration of ability to pay... (Michigan Public Safety Report, Spring 1987: 2).

Feuille's (1986) research indicated that, "The presence of an arbitration statute is associated with significantly

higher total compensation..." and that "Arbitration has had greater influence on the non-salary portions of the total compensation package than on salaries" (Feuille cited in Michigan Public Safety Report, 1986: 4). It is interesting to note that the article also raises valuable question for further study of the collective bargaining process in Michigan, that of "Are wages higher because of Act 312? Yes, wage levels and the total cost of public safety services are raised by the mere existence of Michigan's compulsory interest arbitration statute" (Michigan Public Safety Report, October 1986: 4).

#### Conclusion of Act 312

Act 312 has curbed the police strikes in Michigan that society faced during the mid-1960's as a result of compulsory arbitration in labor disputes. However, this has ultimately continued to place the financial burden on the public, thus resources are slowly dwindling as other interest parties are also fighting to receive funding out of the same budget.

Act 312 will have to adjust to this by making amendments as labor lawyers propose that the Act should be amended to make the arbitration like the strikes in the private sector, thus making it a weapon of making negotiations of collective bargaining more effective rather than the preferred method of reaching settlements.



## SUMMARY OF THE LITERATURE REVIEW

The literature review provided a basis for which questions could be raised and answered in this study such as the reason for union existence in policing. Police unions came into existence due to inadequate working conditions, which included low pay, long hours, no job security, and corrupt politicians and administrators that let their favoritism be known among the ranks. When officers failed to be heard and/or felt they were treated unfairly in negotiating contracts they went on strike as the main tool to protest grievances. Thus, something had to be done to protect the taxpayers from repeat incidents.

To protect taxpayers by keeping police and fire personnel on the job and to save valuable resources the State of Michigan enacted Act 312, which was designed to settle labor-management disputes. However, the literature review provided negative aspects within the Act as well. For example, it is very costly to the taxpayer as the negotiations require a special panel to be hired for reviewing and making a determination on the award(s), thus the process requires many hours, weeks, months etc. of all interested parties during negotiations. Thus, as stated above, the researcher intends to examine the chiefs' view of the union to determine if they feel the union is beneficial for collective bargaining.

In reviewing material the researcher found that chiefs were concerned with the unions' impact on their management

rights and/or their ability to manage as they see necessary (i.e., whether authoritarian or participatory in nature). Therefore, the questions intended to be answered within this study will also be that of the chiefs' perception of unions' impact on their management and if the union has actively caused the chief to change their management style or if they basically avoid policy issues in general and concentrate on economic issues.

Finally, one major issue researched in the literature review was on the topic of authoritarian management and the military structured type agency. Traditionally, all most all police agencies in the past, and today, operate with authoritarian chiefs with a rank-order control structure that has been patterned after the military model.

Therefore, the researcher felt it would be of interest for this study when examining the affects of unions on chiefs and the labor-management relations in police agencies in Michigan to receive data from the chiefs on their perception of what type of manager they are (i.e., authoritarian or participatory) and the structure of the agency.

Thus with a combination of the literature review and the data obtained in this study the researcher can draw conclusions as to the affect unions have of chiefs, the chiefs' view of unions in policing, and what type of administrator do the chiefs perceive themselves in police-labor-management relations.

The data can also support whether the management structure and style of policing has greatly changed in today's society with increased pressures and educational levels in comparison to earlier years or has it remained relatively the same.

Therefore, within this study the researcher intends to receive valuable information from the administrators as to their perception of the union (i.e., is it beneficial to the overall function of the agency, should economic issues be the only issues discussed at the bargaining table and if they feel the department would function better if a union did not exist.

## CHAPTER III

### RESEARCH METHOD

The major focus of this study was the following: to examine police agencies in the State of Michigan that were unionized and to assess the effect police unions have on the police administrators' management.

One objective of the study was to discover the relationship between the union and administrator and the effect that the union has on the administrators' management rights, and finally, the data obtained in the mail survey from the administrators' perception was to identify and assess their their management style, from this the study centers its analysis and attention.

This study should be more appropriately characterized as exploratory field research, with a formal description and analysis of the research questions along with a favorable descriptive approach between the variables. It is my belief that this research will produce hypotheses that can be used for further study in this area.

The data collection and analysis were guided by the set of research questions presented and discussed in Chapter I. Since the research questions formed the foundation of the study, the research questions are restated, without the background information, in the next section of this chapter.

In addition to the literature review, the mail survey was used as the data collection method during the study to obtain information to support and provide analysis toward the

research questions; and to compare and describe the research questions in relation to unionized and non-unionized departmental activities and effects on management prerogatives.

Following this paragraph the researcher will provide insight into the survey instrument of the study with a discussion, because it chronologically preceded almost everything else, thus provided input into the development of the design and analysis phase of the study. Since this phase provided most of the empirical information and data to be examined in the analysis, the details of the survey population, survey measures are presented in this section. A short summary of the methods to be used concludes the chapter.

#### SURVEY INSTRUMENT

The research questions identified a range of characteristics that occur within police labor-management relations. The research questions were derived through personal experiences at work and association with officers who belong to a union as well as an extensive literature review.

The survey instrument contained 26 questions that were designed to minimize the administrator's opinion while focusing on obtaining the variations between the policies and policy experiences of union effects on management rights; rather than statistically trying to measure the actual changes in the management style or rights. The decision to focus on this was based on two considerations:

First, the researcher's experience as a patrol officer raised strong doubts about the validity that administrators actually document and record changes that occur within their position as manager due to unionization. Second, the perception of the administrator, with regard to the effect that the union has on management rights, policies and practices provided a more realistic impact of unions effect on management rights than the impact of the "actual" situations.

The survey questions consisted of both closed-ended and Likert Scale questions designed to force a choice. This was done because one cannot do statistical analysis with validity using open-ended questions as they would not be valid. The survey instrument is reprinted in the Appendix.

The major aims of the survey instrument were to establish if the police department was union or non-unionized, to identify and assess some of the policies and policy practices, and finally, to asses the administrators' perception of their management style and relationship with the union in police agencies throughout Michigan. The data collection and analysis of the survey were guided by the research questions previously stated in Chapter I.

In addition to the questionnaire, the researcher developed a cover letter explaining that the researcher was graduate student and a police officer that was required to conduct a research project on a police related issue to complete an M.S. degree in Criminal Justice. The letter stated that all police agencies within the state received this confidential

questionnaire and their response would be tabulated to assist and provide data for those interested in studying collective bargaining and the effects unions have on police-labor-management relations. To verify this study a phone number at Michigan State University was included. (The cover letter is reprinted in the Appendix).

#### SURVEY POPULATION

The research for this study was conducted by surveying all police agencies within the State of Michigan as the total population. The population was taken from a directory of Law Enforcement Agencies in Michigan (1987-88) which consisted of: state, county, city (police only), city (public safety), township, village, campus (department of public safety), and parks and recreation.

Surveys were mailed to the entire population on November 4, 1988, with the returns requested within the next few days. Accompanying the survey was a cover letter that described the project, encouraged participation, and guaranteed their confidentiality in responding.

By December 2, 1988, the date after which surveys could no longer be included in the analysis because the coding of the data had been completed, a total of 357 completed surveys had been received, resulting in a final response rate of 65.5%. The analysis of the survey is based on these 357 returns.

The response rate indicates that police administrators are concerned with their management rights as well as the effects unions are placing on the departments. It is the researcher's belief that police administrators are aware of the necessity of research projects of this type, thus valuable questions can be answered as well as raising questions for future research within the administration of policing.

Thus, research and commitment from dedicated administrators will provide valuable statistical information which can improve the overall functions of law enforcement for those employed within the field in the future.

It was beneficial to receive personal advice and comments from the respondents, even though there was no section of this type, as this helped to better acquaint the researcher with and to understand administrators' points of view. This provided valuable information for this study along with questions that can be used for future research.

The total number of police agencies that responded are categorized according to the total number of certified personnel and the type of agency in Table 3-1. The response rate can be seen to vary according to the agency size, and type of agency, however there were no responses from the agencies having sworn personnel of 1000 and above of which this study did not examine to determine how many agencies of this size were in the total population.



Table 3-1 - Agency Size Tabulated By M.L.E.O.T.C. Personnel  
And The Type Of Agency

Characteristics	N of Responses	Percent
Agency Size		
(Sworn Personnel)		
0-50	313	87.7%
50-150	33	9.2%
151-500	10	2.8%
501-1000	1	.3%
1000+	<u>0</u>	<u>.0%</u>
Total	357	100.0
Type of Organization		
State	0	.0%
County	49	13.7%
City-(police only)	155	43.4%
City-(public safety)	24	6.7%
Township	58	16.2%
Village	53	14.8%
Campus-DPS	15	4.2%
Parks and Recreation	<u>3</u>	<u>.8%</u>
Total	357	100.0%

Smaller agencies represented the majority of the returns, however this was not considered a problem for this study, as the objective was to assess the policies and policy practices affected by unions through management on the total number of agencies that responded.

### Survey Measures

The research questions identified various characteristics of police labor-management relations, and the administrative environment for which measures had to be developed. These were in part derived from the literature review, but in addition they had been developed following the findings of the survey.

The survey instrument contained both closed-ended and Likert Scale questions. The survey questions were designed to collect data from the administrator's perception of the existing labor-management relations within the police agency.

The 26 questions were intended for quantitative analysis, thus these measures incorporated a multiple-choice objective response format. The survey did not contain an "other" response category as it was intended to force a choice upon the administrator. (The survey is reprinted in the appendix).

For this study the data consists of the nominal level. Thus, the 26 variables were measured through the use of univariate and bivariate statistical analysis. Univariate analysis was conducted to gather data on one variable

characteristics, while bivariate analysis was used to measure and compare two variable characteristics. These were derived from the single questions of the survey instrument. Ten of the variables were descriptive of the agency while two were descriptive of the administrators' responses. The remaining fourteen variables describe administrators' perception of the police labor management relations (i.e., unions) and the effect this has on managerial decision making, policies and policy practices, and their management rights.

#### SURVEY ANALYSIS

Analysis of the 357 responses to the survey instrument was undertaken and is presented in the two phases of: univariate and bivariate statistical analysis. In the first phase, univariate descriptive statistics are presented in the context of the survey instrument. For each survey measure, the frequency distributions and percentages, along with the mean, median and mode values are presented.

The bivariate analysis contained 12 cross tabulations which were not directly available from the survey, thus they were statistically calculated to provide support in the various research questions. The bivariate analysis will provide support for the univariate analysis in discussing the results.

A full range of bivariate relationships were explored to find the most appropriate relationships to support the

validity of the research questions. The variables used in the bivariate analysis consist of nominal level measures.

#### LIMITATIONS OF THE SURVEY

This study addresses data obtained from various Michigan police administrators' perceptions of their relationship with the union and their position with regard to management prerogatives. Thus, only limited references will be made in the area for improved labor relations.

The mail survey, as previously stated, is subject to several methodological limitations which are discussed below.

It is the researcher's belief that those who responded to the survey may have altered their responses, thus the validity of mail surveys is of question, with some of the following questions: to show that there is no management-union conflict, that the chief still holds the power, advocates an active participatory management style when in fact they are authoritarian managers, the union has actively caused administrators to adjust their management prerogatives or style etc. Therefore, the researcher will not attempt to measure the validity of this study.

The researcher also acknowledges the geographical limitations imposed by a state wide research design. Therefore general implications from the findings do not necessarily have implications beyond Michigan.

Thus, the purpose of this study will not be to generalize but rather to provide some insight to the

labor-management relations and administrators' perceptions of their management rights within law enforcement.

## Chapter IV

### ANALYSIS OF THE DATA

In this chapter the researcher will present and discuss the significant findings based on the survey results. Four research questions will be discussed. Based on analysis of frequencies and cross tabulations that are of relevance or significance to the question.

Table 4-1 - Size of agency (M.L.E.O.T.C.) according to union representation.

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M.L.E.O.T.C. Personnel	Union Representation	
	Yes	No
0-50	194	2
51-150	28	0
151-500	8	1
501-1000	1	0

---

From a total of the 357 respondents, 118 of the agencies reported that they had no union representation. Thus these 118 will be excluded from most of the tables unless otherwise stated for necessary support of the research question.

Table 4-1 indicates that the majority of responding agencies consisted of certified personnel ranging from 0 to 50. This study did not examine the agencies according to their total number of personnel, however, it is the researcher's belief that the majority of responding agencies,

0 to 50, also comprise of the majority of police agencies within the State.

#### RESEARCH QUESTIONS

- 1) What perception does the police administrator have of his/her management style and structure within the police department (i.e., are they authoritarian with a quasi-military structured department?)

One survey question asked for administrators' views of their management position as being either a participatory management process or that of a non-participatory process. All but 8% of the administrators felt they practiced a participatory management style.

Table 4-2 - Administrators' perception of their management style.

	Frequency	Percent
Participatory Management	217	92.3
Non-Participatory Management	18	7.7

This result was expected from most administrators, whether or not the results indicated here have validity is of question. According to the table not all administrators are participatory managers. One reason why administrators responded by indicating a participatory management style is because police agencies have complex issues administration, and operations in which the chief must contend with,

therefore, they probably view participation as a vital asset in the overall administration. Thus, authoritarian administrators are becoming out numbered and may find that authoritarian techniques are no longer as efficient and effective in today's society.

Table 4-3 - Does the union have more managing power than the administrator?

	Frequency	Percent
Yes	10	4.2
No	226	95.8

Table 4-2 and 4-3 indicate participatory management and the union has less managing power than the administrator, however, this does not indicate a non-participatory management style on part of the administrator. Administrators may advocate participatory management to avoid the authoritarian structure and style, if the administrator has used this style in the past, as they may view this as a more efficient and effective method of operations.

The majority of administrators do not perceive themselves to be authoritarian in nature (see Table 4-4), but rather participatory managers in the decision-making process. This does not indicate a reduction and/or absence of a quasi-military structured department as military organizations or



structures and participatory management are not mutually exclusive, for both types of managerial structures can occur.

Table 4-4 - Administrators' perception of the decision-making process.

	Frequency	Percent
Chief's Function Only	29	12.3
Chief and Union	21	8.9
Chief w/Employee Participation	185	78.7

The following cross tabulations indicate that the presence of a union in a police agency does not necessarily indicate the lack of a non-participatory management style.

Table 4-5 - Administrators' perception of their management position and the decision-making process.

	Chief's Function	Chief & Union	Chief & Employees
Participatory Mgt.	82.8%	76.2%	95.6%
Non-Participatory Mgt.	17.2%	23.8%	4.4%

According to administrators in Table 4-5 they indicate that there is not a wide variety of administrators' perceptions of their management position as the majority indicate some form of participatory management, which further supports participatory management as indicated in Table 4-4. However,

just because the majority of chiefs indicate they are participatory in management does not indicate the absence of authoritarian methods of management, which is discussed below.

Table 4-5 is also indicating that not all chiefs are participatory, but some indicated that the decision-making process was not solely their function. One example of this is the middle column where 23.8% of the chiefs felt they are non-participatory managers but the decision-making process is both the chief and union together. From this one could assume that these chiefs choose to be authoritarian managers, however, they are probably forced to make decisions with the union. Two likely reasons for this are that the contract has a clause in it that states that the chief shall work with the union when decisions are to be made, and that city managers and/or council members tell the administrator that they want the union to be involved in various decisions when necessary to keep union pressure through grievances at a minimum.

Those chiefs that feel the decision-making process is ultimately their own and stated they are participatory managers is 82.8%. From this one could assume that maybe the chief is participatory in management, but feels that the ultimate say in the decision-making process is left up to them to decide.

However, the degree to which an administrator considers participation is not examined in this study. Obviously, all administrators will have varying degrees to what they feel is

participatory in nature, thus will manage in different ways and responded accordingly.

The following cross tabulation is to determine if a certain type of agency may possibly effect the administrators' view of the decision-making process to that of non-participatory in nature.

It is interesting to note that all the administrators from the seven different agencies in Table 4-6 indicated 50% or more were participatory in nature. However, excluding parks and recreation, the village police administrators were the lowest percentage with regard to participation in the decision-making process as compared to some of the bigger departments such as, county, city-police only and city-public safety.

There are various reasons for this. One likely reason is because most chiefs in smaller agencies have a better working relationship and understanding of the demands, problems etc. of the patrol officers and public, because they, too, work the streets; usually because the necessity for more personnel is not needed. Whether the chief practices authoritarian or a participatory management style they often receive various input and view departmental issues from others on a one-to-one basis due to the size of the agency. One reason for this is because they are not all confronted with an abundance of complex internal and external issues as many of the administrators are in larger agencies.

Table 4-6 - Type of police agency and the administrators' view of the decision-making process in that agency.

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	Chief's Function	Chief & Union	Chief & Employee	N
County	13.0	13.0	73.9	(46)
City-Police Only	9.7	5.8	84.5	(103)
City-Public Safety	13.6	13.6	72.7	(22)
Township	12.1	12.1	75.8	(33)
Village	21.1	10.5	68.4	(19)
Campus-DPS	10.0	0	90.0	(10)
Parks & Recreation	50.0	0	50.0	(2)

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Entries are row percentages

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The data do not indicate why chiefs in bigger departments perceive themselves to be participatory in management with regard to decision-making. However, one could assume that the size of the agency increases the pressures placed on administrators, thus requiring them to seek assistance from various levels to maintain efficiency and effectiveness wherever possible.

In Table 4-6 90% of the campus police administrators responded by indicating that they practiced a participatory management style with regard to decision-making. One reason why this might be so high could be attributed to their work environment. All administrators are confronted with complex

work environments, however, it may be that campus directors are forced to deal with other departmental issues or policies that are mandated by the school's executive board. These policies may not be associated with policing, but those of the organizational environment as a whole which affects all departmental branches within the school. Basically, the school has issues and policies that come first with departmental heads following the guidelines stated by the institution, therefore, the director has no alternative but to work with other executive officials with various policies and procedures within the department.

- 2) Does the administrator believe there is union-management conflict within the organization?

Within the context of this research question the data will provide various aspects of administrators' perceptions or differences in the amount of union-management conflict in the various agencies.

Table 4-7 - Is there conflict over the management styles between the chief and union?

	Frequency	Percent
Yes	67	28.3
No	170	71.7

Table 4-8 - The chief's perception of their relationship with the union?

	Frequency	Percent
Cooperation	182	77.8
Non-cooperation	9	3.8
Mediation	11	4.7
Arbitration (Collective Bargaining)	32	13.7

From the above frequency tables the data indicate that most chiefs perceive there to be no union-management conflict, rather there is basically a cooperative working relationship. Recognizably, approximately one quarter of the administrators reported at least some level of conflict with the union.

The amount of conflict reported by administrators is not surprising, one might assume that the level of conflict might be higher than reported here. One likely reason for conflict is because administrators may not view union activities as necessary for police operations, thus only wasting valuable time and resources. As noted in this study the majority of administrators contend that only economic issues should be negotiated and policy issues left alone.

The majority of chiefs in Table 4-8 indicated that their relationship with the union is cooperative, which raise relevant issues within police labor management relations that require further research. However, this study did not measure

what administrators viewed as cooperation, non-cooperation etc. Thus further research on this issue could provide data indicating whether or not cooperation truly exists and could provide information to enhance the police-labor-management relations to reduce conflict, grievances and wasted resources at the table over issues that could have been previously resolved.

The majority of administrators in Table 4-9 indicate there to be no conflict in the management style between themselves and the union when they manage in a participatory management style. Thus an indication that the "real" relationship between the chief and union is non-cooperative.

Table 4-9 - Conflict in management styles between chief and union compared to chiefs' view of their management position as either participator or non-participatory.

Conflict in Mgt w/Union	Chiefs' View of Their Mgt	
	Participatory	Non-Participatory
Yes	28%	33%
No	72%	67%
Total N=	215	18

Although the majority indicate that there is no conflict in management when the administrator manages in a participatory style does not necessarily mean that these chiefs have no conflict with the union. This simply says that the

conflict is reduced when chiefs are participatory in management as unions become more content with this style.

As a result of participatory management, administrators' actions with regard to decision-making are probably monitored continuously by the union representative. Therefore, authoritarian management actions on part of the administrator will be challenged if the union feels it will gain something from it, thus administrators are probably finding it increasingly harder and harder to manage a department with an authoritarian management style.

Finally, when there is cooperation among the work environment the efficiency and effectiveness of the agency should be enhanced, thus reducing resources in disagreements and increasing effectiveness (i.e., attitudes, response time, etc.) to the taxpayer.

Improved cooperation does not necessarily eliminate the total number of grievances filed because the union may not obtain employee demands in contract negotiations, but seek issues of less importance for patrol officers often due to the fact that they could not obtain anything greater.

The union should attempt to reduce grievances when both parties work closer to effectively obtain objectives for both sides. Ultimately, the taxpayer should see a reduction in wasted resources used in collective bargaining due to disagreements from both sides and/or ineffective administration.



Table 4-10 - Administrators' perception of there being conflict over the management style with the union and their working relationship with the union.

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	Cooperation	Non-Cooperation	Mediation	Arbitration
Yes	19%	56%	64%	54%
No	81%	44%	36%	47%
Total N=	181	9	11	32

---

Table 4-10 supports the research question indicating that 81% of the administrators perceive there to be no conflict over the management style with the union when there is cooperation in the working relationship; further supporting Table 4-9 in that the union is content when the administrator gives into their demands and avoids any attempts of authoritarian management.

Even though the data indicate that the majority perceive there to be a cooperative relationship in the management style and working relationship with the union, this study cannot measure the validity of this, as there might be several adversarial meetings (i.e., one man vs. two man units, staff assignment and scheduling changes, uniform allowance, etc.) behind "closed doors" prior to reaching the bargaining table if necessary.

Below Table 4-11 illustrates the percentage of administrators that indicated negotiating behind "closed doors" prior to the bargaining table. This is provided to support

the above statement that the majority of the police administrators perceive their to be cooperation, however, the validity to this may be false.

Naturally, chiefs have varying degrees in their perception of cooperation of which this study did not measure. The majority of chiefs indicate there to be cooperation and no bargaining behind "closed doors".

However, it is the researcher's belief that the chiefs indicate cooperation the majority of the time and fail to indicate the amount of non-cooperation that occurred prior to reaching the agreement. Therefore, because perceptions of cooperation vary and the fact that chiefs may fail to indicate the amount of non-cooperation that occurs prior to reaching cooperation or an agreement the validity here may be false.

Table 4-11 - Administrators' response to negotiation behind "closed doors" prior to the bargaining table.

	Frequency	Percent
Yes	57	24.5
No	176	75.5

Three possible reasons that administrators contend there is little conflict over management styles with the union are: first, it may be that the chief still maintains the ultimate control over policies and uses this control as a method to

stifle the union's attempts. Second, it may be that the union lacks influence on the agency due to their methods and desires etc., especially at the local level, thus they may continue to give the administrator as many management rights as possible with the least amount of disagreement. Third, it may be that many of the unions are focusing their attention and drive toward the improvement in salaries, fringe benefits, and general working conditions, thus they may tend to avoid issues with management, per se. Many unions may contend that improvements on economic issues are sufficient enough gains for their objectives, thus avoiding management rights with regard to policy making to reduce internal conflict.

- 3) Has the union caused administrators to adjust their management styles, thus changing the management to that of a participatory management structure?

This question is of paramount concern to administrators in that participatory management could cause many administrators to operate in a style not normally practiced. Thus, if administrators are forced to deal with participatory management due to union pressures, then they may perceive the union as too powerful as they reduce managerial rights.

Table 4-12 - Management decisions are affected by union representation.

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	Frequency	Percent
Strongly Agree	19	8.1
Agree	141	60.0
Disagree	62	26.4
Strongly Disagree	13	5.5

---

From the above table the majority of administrators agreed that management decisions are affected by union representation. However, this study did not examine the extent of which the union affects the chiefs' decisions. Thus, it is the researcher's belief that the union does affect the decisions in so much as the union may raise questions that chiefs might consider prior to writing policies etc. However, the chief still continues to maintain their right to manage as unions do not actively cause the chief to change their management rights as indicated in Table 4-16.

Table 4-13 - Administrators' view of the decision-making process.

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	Frequency	Percent
Chief's Function Only	29	12.3
Both Chief & Union	21	8.9
Chief w/Employee Participation	185	78.7

---

In Table 4-13 the high percentage (78.7) of administrators that perceive their decision-making process to be that with employee participation. However, this study cannot measure the extent to which administrators actually use participatory management. Each administrator has a different perspective of what he/she feels is participatory. For example one chief might view participation in decisions as simply asking an officer their view on a certain situation and then take no further action and/or fail to use their suggestion in eliminating or enhancing a situation. Another chief might view participation as that which is obtained only from command staff, thus eliminating input from patrol officers.

A second possibility may be that administrators had previously managed the operations in a participatory fashion prior to the unions intervention, thus they already managed in such a style.

Table 4-14 - Does the union have more management power than the administrator?

	Frequency	Percent
Yes	10	4.2
No	226	95.8

Table 4-15 - Does the union try to get involved in policy-making?

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	Frequency	Percent
Yes	108	45.6
No	129	54.4

---

Table 4-16 - Has the union caused the administrator to actively change their management rights?

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	Frequency	Percent
Yes	50	21
No	188	79

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Table 4-17 - Do the patrol officers seek an active voice in policies through their union representation?

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	Frequency	Percent
Yes	101	42.8
No	135	57.2

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The data in Tables 4-12 to 4-17 indicate that administrators feel that unions have not actively caused them to adjust their management rights and that the union does not have more managing power. Despite these perceptions, the administrators admit their management decisions have been affected by union representation.

Administrators also indicated that the majority of the unions do not try to get involved in the policy making of the agency. One major reason why a union will not become involved in policy making is due to their objectives for the members. It appears as though most unions represent their members to increase economic benefits if they feel they are not satisfactory in comparison to comparable agencies. Unions also seek improvements in general working conditions such as: schedule changes, work assignments, two man or one man units etc. Some administrators indicated that unions do attempt to have a voice in policy making, however, the majority are avoiding policy issues.

The administrators also indicated that the patrol officers do not seek a voice in policy making. Two reasons for this may be first that the union has no "real" authority when it comes to the operations of the agency and, as stated above, they do not want to detract from their objectives, and second, that patrol officers seek a voice in the administrative aspects of the agency, but use the union as their voice. Thus, the administrator may not know if the demands are the patrol officers requests or just another tactic on part of the union to gain more power.

The data further supports the literature review presented earlier in the study as the cases presented consisted of various economic (i.e., wages, benefits etc.) and non-economic issues (i.e., residency requirements, moonlighting, staffing etc.) while avoiding assistance in the decision-

making of departmental policies. Basically, these issues do not directly affect the administrator's decision-making process as they have no "real" control over issues of this type. With these issues the board members must decide what is best for the agency and if they disagree with union demands then they go to arbitration. This process will vary depending on the organization and the jurisdiction of the agency.

The majority of the chiefs indicate in the below table that their management decisions are affected by union representation, however, they further indicate that the union does not actively attempt to cause chiefs to alter their management rights as previously discussed by the researcher to further support the research question.

Table 4-18 - Management decisions affected by the union in comparison to the union causing the chief to alter their management prerogatives.

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	Yes	No	(N)
Strongly Agree	57.9	42.1	(19)
Agree	24.3	75.7	(140)
Disagree	6.5	93.5	(62)
Strongly Disagree	0	100.0	(13)

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Entries are row percentages

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Cross tabulation between the two following variables  
 "type of union affiliation" and "the union causing the chief



to change their management right" indicate that only 47 (20.5%) of the chiefs felt that the type of union affiliation does, in fact, alter their management rights. However, 182 (79.5%) chiefs indicated that regardless of the union affiliation this does not actively cause them to adjust their management rights. The majority of union representation came from the FOP, POAM, Teamsters, and the AFSCME.

Thus, the findings indicate that the weight of national unions do not make a significant difference in causing administrators to adjust their management rights. From the data various local unions do cause chiefs' management rights to be adjusted, however, the majority do not attempt to change the status quo. Thus, regardless of the type of union police administrators perceive the union as having no real effect on their management rights and that the type of union does not actively attempt to cause them to adjust their rights.

One reason the above two variables were mentioned, regarding union effects on management, were to determine the total number of administrators who felt that the union has caused adjustments in decision-making, thus directly affecting management rights. Second, was to see those unions, according to the administrators, which had the greatest impact on managerial rights.

Because administrators' managerial prerogatives, for the most part, seem to be unaffected by the type of union affiliation, this does not indicate that the union is not beneficial with regard to improved benefits, wages, and conditions

of employment for their members. This simply indicates that chiefs feel the union works in the area of economic improvement with less emphasis on managerial prerogatives for the time being.

- 4) Do administrators believe that the police department would function better without a union, thus leaving the management decisions solely in their control?

Many respondents indicated that police unions are only beneficial for the agencies in the area of economic improvements (i.e., benefits, wages, hours, uniforms, equipment and other general conditions of employment). Administrators believe that unions hinder operations and should not focus on aspects of the administrator's functions with regard to the decision-making process.

Table 4-19 - Should economic issues be negotiated, with issues related to management prerogatives being kept off the bargaining table?

	Frequency	Percent
Yes	121	51.5
No	114	48.5

Table 4-20 - Does the union, through collective bargaining, benefit the department as a whole?

	Frequency	Percent
Yes	184	80
No	46	20

Table 4-21 - Would departments function better without a union for representation?

---

	Frequency	Percent
Yes	72	31.7
No	155	68.3

---

It is apparent from the findings that administrators believe unions should only negotiate on economic issues while leaving management decisions alone. However, just because administrators indicate that unions are beneficial with the economic issues and avoiding policies does not necessarily mean they advocate union existence.

However, in Table 4-19 there were 114 chiefs that indicated that economic issues should not be the only issues negotiated at the bargaining table and that issues related to management prerogatives should also be discussed. This research did not examine why chiefs feel this way, however, one assumption is that chiefs do realize the complexity of their management position and view the union as a positive input with regard to economic improvements as well as innovations etc. in the policy-making, staffing etc. Thus, this raises valuable questions as to why chiefs responded accordingly and would be worth further research in this area to determine why they feel this way and to provide information for improvement in police-labor-management relations.

Table 4-22 - Union, through collective bargaining, benefit the agency compared with conflict in management styles between administrator and the union.

	Yes	No
Yes	70%	84%
No	30%	16%
Total N=	64	165

Table 4-23 - Union, through collective bargaining, benefit the agency compared to the administrators' perception of the union attempting to get involved in policy.

	Yes	No
Yes	77%	83%
No	23%	17%
Totals N=	103	127

Table 4-24 - Union, through collective bargaining, benefit the agency compared with the administrators' response to the union causing them to change their management rights.

	Yes	No
Yes	74%	82%
No	26%	18%
Totals N=	46	184

Table 4-25 - Would agencies function better without a union compared with the administrators' perception of conflict over the management styles.

---

	Yes	No
Yes	40%	28%
No	60%	72%
Totals N=	65	160

---

Table 4-26 - Would agencies function better without a union and does the union attempt to get involved in policy from the administrators' view.

---

	Yes	No
Yes	38%	26%
No	62%	74%
Totals N=	102	124

---

Table 4-27 - Would agencies function better without a union and has the union caused the administrator to adjust their management rights.

---

	Yes	No
Yes	44%	28%
No	56%	72%
Totals N=	48	178

---

Tables 4-22 through 4-27 indicate that administrators perceive the union as beneficial in collective bargaining regardless of the conflict in management styles between the chief and union as well as administrators' perceptions of union attempts in policy, thus altering managerial rights.

In Table 4-25 the majority of chiefs felt that agencies would not function better without a union, regardless of their conflicts in management.

However, this does not mean that administrators support union existence. Basically, chiefs are indicating that unions are beneficial, however, this should be limited in various aspects of their representation (i.e., economic improvements and other areas where the chief has no control over). Chiefs are indicating that they feel their management rights are intrinsic to the job as a whole and unions should not attempt to alter their rights. However, a little less than half indicated that policy issues should be discussed and not to limit negotiations to economic issues as previously discussed.

The data indicate that administrators perceive their management style as participatory in nature and they view their decision-making process as that of the chief with employee participation.

The majority of administrators also perceived the union as being less powerful in management. This perception of more power might stem from their perception that they are

participatory managers who still maintain a strong power hold with the employees.

Although the frequency and cross tabulation tables indicate a participatory management style, each administrator probably has a different meaning of participation and procedures for this method.

Chiefs may participate with the union and/or employees in the decision-making process only because they are forced to through union contracts, thus they could respond by indicating that they are participatory in the decision-making process when in fact they may only discuss various decisions with regard to policies and procedures etc. during union meetings and then return to an authoritarian administrator after negotiations. If this being the case where the contract states there shall be participation from employees in decision-making then participatory management would not be true as it would be conducted under a contract and not necessarily chiefs' belief or style.

With regard to police administrators' perception of union-management conflict in the organization the frequency and cross tabulation tables indicate that the majority of the administrators perceive there to be cooperation in the relationship with the union. The above frequencies and cross tabulation indicate that chiefs perceive there to be little union-management conflict, however, the findings do not provide information as to why they responded this way.

Whether a union concentrates on economic or non-economic improvements it will still affect the administrator both directly and indirectly. Economic gains may not have a direct impact on policy regulations, however, it can indirectly affect for what and how administrators will use resources and formulate policies (i.e., foot patrol etc.,) as limited resources affects operations within the agency.

Basically, economic improvements are out of the administrator's control as the union's requests are directed toward the board members negotiating contracts. Thus, if this holds true, chiefs probably view this as a plus for the employees as the union attempts to gain economic improvements while the chief continues to maintain the freedom of decision-making for the agency.

With regard to administrators' perception of union influence, most agree that management decisions are affected by the union. Thus, administrators would naturally become concerned that their decision-making process is dwindling in power as other interested parties are seeking a voice in policy determination.

To support this the majority of administrators indicate that the decision-making process is that with employee participation while a small percentage indicated that it should be both the chief and union combined with the remaining belonging to the chief only. From the data it is obvious that administrators are working with employees and the union both, thus they would naturally be concerned that their



management control or control over decision-making is reducing in scope.

Administrators are indicating that they are participatory managers in style, however, from this study one cannot determine if this is by their own method of management style or if a union has pressured them into a participatory management style. It may be that administrators are realizing that to be effective as an administrator in such a fragmented and unstable economic environment that they must use the valuable resource of the human mind from employees and outside groups to more effectively and efficiently operate a police department. It is becoming increasingly difficult for one person to manage a police department single-handedly in today's society and still answer to the boards and the public while effectively trying to provide a valuable service to the public.

The findings on administrators perceptions of police departments functioning better without a union, thus leaving the decisions in their control, is that agencies would not function better without union representation.

Administrators further supported union representation by a majority indicating that collective bargaining with the union does benefit the agency without the union attempting to become involved in policy making, while further indicating that the union, for the most part, has not actively caused them to change their management rights.

To further support that chiefs perceive unions as beneficial to the agency they indicated that the department would not function better without a union and the majority felt there to be no conflict in the management styles. Basically, indicating that the union is beneficial for the agency as it would not function better without a union for representation or negotiations.

As previously indicated, the findings can not pinpoint why administrators perceive the union as beneficial to the agency; it could be that they view the union as a positive factor for economic improvements, and it could be that administrators are tired of dealing with inept council members, thus the union has more power to effectively deal with board members over economic issues over which chiefs previously had little if any control or influence.

From this one can observe that the majority also views unions as not attempting to change the administrators' management rights/decisions, therefore there is less management conflict over the critical issues of policies and the unions are basically avoiding involvement in managerial policies through the decision-making process.

## CHAPTER V

### SUMMARY AND CONCLUSIONS

The primary purpose of this study was to examine some of the effects police unions have on police administrators. Issues included: management rights, the unions' influence on policy making, organizational conflict, and administrators' perceptions of their management styles as authoritarian or participatory in nature.

Four questions relevant to this study that were discussed and analyzed were: (1) What perception do police administrators have of his/her management style and the structure within the police department? (2) do administrators believe there is union-management conflict within the organization? (3) has the union actively caused administrators to adjust their management styles, thus changing the management to that of a participatory management structure? (4) do administrators believe that the police department would function better without a union, thus leaving the management decisions solely in their control?

#### Question One

The administrators that responded perceive their management style as being participatory (see Table 4-2). For the most part, this response is expected of administrators, however, this study did not attempt to measure what an administrator considers participatory. Therefore, any input from

employees within an agency could give an administrator the belief that he/she is participatory, whether true or not.

The majority of chiefs indicated they are participatory managers which is expected, one reason for this is due to the complexity of managing a police agency (i.e., issues of policies, departmental budgeting, investigations, meetings, community relations, inner departmental correspondence and relations, and rules and regulations, etc.). The chief must contend with these and many more issues not mentioned here that require time and resources, thus the chief probably views participation from others as beneficial to the overall administration so departmental goals and answering calls for service can be more efficiently and effectively obtained. Thus, those authoritarian administrators are probably finding out that it is increasingly difficult for one person to effectively operate a police agency in today's society and continue to maintain their job and/or "good" police officers.

The data further indicate that the majority of chiefs perceive themselves as participatory in their decision-making process (see Tables 4-4 and 4-5). One reason why chiefs indicate their management style is participatory, is because they may previously managed using authoritarian methods and now realize that participation is a more cost efficient and effective method of operating.

Table 4-4 does not, however, indicate a reduction and/or absence of a quasi-military organization structured department. Many administrators contend that participatory

decision-making is necessary. Participatory management does not indicate the absence of authoritarian (i.e., formalized structures/rank order etc.) methods. The nature of policing requires that there be some formalized structure of the delegation of authority and procedures to be followed in daily standard operating procedures, thus departmental objectives should be more easily obtained.

Table 4-6 indicates that administrators that manage departments with greater numbers in personnel and/or what one might consider greater political positions due to the jurisdiction indicated they are participatory managers.

Smaller agencies, on the other hand, (i.e., village and parks and recreation) had the lowest percentage rates as participatory managers. This finding might be opposite of what one would expect, however, one reason for this might be because larger agencies require more administrative time on part of the chief, thus they must use the valuable tool of human advice and assistance to achieve departmental objectives and answer to the public.

Chiefs in larger agencies must also contend with greater numbers both internally, and externally, thus there would be no effective way for an administrator to operate in an authoritarian manner as they must use all the available assistance to obtain objectives, answer calls from the public and finally the administrator is continually in the eyes of the public to which they are accountable.

It is the researcher's belief that chiefs in these bigger agencies perceive themselves to be participatory, because they have a greater volume of departmental staff to which authority and assignments are delegated. Thus, the validity to Table 4-6 is of question as the study did not measure this aspect, therefore, the researcher does not know if they are in fact participatory in management or just perceive themselves to be. If this is the case then one could assume that they are authoritarian in nature.

Chiefs from smaller agencies are not confronted with the mass volume of personnel as their counterparts and due to departmental personnel in rural jurisdictions, which is usually limited in number because the jurisdiction does not require a greater amount of patrol officers. Thus, the chief is often required to work the road. Due to the size of smaller agencies and because chiefs are often required to work the road they are in a position which would appear to foster a greater working relationship with patrol officers, thus one increasing participation in the working environment.

Naturally, chiefs will receive more first hand information and discussions with their employees, however, this does not necessarily indicate that the chiefs are participatory in management. This merely states that chiefs are in a better position to effectively use participation from officers in decision-making. Many chiefs may use such information, but when the final decisions are made they are without participation. Thus, they use an authoritarian style of management

and may view themselves as authoritarian as they may not actively seek assistance.

Oftentimes the end result of authoritarian managers is that officers become displeased because they feel they should have a say in decisions, thus they may take their anger out on poor performance, other employment, and may seek union representation. Various comments among the returned surveys indicated that when officers felt that their demands were not being heard and/or are ineffective in negotiations with council members, they often turned to unions for representation.

#### Question 2

The responses to this question indicated that the majority (71.7%) felt there was no conflict over the management styles between the chief and union. The administrators further responded by indicating a cooperative working relationship with the union.

The degree to which an administrator measures and/or considers there to be conflict and/or negotiations behind "closed doors" was not examined in this study. Therefore, the researcher cannot accurately determine the amount, if any, of conflict between the chief and the union. However, Table 4-9 indicates that the majority of administrators (72%) perceive that there is no conflict in the management style between themselves and the union when they manage in a participatory management style.

From this one might conclude that the union may initiate the conflict when they feel that situations are not going their way. Generally, it appears that unions will attempt to fight administrators when they manage in an authoritarian manner. Authoritarian management will probably increase officers' complaints, thus they will turn to the union for assistance.

There were various reasons why administrators indicated there was little conflict over the management styles with the union. First, the chief may continue to hold the ultimate control over policies and knows that the union does not want to place themselves in a "catch 22" situation, thus they use this control as a method to stifle any further attempts. Second, the union may not have the influence necessary due to their position, thus they probably attempt to make the best of the working relationship as the objective of the chief and unions is survival in an unpredictable environment. Third, the union may only concentrate on economic gains, knowing that any improvements will be somewhat acceptable to the members.

### Question 3

Approximately two-thirds of the administrators (68.1% - see Table 4-12) responded by indicating that management decisions are affected by union representation. However, just because administrators perceive the union to affect their management decisions, does not necessarily indicate



that the union has more management power than the administrator as 95.8% indicated they did not (see Table 4-14).

Administrators are concerned as they indicate that the union is affecting management decisions, however, this study did not examine exactly what type of managerial decisions are affected by the union. A total of 79% of the administrators indicated that unions do not actively cause them to change their management rights, however, some aspects of their decision-making are becoming affected to some degree.

As previously stated the majority of chiefs indicated that unions have not actively caused them to change their management rights. However, this does not indicate that chiefs are not concerned for their rights, as 45.6% indicated that the union does in fact try to become involved in policy making (see Table 4-15). Thus, it may be that unions are slowly attempting to increase their position while at the same time decreasing the chiefs' to a more participatory style.

This study did not measure the areas that unions attempted to become involved in policy making, however, it is the researcher's observation that unions attempt to change policies such as: two man vs. one man patrol, health insurance packets, holiday pay and time off, over time, shift preference, and other policies that do not directly affect the procedures in which a police officer is to follow when performing various tasks etc. The basis for this belief is the extensive literature review and additional comments that

were added to the returned surveys to assist the researcher with a greater understanding in this study.

#### Question 4

This question sought administrators perception concerning whether police agencies would function better without a union, thus leaving management decisions solely in their control. According to Tables 4-19 administrators felt that economic issues should be negotiated, with issues related to management prerogatives being kept off the bargaining table. However, those who responded in support of economic negotiations only consisted of a little over half of the chiefs (51.5%).

From this one could assume that approximately one half of the administrators are realizing that the task of police administration is becoming much more complex than it was in the past. As a result they see that other people are necessary and vital to the improvement in the efficiency and the effectiveness of police departments.

It is the researcher's perception that chiefs are realizing that police administration is one of the most complex positions to be in, thus due to its nature participation in departmental operations may become more efficient and effectively obtained if decisions were made with others that can provide valuable information.

Administrators will not disagree that their control of departmental resources (i.e., salaries, benefits, and departmental activities etc.) is limited and is usually a direct

result of available taxes. Thus, 80% of chiefs contend that unions, through collective bargaining, do in fact benefit the department as a whole (see Table 4-20), while 68.3% further indicated that departments would not function better without a union for representation (see Table 4-21).

From this one can objectively determine that the majority of chiefs, whether or not they agree with union tactics, feel that police officers are better off with a union for representation at the bargaining table than if they had no representation. Administrators realize that they have no control over the economic issues within agencies and are probably more than pleased that the patrol officers have achieved economic improvements. One reason for this is that chiefs realize the pay and benefits in policing have improved due to union representation, thus policing is paying more competitively overall and has far better benefits and job security than many occupations. However, regardless of the economic benefits and job security it is the researcher's observation that police officers, due to the situations with which they are confronted, are grossly underpaid.

#### OTHER IMPLICATIONS OF THE STUDY

There are other issues that emerged from this study as being noteworthy for further consideration and research. One such issue is whether unions of today are emerging because they continue to seek economic improvements and/or are attempting to become more involved in the determination

of policy issues, or do unions feel that the labor-management relations process needs continued work for improvement which may be attributed to the lack of participatory management.

Second, are police unions emerging because of council members who lack the necessary education and experience in the field of law enforcement, public administration and fiscal management. Thus, they fail to see the police officers' assignments and what they entail to effectively serve the public i.e., are many police departments dealing with council members who fail to realize the importance of a burned out spot light, poorly maintained patrol vehicle, etc. which could later end up in litigation where if taken care of properly in the first place might not have ended up in court?

Various chiefs indicated that many of the problems with departmental operations are the result of unavailable resources and council members who fail to understand police officers' positions, thus the officers turn to union representation. Thus, this is one reason why unions come into departments.

A third issue that might be worth examining is the police officers' perceptions of both the administration (i.e., do police officers really have a voice in the decision-making process either with or without a union for representation) and of the union (i.e., does the union really represent the members, and if so is it beneficial for improvements).

From further research of this type one could add support either for or against police administrators management styles and how or what they should consist of in the future.

Participatory management may not necessarily be the best method for all police departments. If this is the case then further research may find ways for managerial improvement in agencies with authoritarian chiefs and those with participatory chiefs with the objective of achieving greater methods for improved efficiency and effectiveness in departmental operations.

#### CONCLUSIONS

Police unions have been around long enough to prove that a number of their activities have been both economically and non-economically beneficial to various police agencies as indicated within this study.

It is evident that police agencies operate under an authoritarian and/or participatory management style, however, more important is that what ever the style a chief chooses to use it should be that which is most effective for obtaining departmental objectives and operating as efficient as possible to better serve the public.

The majority of the chiefs feel that unions are beneficial to the overall function of the department with approximately half of the chiefs contending that economic issues only be discussed vs. the remaining chiefs who feel that

policy issues are worthy of discussion as well as the economic issues during collective bargaining.

However, the police-labor-management as a whole under Act 312, along with elected officials and those that work in the field should try to develop or improve the collective bargaining process to reduce valuable time and reduce the amount of wasted resources that go into the process. The taxpayers are the ones who feel and/or receive the burden which is placed on their pockets due to awards given by outside arbitrators that sit in and listen to the negotiations and decide what is appropriate for either fire and/or police. Thus, resources are usually taken from other areas within the public budget (i.e., department of public works etc.) and are transferred over to the police budget. Ultimately, the taxpayer receives the effect as their taxes are increased and/or they may receive less of a service in other public areas, whether public works, parks and recreation or any other publicly funded service.

Naturally, police administrators are concerned about their managerial rights, whether an administrator believes in the union's activities is beside the point as they must work with the union to benefit the agency as a whole and those they serve.

The chiefs indicate that their management decisions are affected by the union, however, the union does not actively cause the chief to change their management rights. The majority of the chiefs also indicate that they are

participatory in management, however, as stated earlier the study did not examine what they considered participatory, thus many may be authoritarian and responded differently. More important is that each department requires certain types of managers to be effective therefore, one cannot criticize a chief for their management style if it proves to be effective in departmental operations.

Basically, one might argue that if departmental objectives are obtained and it is operating efficiently and effectively, which is of great controversy, then it does not matter whether an administrator is authoritarian or participatory in management. The administrator is in a position where he/she is to provide a service to the public and manage both efficiently and effectively, regardless of their personal management style.

The technological and fast moving pace of society will naturally increase the pressures and demands on both police administrators and police officers, thus they will require that their job improves in economic and general working conditions in comparison with other professions as society becomes more complex in the work force.

Administrators indicated that unions are there for the benefit of the members and that they are having an effect on various aspects of the decision-making process. Thus, present and future law enforcement administrators must be re-educated and prepared to effectively work with other members and improve their personal techniques in the decision-making

process to see that departmental operations are improved both efficiently and effectively for years to come.



## APPENDIX

APPENDIX

October, 1988

Dear Administrator:

I am a police officer currently completing an M.S. degree in Criminal Justice at Michigan State University. To complete this degree I must conduct a research project on a police related issue.

Enclosed is a survey that is being sent out to all law enforcement agencies within the State of Michigan. This survey is confidential and your response will be tabulated to assist and provide data for those who study collective bargaining and the effects unions have on police-labor-management relations.

Your response is extremely valuable to the study. I would appreciate it if you would complete and return the survey within the next few days. You may indicate your voluntary willingness to participate by completing and returning the attached questionnaire. Enclosed is a self addressed envelope for your convenience. If you would like a copy of the final results of the survey, please indicate by checking yes at the bottom of the survey. You may verify this research by contacting Dr. David L. Carter at Michigan State University, School of Criminal Justice, Baker Hall, E. Lansing, Michigan 48824. TX:(517)355-2197.

Thank you for your response and time.

Sincerely,

T. Michael Hartman

## SURVEY QUESTIONNAIRE

### Questions

1. Total number of certified personnel within the department or precinct?  
  - ( ) 0-50
  - ( ) 51-150
  - ( ) 151-500
  - ( ) 501-1000
  - ( ) 1000+
  
2. Total number of civilian personnel within the department or precinct?  
  - ( ) 0-50
  - ( ) 51-100
  - ( ) 101-150
  - ( ) 151+
  
3. Are personnel certified in? (Check only one)  
  - ( ) Police Only
  - ( ) Cross-Trained (Police-Fire)
  
4. Type of organization  
  - ( ) State
  - ( ) County
  - ( ) City-Municipal only
  - ( ) City-Public Safety
  - ( ) Township
  - ( ) Village
  - ( ) Campus-Department of Public Safety
  - ( ) Parks and Recreation
  
5. Does the city council-mayor collectively bargain within the organization?  
  - ( ) Yes
  - ( ) No      If Yes, Please stop and return the survey  
              If No, Please continue with the survey

6. A union collectively bargains within the organization?
- ( ) Yes  
( ) No
7. Which of the following most accurately describes your employees? (Check only one)
- ( ) Employees generally dislike to work and are non-motivated for work assignments
- ( ) Employees generally enjoy their work and are self-motivated
8. Do you view the administrator's management position as? (Check only one)
- ( ) A participatory process consisting of others besides yourself
- ( ) Authority from one person who should set policies and command without participation from others
9. Total number of union affiliates within your department?
- ( ) One  
( ) Two or more
10. Type of union representing the patrol officers?
- ( ) National  
( ) State  
( ) Local  
( ) Affiliate  
( ) Unaffiliated (Independent)  
( ) Social Organization (Fraternal)
11. Name of union representing the patrol officers?
-

12. Does the union represent both certified personnel and civilian personnel?

- ☐ Patrol officers only
- ☐ Command staff only
- ☐ Civilian staff only
- ☐ Patrol officers and command staff only
- ☐ All the above

13. Management decisions are affected by union representation? (Circle only one)

Strongly Agree	Agree	Disagree	Strongly Disagree
1	2	3	4

14. Do you feel the number of certified personnel affects the bargaining strength of the union?

- ☐ Yes
- ☐ No

15. Does the union have more managing power than the administrator?

- ☐ Yes
- ☐ No

16. Is there conflict over managing styles between the administrator and the union?

- ☐ Yes
- ☐ No

17. Do you view the decision-making process as? (Check only one)

- ☐ The administrator's function only
- ☐ Both the administrator and union's function together
- ☐ Administrator with employee participation (assistance) in the decision-making process

18. Does the union try to get actively involved in policy-making?
- ( ) Yes  
( ) No
19. Has the union caused you to actively change your management rights, or "prerogatives"?
- ( ) Yes  
( ) No
20. Do you feel that only economic issues should be negotiated, with issues related to management rights, or "prerogatives" being kept off the bargaining table?
- ( ) Yes  
( ) No
21. What type of working relationship do you have with the union? (Check only one)
- ( ) Cooperation  
( ) Non-cooperation  
( ) Mediation  
( ) Arbitration (Collective Bargaining)
22. Do you and the union representative usually negotiate behind closed doors prior to reaching the bargaining table?
- ( ) Yes  
( ) No
23. Do patrol officers actively seek a voice in policy-making through the union?
- ( ) Yes  
( ) No

24. Does the union, through collective bargaining, benefit the department as a whole?

( ) Yes

( ) No

25. Would police agencies function better without a union thus, leaving management decisions solely in the administrator's hands?

( ) Yes

( ) No

26. Do you believe that you are a successful negotiator (Broker/Arbitrator) with the union. And are you able to leave a bargaining session with both sides believing they have won without weakening your power or authority?

( ) Yes

( ) No

( ) Not Applicable - Union does not collectively bargain

27. Would you like a copy of the results from this survey?

( ) Yes

( ) No

If Yes, Please fill in the following information.

Name: \_\_\_\_\_

\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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