



## ABSTRACT

### THE HISTORICAL DEVELOPMENT OF COLLECTIVE BARGAINING IN THE FLINT COMMUNITY SCHOOLS

By

William B. Abel

#### The Purpose

From 1935 to 1969, the Flint Education Association, and Flint Federation of Teachers, existed in the Flint Community Schools. In 1969 these two organizations combined to form the United Teachers of Flint. This was the first merger between affiliates of the National Education Association and American Federation of Teachers. The evolution and development of teacher organizations and the collective bargaining movement, together with the co-existence and merger of the teacher groups within this single school system, served as the basis for this study.

#### Methodology

The study employed the historical method. Data were gathered from reading and analyzing minutes of the Flint School Board, minutes from local teacher organizations, publications and news releases from state and national teacher organizations, and local and state



newspaper articles related to collective bargaining. The research was augmented by interviews with organization officials and key participants.

The steps in this study were: (1) determining if similar research had been conducted, (2) selection of participants, (3) development and refinement of interview questions, (4) conducting the interviews, and (5) organization of information into historical sequence.

To chronicle the evolution and highlight developments in the collective bargaining effort, the following periodization was imposed: Genesis of Teacher Organizations, Initial Drive for Collective Negotiation, Mid-Stage Developments, Period of Merger, and Collective Negotiations in the Latter Years.

### Conclusions

1. The conversion of the National Education Association in the 1960s from a professional Association to a proponent of collective bargaining was evidence of the shift in teacher thinking.

2. There is little difference between the National Education Association and American Federation of Teachers in collective bargaining and the rights of teachers to use collective action in achieving goals.

3. Teachers' drive for collective negotiations in the Flint Schools was an outgrowth of the national



movement of teachers to better their economic status and assume some voice in school policy-making.

4. The purposes of teacher organizations in the Flint Schools have been to organize teachers, to work for economic benefits, and to satisfy professional needs of teachers.

5. The Flint Federation of Teachers was organized for teachers who felt the Flint Education Association was too professional and not militant in pursuing teachers' benefits; the Flint Education Association was organized for the professional needs of teachers.

6. Organizational rivalry between the Flint Education Association and Flint Federation of Teachers affected the development of the collective bargaining process.

7. Public Law 379 mandated collective bargaining for public employees and thrust the Flint Board of Education, the Flint Education Association, and Flint Federation of Teachers into collective bargaining.

8. The merger between the Flint Education Association and Flint Federation of Teachers resulted from the Flint Education Association victories in the 1966 and 1969 elections and the agency shop clause in the 1969 teacher contract.

9. The Federation Caucus was formed after the merger to retain the identity of the Flint Federation of Teachers within the United Teachers of Flint.

10. The emergence of the Flint Education Association as the dominant teacher organization (runs contrary to) what should occur when a community is union oriented. The Flint Federation of Teachers was union oriented and would be expected to be teacher representative, the less militant Flint Education Association was selected as the teacher representative.

11. The environment in which the collective bargaining process emerged and functioned in Flint influenced the direction of the United Teachers of Flint. The AFL-CIO-UAW was and is important in the community. Any teacher organization that is successful in Flint must not reject the concept of unions.

12. The damage to teacher-union relations because the Flint teachers failed to honor the (SEIU) picket lines in 1976 and the implications on future support of education could be far reaching.

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By

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Page 2

2

2

## TABLE OF CONTENTS

### Chapter

I. INTRODUCTION . . . . .	1
Statement of the Problem . . . . .	10
Definition of Terms . . . . .	11
Limitations of the Study . . . . .	13
Design . . . . .	14
Overview of the Study . . . . .	18
Summary . . . . .	19
II. REVIEW OF LITERATURE . . . . .	20

### Part I

Review of Literature and Research on Col- lective Bargaining. . . . .	21
Major Studies . . . . .	21
Historical Development . . . . .	24
Professional Organizations at the State and National Level . . . . .	25
Management--School Boards and Admin- istrators . . . . .	28
Labor-Teachers . . . . .	48
Public Interest. . . . .	51
Educational Implications. . . . .	52
Summary . . . . .	53

### Part II

Historical and Legal Development of Collective Bargaining. . . . .	54
The National Labor Relations Act . . . . .	58
Open-Meeting Laws . . . . .	65
Michigan Statutes . . . . .	67

## Chapter

Michigan Open Meeting Act . . . . .	69
Development of Collective Bargaining in Education . . . . .	69
Development of Collective Bargaining in Michigan Schools . . . . .	79
The Structure of Collective Negotiations .	93
Collective Negotiations and Profes- sionalism. . . . .	94
The Politics of Collective Negotiations .	97

## Part III

The Development of Teacher Organizations. .	99
The National Education Association . . . .	99
American Federation of Teachers . . . .	103
NEA--AFT Rivalry . . . . .	118
The NEA and AFT Compared . . . . .	126
The MEA and MFT Compared . . . . .	128
Ideology of Interest Groups . . . . .	131
III. METHODOLOGY . . . . .	137
Introduction . . . . .	137
Procedure . . . . .	138
Step One. . . . .	138
Step Two. . . . .	140
Step Three . . . . .	142
Step Four . . . . .	143
Step Five . . . . .	148
Summary. . . . .	148
IV. THE HISTORY OF COLLECTIVE BARGAINING IN THE FLINT COMMUNITY SCHOOLS . . . . .	150
Introduction . . . . .	150
The Setting . . . . .	151
The Genesis of Teacher Organizations . . .	157
The Flint Teachers' Club . . . . .	157
Other Organizations . . . . .	158



## Chapter

Initial Drive for Collective Negoti- ations . . . . .	160
Mid-Stage Developments . . . . .	168
The Period of Merger . . . . .	174
Latter Years. . . . .	191
Summary . . . . .	198
V. OVERVIEW, CONCLUSIONS, AND RECOMMENDATIONS .	200
Introduction. . . . .	200
Overview of the Study. . . . .	202
Conclusions . . . . .	205
Recommendations. . . . .	208
APPENDICES	
APPENDIX	
A. INTERVIEWEES . . . . .	210
B. LETTER TO INTERVIEWEES . . . . .	267
C. SECOND LETTER TO INTERVIEWEES. . . . .	268
D. AUTHORIZATION STATEMENT. . . . .	269
E. THANK YOU LETTER . . . . .	270
SELECTED BIBLIOGRAPHY . . . . .	271

## LIST OF TABLES

### Table

1. STATES WITH MANDATORY LAWS FULLY OR PARTIALLY  
COVERING EDUCATION PERSONNEL . . . . . 62

## CHAPTER I

### INTRODUCTION

The dominant characteristic of modern American society is change, a factor that no individual or institution can ignore. It is vital to education, yet educational institutions resist change and are in trouble. Ironically, the major source of that trouble lies in its past successes; education and the public schools created to promote it became the major contributor to a new and radically different social dynamic which is currently evolving in this country. The character of that dynamic threatens the nature of educational institutions. It is vital to education that these changes be analyzed and their implications determined.

During the latter half of the nineteenth century, teaching was a short-lived occupation for the majority of American public school teachers. Many teachers spent only a few months in the classroom while, for a larger portion of the year, they turned to more economically secure labor in farming or industry. The popular contempt for education and the small financial reward

discouraged many young men and women from entering or making teaching a career. Those who did enter the profession remained financially handicapped or later sought employment elsewhere in order to afford to marry and raise a family (McAndrew, 1907).

In rural areas, the school teacher was often isolated and, when conditions did not suit him, he moved. As the cities developed and grew, the teaching force was more stable and salaries were higher; yet burgeoning enrollments and poor working conditions created other problems. With these forces prevailing, it was difficult to establish professional stability or improve the professional and economic standards of employees in the public schools.

However, many changes have occurred over the past decade in the teaching profession; more men have entered the teaching population; the average age of teachers has declined; more married women are engaged in teaching; and all of these changes have resulted in a teaching population much more sensitive to the environmental changes surrounding it. No longer are teachers willing to accept the typical salaries and benefits offered by conservative boards of education. No longer are they willing to accept subprofessional treatment.

Another factor contributing to the changing behavior of teachers has resulted from changes in the

nature of teachers' work. The past two decades have witnessed major strides in the reduction of small, inefficient school districts. Teachers no longer are as easily identified nor are they subject to the subtle pressures of the community. The adoption of tenure laws to protect teachers from unprofessional school boards has also served as a strengthening factor in the negotiation position of the teacher (Richards, 1971).

Once a school board begins to negotiate with a teacher organization and attempts to develop a mutually acceptable employment arrangement, it has already begun to surrender some of its flexibility. Boards find themselves bewildered when teachers are no longer automatically accepting the salaries and fringe benefits being offered to them. The board also finds itself in a position of being responsible for financing a public school system from tax receipts. As a result boards of education find themselves representing a community very much concerned with operating educational systems at the lowest possible cost. Such a goal is obviously antagonistic to the goals of teachers seeking better salaries.

Collective negotiations in education serves several functions. First, it resolves economic conflict between teachers and boards of education over the terms and conditions of employment. Second, it provides the

teachers with a system of organizational government which protects their rights. Third, it provides an outlet for the satisfaction of the teachers' psychological and sociological needs which are present in the employment relationship. Fourth, it provides one of the strong institutional foundations of the private enterprise system.

Myron Lieberman (1966) was among the first advocates of collective bargaining for education as a means of bringing about significant change. He identified the primary cause of American educational ineffectiveness as being "rooted in its anachronistic and dysfunctional power structure."

The essential goal of organization and negotiation is the joint determination of policies and practices traditionally considered the unilateral responsibilities of boards of education and school administrators.

The current form of the teacher drive for recognition through local organization represents a force on the educational scene. Teachers have sought professional recognition--in part through organization. However, the drive for formal negotiating or bargaining privileges is new in education. Unlike earlier forms of teacher organization activity, the current emphasis on negotiation has its major input at the local level.



State teacher's associations began to develop during the latter half of the nineteenth century, so that by 1910 every state and territory except Delaware and Tennessee had a state association (Wildman & Burns, 1968). Little more than a loose federation of local associations, the early state associations would meet in convention once or twice a year to hear speeches or inspirational messages. Around the turn of the century, however, the state associations became more active and their efforts have been identified as falling into five categories: (1) general administrative adjustment in state systems, (2) training and certification of teachers, (3) administrative improvements for individual schools, (4) economic betterment of teachers, and (5) general sociological work affecting education (Wildman & Burns, 1968).

Two organizations were formed to represent teachers on the national level--the National Education Association in 1857, and later in 1916, the American Federation of Teachers. While teachers on the local and state levels were working and lobbying for increased salaries, tenure, pensions, and improved working conditions such as reduced class sizes and work load, the National Education Association stood somewhat aloof from teacher welfare matters and later, the American Federation of Teachers spent more time seeking guidance



from its locals and trying to define its function than it did providing guidelines for local action.

Within the NEA, sentiment for collective action by teachers was not widespread. This was the result of little participation by classroom teachers and the dominant influence in the organization of administrators. The belief was that collective bargaining would not be necessary, since the NEA was confident the American people would respond to any educational problem.

Before the creation of the AFT in 1916 there was no widespread teacher-labor affiliation. Although many teacher organizations did affiliate with labor between 1902 and 1916 most of the affiliations were short-lived due to lack of interest or public opposition.

In the early post-World War I period there was a good deal of opposition to trade unionism in general and to union membership by public employees in particular. Total trade union membership declined sharply and in the 1920s the AFT was caught in the general decline. From 1930 to 1933 membership increased and by 1935 had reached an all-time high. From 1936 to 1940 the AFT faced both internal and external charges of communist influence which promoted disaffiliation and hardly encouraged membership (Wildman & Burns, 1968).

The NEA attempted to draw members from AFT during the early 1920s and by 1931 had increased its membership

to over 220,000. Thereafter, the depression took its toll and membership declined so that the 1931 level was never surpassed until after 1943.

During the immediate post-war period of 1945, competition for membership between the two organizations was largely absent. Membership in the NEA for 1945 was nearly 331,000, while the AFT members totaled only 31,000. Between 1945 and 1948, both organizations grew by about one-third. In the 1950s the NEA membership increased by 57 percent to an enrollment of about 714,000 by 1950. The AFT grew only by 43 percent to a total membership of 59,000 by 1960 (Wildman & Burns, 1968).

The 1960s were years of intensive rivalry between the NEA and the AFT. As the competition between the NEA and AFT commenced, union teachers asserted that an irreversible tide toward the AFT and away from the professional associations had begun. Throughout the struggle for members, the NEA was winning the great majority of representative elections, but the large cities all chose the AFT (Bogen, 1972).

The effect of the internecine struggle on teachers has been extreme. No fair evaluation could obscure the impact of the publicity and aggressive action of AFT. The organizational rivalry between the NEA and the AFT is perhaps the most important single

factor underlying the rapid spread of collective negotiations (Lieberman & Moscow, 1966).

By early 1970 both the NEA and AFT had dramatically changed their policies and actions. In fact, the two organizations are now strikingly similar. Both are structured and functional to benefit primarily the classroom teacher.

Another important similarity which is central to this study is that both organizations now have almost identical policies on collective bargaining--for example, exclusive negotiation, scope of negotiation, and grievance procedures with arbitration as the terminal point. Since the NEA has dropped its opposition to teacher strikes, both now support local affiliates on strike and favor granting the legal right to strike to teachers. Local and state affiliates of both organizations now favor the "agency shop" under which teachers would not have to join the organization but would be required to pay a fee equal to dues if they do not join.

Another consideration of the two organizations that is central to this study is the continuing discussion of merger. Although discussions have been proceeding for some time, local affiliates have already merged in Los Angeles, California, and Flint, Michigan.

During the period of 1914 to 1969, two teacher organizations were active in the Flint Community School

System. The Flint Federation of Teachers, chartered in 1935 was affiliated with the American Federation of Teachers. During the same period in 1921 the National Education Association chartered the Flint Education Association. Both organizations co-existed until 1969 when a merger was accomplished and a single organization was formed under the title United Teachers of Flint. This was the first merger between the NEA and AFT affiliated organizations in the nation. Members from both FEA and FFT combined to form this single organization, which represents all teachers in collective negotiations and is chartered by the NEA. The FFT in an attempt to retain its identity at the time of the merger organized the Federation Caucus of Flint as a sub-unit within the NEA-MEA affiliated United Teachers of Flint. Membership in the Federation Caucus is open to any teacher who wishes to affiliate in addition to membership in the United Teachers of Flint.

While the initial differences between the FEA and FFT have blurred since the merger, there remain several questions for consideration.

What issues prompted the merger between the Flint Education Association and the Flint Federation of Teachers? Why did the Flint Education Association emerge as the dominate organization?

It is out of the matrix of consideration of these and other questions that this study developed.

### Statement of the Problem

Active affiliation by teachers from a single school system traditionally has centered on one of the two national organizations. However, both the National Education Association and the American Federation of Teachers affiliates were represented in the Flint Community Schools. The Flint Education Association was the local National Education Association affiliate while the American Federation of Teachers was represented by the Flint Federation of Teachers. The co-existence and eventual merger of the Flint Education Association and the Flint Federation of Teachers within this single school system served as the basis for this study.

The purpose of this study was to analyze the history of the collective bargaining movement in the Flint Community Schools. Its intent was to trace the organization and development of the collective bargaining movement from its inception to the present.

In addition this study investigates the similarities and differences of the two collective bargaining organizations, presents reasons why teachers choose affiliation with one over the other, analyzes the circumstances surrounding the unprecedented merger, and

offers reasons for the emergence of the Flint Education Association as the dominate organization.

### Definition of Terms

Certain terms are defined in order to clarify the concepts represented by the terms as they will be used in this study.

American Federation of Teachers. This title refers to a specific bargaining unit for classroom teachers in elementary, secondary, and post-secondary institutions. The American Federation of Teachers is a nationwide union of classroom teachers affiliated with the American Federation of Labor and the Congress-of-Industrial Organizations.

Bargaining Unit. This term refers to a legally recognized organization whose purpose is to represent its membership in collective negotiations.

Collective Negotiations. This is the process of accommodating the goal and objectives of both the employee and employer groups, recording the results of these accommodations, and agreeing to accept these results for a specified period.

Federation Caucus of Flint. This term refers to a local unit which remained affiliated with the American Federation of Teachers and the Michigan

Federation of Teachers. Membership in this unit is optional for all teachers in the Flint Community School System. It is also affiliated with the AFL-CIO-AFT and is referred to as Local 435.

Flint Community School System. This term refers to all public elementary and secondary institutions within the geographical boundaries of the city of Flint in the state of Michigan.

Flint Education Association. This term identifies the NEA-affiliated organization which existed in the Flint Community Schools.

Flint Federation of Teachers. This term refers to the AFT-affiliated association which existed in the Flint Community Schools.

Michigan Education Association. This term is used to identify a professional organization for classroom teachers in elementary, secondary, and post-secondary institutions in the state of Michigan. The Michigan Education Association is an affiliate of the National Education Association.

Michigan Federation of Teachers. This term is used to identify a specific bargaining unit for classroom teachers in elementary, secondary, and post-secondary

institutions in the state of Michigan. The Michigan Federation of Teachers is affiliated with the American Federation of Teachers.

National Education Association. This term refers to an organization whose purpose is to serve as the national voice of education. Membership is open to all persons actively engaged in the profession of teaching or in other educational work or to persons interested in advancing the cause of public education.

United Teachers of Flint. This term identifies the organization which was formed by the merger of the Flint Federation of Teachers and the Flint Education Association.

#### Limitations of the Study

The author realizes that there exists within the state and nation many school districts with collective bargaining associations. Yet they were not considered since this particular study considered the unique situation which existed in the Flint, Michigan Community School System.

In addition, no authoritative history of the Flint Community School System exists. This study attempts to chronicle the establishment and evaluation of the school system only as it serves as a background for the



development of collective bargaining; and, therefore, should not be considered a definitive history of the entire school system.

This study encountered those limitations that are built into any type of historical research. The abundance of information or the lack of information required careful selection of materials reviewed and people interviewed. The most difficult task was to choose to what extent areas should be explored. An attempt was made to support the areas chosen with written documentation in order to support the action and responses of individuals to the events of the period.

### Design

The centrality of this study was an historical account and analysis of the development of collective bargaining in the Flint Community School System. The method of investigation was the conventional historical process in which all known sources were examined for information pertinent to the subject.

As a background for the study, literature in the field of collective bargaining and teacher negotiations specifically was reviewed to determine the history of collective bargaining in education, its scope, present status, and projected future.

Helpful materials included: Browder (1965), Elam (1966), Lehman (1967), Malfronte (1974), Lieberman and Moskow (1966), Wildman and Burns (1968), Lowenberg and Moskow (1972), Richards (1971), Steele (1969), and Smith (1970).

A major portion of the research utilized the primary investigative techniques of documentary search and interviews.

Data were obtained from a careful reading and analysis of the following materials:

1. Official minutes of the Flint Community School Board which dealt with the organization and recognition of teacher associations. In addition minutes dealing with teacher negotiations were researched. This material was found in the school administration building, Flint, Michigan and in Flint Public Library.
2. Official minutes of the United Teachers of Flint, the Flint Education Association, the Flint Federation of Teachers and the Federation Caucus of Flint were studied. Records of these associations were located in the United Teachers of Flint headquarters, Flint, Michigan.
3. The local newspaper, The Flint Journal, was searched for pertinent news accounts dealing

with the teacher associations. This material was available in the offices of The Flint Journal, Flint, Michigan, and the Flint Public Library, Flint, Michigan.

4. Memoranda of all aspects of collective bargaining and association activity pursuant to merger were examined. These materials were in the headquarters of the United Teachers of Flint, Flint, Michigan.
5. Newsletters of local competing teacher associations, the Flint Education Association and the Flint Federation of Teachers, were examined for relevant materials.
6. Journals and reports of the Michigan Education Association and the Michigan Federation of Teachers were reviewed.
7. Journals, reports, and publications of the National Education Association and the American Federation of Teachers were inspected for pertinent information.

Interviews were conducted with former and present teachers and administrators, as well as with representatives of local labor organizations, the MEA and the MFT. The choice of personal interview had considerable appeal. In an area where the literature and documents provided information about the involvement of these

people, this tool recommended itself as a means to elicit verbal expression of and information about contacts and conflicts they experienced.

The author devised a brief schedule of questions designed to elicit information about the events, personal role and participation in the development of collective bargaining. The questions were used to provide continuity to all the interviews, yet were designed to allow maximum freedom of response to the participants.

Interviews were arranged at the convenience of the participants. The series of questions were mailed to participants in order to permit them maximum time to reflect on the past events in question. The author conducted all the interviews and recorded them on magnetic tape. Each interview was transcribed verbatim and the information organized into historical sequence. Each participant was contacted to secure permission to use the transcripts as part of this study. The individuals were asked to indicate if they wished to review the transcript before giving their approval. Transcripts were then submitted to those participants who wished to review them. The individuals had the right to make any changes that they wished in order to best reflect the direction of the interview.

### Overview of the Study

Chapter I contains the introduction of the study, the statement of the problem, a discussion of the objectives of the study, definition of terms, and organization of the study.

Chapter II contains the review of literature concerning collective bargaining in the United States public schools, and examines the origin and legal aspects of the collective bargaining process in the United States and the state of Michigan. The historical development of the National Education Association and the American Federation of Teachers is also included. The final portion of the chapter examines the positions of the National and state teacher organizations regarding collective bargaining.

Chapter III is concerned with the design of the study, the persons interviewed, the documents searched, and the methods of inquiry used.

Chapter IV contains an organization of the information gathered.

Chapter V contains a summary of the findings, some conclusions, recommendations, and suggestions for future research.

### Summary

Collective bargaining has developed as our society has become more urbanized and the rights and powers of the individual have become greater issues in our society.

The collective bargaining process is a decision-making process involving people and the power of the collective negotiation process is in cooperative decision-making.

The National Education Association and the American Federation of Teachers' positions regarding collective bargaining have been changing for each organization. In addition, the original lack of agreement between the two organizations has diminished so that the positions of both groups is similar.

The years of battling with each other has brought the two organizations to the verge of merger. One such merger at the local level occurred in 1969 in Flint, Michigan, when the respective memberships of the two associations voted to combine their organization.

Although no one can predict with accuracy the impact of this trend toward merger, it is evident that many teachers have recognized that if the teaching profession is to become influential, it will do so through a strong and unified organization.

## CHAPTER II

### REVIEW OF LITERATURE

This chapter is divided into three sections:

(I) Review of Literature and Research on Collective Bargaining

- (1) Major Studies
- (2) Historical Development
- (3) Professional Organizations at the State and National Level
- (4) Management--School Boards and Administrators
- (5) Labor--Teachers
- (6) Public Interest
- (7) Educational Implications

(II) Historical and Legal Development of Collective Bargaining

- (1) The National Labor Relations Act
- (2) Open-Meeting Laws
- (3) Michigan Statutes
- (4) Michigan Open Meeting Act
- (5) Development of Collective Bargaining in Education

- (6) Development of Collective Bargaining in  
Michigan Schools
- (7) The Structure of Collective Negotiations
- (8) Collective Negotiations and Professionalism
- (9) The Politics of Collective Negotiations
- (III) The Development of Teacher Organizations
  - (1) National Education Association
  - (2) American Federation of Teachers
  - (3) NEA-AFT Rivalry
  - (4) NEA and AFT Compared
  - (5) MEA and MFT Compared
  - (6) Ideology of Interest Groups

## Part I

### Review of Literature and Research on Collective Bargaining

#### Major Studies

Accompanying the rapid spread of teacher-school board negotiations is a burgeoning of the literature about its causes and its impact on the educational system. It is common for even relatively new books on the subject to be robbed of currency by the rapid pace of events. Nevertheless, several books remain essential for an understanding of the current status of teacher power and for anticipating the patterns future events will take; a review of some of these major studies follows.



Michael Moskow's book, Teachers and Unions, published in 1966, assesses the viability of collective bargaining in public education. His conclusion is that local-level collective bargaining is viable for public education and in fact has been used in some school districts. The structure and language of this book is essentially a skeleton for a much more comprehensive work published in the same year.

Moskow was joined by Myron Lieberman to produce Collective Negotiations for Teachers; An Approach to School Administration. These two authors stand out among authorities on teacher-school board negotiations. This book, a product of their collaboration in 1966, remains the definitive analysis of collective negotiations. Their treatment of the following major problem areas of collective negotiations is detailed and comprehensive: recognition of the professional staff by the school board, composition of the negotiating unit, administrative membership in the unit, representation and recognition procedures, bargaining power and impasse procedures, and collective negotiation agreements. This work contains a detailed history of the collective negotiations movement and several hundred pages of appendices which include original texts of virtually every important aspect of collective negotiations.

Stinnett, Kleinmann, and Ware (1966) offer a well-documented and scholarly explanation of the then current NEA policy on negotiations. Concentrating on the state level, they discuss probable causes of increased teacher restiveness, stress the need for a new public policy to satisfy teacher demands, and summarize the past efforts of teachers to win concessions from school boards.

In 1967, Lieberman, Moskow, and Elam combined to examine a spectrum of issues and opinions involved in the negotiations process. Although dated, this collection provides an opportunity to compare current policies with those practiced between 1960 and 1965.

Doherty and Oberer (1967) concede that conclusions about collective bargaining in education at its early stage of trial and experimentation can only be tentative. Topics range from causes of the collective bargaining movement in public education to the character of the teacher organizations behind this movement and to the implications teacher bargaining has for the quality of the educational enterprise. Of greatest interest is the analysis of the legal questions raised by the movement and the recommendations for future legislation in this area.

### Historical Development

The rapid expansion of collective bargaining by teachers during the 1960s has led to a proliferation in the literature on this subject. However, practically none of this literature has focused on the historical evolution of collective bargaining in public education.

None of the studies conducted furnishes the historical perspective that is accomplished by Lieberman and Moskow (1966). The authors present the most comprehensive and detailed history of the collective bargaining movement appearing in any of the works reviewed. Lieberman and Moskow trace the origins of collective bargaining to the American Federation of Teachers in 1916. This study concludes that the most significant development in collective bargaining for public employees occurred with the Presidential Executive Order 10988 in 1962. This order had the effect of stimulating state and local governments to proceed with development of collective bargaining techniques.

Much of the earlier research efforts concentrated on legal aspects of collective bargaining and the development of models for negotiation legislation. Hazzard (1966) described the legal status of collective bargaining between teachers and boards in the fifty states. He concluded that informal negotiations often become formalized by state laws.

Brooks, White, and Lutjeharms, working separately in 1968, developed models for collective negotiation legislation. Each recommended separate statutes for education apart from other public employees and advocated negotiations as the most satisfactory means of resolving conflicts.

A similar model for collective bargaining legislation was developed in the state of Minnesota by Mayer (1969).

Fletcher (1971), Skillett (1971), and Perazzo (1972) concluded from examining statutes in twenty-six states that there was no consensus relating to statutes concerning teachers or to employee classification and indicated that the right to strike should not be included in new legislation.

#### Professional Organizations at the State and National Level

A major characteristic of the movement for collective negotiations has been the organizational rivalry between the NEA and the AFT.

Clark (1966) concluded that where professional status is concerned, teachers and administrators tend to view membership in the NEA with higher esteem than they view membership in the AFT. The over six hundred participants in this study felt that the NEA was more concerned with raising professional standards for

teachers and administrators, while the AFT has been more concerned with raising teachers' salaries and obtaining better working conditions for teachers. Also the NEA members were more pleased with the teaching profession than were the AFT teachers.

Browder (1965) in an analysis of the structure and functioning of the AFT reported that the AFT's objectives tended to be heavily economic. He observed that the AFT exhibited both democratic and oligarchic characteristics in its operation, and its members were less militant than union literature would lead one to believe. His data support the contention that when the union is attentive to the members in terms of salary and working conditions, the union member finds the structure and functioning of his organization satisfying to his expectations.

Moskow's (1966) study of twenty school districts revealed that both the NEA and AFT have evolved from positions of relative impotence to their present forceful sponsorship of collective agreements. Moskow concluded that teachers and boards discuss purely professional matters on a year-round basis rather than during the collective bargaining process.

Boyan (1966) also recognized a need for separate procedures for decision-making on educational policy and for decision-making on employment conditions.

Doherty and Oberer (1967) agreed with the teacher organizations on the scope of negotiable issues. They favored permitting negotiations on any question of educational policy. Surveys by Wildman (1966 and 1968), Salerno (1967), and Salzman (1968) support the conclusions that the widespread acceptance of teacher organizations was an outgrowth of a broad national movement of teachers to better their economic status and assure some formal voice in policy making in the schools.

Williams (1969) examined the differences and similarities of the NEA and AFT. He identified issues which unions address in their attempt to recruit members and attempted to determine if teachers really changed as the result of union affiliation.

Writing in the Industrial and Labor Relations Review, Pencard (1971) contends that union membership is a capital asset to teachers. Membership in unions or associations renders services for which the member is obliged to pay certain costs. Thus, membership becomes a capital asset.

In an effort to examine the reasons for union survival, O'Connor (1973) studied local teacher unions chartered by the AFT between 1916 and 1950. He found that local chapters survive longer in school systems where teachers feel they have little influence on policy.

Several researchers have compared the programs and services of the NEA and AFT. Yimtatu (1975) and Pierce (1976) examined the numerous services offered members and chapters by both organizations. Both offer legal advice, consultants to boards for buying health and life insurance, and other support services. The authors concluded that at the local level these two organizations may not have been as dissimilar as has been assumed. Pierce also suggests that the constraints and contingencies posed for school district governance by the existence and activities of a teachers' association affect district policy in subtle ways.

The preceding review indicates that the two national teacher organizations have been the source of much concern. There has been, however, and continues to be, great ambiguities and subtleties of concept surrounding their purposes and goals. Yet they do exist and their assessment, however difficult, is of central importance to collective bargaining.

#### Management--School Boards and Administrators

One of the most complicated problems in collective bargaining is the delineation of the role of the administrators in the overall process.

Superintendents themselves disagree markedly as to what their role in the negotiations process is or

ought to be. This was the conclusion of a study reported by Scott (1966) of ninety-eight superintendents in school districts in the Midwest.

The superintendents of many school districts have tried to function both as advisors to the board and as leaders of the teaching staff. Stinnett, Kleinman, and Ware (1966) describe three alternative patterns for the participation of superintendents in the negotiating process: (1) they may refrain from taking any part; (2) they may act as the representative of the board; and (3) they may serve as a third party resource to boards and teachers. They uphold the desirability of the dual role as a third party resource to both the teachers and the board.

It is the opinion of Allen (1966) that a clear definition of the role of the superintendent awaits a definition of the role of the teacher organizations in the school environment. Allen discusses several possible roles which the process of collective bargaining implies for the superintendent and concludes that his leadership will be as necessary in the bargaining process as it is other issues related to school administration.

The view of many school boards, according to Wildman (1966), is that they would prefer to have their policy-implementing administrative staff remain outside the rank and file organization. A greater threat to the



traditional role of the board is perceived to lie in the all-inclusive bargaining unit approach.

The perceived role of the school superintendent in collective negotiations continues to be part of the study of the effects of teacher unionism in America.

Shils and Taylor (1968) express the view that superintendents are more closely aligned with the school board during, prior to, and in future collective bargaining than they are with teachers.

Several researchers have concluded that school board presidents view the superintendent's role as a resource person to the board of education and not to the teachers (Connie, 1969; Wurster, 1970; Shearin, 1970). Hays (1970), however, contends that teachers view the superintendent's role as a dual approach to negotiations. He reports that prior to negotiations teachers want superintendents to serve as resource persons to them. In addition, during negotiation the superintendent is viewed as a fact-finder and as a mediator.

School district size and urban versus rural settings are other factors determining the role of the superintendent in the collective bargaining process. Skaggs, in 1971, concluded that large urban districts view the superintendent's role as being removed from negotiations. Knapp (1973) and Casello (1973) compared urban to rural settings and found that assistant

superintendents and professional negotiators are the most frequent chief negotiators in large districts. In addition, they observed that the smaller the district, the more personal the relationship is between teacher and superintendent during the negotiation process.

Much of the literature on teacher unionism in education considers collective bargaining and the decision-making authority and leadership roles of principals.

Mackrell, King, Hooks, and Bell (1969) found that principals felt that collective bargaining has and is affecting their decision-making authority, thus making it more difficult to fulfill their responsibilities.

Some observers have focused on the position of the principal in the negotiation process. In a 1969 study, Bell observed that principals feel that their interests are not protected during contract negotiations. Smith's (1970) survey of principals in secondary schools concluded that the principals view themselves as excluded from the collective bargaining process.

This lack of satisfactory representation of principals' interest was the subject of investigation by Day (1970). He observed that principals feel they should be represented as a separate group during the negotiation process and be able to protect their interests. Several writers have observed that

principals' interests would be best protected by an independent organization that is affiliated during negotiations with neither the board of education nor the teacher organization (Barber, 1970; Austin, 1970). These writers feel that the principals' agents should represent and protect the interests of principals and give them loyalties to principals exclusively.

The view of many principals, according to Almo (1974), is that as a group they do not feel that collective bargaining is especially harmful. They do have some serious questions, however, about the impact of collective bargaining on the role of the principal.

Boards of education traditionally enjoyed a wide range of prerogatives in managing schools. Teachers, however, have become increasingly restive with this relationship and have demanded a change in the status-quo.

Early writers were concerned with the attitudes of school boards to collective bargaining by teachers (Collins, 1969; Proescholdt, 1969) and developed handbooks for board members to use during the negotiation process.

Although negotiations were a new experience for most board members, they were sensitive to the primary items of salary and benefits requested by teachers and did feel that affiliation with the NEA or AFT did affect

the commitment to negotiate by teachers (Napolitano, 1969; Seamon, 1971; Coloninger, 1971).

Illuzzi (1975) stressed that early contracts were concerned only with salary, fringe benefits, working conditions, and job security. However, school boards now must be aware that teachers are anxious to be involved in the management of the schools.

The 1976 meeting of the National School Boards Association surveyed its participants and reported that board members feel communication between teachers and board members is poor in districts that have experienced strikes. Board members whose districts had not had strikes indicated that all parties in the negotiation process agreed on the issues to be considered in bargaining.

The reason teachers want collective bargaining is far simpler than has heretofore been recognized by boards. Fay (1976) suggests that in De Jure collective bargaining agreements are legal and binding on both parties. In De Facto negotiations, agreements can be abrogated by the board without the teachers having legal recourse.

Lundberg (1976), speaking before the National School Boards Association meeting, observed the school board's negotiating team is all-important in the collective bargaining process. He suggests that board

members not be part of the boards' negotiating team. The board must maintain control over its segment of the negotiations through preparing its own demands, establishing priorities, and by setting limits on length of negotiating sessions. Lundberg suggests boards follow three phases in the negotiating process: Planning--measuring demands in terms of cost and educational benefits; Probing--ascertaining the position of teachers' team; and Persuasion--reaching tentative agreements that will eventually be formalized in the contract.

Hatch, writing in the American School Board Journal (1976), outlines in detail the planning necessary for boards to keep schools open during strikes. In the same journal Nolte (1976) reminds board members that a board cannot abrogate its responsibility to decide nor can it delegate that responsibility to others.

#### NSBA Policy on Negotiations

The response of the National School Boards Association to collective bargaining negotiations was immediate and negative. At its 1961 convention in Philadelphia, the Association stated its official position on collective negotiations:

School boards should recognize the great contributions to overall planning that can come from the knowledge and experience of classroom teachers, administrators, and other professional personnel and give careful consideration to plans, suggestions, and recommendations of these professional people.

School boards should also establish and use free channels of communication with all their personnel so that decisions affecting their interest and welfare may be made only after careful board consideration has been given to their views, recommendations, needs, and grievances.

School boards, subject to the requirements of applicable law, should refrain from compromise agreements based on negotiation or collective bargaining, and should not resort to mediation or arbitration, nor yield to threats of reprisal on all matters affecting local public schools, including the welfare of all personnel. They should resist by all lawful means the enactment of laws which would compel them to surrender any part of their responsibility. (1965)

With modification in phraseology this position was reaffirmed by subsequent conventions. In response to NEA's more militant policy statement of 1962, the 1963 NSBA meeting adopted a resolution of total rejection. It said in part:

The National School Boards Association is opposed to sanctions, boycott, strikes, or mandated mediation against school districts and does not consider them to be proper remedies for use in problem situations. The authority of the board of education is established by law and this authority may not be delegated to others.

In addition, local boards should support their state school boards associations in opposing legislation which condones sanctions, boycotts, strikes, or mandated mediation against school districts. In the event such legislation or judicial decision exists, state school boards associations are urged to seek appropriate legal means to repeal or overrule them. (1965)

Basically, the objection of the school boards to negotiations centered on the premise that, unless state law provided otherwise, to enter into such activities would be an abdication of their legal responsibilities.

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This position was clearly stated in the first paragraph of the 1967 resolution passed at the Portland, Oregon NSBA convention. It said:

The National School Boards Association believes that it is a fundamental principle of democracy that policy decisions are made only by those who are directly accountable to the electorate. It is the prime obligation of education to provide the opportunity for each student to achieve his greatest potential. These premises merge and coincide in the public school system, a government process and an education function. (1967, p. 1)

Notwithstanding the Association's rejection of some of the basic tenets of collective negotiations, it was apparent from the NSBA pronouncements that it recognized the reality of negotiations in the public schools and that solutions must be found to make the negotiating process less disruptive to the educational scene (Illuzzi, 1975).

#### AASA Policy on Negotiations

The American Association of School Administrators, a powerful department within the NEA structure, had some difficulty in enunciating a clear-cut policy position on collective negotiations. A reading of the Association's publications showed that while not totally rejecting negotiations the administrators had serious reservations about the implied threat of these processes to the legal authority of the board and to the role of the superintendent. In its 1965 resolution entitled "Staff Relations,"



the AASA adopted much of the philosophy of professional negotiations when it said:

We believe that teachers, school boards, and administrators are all committed to the advancement of public education and that the goals and interests of these groups are highly interrelated. We believe strongly that the development of school policies and programs and the solution of school problems can best be accomplished by these groups working in harmony and with respect for the roles of each. We believe that effective policy development involves important contributions by each group.

We believe that evaluation in staff relations is to be welcomed. We commend careful study and the development of principles that should govern these relations and define the responsibilities of various groups while maintaining the integrity of each. We believe that shared responsibility for policy and program development is a professional concept requiring a unique professional approach. We maintain that the superintendent of schools has a unique responsibility to provide leadership in these matters. (Emphasis added.)

From this statement, it was obvious that AASA construed the concept of negotiations rather broadly. The administrators saw a substantial difference between bargaining over wages and hours and negotiating over matters of common interest in the educational context. Lieberman and Moskow saw the mixed pronouncements of the Association as a resultant of the concept of superintendent/teacher unity which is an "article of faith with most superintendents" (Lieberman & Moskow, p. 55).

Because the 1965 NEA sanctions resolution tying sanctions to the code of ethics appeared to be directed at superintendents, there was a call by some administrators for AASA to withdraw from affiliation with NEA.

However, by 1966 the Association in its publication School Administrators View Professional Negotiation had come round to a cautious endorsement of the use of sanctions. The AASA found that sanctions when applied on "a responsible, professional basis with ample warning, can be a powerful tool" for the resolution of serious educational problems; however, strikes were condemned as inappropriate under all circumstances. In early 1968 the AASA proclaimed the fact that collective negotiations were here to stay and outlined procedures for engaging in effective negotiations (1968).

In response to widespread need for assistance from its members, the American Association of School Administrators drafted a model for state collective bargaining legislation. The AASA contends that collective bargaining is an employee, not a management initiative. Yet they feel that legislation often contains elements that are clearly detrimental to good education and good management. The model presented hoped to alert the school management community to the most serious threats to good management and good education in public employee collective bargaining legislation sponsored or supported by public employee unions or other individuals or organizations (AASA, 1976). The model law is written to apply to all public employees, rather than just school employees, and to meet the circumstances that prevail in most states.

The National School Boards Association in its 1963 resolution on Teacher-Superintendent-Board Relations agreed that "the superintendent, as administrative officer of the board, can function as a channel and interpreter of teacher concerns to the board and the board responsibilities . . . to the teachers" (1963). In the same year the American Association of School Administrators published a position document accepting the duality of the superintendent's negotiations role. However, it did warn against incursions into the centrality of his role:

We strongly urge that boards of education and professional groups insist upon the recognition of the role and responsibility of the superintendent. The association pledges to resist any effort to displace the superintendent and his authority in matters affecting the interest and welfare of school personnel. (1965)

#### MASA Policy on Negotiations

The Michigan Association of School Boards is affiliated with the National School Boards Association, a confederation of state groups in which authority is delegated upward, from local to state to national level.

Like counterpart organizations in most states, the MASB places high value on the principle of local control of schools. Belief in this principle goes beyond the legalism that, indeed, the state's power--based on its constitutional mandate to provide public education--flows down to the local district. The school board is a creature of the legislature, with power confined to

education but spelled out by statute. Almost all authority to operate schools is delegated to the local board:

That local boards see themselves as lawful subdivisions of the state is probably the single most important factor bearing on the general policies and practices of an individual board or an association of boards. . . . They have jealously guarded their decision-making authority; their position has been that, because their authority and responsibility are established by law, they cannot legally (or morally, they believe) delegate them to others. (Schmidt, 1967)

Board members identify strongly to the local community. They think of themselves as citizen volunteers performing a community service. It is likely that board members are less affected by the outlook of their state and national associations than are teachers. This has been particularly true in recent years, as teacher organizations increasingly concern themselves with matters of members' welfare. The polarizing effect of collective negotiations is such that, to meet the challenge of teacher organizations, both state and national school board associations are gaining strength--whether measured in influence, budget, or membership.

Like most school boards throughout the United States, in the recent past Michigan boards unilaterally set salaries, chose textbooks, and hired and fired both teachers and administrators. In the years before 1965, before teachers gained the considerable power they now command, personnel management in public education might

well have been characterized by "take it or leave it." Not that board members were animated by wrongful motives. They were busy dealing with shortages of school facilities and qualified teachers and problems of finance. An under-terminated number of school boards voluntarily invited teacher representatives to consult with them through teacher advisory councils or joint committees (Groty, 1970). A few districts voluntarily bargained collectively with noninstructional employees. As school boards were not compelled to share their decision-making power with teachers, most of them did not do so. They took a strict constructionist view, relying on the authority and responsibility which were theirs by statute.

In various ways, as an indication of "professional" authority, Michigan teachers have attempted to enlarge the scope of their autonomy. In 1961, in response to a proposal that teachers be regarded as qualified to choose their textbooks, the directors of the Michigan Association of School Boards formally resolved that it "will strongly resist any and all attempts to infringe upon the authority of school boards in the selection and adoption of textbooks and other instructional materials" (Michigan School Boards Journal, 1961). Such insistence on maintaining unilateral power in decisions on educational matters belies the notion that teachers were regarded as true professionals. When

the MEA passed its first resolution on negotiations, also in 1961, the MASB's response was predictable:

Whereas we believe that ultimate decisions on all matters affecting local public schools should rest solely on school boards as representatives of the people . . . members of this association [should] resist by all lawful means the enactment of laws which would compel them to surrender any part of this responsibility. (1961)

What teachers perceived as partial recognition for having achieved status as professionals, the boards perceived as challenges to their authority.

Although school boards tend to hold that power conferred by statute cannot be yielded, at the MEA's invitation the MASB named representatives to a joint committee to determine what principles of negotiation, if any, might be mutually acceptable. The committee developed procedures for negotiations, but the MASB board did not ratify them, thus ending one attempt at cooperation between the associations.

On the positive side, in 1961 a joint committee of the Michigan Association of School Boards and Michigan Association of School Administrators developed a proposed code of ethics for board and superintendent relations but this did not directly concern teachers. (In that year a joint committee also testified before the education committee of the Michigan Constitutional Convention.)

When the National School Boards Association liberalized its stance, the MSBA concurred. The idea of joint consultation with teachers was regarded favorably in 1963--procedures which would actively involve school boards, administrators, and teachers in discussing budget needs, especially salaries, but also grievances. Obviously, there is a difference between consultation or "sharing joint concerns" and bilateral decision-making.

The past president of the NSBA, Mrs. Fred A. Radke, stated the organization's policy position in 1964. Citing its "vigorous" opposition to bargaining, she said, "We recognize many areas of mutual concern but not of joint responsibility with teacher organizations" (Radke, 1964). She warned against bypassing the school administration and offered this admonition: "A bargaining agreement between a school board and a teacher organization is very apt to dilute the delegated authority of the superintendent of schools, rendering him less effective at a time when his leadership is more important than ever before" (Radke, 1964).

In 1965, when it became apparent that some kind of legislation for public employees would be passed, the Michigan Association of School Boards testified in favor of the MEA-sponsored bill, instead of mounting a campaign against the alternate bill which was offensive to the Association but which eventually passed. Following

enactment of the Public Employment Relations Act, the MASB's president deplored the passage of the new law, reiterated the view that a board's authority cannot be delegated, and hinted at the possibility of joint effort to turn back the legislature's action by counter-legislation. Although the statement followed soon after passage of the law, it implied that a bill which passed the legislature so easily could be reversed just as easily (1965). The School Boards Association did not waste effort on fruitless quests and by January 1966 it was retaining legal counsel to deal with negotiations.

In 1966 the Michigan Association of School Boards and Michigan Association of School Administrators jointly published the Labor Relations Handbook for School Boards and Administrators. Aside from the publication's functional value in dealing with a common problem, this cooperation illustrates a growing affinity between school boards and superintendents. In 1961 they had begun holding joint conventions every two years, a practice which continues. Both associations offered workshops on collective negotiations, an effort to help their members cope with the new reality which confronted them. Similarly, the Michigan Department of Education financed a School Employee-Management Relations Information Program which operated for the first two years of negotiations. This provided programs for teachers and administrators



involved with negotiation. By contract, the School of Labor and Industrial Relations of Michigan State University conducted the training. During 1966-67, 259 training sessions were held throughout the state (Windoes, 1976).

At the beginning of the 1967-68 school year, in about a third of all Michigan school districts, the board and teachers had yet to sign a master contract. The Michigan Association of School Boards urged that teachers be present to open school in exchange for contracts being made retroactive, emphasizing obligation to the public interest. But teachers adopted the "no contract, no work" stance of organized labor, a position which the MEA assumed. Thus voluntary organizations, which had failed to work together when it might have been mutually advantageous, moved toward increasingly rigid positions as adversaries (Windoes, 1976).

In 1967, two years after the advent of collective negotiations in Michigan, the National School Boards Association modified its policies and recognized that teachers had a right to organize and confer on conditions of employment. (As an indication of its gradual shift from resistance to reluctant acceptance, in 1967 the NSBA had said flatly, "We are against collective negotiations." By 1970, the Association resolved that "the establishment

of guidelines for the conduct of school board-teacher negotiations should be a state and local responsibility") (1970).

Collective negotiations has caused MASA to shift positions drastically. Until January 1967 it was a unit of the Michigan Education Association and located within the MEA headquarters building. The executive secretary divided his time between MASA and MEA duties. Today they are considerably closer in ideology and willingness to cooperate than was the case before negotiations. It seems that the MASA has shifted from the side of teachers to the side of MASB.

Like MASB, the Michigan Association of School Administrators made its adjustment to the facts of bargaining before its national counterpart did. MASA withdrew from MEA in 1967, two years before the American Association of School Administrators withdrew as a department of the National Education Association and became an "associated" organization in the NEA building. MASA's break was more complete. Michigan was the first state in which the superintendents' association broke from the teacher organization.

Early in 1965, as interest in negotiations legislation was intensifying, the position of MASA was one of favoring legislation that would give school boards the authority to operate their school efficiently. While

the union-directed Public Employment Legislative Committee was mounting its campaign and legislative committees were active, MASA stayed out of the contest, largely because of its incongruous position as part of the MEA. Whether temporizing or not, the superintendents' association did little as a proactive body and seems to have reacted slowly to events which quickly engulfed its membership.

From the advantage of hindsight, it is tempting to charge the Michigan Association of School Administrators with a timid and uncertain reaction to changing circumstance. In fairness, the Association's gradual move from being a department of the Michigan Education Association to its present position of autonomy but affinity with the school board association merely reflects the changing role of the school superintendent in Michigan (Windoes, 1976).

The Public Employment Relations Act transformed old patterns of teacher-administrator-school board interaction. At the onset of negotiations, superintendents were confident they could perform in a dual role--as resource person to both the teachers' negotiating committee and the school board. This position implies that the superintendent can be, simultaneously, the educational leader of teachers and executive officer of the board. From experience in negotiations,

especially under labor law like Michigans, the impossibility of performing the dual role becomes apparent, but only with experience.

It is not clear who really speaks for the Michigan school superintendent today. Obviously the Michigan Education Association no longer does. Besides having a smaller staff and smaller budget, MASA acts like a junior partner of the MASB. Although the two organizations frequently work in tandem on matters of common interest, particularly legislative matters, the Michigan Association of School Boards is becoming the spokesman for the board-administration team. The polarizing effect of the Michigan Public Employment Relations Act, in barring "supervisors" from the teacher bargaining unit, was to move superintendents to the school board side of the bargaining table. The result seems to be that only the school board association is an effective challenger--in the legislature--to the powerful and dominant teacher organization, the Michigan Education Association (Windoes, 1976).

### Labor-Teachers

Society and teachers have experienced major changes in regard to perceptions and expectations held for and by teachers with regard to teacher collective action.

As the concept of teacher unionism began to grow in this country, the writings in this area were both

explorative and descriptive in nature. One of the early major studies (Browder, 1965) explored the issue of the professional person and the union teacher. Other authors concerned themselves with the questions of need for teacher strikes, professional expectations of teachers from unions, and the long-range outcomes of collective bargaining covering to public education (Olsen, 1966; NEA Journal, 1966; Herbertson, 1966). They observed that teachers at this time were opposed to strikes for any reasons. Also, teachers expected the union to be concerned with matters of teacher welfare--salary, benefits, and working conditions, first and professional matters second.

Goergen and Keough (1967) suggest that teacher strikes fall into discernible patterns and that the issues and outcomes usually represent teacher self-interest. In addition, they feel that strikes by teachers cannot be predicted by any set of indices because each strike reflects the individual school district and its teachers.

Once the pattern and acceptance of collective bargaining by teachers was established, researchers no longer concerned themselves with the more professional and philosophical issues. The reasons, effects, and outcomes of negotiation become the primary areas of concern. Phelps (1970) found that teachers were most

concerned with class size and salaries during negotiation sessions. Writing in the Industrial and Labor Relation Review, Drotning and Lipsky (1973) observed that salary was the major issue among New York state teachers. They found that salary benefits of collective negotiations have been pronounced and substantial at the local level.

Unionization, when correctly specified, has a substantial positive influence on teachers' salaries. This conclusion by Biard and Landon (1973) supports their thesis that the effect of unions is strong and significant.

However, this positive attitude toward salaries and collective bargaining is not shared by all writers. Gauvin (1973), Gerwin (1974), Keyek and Jarvie (1974), and Zuelke and Frottreich (1975) express the belief that there is a futility in collective bargaining over salaries at the local level. They express the need for statewide salary schedules rather than each district negotiating with teachers over salaries.

Chief spokesman for the AFT, Albert Shanker (1975) suggests that even in districts where collective bargaining is well established, teachers have almost no voice in decision making.

Collective bargaining has had the greatest effect at the regional level rather than at the district level. Bargaining does have a substantial and significant effect on teachers' salaries, yet teachers can be expected to

seek more involvement in the decision-making process through collective bargaining (Chambers, 1975; Bounette, 1975; Farmer, 1976).

### Public Interest

The public's attitude regarding the ability of organized teachers to extract more money from the community for the support of education and particularly for higher teacher salaries has been the source of recent comment and investigation.

Collective bargaining for teachers is felt to be in the public interest since it usually considers educational as well as teacher benefits, although strikes do bring resentment among parents (Lanigan, 1971). If anything happens to cause the public to become disenchanted with collective negotiation, overall support of public education will decrease. Conversely, whatever is done to increase support of negotiations may cause an increase in support for education (Leddy, 1975; Yeakey, 1975; Mitchell, 1976; Powell, 1976). The public has a right to know how its elected representatives are governing the schools, including how effectively they are representing the public's interest in such an important area as collective bargaining. The public, if it understands the issues, will many times support the school board's positions (Folz, 1976; Nolte, 1976). The public has a right and responsibility to be well

informed on how its schools are run; and community participation may eventually become a component of the collective bargaining process (Jackson, 1976).

### Educational Implications

If collective negotiations are to bring about meaningful change in education, a need exists to analyze the implications of collective negotiations for the educational process.

Radebaugh (1966) observed that contract agreements usually contain ideas related to educational development but all too often only consider benefits. Laws should be passed that mandate educational considerations such as curriculum and class size to be included in all negotiated agreements.

It is necessary to determine what educational categories, if any, lend themselves most appropriately to negotiation and which are better handled by other processes (Bishop, 1967). The author questions whether if a curricular issue is negotiated successfully can it be maintained unless the support systems are also negotiated. He suggests that process, not programs, be more likely subjects for negotiation in curriculum and instruction.

It was the opinion of several writers that collective negotiations in which adversary positions are present are incompatible with achieving educational goals



(Richards, 1971; Olsen, 1971; Elfrenhaft, 1972; Coulter, 1972). In addition, these writers consider collective negotiations to be a divisive agent in the curricular decision-making process and the educational profession.

However, other writers found a positive relationship between collective bargaining and the educational process. Leupp (1975) concluded that there were more instructional provisions in teacher contracts than at any other time in collective bargaining. This position is supported by research for the National School Boards Association. Thompson and Ziemer (1976) reported that while large school districts tend to include a greater number of instructional provisions than small districts, the increase was significantly higher in all districts across the nation.

### Summary

The exploration and writings into collective bargaining in education was sufficient to provide ample material for identification of issues and alternative strategies for resolving these problems. The focus and intensity of examining collective bargaining has varied according to the concerns of the assessor. Two important reasons for concern over collective bargaining by teachers run throughout the literature.

First, the movement will expand at a continuing rapid rate, and negotiations will take place under a

variety of procedures. The adoption of collective negotiation statutes by an increasing number of states should provide impetus for the movement (see Table 1, page 62).

The second reason for concern is the present and anticipated impact on the educational system.

In addition to the two problems facing all collective bargaining, inter-union competition will continue; a new balance of power must be achieved between teachers' representatives and the representatives of the public; and the concern for and influence on the schools by the public will continue.

Research has detailed that collective bargaining by teachers has achieved significant attention and with appropriate guidelines can be an important force for the improvement of American public education.

## Part II

### Historical and Legal Development of Collective Bargaining

The second section of this chapter will examine the historical and legal background and principles of collective negotiations which will assist in developing a frame of reference for understanding the collective negotiations process. A review of the historical growth and development of the process, the legal setting in

the state of Michigan, together with the various interpretations and explanations of the process, will be considered.

Collective negotiations by employees has a long history. Public opinion, the actions of the executive branches of the federal and state governments, the actions of legislatures, courts, and administrative agencies as well as the economic system, the level of technology, supply and demand, religious, social and political attitudes, all have influenced the growth of public policy toward collective negotiations. As a larger and larger proportion of the work force is constituted of employees, labor law becomes public law through its direct effects upon these millions of employees.

With the Industrial Revolution rapidly evolving in the last half of the nineteenth century the impact on the individual and family began to cause drastic changes. Population began growing in cities where men and their families became dependent upon jobs in factories and interdependent in their everyday living. The individual as such was no longer completely free to determine his own destiny and that of his family. Employees began banding together into what we now refer to as unions for their own protection (Richards, 1971).

The trade union movement may have originated in colonial America during the guild period.

Massachusetts granted guild charters in 1648, but modern collective bargaining developed after the Industrial Revolution which followed the Civil War. The Civil War necessitated a tremendous industrial expansion. The shortage of labor which resulted caused management to take a more liberal attitude toward employees. In 1866 there were approximately forty national labor organizations, and the idea of one national trade union was born. The National Labor Union appeared first but had virtually disappeared by 1872. Its disappearance and the founding of the Knights of Labor occurred somewhat simultaneously, but the only early labor organization of long tenure was not founded until 1881 with the appearance of the American Federation of Labor. It was a federation of skilled craft unions which united for collective strength to emphasize higher wages, shorter hours, better working conditions, and the right of collective bargaining (Steele, 1969).

Most elements of American society viewed the growth of the labor union movement as radical and revolutionary. However, the working man saw collective action as the vehicle for influence in the decision-making process to improve working conditions. Congress, attempting to balance the power of big business, passed the Sherman Anti-Trust Act in 1890 which was used by the courts to find unions guilty of conspiracy to restrain trade,

thus weakening union activities. The Clayton Act of 1914 removed the unions from the application of these anti-trust laws. The American Federation of Teachers was organized in 1916 to secure bargaining rights for teachers. By 1920 the strength of organized labor reached a peak, but the depression of 1929 accelerated its decline (Clark, 1964).

The passage of the Norris-LaGuardia Act in 1932 reflected a fundamental change in public policy toward labor. The act affirmed the right of workers to engage in collective bargaining through unions of their own choosing.

The failure of American employers to modernize their concepts of employment relations led to the National Labor Relations Act commonly known as the Wagner Act in 1935. This act strongly encouraged collective bargaining and constituted a fundamental turning point in public policy concerning labor relations (Schmidt, Parker, & Repas, 1967).

In 1937 the Supreme Court upheld the constitutionality of the Wagner Act, and Massachusetts, Michigan, Minnesota, New York, Pennsylvania, Utah, and Wisconsin passed state labor relations acts. Thus, for the first time in history, workers in private industry were guaranteed the right to form unions for the purpose of collective bargaining and constituted a fundamental

turning point in public policy concerning labor relations (Lehman, 1967).

The National Labor Relations Act

The National Labor Relations Act, effective since July 5, 1935, was designed to achieve two major objectives:

1. To eliminate strikes and other forms of industrial unrest which interfere with the free flow of commerce by giving legal status to the procedure of collective bargaining and by setting up machinery to facilitate it.
2. To encourage by developing that procedure an equality of bargaining power, which was termed a prerequisite to equality of opportunity and freedom of contract. (Labor Relations, 1963)

The National Labor Relations Act defined the rights of employees and required employers to bargain in good faith with representatives of employees on wages, hours, and working conditions. It deemed as unfair labor practices, employer attempts to interfere with the rights of employees. The National Labor Relations Board was established to conduct representative elections and to certify the union to represent the majority of the employees as an exclusive representative of all the employees in an appropriate unit. It can also investigate unfair labor practices charges and order an employer to cease and desist. The National Labor Relations Act established the National Labor Relations Board as an independent quasi-judicial agency empowered by the act

to prevent any person from engaging in any unfair labor practices. The orders of the board can be enforced by appeal to the appropriate court of appeals (Richards, 1971).

The National Labor Relations Act is the basic law governing collective bargaining rights on the federal level. The National Labor Relations Board is the administrative agency insuring collective bargaining rights to employers and employees.

The National Labor Relations Act remained unchanged for twelve years. By 1947 public attitudes toward unions had changed considerably so Congress passed the Labor-Management Relations Act, more commonly known as the Taft-Hartley Act. The Taft-Hartley Act was a recognition that the long struggle for union rights required corresponding measures to insure union responsibilities and that individual employees and union members needed protection from certain union practices. This act was an attempt to equalize the bargaining rights of both employers and the unions (Lehman, 1967).

Twelve years after the Taft-Hartley Act was passed, Congress became concerned about the problems of internal democracy and fiscal integrity in the labor movement and passed the Landrum-Griffin Act controlling the internal affairs of unions, in an attempt to curb certain union abuses (Richards, 1971).

The most significant development in collective bargaining for public employees occurred when President John F. Kennedy issued Executive Order 10988 on January 17, 1962. This order guaranteed federal employees the right to join organizations of their choice. Such organizations are accorded informal, formal, or exclusive recognition, depending upon the proportion of eligible federal employees they represent. If the majority in a federal agency designates one particular organization, that organization is granted exclusive recognition. Executive Order 10988 contemplates collective agreements negotiated between representation organizations of federal employees and federal agencies with respect to personnel policies and working conditions. The order also authorizes advisory arbitration of grievances or contract interpretation or application. It refuses to recognize organizations which assert the right to strike against the United States government. Executive Order 10988 has given great impetus to the passage of state legislation giving the same rights to state and local governmental employees. The stimulating effect of Executive Order 10988 on state and local government to proceed with development of collective bargaining techniques was first realized in the state of Wisconsin (Liberman & Moskow, 1966). Since 1959 Wisconsin has had a law authorizing local units of government to negotiate with employer organizations



selected by the employees to represent them. In 1965, California, Connecticut, Massachusetts, Michigan, Oregon, Washington, and Wisconsin passed laws granting teachers and/or public employees organizing and bargaining rights. Thus, Massachusetts, Michigan, and Wisconsin, three of the seven states to pass state labor relations acts, were also among the first states to pass teacher bargaining legislation (Richards, 1971).

Collective bargaining for public employees was one of the big legislative issues in 1975. The Research and Information Services Department of the Education Commission of the States (ECS) identified during the year some forty-five states that considered collective bargaining legislation affecting education personnel. But as busy as the year was for state legislators and special interest groups, the broad negotiations picture for education remained essentially the same. The nineteen states identified at the end of 1974 as having no mandatory collective bargaining or meet and confer coverage for any sector of their public education personnel have retained their status quo. There are also nineteen states with "right to work" laws. Twelve of these have no collective bargaining laws affecting education. The others, Florida, Iowa, Kansas, Nebraska, Nevada, North Dakota, and South Dakota, have laws covering at least one area (Table 1). It should be

TABLE 1

STATES WITH MANDATORY LAWS FULLY OR PARTIALLY COVERING  
EDUCATION PERSONNEL

<u>Meet and Confer</u>			
Elementary Secondary (K-12)			
Professional		Classified	
Connecticut	Kansas <sup>a</sup>	Kansas <sup>a</sup>	Missouri
Delaware	Nebraska		
Idaho	Vermont		
Postsecondary			
Professional		Classified	
Delaware	Kansas <sup>a</sup>	Kansas <sup>a</sup>	Missouri
<u>Collective Bargaining</u>			
Elementary Secondary (K-12)			
Professional		Classified	
Alaska	Nevada <sup>a</sup>	California	New Hampshire
California	New Hampshire	Florida <sup>a</sup>	New Jersey
Florida <sup>a</sup>	New Jersey	Hawaii	New York
Hawaii	New York	Indiana	Oklahoma
Indiana	North Dakota <sup>a</sup>	Iowa <sup>a</sup>	Oregon
Iowa <sup>a</sup>	Oklahoma	Maine	Pennsylvania
Maine	Oregon	Maryland <sup>b*</sup>	Rhode Island
Maryland <sup>b</sup>	Pennsylvania	Massachusetts	South Dakota <sup>a</sup>
Massachusetts	Rhode Island	Michigan	Vermont
Michigan	South Dakota <sup>a</sup>	Minnesota	Washington
Minnesota	Washington	Montana	Wisconsin
Montana	Wisconsin	Nevada <sup>a</sup>	
Postsecondary			
Professional		Classified	
Alaska	Nebraska <sup>a</sup>	Alaska	Nebraska <sup>a</sup>
California <sup>c</sup>	New Hampshire	California <sup>c</sup>	New Hampshire
Connecticut	New Jersey	Connecticut	New Jersey
Florida <sup>a</sup>	New York	Florida <sup>a</sup>	New York

SOURCE: Doris Ross, "76 Update: Collective Bargaining in Education. A Legislator's Guide." Report No. 78. Education Commission of the States (Denver, Colorado), January 1976.

<sup>a</sup>"Right to work" state.

<sup>b</sup>Meet and confer; reclassified on advice of Maryland consultant.

<sup>c</sup>All state university personnel excluded.

noted that, with or without enabling legislation, collective bargaining is being practiced across the nation (Ross, 1976).

Much legislative activity was apparent in the ECS overview of state sessions. Over three hundred bills were considered on collective bargaining. About 120 of these bills, a number of them in "no bargaining" states, were fairly comprehensive proposals for at least one sector of education personnel. Bills addressing union security and employee rights were high in legislative interest, while management rights received little attention. Close to ninety bills sought solutions for the problem of impasse settlement; these included thirty-four proposing some form of binding arbitration, thirty-two providing penalties for strikes, and the remainder supporting public employee strike rights. Fourteen bills would have curtailed the scope of bargaining while ten would have expanded the negotiable areas.

State legislatures that began the year with education-related bargaining laws already on the books evidenced some mood for change, which was probably brought about by actual experience with the negotiations process, disruptive strikes and a tight and unpredictable economy, along with the political realities of the public employee bargaining issue. Montana, for example, pulled its collective bargaining structure together into a comprehensive

omnibus public employee law, leaving only nurses with separate coverage. California moved from meet and confer status for school district personnel to collective bargaining for K-14 employees. New Hampshire, which last year covered only nonacademic classified state personnel (post-secondary education), passed an omnibus law encompassing the rest of the public education community, including post-secondary faculty and most K-12 personnel (Ross, 1976).

With about 150 teacher strikes reported in 1975, legislators were forced to address the issues of strike rights and binding arbitration. A scan of the state charts identifies four states, Hawaii, Oregon, Pennsylvania, and Vermont, that provide some kind of strike rights, twenty-two states that prohibit strikes in at least one education related law, and five states that do not address the strike issue. ECS counts fifteen states with legal provisions for binding arbitration--either permanent or mandatory, partial or total--of negotiations impasses.

The collective bargaining story obviously has not yet settled into an uneventful rut. Proponents of bargaining rights will continue to struggle for a toehold, however minor, in those states without laws, while others in opposition to the concept will dig in resistant heels. In states with bargaining laws, new legislative

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sessions will see the acceptance or rejection of another spate of amendatory proposals to tighten or loosen, expand, or repeal the coverage already on state books (Ross, 1976).

### Open-Meeting Laws

One of the most important pieces of legislation that is unrelated to financing of schools, but no less important to Boards of Education, is the open-meeting laws. The open-meeting or so-called "sunshine" laws are intended to afford the public the opportunity to attend meetings of government bodies of all types--from state bureaus to county commissions to local school boards.

Every state--save Rhode Island and New York--now has an open-meeting law of some sort; and the Education Commission of the States calls the sunshine movement a nationwide phenomenon (Downey & Mullins, 1976).

The open-meeting laws are designed to guarantee the necessary public protection and ability for our representative governmental processes to appropriately function. Such legislation is designed to protect the individual citizen's constitutional rights, the rights of the general public "to know," and the ability of our democratic representative governmental process to effectively function.

Proponents contend there are three major advantages to open-meeting laws as they relate to education: (1) "Sunshine" laws can create public pressure that forces teacher unions to temper their demands; (2) the laws can engender public support for property acquisitions and building-site selections; and (3) they can elicit sophisticated community assistance for school financial matters (McGruder, 1976). Opponents contend that open-meeting laws favor simple formulations over complicated ones, certainty over ambiguity, the loud-mouth over the reflective, and more likely to generate confrontation than compromise, inaction than action (Downey & Mullins, 1976).

The open-meetings movement was an organized effort by the National Committee for Citizens in Education--A "Common Cause" for education. It contends that the process of negotiations should be expanded to include parents and students, as well as teachers and administrators. This group feels that for collective bargaining to serve the public interest, the public must have some control over the outcome of the bargaining process and that the public can exhibit their control by directly participating in the collective bargaining that is taking place (McGruder, 1976).

The reactions by school administrators and teachers to the open meeting acts have been mixed.

In a 1976 survey on administrators and school board members, nearly one-third of them responded positively when asked if they prefer involving the public in collective bargaining; two-thirds opposed involving the public. However, two-thirds of the same respondents indicated they had experienced no difficulties with collective bargaining as the result of the requirement of open meetings (McGruder, 1976).

The official position of both major teacher unions--the NEA and AFT--were the same: they were not prepared to make any recommendations or comments because of the short time the open meeting laws have been in existence. However, the AFT did suggest that they did not believe meaningful collective bargaining could take place in public (McGruder, 1976).

### Michigan Statutes

The two laws in the state of Michigan pertaining to collective bargaining in public employment are the Michigan Labor Mediation Act and the Public Employment Relations Act. Acts 282 and 379 of the Public Acts of 1965 amended existing statutes by extending collective bargaining to all types of public employment.

The Michigan law covers all "local" employees (including teachers) but prohibits State employees. There are provisions covering the "rights and duties to negotiate." The law calls for exclusive representation



by employee organizations. The definition of the appropriate unit for bargaining is provided, machinery for election to the unit is established, and requirements defining "bargaining" are detailed in these statutes. Labor relations boards are used for both representation and mediation situations.

The Michigan Labor Mediation Board in carrying out the provisions of the labor law, Michigan Public Act 379, is authorized to determine appropriate units of representation, investigate unfair labor practices, issue cease and desist orders, and provide mediation services when an impasse arises. Fact-finding with non-binding recommendations is the terminal point in the impasse procedure.

Phillip Weiss, member of the Michigan Labor Mediation Board in 1966, states that the Michigan Labor Mediation Board has followed and will follow in the future the patterns established by the National Labor Relations Board (Weiss, 1965). Among the duties of the Michigan Labor Mediation Board is the supervision of procedures for election and certification of exclusive bargaining representatives. The Michigan Labor Mediation Board is responsible for prohibition of unfair labor practice charges by employers. In such cases, the trial examiner can issue an order; if the order is not complied with, the examiner can make the order enforceable by processing

the order through the Court of Appeals. When Section 10 of Public Law 379 is broken the Michigan Labor Mediation Board is responsible for mediating the grievance (Lehman, 1967).

#### Michigan Open Meeting Act

Michigan now has a so-called "sunshine" law which takes effect on April 1, 1977. Senate Bill 920 will require that meetings of public bodies be open to the public and will require notice and the keeping of minutes of meetings.

Norman Weinheimer suggests that the open meeting law will have little effect on schools, since unlike most other governmental units, schools have always had laws governing meetings, both public and executive (Weinheimer, 1976). Earl Gabriel, representing the Michigan School Board Association, suggests that the "sunshine" law in Michigan comes within the concept of "reasonable" and "balanced" and is one which most local boards of education can live with comfortably and which still assures against capricious violation of the public trust (Gabriel, 1976).

#### Development of Collective Bargaining in Education

Executive Order 10988 not only has given great impetus to the passage of state legislation giving the same rights to state and local governmental employees,

but it has given teachers the right to organize. The publication of Myron Lieberman's The Future of Public Education in 1960 was followed a year later by the first application of collective bargaining to education by the representation election in New York City in December, 1961, recognition of the United Federation of Teachers as the exclusive bargaining agent for public school teachers.

As pressure increases to formalize interaction between boards of education and teacher groups, the parties to these new relationships have supported and/or had imposed on them a bewildering variety of statutory provisions and legal concepts embodied in case law, attorney general opinions, from state to state (Wildman & Burns, 1968). The rapidly developing law applicable to the various phases of collective negotiations in the schools has played, in the last decade, both a vital cause and effect role with respect to the emerging school negotiations phenomenon. The adoption of statutes and modifications in legal doctrine as expressed through court decisions has often been a response to the accomplished fact of teacher and other public pressure for organizing and bargaining rights. In other instances, legislation has had a crucial "top-down" effect in being responsible for the adoption of formal negotiation relationships in some school districts which, but for

the passage of an applicable law, would undoubtedly have maintained the established and familiar pattern of teacher-administration-board interaction (Malfronte, 1974).

In any collective bargaining and/or collective negotiations legislation, certain indispensable features must be present for the legislation to be meaningful. These features have their origin in private sector collective bargaining and have evolved through and from the first collective bargaining legislation, The Wagner Act (Lehman, 1967). These features are:

1. Recognition. The employer agrees to accept an individual group or organization as the authorized representative or two or more employees for the purpose of negotiating conditions of employment. Without this provision, each teacher would make his own arrangements with the Board of Education. This is the exact opposite of collective negotiations. The major types of recognition in teacher negotiations are:

- (a) Teacher Councils. In teacher council representation, representatives are not chosen by any one teacher organization. However, the representatives of the teachers must be employees of the school district.
- (b) Joint or Dual Representation. In a few instances two or more teacher organizations are accorded rights to negotiate with the school board on equal representation regardless of the number of members, and the employee organization can meet separately or jointly with the board of education.
- (c) Proportional Representation. This type is actually a modification of the Joint or Dual Representation system. Teacher organizations are represented on a negotiating committee in proportion to the number of teachers who are members of each organization.

- (d) Exclusive Recognition. In exclusive recognition a single organization represents the entire staff in the negotiating unit. This negotiating unit is more often called the bargaining unit.

2. Unit Determination. In order that there be an effective bargaining unit in the negotiating process, it is necessary that the unit effectively represent its members. The "community of interest" doctrine that has evolved in private sector bargaining is often used in unit determination. Unit determination is the source of much of the conflict in the local school districts because of the diametrically opposed positions of the two major teacher organizations. In voting to determine the unit, the American Federation of Teachers locals would only permit classroom teachers as defined by the American Federation of Teachers to vote in the election. The National Education Association locals would tend to permit all certificated personnel to vote in the election and in the unit determination.

Agreement as to who shall vote in the unit determination election in the states that have legislation and regulatory agencies may be the responsibility of the parties concerned. For example, in Michigan the function of the Michigan Labor Mediation Board is to bring the competing teacher organizations together and jointly to resolve the problem of who shall vote in the representation election. The function of the Michigan Labor and Mediation Board in this case is to attempt to get agreement between the two organizations, and only in the case of impasse will the mediation board arbitrarily determine who shall vote.

3. The Scope of Negotiations. Basically the present legislation affecting public employees states that negotiations shall include such items as: wages, hours, and working conditions. These items are the traditional concerns in private sector collective bargaining.

4. Impasse Procedures. The goal of collective negotiations is to resolve differences--to reach agreements. Of all the problems in collective negotiations, none is more difficult to resolve than impasse. Impasse becomes the hardcore problem in conflict resolution. Recognizing that impasses are natural phenomena in collective negotiations, laws pertaining thereto usually provide one or more of four processes for resolving impasse. These four processes are: mediation, fact-finding, binding arbitration, and advisory arbitration.

Mediation is a process by which a third party intervenes to assist negotiators in reaching agreement. The mediator's role is advisory and never attempts to dictate terms or settlement. Often the role of the mediator is sometimes confused with that of a conciliator. Conciliators assist parties to reach agreements whereas mediators recommend terms for settlement.

Fact-finding is a process whereby an individual or a panel conducts a hearing at which each party to the disagreement or impasse is given an opportunity to present its case. The result of fact-finding is a report giving an analysis of the dispute. The fact-finding report often offers advisory recommendations to settle the dispute or impasse. Fact-finding involves a formal hearing that is open to the public. In opening the fact-finding process to the public, it is felt that the public will exert pressure on the parties to the fact-finding process to get them to reach agreement. However, fact-finding is also voluntary, and the parties are free to reject the fact-finding report.

Binding arbitration requires that parties submit their dispute to an impartial third party who issues an award which the parties are required to accept. Binding arbitration can be either compulsory or voluntary.

There is opposition to compulsory arbitration in both the private and public sectors. In public education compulsory arbitration forces boards of education and teacher organizations to accept third party determinations of wages, hours, and working conditions, and is criticized as attacking of our long-standing beliefs and legal bases of the operation of public schools. Boards of education are required by state statutes to provide an educational program for the local community and to make the necessary decisions in regard to these educational programs.

Advisory arbitration falls somewhere between binding arbitration and fact-finding with recommendations, and received its impetus from Executive Order 10988. Advisory arbitration is a strong recommendation to both parties. Advisory arbitration results in an award being made and this award, at the very least, has the force of common law behind it.

5. The "Good" Faith Provision. Good faith bargaining is critical to the negotiations process, yet often is difficult to define. Failure of either party in negotiations to bargain in good faith will result in the filing of an unfair labor practice charge by the aggrieved party. Good faith bargaining

exists when each party offers solutions to the problem and the other party makes counter-proposals to the solution of the problem. In the legislation pertaining to negotiations in public education, a distinction is made between that legislation which provides for bargaining in good faith and the "meet and confer" provision which implies that offers and counteroffers are not necessary, and in the tradition of collective bargaining prevents or hampers the consummation of a collective negotiations agreement.

6. Prohibited Practices. Prohibited practices is often equated with the unfair labor practices of private sector laws. In private sector collective bargaining, it has been found that certain prohibited practices must be well defined in order that both parties to the bargaining process are on an equal basis. Certain "ground rules" are prescribed to ensure that employers do not engage in activities that will adversely affect the employee, and likewise, that employers do not abuse their positions over the employees. Refusal to bargain collectively with employees is an example of prohibited practice.

7. Prohibition of Strikes. The existence of a specific law prohibiting strikes by public employees and/or teachers often does not prevent strikes by these groups. States with legislation prohibiting strikes by public employees often experience strikes as frequently as states with no legislation in regard to strikes by public employees. It is significant that in the history of collective bargaining there was a time when strikes by employees in private employment were illegal. Some employees, however, did strike. After passage of the Wagner Act legalizing the strike, strikes continued and often the penalties for striking as an unfair labor practice are minimal. In the case of state legislation prohibiting strikes by employees, the law did not prevent teacher strikes.

8. Written Agreements. Although written agreements are not mandated in legislation, voluntary written agreements can be entered into. Parties engaging in collective negotiations, whether mandated or through voluntary agreement, normally will reduce the results of their negotiations to a written agreement.

9. Administration of the Collective Bargaining and/or Negotiation Laws. State Labor Relations Commissions or Labor Mediation Boards or Employment Relations Boards are designated to administer the laws pertaining to collective negotiations.

10. Employees' Right to Join an Organization.  
An employee has the right to join an organization to represent the individual in negotiations with the employer, or to select a committee of teachers to represent him in negotiations with the employer.

In legal theory, the rights accorded employees under the Wagner Act were not new, but for the first time an administrative agency, the National Labor Relations Board, was established to enforce these rights by administrative action and legal sanctions. Since school boards are subdivisions of state governments, teachers were excluded from the coverage of federal labor legislation and the benefits of the legal precedents established by the work of the National Labor Relations Board. Therefore, teachers along with other public employees were left solely dependent on the states for protection of their employment rights (Malfronte, 1974).

In the absence of state laws on the subject, school boards typically asserted that they were prohibited from entering into collective bargaining negotiations with their employees (Lieberman & Moskow, 1966). A number of states had laws, court decisions, or attorney generals' opinions declaring that public agencies cannot sign collective agreements with their employees.

Several arguments were generally put forth to support this conclusion. First, under the "doctrine of sovereign immunity," it was declared that if there was no applicable statute to the contrary, government



employees could not compel the government to enter involuntarily into any type of collective bargaining relationship (Moskow, 1966). In addition, some courts in denying collective bargaining to public employees asserted that the strike was an essential ingredient of the bargaining process and was barred in public employment. Probably the most widely used argument of all was a legislative function and, unless specifically authorized by law, could not be delegated to an outside group (Lieberman & Moskow, 1966). In opposition to this proposition, it was pointed out that the act of bargaining per se did not mean that a governmental unit had surrendered its decision-making authority: that although the parties were required to bargain in good faith, they were not compelled to reach agreement (Lowenberg & Moskow, 1972).

Even when bargaining by public employees was not found to be illegal, the question remained as to whether signed agreements resulting from such bargaining had any legal force. In states where school boards had signed a collective agreement with the teacher organization they generally retained the right to nullify unilaterally the agreement or any part of it (Wildman, 1967). In such an event teachers were unlikely to gain relief in the courts.

In the establishment of grievance procedures to handle teacher complaints where no statutory requirement

was present, many school systems adopted procedures in the absence of any formal relationship with an employee organization (Malfronte, 1974).

The legal right of teachers to bargain collectively was dealt with most definitively in a land-mark decision handed down on June 31, 1951, by the Connecticut Supreme Court of Errors. After categorically denying teachers the right to strike, the court said: "The claim of the teacher to the right to strike is without merit, and is an illegal delegation of authority. The authority is and remains in the board" (Norwalk Teachers' Association v. Board of Education, 1951).

While this decision laid to rest the idea of illegal delegation of authority in Connecticut, the doctrine continued to be potent in other states in forestalling collective bargaining between public employees and their employer (Malfronte, 1974).

In 1959, Wisconsin became the first state to enact public employee relations legislation. Six years later, Washington was first state in the nation to pass an act dealing exclusively with teacher-school board negotiations; it was used as a model by other states considering similar legislation (Starr, 1968). In that same year, 1965, legislative proposals providing for various forms of collective bargaining were introduced by teacher groups in at least fifteen states and were

enacted into law in six states. By 1968, seventeen of the fifty states had enacted legislation either permitting or mandating the right to meet and confer or the right to bargain collectively between teachers and school boards. These states were: Alaska, California, Connecticut, Florida, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, Oregon, Rhode Island, Texas, Washington, and Wisconsin. That Florida, with a virtually nonexistent law, was included among the list, spotlights the fact that the state enactments ran the gauntlet from real collective bargaining provisions to the totally imaginary (Malfronte, 1974). To guard against this latter situation, Moskow (1965) from his analysis of several states statutes recommended that such legislation should include:

1. Provision for exclusive recognition of one organization as the representative of the employees.
2. Determination of the representative organization on a district-by-district basis.
3. General description of the scope of negotiations.
4. Written agreements.
5. Clarification of prohibited practices.
6. Procedure for dealing with an impasse.
7. Administration of collective negotiations by an impartial agency. (1965)

With the movement from collective negotiation statutes accelerating across the nation, the year 1970 found twenty-three states with laws governing collective bargaining for various classes of public employees. Most significantly two states, Hawaii and Pennsylvania,

enacted comprehensive collective bargaining laws which specifically granted public employees the right to strike after fulfilling certain procedures (Malfronte, 1974). This development was indicative of the intensity that the drive for legislation had reached. The Survey of Teacher-School Board Collective Negotiations of April 1976 showed that twenty-nine states had enacted negotiation legislation (NEA Report, 1976). If the present trend continued, observers confidently predicted that by the end of the 70s all states will have some form of collective bargaining legislation governing the activities of public employees (Malfronte, 1974).

#### Development of Collective Bargaining in Michigan Schools

That Michigan would legislate collective bargaining for school teachers does not surprise students of labor history. Michigan was the scene of one of the bitterest industrial strikes in the United States, the CIO sit-down strike against General Motors forced General Motors to recognize the United Automobile Workers in February, 1937 (Steele, 1969). The publication of Myron Lieberman's The Future of Public Education in 1960 was followed a year later by the first application of collective bargaining to education by the representation election in New York City in December, 1961, recognition of the United Federation of Teachers as the exclusive

bargaining agent for public school teachers. Other large cities followed their settlement, including Detroit (Lieberman, 1965).

In April of 1963, the Detroit Federation of Teachers launched a campaign to obtain the signatures of Detroit teachers to request a collective bargaining election from the Detroit Board of Education. On May 28, 1963, President Mary Ellen Riordan presented a petition bearing the signatures of 6,846 of the 9,300 teachers of Detroit. This represented approximately 70 percent of the teachers (Riordan, 1963).

In September, 1963, a majority of the Detroit School Board members voted against the petition by saying, "no bargaining; it's illegal" (American Teacher, 1964). The Detroit Board of Education continued to ignore the Federation until the membership of the Detroit Federation of Teachers voted to strike for one day unless the board acted upon their petition (American Teacher, 1964). The board stalled for ten months and sought an opinion on the legality of a representation election without supportive legislation. The board then presented the teachers with a plan for an eleven-member committee with dual representation proportioned according to the membership of the Detroit Education Association and the Detroit Federation of Teachers. The Federation rejected the plan but agreed to a meeting for March 24 (Michigan

AFL-CIO News, 1964). On March 18, the Attorney General of Michigan issued an opinion supporting the Federation's position (Government Employees Relations Report, 1964).

After considering the attorney general's opinion, the Detroit Board of Education held an advisory election among teachers asking their preference between proportional representation or exclusive representation. Throughout the conflict, the Detroit Education Association had opposed exclusive representation but was forced by the teacher preference to abandon its position. The Detroit Education Association had campaigned hard among the teachers that trade unionism is unprofessional for teachers (Government Employee Relations Report, 1964). On May 11, 1964, almost one year after presenting the petition to hold such an election, the Detroit Federation of Teachers became the first exclusive bargaining agent for teachers in Michigan. The AFT defeated the MEA by a vote of 5,739 to 3,848 (Michigan AFL-CIO News, 1964).

Teacher negotiations were conducted with the framework of the representation plan of the school board minus the proportional representation feature. An eleven-member Teachers' Representative Committee appointed by the Detroit Federation of Teachers met throughout the summer with the superintendent to resolve any differences concerning salary, status, teaching conditions, personal welfare or other related problems (Government Employee Relations Report, 1964).

When Detroit teachers returned to school in September, they ratified the agreement reached with the Detroit Board of Education.

The Detroit Federation contract served as the first contract in Michigan. Other locals of the American Federation of Teachers had been pushing their school boards for representation elections. While the Detroit contract was written for exclusive use in Detroit, it may have served as a model to other Michigan teachers' unions.

After the election of the Detroit Federation of Teachers as bargaining agent for Detroit teachers, six State-American Federation of Labor-Congress of Industrial Organizations met to form a permanent legislative committee. William Marshall, Executive Vice-President of Michigan State AFL-CIO, was the committee chairman July 24, 1964. The new committee came to be known as the Public Employees Legislative Committee. Their purpose was to coordinate legislative functions at the state level. Their stated objective was: "seek legislation to put public employees on a par with those in private industry and to eliminate their second class citizenship" (Government Employee Relations Report, 1964).

Henry Linne, President of Michigan Federation of Teachers, represented MFT on the committee with

representatives of the Michigan State Fire Fighters Association, Michigan State Employees Union, Building Service Employees International Union, Bus Drivers, and Detroit Police Officers Association. They asked AFL-CIO attorneys to draft a "little Wagner Act" for submission to the state legislature.

The Legislation commission of the Michigan Education Association sought a Professional Negotiations Bill, HB-2450. The Bill was introduced by Representative Bobby Crim of the House Education Committee. It provided for state level recognition of teaching as a profession. The rights of teachers to organize would have been set up for use in impasse situations (Michigan Education Journal News, 1965).

When the 73rd Michigan legislature adjourned, HB-2954 had become Public Law 379 of Public Acts of 1965. House Bill 2450 met death in the House Labor Committee.

Its death was attributed largely to union influence. However, through the strenuous efforts of Representative Crim and Senator S. M. Levin, parts of HB-2450 did find their way into HB-2954 which amends the Labor Mediation Act. (Michigan Education Journal News, 1965)

In a review of all the legislation adopted by the Michigan Legislature in 1965, Public Law 379 was described: "Amend the Hutchinson Act to spell out right of public employees to join labor unions and participate in collective bargaining; delete mandatory dismissal



provision for public employees who strike; require public employers to participate in collective bargaining with employee organizations" (Lansing State Journal, 1965).

Thus from July 24, 1964, to July 23, 1965, when Governor Romney signed the bill, the Public Employees Legislative Committee of the Michigan State AFL-CIO achieved its goal and collective bargaining for Michigan teachers was born. In view of these goals, PL 379 of 1965 meets their provisions as follows: (1) Repeals Hutchinson Act penalty against public employees who strike (see Section 4, Section 5, and Section 8 of Public Employment Relations Act above); (2) approves the right of public employees to form and join unions (Section 9 of PERA); (3) requires that employers bargain in good faith with legally established and recognized unions (Section 10 of PERA); (4) penalizes employers who commit unfair labor practices (Section 16 of PERA) (Lansing State Journal, 1965).

The two issues that have evoked the most controversy are Proposals (1) and (6). Public Law 339 prohibits public employees from striking. However, the 1965 amendments to the Hutchinson Act did eliminate the automatic discharge penalties and the provisions for conditional reinstatement (Schmidt, Parker, & Repas, 1967). Public Law 339 provides mediation for disputes (Schmidt, Parker, & Repas, 1967) and Section 25 of Act 176 of the

Public Acts of 1939, as amended provides for a fact-finding procedure only as a last resort when all other means of resolution have failed (Schmidt, Parker, & Repas, 1967). In practice, however, many Michigan Master Contracts contain provisions for binding arbitration. The legality of binding arbitration between teachers and school board was upheld in Michigan Circuit Court of Berrien County October 13, 1967. "Grievance arbitration is an amicable, and more efficient means than resignation, walkout or strike by the employees to resolve any difficulties within a contract previously acceptable to and executed by the parties" (Government Employee Relations Report, 1967).

The following is a summary of the provisions in Acts 282 and 379 affecting teachers, teacher organizations, and boards of education (Lehman, 1967).

#### Rights and Duties

1. School districts are now required by law to bargain or negotiate in good faith with designated representatives of their employees with respect to wages, hours, terms and conditions of employment (Section 15).
2. Teachers are guaranteed the right to organize or to form, join, or assist in professional organizations for mutual aid and protection (Section 9).
3. Teachers are guaranteed the right to negotiate or bargain collectively with their public employers through designated representatives of their own free choice (Section 9).
4. It is unlawful for a school district or an officer or agent of a public employer to interfere with or restrain or coerce teachers in exercise of rights guaranteed by Section 9 (Section 10).

5. It is unlawful to initiate, create, dominate, contribute, or interfere with the formation or administration of any organization of employees for professional negotiations (Section 10).
6. It is unlawful to discriminate in regard to hiring, terms or other conditions of employment in order to influence membership in an employee organization (Section 10).
7. It is unlawful to discriminate against an employee because he has given testimony or instituted proceedings under the law (Section 10).
8. It is unlawful for a school district or an officer or agent of a public employer to refuse to bargain collectively with the representative of the employees (Section 10).

#### Employee Representatives

1. An organization which represents the majority of the employees in an "appropriate bargaining unit" is entitled to recognition as a bargaining representative (Section 11).
2. Such recognition may be given voluntarily by the public employer or after certification by the State Labor Mediation Board following an election (Section 7).
3. Representatives designated or selected for the purpose of collective bargaining by a majority of employees within such appropriate unit shall be the exclusive representatives of all employees in the unit regardless of membership in the organization (Section 11).

#### Appropriate Unit

1. "An appropriate unit" for collective bargaining or negotiation shall be determined as provided in the Labor Mediation Act (Section 13) which covers "employees" rather than "supervisors" and "executives" (Mediation Act, Section 2[e]). Persons exercising authority to hire, transfer, discharge, assign, reward or discipline employees may be treated as "supervisors" or "executives" who must be excluded from any "appropriate unit."
2. The "appropriate unit" is that which will best secure to the employees their right of collective bargaining and could conceivably be less than all employees within a school district, as, for example, all teachers at a particular school. Past negotiating practice may influence definition of the unit (Mediation Act, Section 9[e]).

### Elections

1. A school district which in good faith doubts whether an association or union of teachers represents a majority of its employees may request the Labor Mediation Board to conduct an election among all employees in the appropriate unit (Section 12[b]).
2. An association of teachers which can show that it represents at least thirty percent of the employees in such a unit may likewise petition the Mediation Board for an election. The petition may be filed in the name of the association, an individual or group of employees where the employer declines to recognize the association as the negotiating representative (Section 12[a]).

### Enforcement

1. A charge that any person has engaged or is engaging in any form of unfair labor practices--interference with or denial of rights to employees of their representative--may be filed with the Labor Mediation Board which will conduct a hearing thereon (Section 16[a]).
2. The Board may enter a cease and desist order prohibiting further violation of the act and may, if deemed appropriate, order reinstatement of employees with or without back pay if necessary to effectuate the policies of the act (Section 16[b]).
3. The Labor Mediation Board may petition for enforcement of its order in an appropriate court (Section 16[d]) and any person aggrieved by an order of the Board may likewise seek judicial review (Section 16[e]).
4. The Board will not direct an election when a valid election has been held in the preceding year (Section 14). It will not direct an election when there is a valid and subsisting collective bargaining agreement already in effect. The Board will establish rules and regulations governing election procedures (Section 14).

### Bargaining

1. A public employer shall bargain collectively with the representatives of a majority of its employees (Section 15), although individual employees may present their own grievances and have them adjusted if not inconsistent with the terms of a collective bargaining contract and the association representative has had a chance to be present at such adjustment (Section 11).

2. The public employer and the representative of the employees have a "mutual obligation" to meet at reasonable times, to confer in good faith with respect to wages, hours and other terms and conditions of employment, and to negotiate an agreement or any question arising thereunder. On request, all agreements must be reduced to writing in form of a contract, ordinance or resolution (Section 15).

#### Enforcement

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3. The Labor Mediation Board may petition for enforcement of its order in an appropriate court (Section 16[d]) and any person aggrieved by an order of the Board may likewise seek judicial review (Section 16[e]).

#### Settlement of Disputes

1. Section 2 of the original Act provided that no public employee "shall strike" and Section 1 of the amendatory act defines a strike to mean a concerted failure to report for duty, the willful absence from one's position, the stoppage of work or the abstinence in whole or in part from the full, faithful and proper performance of the duties for the purpose of inducing, influencing or coercing a change in the conditions of employment.
2. A finding that one has participated in a strike may result in termination of employment or other discipline (Section 6), but the employee shall have the right of review to the circuit court. Any determination must be supported by competent, material and substantial evidence on the whole record.
3. The Labor Mediation Board shall mediate disputes between public employers and their employees upon appropriate request (Section 7).

It is beyond the scope of this study to describe  
all the effects of Michigan's Public Employment Relations

Act on education. The law groups teachers with other public employees. Its drafters may have concluded that similarities among various kinds of public employees are greater than their differences, as the law does not give teachers separate statutory treatment. Employment relations are administered through the labor mediation board rather than through a specialized "professional" agency.

The scope of the law, expressly limited to "rates of pay, wages, hours of employment or other conditions of employment," has been broadly interpreted. A trial examiner of the Public Employment Relations Commission decided that the rubric "conditions of employment" properly includes all of the following as bargainable subjects:

. . . the right of the teachers to evaluate curriculum and class schedule, size of classes, selection of textbooks, materials, supplies, planning of facilities and special education, establishment of in-service training of teachers, procedures for the rating of effectiveness of teachers, the establishment of self-sustaining summer school programs for remedial purposes, and severance pay. (Kruger & Schmidt, 1969)

At best, the analogy between teachers and industrial workers is inexact. As an education association official concludes: "'Conditions of employment' in the field of education is so broad that it's almost impossible to separate what is good for the teacher from what is good for the pupil" (Windoes, 1976). In adapting labor

law to an education setting, a trial examiner broadens the legislature's definition of the statute. When teacher organizations seek to extend the scope of bargaining, trial examiners are as potent in their decision-making as the legislators who are formally empowered to amend the law.

There is a high level of involvement by both the Michigan Education Association and Michigan Federation of Teachers in bargaining activity of local units. The MEA operates statewide in an active advisory capacity and seeks to have local associations submit agreements to state headquarters before they are signed. It develops "suggested" master agreements as models and decides which are to be "target" districts. The similarity of many local agreements in a given year is more than coincidental, given the MEA's bargaining structure (Schmidt, Parker, & Repas, 1967). Formally the fiction is maintained that initiative rests with the local association and state headquarters merely provides technical assistance. (On the other side, school management is now doing something similar but lacks comparable resources for assistance.) However, the ideology of collective bargaining still exalts an agreement worked out by local parties, uniquely adapted to local needs (Windoes, 1976).

Michigan's Public Law 379 does not authorize the filing of unfair labor charges against employee

organizations, thus giving rise to the charge that the law is tilted in favor of public employees as against management. The American Federation of Teachers calls the Michigan statute "the strongest collective bargaining law" of any state (Windoes, 1976).

Thus, from 1648 and the Massachusetts Guild Charter, to 1965 and the Michigan Public Employment Relations Act, to the present, the process of collective negotiations is functioning successfully in the United States and in Michigan school districts. With this historical background, an understanding of what collective negotiations is becomes necessary.

#### What Is Collective Negotiations?

The essence of collective negotiations is compromise and concession-making on matters over which there is conflict between the parties involved in the negotiations. The process of collective negotiations is not one in which problems are settled simply by getting the facts out on the table for reasonable, dispassionate consideration. The negotiation process attempts to find out the settlement position of the other party without prior revelation of one's own settlement position. Collective negotiations is a process by which a group of employees and their management or representatives make offers and counter offers in good faith on the conditions of their



employment relationship for the purpose of reaching a mutually acceptable agreement. The engine which makes the negotiation relationship real and bona fide is the faith and ability of each party to inflict loss on the other in the event of failure to reach agreement as to how they shall live together for a specified period (Chamberlin & Kuhn, 1965).

One of the basic goals in public collective negotiations is to reduce educational conflict. When group conflict is institutionalized through negotiations, it becomes a method of functioning within the society. The objectives of group conflict within our society are: (1) to make explicit the reasons for the opposition of labor to management and management to labor; (2) to resolve as rapidly as possible a resolution of labor-management conflict; (3) to expose the basic conflict issues in labor and management to the pressures of public opinion and pressures, and to possible social control; and (4) to identify the power groups within the society. Through collective negotiations group conflict in our society is resolved by making a compromise between the goals of both parties. Even though both parties may not be completely satisfied with the solution of the conflict, the society as a whole benefits from its resolution (Richards, 1971).

Collective negotiations is a process for achieving consent. It is the instrument that best involves the participation of the people whom the agreement will affect (Richards, 1971).

To better understand the collective negotiations process, an exploration of the structure of the process is necessary.

### The Structure of Collective Negotiations

In defining and explaining the structure of collective negotiations, one explanation stands out:

A given negotiating structure is comprised of a multiplicity of units tied together in a complicated network of relationships by social, legal, administrative and economic factors. The basic element of any negotiating structure is the informal work group whose members are unified by common aspirations and a common interpretation of their environment. (Richards, 1971)

There are two rather distinct negotiating structures that have emerged in Michigan education. These structures have several common features, the most visible of which is the designation of the kindergarten through twelfth grades (K-12) as the appropriate unit for teachers. Similarly, the designation that certified classroom teachers have a peculiar community of interest that usually excludes other employees within the school system is common to both structures. Finally, all "units" throughout the state are limited to individual school districts. At the state level of organization,

both the Michigan Education Association and the Michigan Federation of Teachers, are playing extremely dominant roles that are directly affecting the nature of the negotiating structure (Richards, 1971).

### Collective Negotiations and Professionalism

In considering collective negotiations and professionalism, a variety of important factors must be examined. It is well known, of course, that the bureaucratization of American society is one of the fundamental developments of the century and that bureaucracy presently represents a dominate form of organization. Drucker, in fact, has termed this an "employee" society; that is, one in which the rights and obligations between employees and employers determine the character of the society (Drucker, 1952).

However, it is equally true that the social forces which have produced this bureaucratic society have also created alternative forms of organization. Professional principles constitute a prominent but competing way of organizing an employee society (Corwin, 1961). In a professional-employee society the fundamental tension is not between the individual and the system, but between parts of the system--between the professional and the bureaucratic principles of organization (Parsons, 1939). Behind professionalization

is a "drive for status," or the efforts of members of a vocation to gain more control over their work--not only more responsibility but more authority (Becker, 1962).

For decades teachers have subscribed to the idea that they have professional obligations, now they are demanding professional rights as well. The process of professionalizing teaching represents a challenge to the traditional ideologies of control by laymen and their administrative representatives.

As professionals, teachers are expected to defend the welfare of pupils and adjust their teaching to the unique capacities of their pupils. As bureaucratic employees, however, they will be expected to subscribe to the expectations of the administration and the community.

The issue of whether professionals can negotiate without loss or weakening of essential professionalization and what criteria should be used in answering this issue can be resolved by the following criteria needs for negotiation units: (1) a strong community of interest; (2) common skills; (3) shared working conditions, supervision, and physical location; and (4) similarity of authority structure (Richards, 1971).

These basic collective negotiation criteria must be supplemented with some special questions for the professional group such as: (1) Does the negotiation

relationship limit the freedom of the professional to make decisions in the client's interest? (2) Does it distort the specialized expertness that the professional brings to his work? (3) Is negotiating incompatible with serving the public good--does it mean selfish serving of collective egotism? (Richards, 1971).

It is said by the critics of collective negotiations that the negotiating relationship is a union weapon and therefore incompatible with professionalism (Barbash, 1959).

Educators can enter into employment negotiation relationships without danger of their professional status. Negotiatory associations should properly be understood as a neutral operational feature in the functioning of employed professionals. To negotiate or not to negotiate is the wrong question. The question or what must be asked and answered is: How can negotiation techniques be best utilized to improve public policy?

Barbash further states that the practical implications of collective negotiations to our educational systems and for teachers as professionals and as public servants are:

1. If teachers want better salaries they will first have to organize in order to get them.
2. Unionism is not only good for the teacher as a public employee it is also good for the administrator and the community.
3. Teachers talk too much about their professional status, but don't do enough about it. (Barbash, 1959)

Teachers at all levels have shown a reluctance to become involved in the collective action, and think that it is unprofessional. Implied in this position is an unstated approval of individual negotiating but a rejection of collective negotiations. He becomes a professional as he joins with others of similar disposition to form a collective unit that asserts control over admission to practice, the direction of pre-professional education, and jurisdiction in the expulsion of the unqualified. A profession cannot meet its demands unless it is prepared through a strong internal organization and with public support, to assure the control of the profession over whom it shall count as a colleague (Richards, 1971).

Public professional employees can and do belong to organizations and unions. Collective negotiations is a political process and must be examined.

#### The Politics of Collective Negotiations

As the teaching profession has come to rely upon collective negotiations to improve their conditions of employment, such reliance will stimulate more political activity by teachers. Teacher organizations frustrated in negotiations may try to elect board of education members more receptive to teacher views.

Efforts to increase teacher negotiation power by changes in negotiations laws or by electing local board members sympathetic to teacher viewpoints makes it increasingly difficult to maintain the view that education is "nonpartisan."

The legislatures are likely to insist upon greater state involvement in education. Thus, from both the governmental and the teacher side there will be greater pressure for some form of statewide negotiations. Such negotiations will, of course, restrict the authority of local boards of education.

Lieberman predicted in 1960 that:

Collective bargaining will come first between local teachers' associations and local school boards. In its early stages, the boards will be permitted but not required to bargain with teachers. Then laws will be passed requiring local boards to recognize the representatives of the teachers and to bargain with them in good faith concerning conditions of employment. These laws will then be changed to provide for collective bargaining at the state level. At this stage, the legislature will delegate to the state superintendent of public instruction the authority to negotiate conditions of employment with the representatives of state teachers' associations. These negotiations will be conducted annually or biennially as they are in industry. The agreements reached will be subject to legislative approval but this will be much simpler than to have the legislatures enact into law all the provisions of such an agreement. The persons who negotiate for the state legislature will have some good idea of their limits, just as the persons who negotiate for large companies have a good idea of what they can and cannot concede in negotiations.

It is likely that this procedure will eventually be put into practice at the national level. Representatives of the national teachers' organizations will meet with appropriate representatives of the

federal government to negotiate conditions of employment. The agreements will not attempt to state precisely the exact terms of employment for every public school teacher in the country. Some of the conditions of employment may be spelled out at the federal level, others may be left to collective bargaining at regional, state or local levels. (Lieberman, 1960)

If teachers hope to gain through political action what they are unable to achieve by negotiations, they will not make the concessions essential to reach agreement during negotiations. Also it is difficult to see how the public can respond intelligently to political pressures from many different categories of public employees.

### Part III

#### The Development of Teacher Organizations

##### The National Education Association

Late in August of 1857, a small group of sixty educators gathered in Philadelphia to form a national teachers' association, later to become the National Education Association (NEA) (Wildman & Burns, 1968). A number of similar efforts to organize teachers nationally had been stranded on the schools of regionalism or diversity of interest, and the future of the new association hardly looked promising (Wesley, 1957). The sixty superintendents, principals, college presidents, and professors who attended the Philadelphia meeting drew up a constitution reflecting in their preamble the



direction the new association was to take. The task, as they saw it, was professional, and the purpose of the association was to "elevate the character and advance the interests of the teaching profession and to promote the cause of popular education in the United States" (Wesley, 1957).

Since few classroom teachers belonged to the NEA or attended its meetings, the problem of teacher welfare remained largely unarticulated and the association focused its attention on professional problems. Topics frequently centered about the theory and psychology of teaching; the nature and function of high schools, normal schools, and colleges; and the preparation and certification of teachers. Occasionally, calls for more adequate salaries were heard in 1857 and 1863. In 1884, the NEA appointed a committee on salaries and the following year the convention called for the appointment of a committee to study teacher tenure. It was not until after 1900, however, that studies of teacher welfare had any significant impact on the educational scene.

#### The NEA 1900-1920

The two national organizations--The NEA and, later, the AFT--seemed to lag behind the many active city organizations. While teachers on the local and state levels were working and lobbying for increased salaries, tenure, pension, and improved working

conditions such as reduced class sizes and work loads, the National Education Association stood somewhat aloof from teacher welfare matters and, later, the American Federation of Teachers spent more time seeking guidance from its locals and trying to define its function than it did providing guidelines for local action (Browder, 1965).

The NEA traditionally considered teaching as work done "primarily for public service and secondarily for earning a living" (NEA Proceedings, 1913). If teaching was an expression of "unselfish social service" (Wildman & Burns, 1968), money matters tended to be considered, in the words of a superintendent speaking before the NEA, " . . . beneath the dignity of the association" (Wildman & Burns, 1968). It was expected that salary increases and other benefits would be given by the public in recognition of improved teaching.

In 1900, though, the bulk of NEA membership was composed of female elementary teachers, school superintendents and college men were its leaders. As NEA members described it later, until about 1900:

Classroom teachers received no recognition in the organization. They were permitted no part in the management and given no place on its programs. No classroom teacher was ever elected to any office or appointed to any committee. Her only function in the organization seemed to be that of paying dues. (NEA Department of Classroom Teachers, 1937)

In 1912, an organizational change within the NEA created a new medium of expression for the classroom teachers--the Classroom Teachers' Department. The new department held its first meeting in 1914 and immediately expressed interest in matters of welfare and teacher participation in school management.

The Committee of Pensions Suggestions made a list of fundamental provisions that should be included "whenever a teachers' pension or retirement law is enacted" (NEA Proceedings, 1914). Another resolution recommended the establishment of "official advisory councils of teachers," elected by teachers, to advise the superintendents on all matters "vital to our children" (NEA Proceedings, 1914). Advisory boards were reported to exist in Chicago, New York, Denver, St. Paul, and Boston (Wildman & Burns, 1968).

But by 1918 the sentiment had shifted slightly. Joseph Swain, past president of the NEA, declared that the public had an obligation to give increased support to education. Swain's words marked the peak of enthusiasm for collective action. The "peak" was not very high for Swain himself went on to soften his words by asserting that collective bargaining would not be necessary, since he was confident that the American people would tackle the nation's educational problems (Wildman & Burns, 1968).

## American Federation of Teachers

### The AFT, 1900-1920

Before the creation of the AFT in 1916, there was no widespread teacher-labor affiliation. Although twenty local teacher organizations did affiliate with labor between 1902 and 1916, most of the affiliations were short-lived due to lack of interest or public opposition. By 1909, the Secretary of the AFL reported only two teacher organizations affiliated with labor, the Chicago and San Antonio locals (Wildman & Burns, 1968).

Subsequently, a few more associations affiliated with labor independently so that by May of 1916, when the AFL chartered the American Federation of Teachers, the new national union had eight locals distributed among Chicago, Gary, New York, Oklahoma City, Scranton, Pa., and Washington, D.C. During the First World War three more locals were formed in Washington, D.C., one of which became the first Negro local in the nation (The Commission on Educational Reconstruction of the American Federation of Teachers, 1955).

Large gains were made in AFT membership from 1917 to 1920 when the union counted a total membership of 9,808. For the same period the NEA claimed a membership of 10,104 in 1918, and that by 1920 it had reached 52,850 (Wildman & Burns, 1968). According to the official membership figures of each organization, the AFT was never larger

than the NEA. The growth of the AFT was due, in part, to increased organizing efforts in 1918 and to a continuation of pre-war problems through the war and into the post-war period. These problems were not mitigated by an influx of ill-trained teachers into the profession and the post-war inflation (Clark, 1964).

At its first annual convention in Chicago in 1916, the AFT adopted a platform which illustrated its wide range of concerns and appeals. The platform (1) favored small elective boards of education, salaried and subject to recall; (2) called for at least one member of the board of education to be a classroom teacher; (3) called for tenure for both teachers and supervisory personnel; (4) protested the merit system of rating teachers; (5) demanded the legal establishment of self-governing school boards and district councils of teachers with the recommendations of such groups to be made public record; (6) called for increased salaries, for pensions, and for sabbatical leaves; and (7) urged higher admission standards for the profession with at least four years preparation beyond high school (Wildman & Burns, 1968).

Nevertheless, putting the policies into effect was problematic. From the outset the AFT had to fight for the right to organize teachers. The union teachers fought for the right to organize in the courts, and worked at the same time for state tenure laws to protect

their jobs. The locals were often too small and too weak at this stage to insist that boards of education grant any formal rights with regard to the "closed shop" or other indicia of collective bargaining (Wildman & Burns, 1968).

#### NEA, 1920-1940

The National Education Association did not fail to notice that the AFT had gained more members in three years (1917-1919) than the NEA had in fifty. In 1917 the NEA Executive Committee set up a Commission of the National Emergency in Education to promote NEA membership. The drive began in 1918. Local superintendents were made responsible for getting members in their areas with the goal of achieving 100 percent schools. The NEA claims its membership rose from more than 10,000 in 1918 to nearly 53,000 by 1920 and had grown to more than 120,000 by 1926. In 1928 principals and superintendents were again urged to try for the "honor roll" of 100 percent schools and, as a result of this strenuous membership campaign, over 220,000 were enrolled in the NEA by 1931. Thereafter, the depression took its toll and the membership declined. In 1932 a "Dynamic Activity Committee" which probed the causes of the decline membership stated that the NEA, as a whole, was not effectively serving teacher interests (Clark, 1964). Even though the association pushed welfare matters to the front, numbers

dropped by 1936 to less than 165,000 or less than the association had counted a decade before. The 1931 level was not surpassed until after 1943.

The NEA had not been entirely lax in the area of teacher welfare, however. In 1931 the Department of Classroom Teachers issued a comprehensive report in its Sixth Annual Yearbook covering nearly all matters related to the economic status of teachers. The Yearbook summarized a number of principles for scheduling salaries, tenure, and retirement programs which serve to reflect the association's thinking. Salary schedules, the report held, should: (1) be based on standards of living; (2) be graduated according to training; (3) have increments spread over the career; and (4) be flexible enough to take care of cases of special merit. The same report also listed provisions for retirement systems, some of which were: (1) required membership for new teachers, optional for those in service; (2) costs to be shared by both teacher and public; (3) disability to be provided for; (4) choice of options upon retirement; (5) credit allowed for past service; and (6) the establishment of reciprocal programs between states. Tenure principles which the NEA sought to implement nationally were similar in substance to the 1925 AFT program, though the latter contained more explicit procedures concerning the process of dismissal (Yearbook, 1931).

Organizational changes, however, took place between 1920-1940 to enable the NEA to meet welfare and professional problems on a more sustained level than before.

At the 1920 convention in Salt Lake City, bylaws were introduced:

. . . changing the organization from a loosely coordinated and in the main locally controlled body to a unified and coordinated body with many of the attributes of a professional republic. In the place of mass control, government was centered in a representative assembly. (Almack & Lang, 1925)

Officers were to be elected and the business conducted by delegates representing local and state associations.

Thus, the NEA became more representative and thus gained more members. But the militant groups which had given the NEA its impetus toward welfare concerns found their representation swamped and their effectiveness mitigated by more passive teacher delegates. Charges of administrator dominance, heard since the association's beginning, were not alleviated by the large number of old-guard delegates who voted at the conventions year after year. At the 1933 Chicago convention a proposal to eliminate ex-officio members was introduced but was unsuccessful until "a revolt of classroom teachers against administration control" succeeded the following in eliminating most of them (Beale, 1936).



The reorganization was the largest step undertaken by the NEA during this period, but the creation of a number of new commissions, divisions, departments, and committees with delineated concerns increased the NEA's functional capacity.

The NEA was naturally interested in federal legislation. After the First World War, an NEA legislative committee drafted a bill providing for a federal department of education, with a secretary in the President's Cabinet, and called for federal appropriations to combat illiteracy, Americanize immigrants, equalize educational opportunities and secure better preparation and remuneration of teachers. In 1920 the previous legislative committees were supplanted by a permanent Legislative Commission which introduced a number of similar bills in Congress.

Another major achievement was the 1922 establishment of the NEA Research Division which began systematic studies of the economic status of teachers, published biennial salary reports, distributed information on salaries, retirement, and tenure programs, and studied district problems for local and state affiliates. During the depression, information on school salaries, budgets, and retrenchments was collected and distributed to affiliates for their use (Fenner, 1945).

Throughout this period the NEA was increasingly active on behalf of teacher welfare. The main area of policy implementation, however, occurred at the state rather than at national or local levels. Occasionally locals would wage salary campaigns which depended greatly upon widespread publicity and citizen support for their effectiveness, but the issues of tenure and pensions were largely seen as matters for state associations. More persistent than before, the association was far from being militant--though it occasionally backed militant groups such as the unaffiliated Chicago teachers who marched and demonstrated against their payless paydays in 1933, and even AFT locals and state organizations working for legislation of common interest (Wildman & Burns, 1968).

With the end of the depression and the advent of the Second World War, the major questions before NEA and the AFT were no longer whether welfare policies should be formulated and put into practice, but what means should be developed to implement them at local, state, and national levels. The AFT turned largely to the precedents of collective action on the industrial model. The NEA, recognizing the efficiency of these means yet hesitant to bring the precedents of labor-management relations in private industry to teacher employer-employee relationships, sought to develop its own procedures

by adapting the industrial model to what it believed educational circumstances required (Browder, 1965).

#### AFT 1920-1940

By 1920 the AFT was something of an anomaly among the labor organizations. The AFT's attempt to formulate national practices was weak. Through its magazine, the American Teacher, the AFT served as a clearinghouse for inspirational articles and progress reports between its locals, especially those in New York, Chicago, and Washington, D.C., which made most of the contributions; but it was unable to work out a consistent expression of its goals or to formulate a national approach to the problem of improving classroom teacher welfare (Wildman & Burns, 1968).

In the early post-war period there was a good deal of public opposition to trade unionism in general and to union organization of public employees in particular. Total trade union membership declined sharply in the 1920s and the AFT was caught in the general decline. AFT president, Charles R. Stillman, noticed a rising opposition to the teachers' union as early as 1920. AFT membership plunged from almost 10,000 to 3,417 by 1926. From 1930 to 1933 membership climbed to over 6,000 and by 1935, the year the Wagner Act passed, the union's old peak of 10,000 members had been surpassed. By 1938 the dues-paid enrollment exceeded

29,000; that same year the NEA claimed an enrollment of over 195,000 members (Wildman & Burns, 1968).

The concern for teacher welfare is reflected in AFT statements and resolutions throughout this period, particularly during the depression years. The 1932 annual convention declared the AFT's opposition to the widespread retrenchment measures undertaken by school boards in the face of the depression, such as firing staff, curtailing the curriculum, weakening tenure policies, and cutting salaries (Wildman & Burns, 1968).

In 1934 the AFT set forth a list of objectives it considered essential " . . . the continuance of teaching as a public service in the schools of this country." These were: (1) a living wage, (2) provision for old age, (3) decent working conditions, (4) opportunity for cultural and professional study, (5) maintenance of standards, (6) right to establish teachers' unions and to affiliate with labor, (7) security of tenure, and finally (8) opportunity to participate in educational policy (Browder, 1965).

There were a few significant changes in the platform of 1934 as compared to the 1916 platform. The AFT no longer pressed for teachers' councils, leaving the locals free to develop different kinds of relationships with the local school systems, the superintendent and school board. Nor did the AFT seek to determine the

composition of the school boards. From the 1916 platform the AFT carried over its welfare concerns for tenure, wages, sabbatical leaves, and pensions (Wildman & Burns, 1968).

During this period the AFT was weak. In the early years of exceptional growth (from 1917-1919), many locals had prematurely affiliated with the labor movement and the mortality rate among small locals was high. To the onus of being a union of public employees was added the social stigma of labor affiliation. And there were internal problems: financially, the union was nearly bankrupt in 1936, and it was not until 1939 that administrative reforms put the AFT back on a sound basis (Clark, 1965). During this same period leadership and membership were torn between keeping the affiliation with the AFL or switching to the newly organized Congress of Industrial Organizations (CIO), a problem which, in the interests of union solidarity, was later decided in favor of the AFL. From 1936 to 1940, the AFT faced both internal and external charges of communist domination which promoted dissaffiliation and hardly encouraged new membership (Wildman & Burns, 1968). The official policy, then, was left up to the locals to implement as best they were able. Even without substantial union support, some locals succeeded in restoring and securing for their members a number of

welfare measures despite the problems created by the depression (Wildman & Burns, 1968).

These problems were, of course, largely economic. Forced to operate on reduced budgets, the school boards sought to make ends meet in a number of ways. Salaries were either cut directly or teachers were asked to work for extended periods without pay. At the lower end of the differential salary schedules, salary cuts hit lower-grade classroom teachers more severely. In addition to cutting salaries, some schools sought to reduce their staff. Sometimes marriage became a sufficient reason to discharge teachers; in other cases nonresident teachers were asked to leave. Regular teachers who were discharged might be replaced by teachers "imported" from rural areas who would work for less, or be replaced by personnel with temporary certification whose wage demands were lower. Shortening the school year, or cutting out the school program particular grades such as kindergarten, not only reduced staff but forced those who did work to accept lower wages over shorter school terms. In a number of systems where the school taxes were secured through a lucrative base, attempts were made to change the tax bases and tax payments were frequently delinquent (Malfronte, 1974).

Due in part to strong public opposition in the 1920s to unions, neither the AFT nor its locals pressed

for hardcore labor tactics. AFT locals frequently had to fight for the right to organize until the middle and late 1930s when the federal government sanctioned collective bargaining with the passage of the Wagner Act and gave needed prestige to public sector bargaining. The union continued its firm no-strike policy throughout this period. Strikes did not emerge as an important issue until after the Second World War. In the meantime, though the AFT could not prevent member locals from striking, it did not sanction such action.

The Post-War Developments,  
1945-1967

During the immediate post-war period, two of the first local collective bargaining relationships in schools appeared. In Norwalk an association of teachers achieved formal recognition as the official bargaining agent for teachers in that system as the result of a 1946 strike, and the Pawtucket, Rhode Island Teachers Alliance (AFT Local No. 930) successfully forced the board of education to negotiate on its proposal for salary increases after a strike. In 1947, the first representation election among teachers was held in a Chicago suburb. Initially requested by the AFT, the election was conducted with the consent of the board of education by the Illinois Department of Labor and resulted in a victory for the AFT local.

Though both the AFT and the NEA had long supported teacher participation in determining school policies, neither organization at this time supported the establishment of formal collective negotiations at the local level as a matter of national policy. By 1947, however, both organizations began to shift ground. The NEA Executive Committee declared that:

Group action is essential today. The former practice where teachers individually bargained with the superintendent of schools or the board of education for their salaries is largely past. (NEA Journal, 1947)

Later that year, at the NEA convention, a resolution was passed recommending that "each member seek salary adjustment in a professional way through group action." The AFT sought similar action: "Methods whereby various groups may participate in policy formation must be devised. Procedures which will permit successful democratic participation must be perfected" (Wildman & Burns, 1968). Competition for membership between the two organizations which characterizes much present AFT-NEA rivalry was largely absent from the immediate post-war period. Direct membership in the NEA for 1945 was nearly 331,000, while AFT members totaled only 31,000. Between 1945 and 1948, both grew by about one-third, so that by 1949 the NEA had over 427,000 members and the AFT 41,000. In the 1950s the NEA far outstripped the AFT in membership growth. The NEA's membership grew by 57 percent, from nearly 454,000 in 1950 to almost 714,000



by 1960. The AFT grew only by 43 percent for a total membership of 59,181 by 1960. The NEA is, of course, today, with its multitudinous research and lobbying activities and its numerous separate subject matter and other departments, the pre-eminent teacher organization in the country, enrolling over 1,000,000 members, while the AFT, with a membership of 150,000, is an organization of significantly increasing power and influence. Representing teachers in negotiating relationships in a majority of major cities, the AFT has begun to modify its image as an organization interested only in teacher salaries and working conditions.

The 1960s were years of intensive organizational rivalry between the NEA and the AFT. In 1961 the United Federation of Teachers, AFT Local No. 2, won representation rights for New York City schools. The New York victory was achieved against a hastily organized NEA-supported coalition of teacher organizations and represented the first situation in which the NEA, as a national organization, faced the AFT in a highly visible test of strength. In 1962 the AFT acquired membership in the Industrial Union Department of the AFL-CIO and began receiving financial aid in its organizing efforts.

The New York City victory set the NEA in motion. At its 1962 Denver convention the following resolutions

marked the NEA's official entry into collective negotiations, and the development of the concept of "professional negotiations":

The National Education Association insists on the right of professional association, through democratically selected representatives using professional channels to participate with boards of education in determination of policies of common concern including salary and other conditions for professional service.

The Association believes that procedures should be established which provide an orderly method for professional education associations and boards of education to reach mutually satisfactory agreements. (NEA Proceedings, 1962)

Almost immediately thereafter, two of the first professional negotiations agreements appeared in Denver and Champaign, Illinois. To counter the AFT's organizational drive, the NEA created the Urban Project to strengthen its position in the cities where NEA affiliates faced strongest competition from the AFT.

Competition between the NEA and the AFT occurs at local, state, and national levels. The major burden of the competition over the context of collective negotiations, however, is being carried by local and state organizations rather than by the national parent bodies. At the local level, representation elections have occurred at a significant rate over the past few years and will undoubtedly continue under the impetus of state legislation granting bargaining rights to public school teachers. The AFT has won the majority of contested representation elections both in and outside the larger

cities. Numbers of teachers covered by election victories have also favored the AFT. However, the number of teachers currently being represented by the two organizations under exclusive recognition clauses, which grant collective negotiations status to the organizations, favors the NEA, which has been unilaterally designated as representative by school boards in many systems where there is no AFT competition (Clark, 1965).

The AFT's potentially greater strength in the larger districts has reduced significantly the differential between the two organizations in terms of number of teachers represented in "hard" bargained agreements. What strengths the NEA does have in terms of formal negotiation relationships lies primarily in those states where (usually outside the larger cities) it was strong enough to take good advantage of state legislation providing for teacher bargaining (Wildman & Burns, 1968).

#### NEA--AFT Rivalry

The 1960s were years of intensive rivalry between the NEA and the AFT. Although the NEA and AFT had been in competition since 1919, the AFT victory in New York City in December 1961 set the stage for an all-out war. NEA leaders no longer saw the struggle as a scrap with "a rather inept AFT," but viewed it as a total campaign by the "labor movement to take over the teachers' organizational loyalties (Stinnett, 1968).

In 1956 union membership had peaked at 17.5 million; by 1962 the total had dropped by approximately 900,000 (Stinnett, 1968). Support was given to this thesis when shortly after the New York victory, the AFT joined the Industrial Union Department of the AFL-CIO.

The NEA 1962 convention in Denver was strongly influenced by the events of the previous December in New York City. Dr. William Carr, Executive Secretary of NEA, set the stage for the coming battle with AFT as he identified unionization as one of the major crises facing education, and he outlined the measures, mainly through the Urban Project, that NEA would undertake to meet the challenge.

James B. Carey, President of the International Brotherhood of Electrical Workers, AFL-CIO, took the opportunity to criticize the achievements of the Association on behalf of teachers. Some observers interpreted Carey's statements as an open declaration of war on the NEA and its affiliated associations by organized labor. Stinnett contended that the inflammatory speech so aroused the delegates that resolutions on professional negotiations and professional sanctions were subsequently easily passed, and NEA took a new, militant stance (Stinnett, 1968).

As the battle between NEA and AFT commenced, union teachers proclaimed that an irreversible tide

toward the AFT and away from the professional associations had set in. Union psychology was to generate the concept that a winning tide was under way, therefore, the big push was to be concentrated in the large cities where conditions were most similar to those of New York City. Chicago, Detroit, Cleveland, Milwaukee, Baltimore, Minneapolis, Boston, Philadelphia, Washington, D.C., and Los Angeles were targets. Throughout the battle, the NEA and its affiliates were winning the great majority of representation elections, but with the exception of Los Angeles, all the big cities fell to the AFT (Bogen, 1970).

The effect of the internecine struggle on teachers has been tremendous. No fair evaluation could obscure the impact of the propaganda and aggressive action of AFT; the activities of the federation have impressed many thousands of teachers. For their part, professional associations "have been dragged along, albeit often reluctantly, to more aggressive, militant action (Stinnett, 1968). Lieberman and Moskow, reporting on the effect of the competition, described how the expectations of teachers have been raised by the efforts of NEA and AFT to demonstrate that each can do more than its rival. The propaganda heralding the achievements of their affiliates and exposing the failures of the rival organization's locals have fueled the fires of higher

teacher demands (Lieberman & Moskow, 1966). In the judgment of these writers "the organizational rivalry between the NEA and the AFT is perhaps the most important single factor underlying the rapid spread of collective negotiations" (Lieberman & Moskow, 1966).

#### Positions of NEA and AFT on Collective Bargaining Issues

The organizational structure of the National Education Association and its affiliates is quite different from labor unions and the American Federation of Teachers. The NEA is a national organization which enrolls members directly from school districts and other educational agencies. State and local education associations enroll their members and collect dues separately, and these associations affiliate with NEA by paying annual dues. The national organization does not actively charter locals, as do most labor unions (Lowenberg & Moskow, 1972).

The loose structure of NEA has important implications for its activities in collective bargaining. The NEA cannot exercise strong control over the activities of its state and local affiliates. It provides assistance when requested, and state and local affiliates can act independently, even contrary to the policy or advice, of the national organization.

## NEA Policy on Collective Negotiations

As a result of the rising tempo of teacher aspirations to participate in shaping school policies, the 1960 NEA convention in Los Angeles saw the introduction of a resolution proposing the formalization of the negotiating process. However, even this mildly worded resolution met vigorous opposition and stirred a diversity of opinion. Consequently, the resolution was referred to the NEA Board of Directors for further study. The board of directors in 1961 adopted a negotiations resolution drawn up by a special study committee and referred it to the Resolution Committee for presentation at the NEA Atlantic City Convention to be held in July (Stinnett, Kleinmann, & Ware, 1966). Stinnett, Kleinmann, and Ware reported, significantly, that the title of the resolution had been changed from "Representative Negotiation" to "Teacher-Board of Education Relationship." They saw two basic reasons for this change:

- (1) there was apprehension that the former title implied a radical change in employer-employee relationship;
- (2) there was apprehension that "negotiation" would be confused with or equated with "collective bargaining" in the labor context. (Stinnett, Kleinmann, & Ware, 1966)

This was the first officially adopted NEA policy on "professional negotiation," even though the term was not used. The tepidness of the policy statement was not

entirely surprising in light of the fact that its adoption antedated by six months the upheaval caused by events in New York City.

Spurred by the happenings in New York City and by internal demands for action, the pace of NEA policy development affecting collective negotiations accelerated. At its Denver Convention in July 1962, the NEA Representative Assembly adopted a revised resolution on teacher-board of education relationships, giving it for the first time the title of "Professional Negotiation" (NEA Proceedings, 1962). It was a term that was to dominate the literature of educational organizations for the next several years. Two fundamental changes were made in NEA policy by the revised resolution. One provision renouncing the use of labor machinery for negotiations said:

Under no circumstances should the resolution of differences between professional associations and boards of education be sought through channels set up for handling industrial disputes. The teachers' situation is completely unlike that of an industrial employee. A board of education is not a private employer, and a teacher is not a private employee. Both are public servants. Both are committed to the common, indivisible interests of all persons and groups in the community in the best possible education for their children. Teachers and boards of education can perform their indispensable functions only if they act in terms of identity of purpose in carrying out this commitment. Industrial-disputes conciliation machinery, which assumes a conflict of interest and a diversity of purpose between persons and groups is not appropriate to professional negotiation. (NEA Proceedings, 1962)



The other provision, for the first time, issued a call for negotiations legislation: "The National Education Association calls upon its members and upon boards of education to seek state legislation and local board action which clearly and firmly establishes these rights for the teaching profession" (NEA Proceedings, 1962).

There was no doubt that NEA's position on collective negotiations as a result of the 1962 resolutions was far more aggressive than the previous year. Stinnett, Kleinmann, and Ware asserted that the action of the Denver Convention "launched an irrepressible movement to formalize procedures for teacher-school board relationships, and to legalize the procedures, either through state law or board sanction" (Stinnett, Kleinman, & Ware, 1966). Although the NEA had purposely sidestepped the words "strike," "collective bargaining," and "arbitration" by substituting "sanction," "professional negotiation," and "mediation," the subsequent reactions of some educational groups indicated their belief that NEA had adopted the labor processes under different names.

Several important changes in the basic negotiations policies of the 1962 convention were made in later NEA meetings. At the 1963 convention, complete authority for imposing and removing nationwide sanctions were given to the powerful executive committee, a significant change from the established guidelines (NEA Proceedings, 1963).

In 1964, the NEA convention in Seattle dropped the negative paragraph from the 1962 Denver resolution that had denounced the use of labor machinery in settling teacher-school board differences (Stinnett, Kleinman, & Ware, 1966). With possible exaggeration, one commentator alleged that the revised negotiations resolutions adopted at the 1968 Dallas Convention included "everything NEA either had condemned or avoided saying about negotiations in the early 1960s (Muir, 1969). Basically he was referring to the later resolutions which called for mandatory negotiations, mediation, fact-finding, and appeal of impasse.

In spite of the increasingly militant tone of NEA policy pronouncements, some observers ascribed to NEA and many of its state affiliates a "deep-seated analytical or philosophical ambivalence and uncertainty regarding the applicability to schools of the basic assumptions of conflict and power" essential to the theoretical and practical underpinning of collective negotiations (Wildman & Perry, 1967). In effect, they questioned NEA's acceptance of the idea of conflict between different segments of the educational fraternity and the correctness of the collective bargaining process in the school setting. Likewise, some reporters were skeptical of NEA's position that a professional organization in education must remain independent of

noneducation organizations; they wondered if, as maintained by NEA, affiliation with labor organizations would inhibit policies for the best interests of teachers and education (Browder, 1965).

The collective negotiations policy of the AFT was quite uniform and homogeneous as compared to that of the NEA. The Federation accepted the "existence of significant conflict in the schools, declared the need of teachers for power to wield in that conflict, and saw collective bargaining on the industrial model" as the appropriate means for handling the conflict (Perry & Wildman, 1966).

#### The NEA and AFT Compared

The AFT and NEA dramatically altered their politics and actions by the early 1970s. Both are now structured and function to benefit primarily the classroom teacher. The important leadership and policy determination roles of administrators in the NEA and its affiliates has in great part disappeared. With few exceptions, the trend to a "classroom teacher" orientation is made very clear. Five state associations (Colorado, Florida, Minnesota, Michigan, Ohio) have already severed ties with state organizations. The American Association of School Administrators and the Department of Secondary School Principals severed ties as departments in 1969 and became "associate

organizations" within the NEA framework. As associate organizations they have loose affiliation with the NEA; in fact, their officers and members do not have to join the NEA. These developments have occurred both as a result of pressure from teachers and from school boards, who want superintendents to be "their" man in negotiations.

Another similarity of the NEA and AFT is that both have almost identical policies regarding collective negotiations--for example, exclusive recognition, scope of negotiations, and grievance procedures with arbitration as the terminal point. Both favor the inclusion of the same types of clauses in collective agreements and they use the same tactics in negotiations. Since the NEA has discontinued its opposition to teacher strikes, both now support local affiliates on strike and favor granting the legal right to strike to teachers. Some form of organizational security has also become a part of negotiation because of the economic pressure on the organization designated as exclusive representative of all teachers in the negotiation unit. Affiliates of the two organizations at the state and local levels now favor the "agency shop" under which teachers would not have to join the organization but would pay an equivalent service fee (Loewenberg & Moskow, 1972).

The NEA has clearly lost ground in terms of membership. The NEA enrolled 49 percent of the classroom teachers in the United States in 1960; in 1969 they enrolled 47 percent. During the same period NEA state affiliates dropped from 93 percent to 81 percent while the AFT increased from 3.8 percent to 7.5 percent. The NEA was twelve times larger than the AFT in 1960, but it was only six times larger in 1969. Its state affiliates were twenty-three times larger in 1960, and only ten times larger in 1969 (Loewenberg & Moskow, 1972).

Talk of merger constantly surfaces. More important than the rhetoric are the recent actions that have taken place. Local affiliates have already merged in Los Angeles, California and Flint, Michigan, and in Massachusetts local associations are conducting exploratory discussions. Clearly, the national organizations are closer to merger today than ever before. Whether a national merger can be consummated, however, is still an open question (Loewenberg & Moskow, 1972).

#### The MEA and MFT Compared

In Detroit, a stronghold of organized labor, the Detroit Federation of Teachers won a representation election against a satellite of the MEA in May 1964. This was more than a year before negotiations would be

mandated by state law. It was a significant gain for the union. Even now the DFT is the principal power base of the Michigan Federation of Teachers (MFT), "unlike the MEA where the power, strategy, and influence are directed to the locals from the state-level organization" (Schmidt, p. 91). This contest prompted both MEA and MFT to take a tougher position in favor of bargaining. As the DFT gained membership, its show of strength was influential in the MFT membership campaign in metropolitan Detroit (Schmidt, 1968).

By early 1964 the MEA's board of directors, frustrated over the slow progress of voluntary negotiations, stated that there was need for a law to improve "the process of professional negotiations." In line with the National Education Association, the MEA insisted that the model of employer-employee relationships taken from industry was inappropriate in education where "professionalism" should be maintained. By early 1965 the Association began earnestly to work for a law which would follow a professional model. To this end, the MEA directed its considerable resources to secure enactment of its legislative proposal to give teachers the right to organize and require that teacher organizations and school boards bargain in good faith. Departing from labor legislation, the MEA favored a professional negotiations commission to hear appeals from impasse

situations and to appoint an "intervenor" as an intermediate step before fact-finding.

As the result of legislative reapportionment ("one man, one vote") and President Johnson's election landslide, in 1964 Democrats gained control of the Michigan legislature for the first time in thirty years. This provided opportunity for the state AFL-CIO to unite behind a single legislative proposal. A task force of public employee unions, called the Public Employment Legislative Committee, prepared a bill which resembled the National Labor Relations Act and was widely called a "little Wagner Act." In this, the Michigan Federation of Teachers was a prime mover. The Michigan Education Association, whose membership included teachers and administrators, rejected the proposed bill because it followed a labor relations model. The Association offered a substitute. Endorsed in principle only by the Michigan Association of School Boards and lacking other support, the MEA bill did not catch on in the legislature (Windoes, 1976).

Whereas the MEA had failed to use its power with the citizens' committee in 1962, now it was unable to influence events in the legislature.

The MEA had developed good working relations with Republican legislatures but now found itself shut out from the Democratic control bodies. Its proposed bill,

which provided that negotiations should not come within the purview of the Labor Mediation Board, did not get out of the House Labor Committee. When it was apparent that the Public Employment Legislative Committee would win (with the MFT as a key member), the MEA offered its support.

Hartman (1968) quotes leaders of the legislature as recalling that only the Association of School Boards and Association of School Administrators lobbied against the proposed bargaining law before it passed. These associations invested their power and prestige in this contest and were unsuccessful. Their experience dramatizes the difficulty and risk involved when interest groups are unable to maintain a united front in legislative matters.

### Ideology of Interest Groups

In any state, statutes governing negotiation will reflect the realities of competing organizational philosophies, rivalry between organizations, the strength of political allies, and the dynamics of power in the legislature. Besides formal legal arrangements, ideologies and symbols have their impact on political behavior.

The ethos of public education in Michigan had great bearing on the advent of negotiations. The passage of negotiations legislation may be seen against a larger



context of disunity among teacher organizations. Although the MEA for years had stressed the similarities which should unite teachers, administrators, and boards, administrators and board members had grown anxious over possible consequences of MEA's goal--"a written procedure for professional negotiations and bargaining representation in every school district in Michigan" (Michigan Education Association Journal, 1964). Perhaps sensing this anxiety, the MEA's executive secretary recommended that the organization should "develop new and stronger relationships with the Michigan Association of School Boards at the state level and encourage improved relationships at the local level" (MEA Journal, 1964).

It appears that in a state where education interest groups had seldom united in common cause, as will be shown, such unity as did exist was in danger of being shattered over the prospect of negotiations. Most administrators were members of the MEA. But the MEA was in danger of losing teacher locals to the MFT, which was flushed with its victory in Detroit and making inroads into smaller districts in the metropolitan area. The dilemma confronting the MEA was how to stress teacher benefits enough to contain the union rival without offending administrators and board members.

The MEA strongly opposed use of the Labor Mediation Board believing that mediators would lack expert knowledge of education, regarded as requisite in dealing with "professional" matters, and because of the reality of delays before mediators could get around to acting (MEA Journal, 1965).

After the labor-type bill was signed into law, the MEA acted pragmatically. It faced two choices: take advantage of the new legislation or give up the position on professional negotiation. The MEA board mounted a campaign for its local affiliates to be elected exclusive bargaining representative in every school district in Michigan. Clearly the Association was ready to shift tactics and move, in light of the new reality. In the absence of a contest with the union, a school board could recognize the Association affiliate by stipulation. Doubtless some boards acted expediently, recognizing the MEA affiliate in order to head off the more militant MFT's organizing, campaigning, and winning. This "lesser of evils" theory holds that the MEA was the less unacceptable choice facing the school boards. By the spring of 1966, over 51,000 teachers in MEA units were covered by negotiated agreements (Windoes, 1976).

Some of the early difficulties with negotiations probably were unavoidable, considering inexperience of

the parties involved and the considerable stakes. These problems, among others, were encountered:

- (1) Charges that the MFT was using delaying tactics to gain strength before asking for an election;
- (2) An acute shortage of trained negotiators;
- (3) School board reluctance to give its negotiators sufficient authority;
- (4) Boards which persisted in issuing teachers individual contracts before negotiating the master agreement--an obvious unfair labor practice but done as much out of ignorance as out of intent.

Perhaps the most salient ideological effect of negotiations was the bitter resentment and disillusion of superintendents who were now forced to confront their teachers as "adversaries" (Schmidt, 1968).

Teachers in Flint were on strike for two days but, despite the action's being illegal, there was no punishment. This may have emboldened other teachers to take a tougher line. In any event, the Michigan Association of School Boards urged a blacklisting of teachers who struck or encouraged striking. The effect of this suggestion was to polarize teachers and administrators into adversary relationships. This feeling, which runs deeper than the pro forma adversary posture of courtroom lawyers, persists as a side effect of Public Law 379.

## Ideologies and Dissensus

Interest groups develop symbols and ideologies influence their behavior and occasionally threaten the possibility that competing groups can compromise differences for the sake even of short-term gains. After a two-year field study, Masters et al. (1964) made these assertions about Michigan:

There is no group that has come to represent the best thinking possible to solve the state's educational problems.

There is no established process in Michigan to eliminate or modify the factors that cause conflict over education issues.

Michigan has no dominant spokesman for the public schools. [No] effective alliance in which differences can be absorbed or reconciled. No stable education power structure.

Stable and durable structures are needed for decision-making in the public school field.

## Michigan Education Association

As of 1964, Masters et al. said that "the MEA comes closest to representing all phases of the public schools." They cited the legislators' great respect for MEA's help in providing information about schools. "Its major resource is its ability to supply this information to decision-making." A few legislators who spoke favorably of MEA as a reliable source of "information" expressed resentment at the Association's "lobbying."

To keep MFT and its affiliates from making gains, it was said that MEA had become more actively concerned with teacher welfare matters, whose increased costs

alienate superintendents and school boards. The more active MEA is in behalf of teacher welfare, therefore, the less credibility it has as spokesman for all education interests.

#### Michigan Federation of Teachers

Before negotiations were mandated, the MFT defined its role as a bargaining agent for classroom teachers by way of the administration. It did not insist that "professionalism" was a requisite of the proposed law. The MFT was widely referred to as "the teachers' union." Windoes has concluded:

Identification with labor has been both the MFT's strength and its weakness. This gives it "clout" with some legislators, primarily Democrats from metropolitan Detroit. Conversely, it limits the Federation's effectiveness with Republicans who are more responsive to business and agricultural interests. Since the Masters' study, other observers have come to believe there is no fundamental "philosophical" difference between the Michigan Federation of Teachers and the Michigan Education Association. (Windoes, 1976)

The MFT was among the prime movers in securing the Public Employment Relations Act, but the competing MEA reaped the benefits. The Federation has hardly varied in size since the first year of negotiation. The possibility of its taking over the MEA is extremely remote, but it might be willing to merge sometime in the future. The MEA, too, is receptive to the possibility of merger (Windoes, 1976).

## CHAPTER III

### METHODOLOGY

#### Introduction

The purpose of this study was to trace the development of collective bargaining in the Flint Community School System. Therefore, the study was designed to provide an historical account, based on information gathered in interviews and from documents, of the antecedents, development, evolution, and present status of collective bargaining.

The study employed the historical method in tracing the development of collective bargaining in the Flint Community School System. Data were gathered from a careful reading and analysis of the following material for the years 1857 to 1976: official minutes of the school board of the Flint Community School System; official minutes from the local teacher organizations; official publications and news releases from the state and national teacher organizations; and press reports in the local and state newspapers related to collective bargaining. The documentary researched was augmented

by personal interviews with organization officials and key participants.

In this chapter, the five steps by which this study progressed are delineated. These steps include identifying and selecting the persons to be interviewed, the content and conduct of the interview, the location and examination of the research documents, as well as the methods of information organization and analyses.

### Procedure

#### Step One

Before proceeding with the investigation, a thorough search was made of the literature to determine that this research was not a duplication of the efforts of others. Also, the literature in the field of collective bargaining in education specifically was reviewed to determine the national history of negotiations, its scope, present status, and possible future.

This study made use of the historical method in tracing the development of teacher collective bargaining in the Flint Community School System. The investigative techniques of documentary research and interviews were utilized.

In simple terms, the process of critically examining and analyzing the records and survivals of the past is known as the historical method.

In the development of this study, Gottschalk's schema for the writing of history was pursued (Gottschalk, 1969). This schema included:

1. The collection of the surviving objects and of the printed, written and oral materials that may be relevant;
2. The exclusion of those materials (or parts thereof) that are unauthentic;
3. The extraction from the authentic materials of testimony that which is credible; and
4. The organization of that reliable testimony into a meaningful narrative or exposition. (Gottschalk, 1969)

The writer had access to witnesses whose reliability will be enhanced by the brief time-lapse from the events about which they will testify. However, to guard against error it was important to know what the witness's frame of reference might be.

Interviews were conducted with former and present teachers and administrators, as well as with representatives of local labor organizations, the MEA and the MFT. The choice of personal interview had considerable appeal. In an area where the literature and documents provided information about the involvement of these people, this tool recommended itself as a means to elicit verbal expression of and information about contacts and conflicts they experienced.

The author devised a brief schedule of questions designed to gain information about the events, personal role, and participation in the development of collective bargaining. The questions were used to provide continuity



to all the interviews, yet were designed to allow maximum freedom of response to the participants.

The recency of many of the events that were covered by this study also posed some concerns. As a general rule the closer in time to the writer's own day, the more difficult it is to say something will remain long unchallenged. As a result, whatever generalizations the writer has made must be regarded as having only limited validity and being subject to rapid correction as more data become available.

### Step Two

Antecedent to the study, background information concerning the community, the community schools, the teacher organizations, the school board, and the school administrators was gathered. Through the cooperation of school administrators and officials of the teacher organizations, primary source documentary evidence concerning bargaining was obtained. Also, the names of persons most closely identified with the development of the bargaining process were suggested for interviewing.

From the names suggested by school administrators and leaders of the teacher organizations, the author selected a cross section that would offer as much diversity as possible in examining the complex issue of this study. Each person was contacted by telephone

and asked to participate in this study. All those contacted expressed a willingness to be interviewed and an interest in the subject of the study.

Interviews were arranged at the convenience of the participants. The series of questions was mailed to participants in order to permit them maximum time to reflect on the past events in question. The author conducted all the interviews and recorded them on magnetic tape. Each interview was transcribed verbatim and the information organized into historical sequence.

This investigation was limited by certain inherent restraints of the historical method itself. One of the major difficulties was the recognized inability of the researcher to establish absolute cause-and-effect relationship among phenomena. Perhaps the best posture the investigation could adhere to was to avoid oversimplification and to accept the notion of multiple causation and to resign himself to the fact that he did not know enough to explain the causes of certain events.

An attendant difficulty was the problem of bias in the writing of an historical study. Since history is neither scientific nor mechanical and the writer human, the idea of pure history, completely objective and dispassionate, was not possible. There was always some bias in the selection of materials, bias in its organization and presentation, and bias in its interpretation as well

as bias on the part of those persons interviewed. All the writer could do was to guard against any conscious distortions of the evidence, attempt to see every problem from all possible points of view, and to search diligently all available resources.

The following people were interviewed: Elizabeth N. Baker, Louis D. Beer, August E. Brandt, Verna Clark, P. Ernest Cole, Harry Cybulski, Richard S. Heitzner, Lawrence A. Huber, Harold Keim, Henry B. Linne, William J. Manley, Jr., Barry McGhan, Freda Parmelee, Robert J. Revis, Allan J. Short, and Muriel White. The addresses and official title or position of each participant can be found in Appendix A.

### Step Three

As a third step, an interview instrument was designed to gather the necessary information. The questions for the interview were as follows:

1. What prompted the Michigan Education Association to establish a unit in the Flint Community Schools?
2. How could the Michigan Federation of Teachers establish a local unit in the Flint Community Schools when an already established unit of Michigan Education Association existed, and why could teachers join either unit?

3. Why did the Flint Education Association emerge as the dominant organization?
4. What issues prompted the merger between the Flint Education Association and the Flint Federation of Teachers?
5. What were the reasons for the establishment of the Federation Caucus within the United Teachers of Flint (UTF)?
6. What do you perceive to be the purposes of the United Teachers of Flint and the Federation Caucus?
7. What part has the AFL-CIO-UAW or industry played in the collective bargaining process as it relates to the Flint Community Schools?
8. Any further comments not covered in the above concerning the history of collective bargaining in the Flint Community Schools?

#### Step Four

Step four was concerned with the interviews and the search of the documents.

Each of the participants received the interview questions in advance so he could consider the questions beforehand. It was made clear that the entire interview would be recorded. Each participant received identical

questions and was aware that other participants were being interviewed. A cover letter accompanied the questions reminding the participants of their willingness to participate and the date and time of the interview (Appendix B).

Each interview was taped, transcribed, and then edited into format suitable for reading. All necessary editing in the areas of punctuation, capitalization, and such were added to facilitate reading. Each participant was contacted to secure permission to use the transcripts as part of this study (Appendix C). The individuals were asked to indicate if they wished to review the transcript before giving their approval (Appendix D). Transcripts were then submitted to those participants who wished to review them. The individuals had the right to make any changes that they wished in order to best reflect the direction of the interview (Appendix E).

As stated, the author did not insist that the participants answer the question in order or that they answer every question. Often the participants answered one question within the framework of another. The essential purpose of the interview was to draw out the participant, encouraging him to reflect on his experiences.

The interviews proved to be most successful. The participants were willing and anxious to share their

thoughts and observations on the subject of this study. Since all had been so active in the Flint Community Schools, each felt the chronicalling of the development of collective bargaining was of utmost importance and expressed their support of the author's efforts. This proved most gratifying to the writer.

The author soon became aware that the interview itself is, in part, influenced by the setting, the physical impact of the participant and most certainly how the participant chose to express his feelings. Travel also had its impact on the author. During the return from the interview, the author had time to reflect on what he witnessed and heard and often was able to go past some of the first impressions that too frequently cloud correct interpretations.

The format for the interview was not rigid or precise. Normally the interviews ranged from one to two hours. There was rarely any constraint of time and the author made no attempt to elicit responses that fit into any time limitation. There was a frank and genuine exchange of opinions and biases. The participants generally seemed pleased that their opinions and points of view were being sought and would become part of the official record.

The author was not concerned or perplexed that each participant did not see the events in the same way;

and if responses were different, that one was telling the truth and one was not. The history of such a movement as is being examined, and perhaps in all of history, is a complexity of realities. All one hopes to do is to synthesize the various perspectives into some true sense of history.

Therefore, the interviews were of most value because they displayed the variety of personalities and perspectives in the collective bargaining movement in the Flint Community Schools. Varieties of personalities and perspectives expanded and developed the written record and provided insights into what truly occurred.

A major portion of the research utilized the primary investigative techniques of documentary search and interviews.

Data were obtained from a careful reading and analysis of the following materials:

1. Official minutes of the Flint Community School Board which dealt with the organization and recognition of teacher associations. In addition minutes dealing with teacher negotiations were researched. This material was found in the school administration building, Flint, Michigan, and in the Flint Public Library.

2. Official minutes of the United Teachers of Flint, the Flint Education Association, the Flint Federation of Teachers, and the Federation Caucus of Flint were studied. Records of these associations were located in the United Teachers of Flint headquarters, Flint, Michigan.
3. The local newspaper, The Flint Journal, was searched for pertinent news accounts dealing with the teacher associations. This material was available in the offices of The Flint Journal, Flint, Michigan, and the Flint Public Library, Flint, Michigan.
4. Memoranda of all aspects of collective bargaining and association activity pursuant to merger were examined. These materials were in the headquarters of the United Teachers of Flint, Flint, Michigan.
5. Newsletters of local competing teacher associations, the Flint Education Association, and the Flint Federation of Teachers were examined for relevant materials.
6. Journals and reports of the Michigan Education Association and the Michigan Federation of Teachers were reviewed.



7. Journals, reports, and publications of the National Education Association and the American Federation of Teachers were inspected for pertinent information.

#### Step Five

To effectively chronicle the evolution of collective bargaining and to highlight the significant developments in the collective bargaining effort, a convenient form of periodization was imposed on the study: the genesis of teacher organizations, the initial drive for collective negotiation, mid-stage developments, the period of merger, and collective negotiations in the latter years.

#### Summary

The first step, to determine if similar research had been conducted in this particular area, proved most rewarding and helpful. The selection of the participants was the second step. The third step was devoted to developing and refining the questions to be used in the interviews. The fourth and most important step was conducting the interviews and examining the written record. The fifth and final step was the organization of the information into historical sequence.

By means of the technique outlined above, detailed information was gathered, organized, and

developed to reveal the nature and dynamic of the collective bargaining process in the Flint Community Schools.

## CHAPTER IV

### THE HISTORY OF COLLECTIVE BARGAINING IN THE FLINT COMMUNITY SCHOOLS

#### Introduction

The emergence of a substantial social development such as that of collective negotiations for teachers is a complex and many faceted happening whose roots may often times only be hypothesized. This study was designed and executed to trace such a development in the Flint Community School System, Flint, Michigan. It undertook to chronicle and describe the evolution and historical development of the collective bargaining process in the Flint Schools. In addition, this historical study attempted to analyze those components involved in the circumstances of collective bargaining and determine cause and effect relationships. This study utilized the historical method in tracing the development of collective bargaining in the Flint Schools. The two investigative techniques utilized were that of documentary research and interviews.

The remainder of this chapter examines the setting for the study and presents the development of collective bargaining in the Flint Schools. To insure order and continuity, a convenient form of periodizations was imposed on the study: Genesis of Teacher Organizations, Initial Drive for Collective Negotiations, Mid-Stage Developments, Period of Merger, and Collective Negotiations in Latter Years.

### The Setting

Prior to the study, background and historical information concerning the community, the schools, the teacher organizations, the school board, and the school administration was obtained. Through the gracious assistance of all parties involved in the collective bargaining movement, primary source documentary evidence concerning the bargaining process was obtained.

Flint, Michigan is strategically located in the center of one of America's largest industrial corridors, covering the areas from New York to Chicago. Located seventy miles northwest of Detroit, Flint is among the most populous regions in the state. As the birthplace of the General Motors Corporation, Flint ranks only behind Detroit as the largest automobile manufacturing center in the world. Thus, Flint and Genesee County in which it is located function as a major world

industrial complex, with many residents employed as professional, skilled, and semi-skilled workers in the numerous industries in the general area.

The city's population of 193,000 reside in an area covering roughly thirty square miles. Approximately 500,000 people reside in the greater Flint metropolitan area, and the city's economic impact is felt by a population of more than a million people. Flint is considered to be a racially mixed community, with approximately 70 percent Caucasian and 30 percent Black residents. Flint residents, primarily a mixture of white and blue collar workers, enjoy what could be described as an above average standard of living. Over 70 percent of the dwellings in Flint are single-family homes, with a majority of households being homeowners. In addition to the public schools, Flint is the home of Charles Stewart Mott Community College, the University of Michigan Flint, General Motors Institute, and Baker Business University. The city is also the home of the Michigan School for the Deaf.

The city is the site of a complex cultural center, composed of seven distinctly different facilities that stimulate and enrich Flint's educational and cultural life. Extensive recreational advantages are available from a full complement of city and county parks as well as the opportunities provided by the

**schools. The Industrial Mutual Association, established as a benevolent association of factories, also provides a wealth of facilities and services for the enjoyment and well-being of the people in the metropolitan Flint area.**

**Formal education for the children of Flint dates to 1834, when the first permanent residents of the community joined together to construct a log schoolhouse near the south bank of the Flint River in what is today the heart of downtown Flint. Attended by twelve children, the school predated the legal establishment, in 1838, of the first public school by four years. Located in a frame house, the first public school was soon replaced by superior structures in 1845 and 1846. These facilities included the first building in the town constructed of brick and was located on Detroit Street.**

**The predecessor of the present school system, the Union School District of Flint, was officially organized in 1872. Reorganized and assisted by the addition of several surrounding smaller districts, the Union District began construction of Flint's first high school building, opened in 1875. Prior to that time, classes in secondary instruction were conducted in the grammar schools in the city. The Flint High School became one of the first in the state to be accredited by the University of Michigan and graduated eight seniors**

its first year. In its last year of use, 1923, the student enrollment had reached only 263 and the building was replaced by the present Central High School.

Since its inception, The Flint Community Schools have experienced two periods of exceptional growth, which roughly parallel the city's rise as an automobile manufacturing center, between 1900 and 1930, and the national post-war expansion, between 1945 and 1965. In the first three decades of the twentieth century, Flint's population increased from 13,000 to over 156,000. This rapid expansion was reflected in the number of school buildings constructed during that period. It was during that same period that the Board of Education established a two-year junior college. Now a separate area-wide institution, Charles Stewart Mott Community College serves over 14,000 students.

Following World War II, the school population expanded from 25,000 students in 1949 to a peak enrollment of more than 46,500 in 1967. Over \$35 million in new school facilities were constructed to meet the demands of this growth in enrollment. Although the number of educational facilities and opportunities have changed and improved greatly, the district's boundaries remain almost the same today as they were more than a quarter of a century ago.

In 1976-77 the Flint Community Schools enroll more than 39,000 students from kindergarten through twelfth grade. The educational plant includes over sixty permanent buildings, as well as 170 primary and mobile units, all valued in excess of \$135 million. Overall, the Flint school system includes forty-one elementary schools, an intermediate school, eight junior high schools, four senior high schools, an alternative secondary education center, a vocational-technical skills center, and an adult high school. The Board of Education also operates a public library system and a public radio station.

The Flint School system is governed by a nine-member Board of Education elected at large. The school is the county's second largest employer, ranking behind General Motors Corporation. In 1976-1977, 3,750 individuals were employed by the schools on a full-time and part-time basis. Of the 3,750 full-time and part-time employees, 1,950 are classroom teachers and other professional instructional personnel; and 200 are administrators and central office support staff. Also, the school system employs paraprofessional aides, maintenance, operational and clerical employees, and food service workers. The professional staff is approximately 70 percent Black and less than 1 percent of other racial groups.



In the fiscal year, 1974-1975, the total needs of the schools represented a nearly \$60 million annual operation. For operation of the schools and the public library system, more than \$33 million, or 60 percent, of the \$60 million required in 1974-1975 came from local taxes. Over \$32 million of the local tax support was for operation of the schools and about \$1.4 million for operation of the public library. Approximately 30 percent, or 17.8 million, of the funding was derived from state aid and grants. Federal assistance of approximately \$5 million represented about 9 percent.

The Flint schools, in 1973-1974 spent, exclusive of capital outlay, \$1,189 for educating each child, kindergarten through twelfth grade. This compared to the state average of \$1,051 per pupil. Of every dollar the school spends, approximately 75 cents is for instructional purposes, including salaries. An additional 16 cents is spent for maintenance and operation, with fixed expenses, accounting for the remaining nine cents.

The bulk of monies for supporting the Flint Schools comes from taxes levied on the homeowners, business, and industry. The valuation of property in Flint upon which taxes are assessed exceeds \$1 billion, on a state equalized basis. Therefore, Flint had \$24,858 of valuation in the city supplied 66 cents of every local tax dollar used in support of the schools,

with the General Motors Corporation, alone, contributing approximately one-half of the total tax bill.

In 1976-77, the tax rate for school support was 30.65 mills, or \$30.65 per \$1,000 of state equalized valuation. The average tax payer in Flint contributed \$249.82 to support their schools. With such above average support, the school has been debt-free since 1962 (Catalogue of the Flint Community Schools, Flint, Michigan, July 1975).

#### The Genesis of Teacher Organizations

##### The Flint Teachers' Club

The Flint Teachers' Club was formed in 1914 with the stated objective "to advance the interests of the teachers of the Flint Public Schools." Membership was open to any person engaged in teaching in the public schools who would pay the one dollar dues. The first year membership totaled fifty-seven members (Flint Bulletin of Education, 1924).

C. V. Courter, President of the Flint Teachers' Club from 1925 to 1926, gave the four "why" of The Teachers' Club to be:

1. to bring teachers together in a local organization for the purpose of closer acquaintance-ship and in order that they may identify themselves socially and educationally with the other members of their craft in the community;
2. to make articulate through organization and under leadership the group needs of the teachers' profession and secure the recognition of the community that is deserved;

3. to promote through a joining of interests and influence the cause of education in the community; and
4. to play a part as a unit in state-wide and nation-wide movements of teachers toward the improvement of existing legislation affecting education and the improvement of the status of the teaching profession. (Flint Bulletin of Education, 1925)

Even the most causal interpretation of purposes 2, 3, and 4 indicate that in 1926 a teacher organization was seeking the same things that modern teacher unions seek at the bargaining table.

#### Other Organizations

In addition to the Flint Teachers' Club, several other teacher organizations were present in the early history of the Flint schools. These earlier organizations were: The Kindergarten Club, the Men Teachers' Club, and the Women's Classroom Teachers' Club. These organizations were open only to those particular teachers so identified by the title of the club. The chief function of these organizations was to afford the teachers in each area the opportunity to know and become acquainted with each other and to share ideas and concerns of mutual interest. Because these clubs were only concerned with one specific group of teachers, there was not the overriding concern for the welfare of the entire teaching staff throughout the entire school system.

C. V. Courter, Flint Teachers' Club President, writing in the May 1926 issue of the Flint Bulletin of Education

suggested that the interest of the teachers in Flint would be better served if all these other organizations were closely affiliated and part of a large central organization to which all of the teachers would belong. He suggests that if the separate organizations were all part of the larger organization one membership fee would cover the privileges of membership in the larger organization and permit the individual to render his service and secure his benefits through the smaller group.

In the decade of 1928 and 1938 membership in the Flint Teachers' Club reached over 650 persons. The principal activities included promoting an insurance plan for members, attempting to develop cooperation with the Board of Education in financial problems, sponsoring a teachers' credit union, working to secure an actuarially sound retirement fund and (following the passage of a State Tenure Law in 1937) lobbying at the local level to institute a tenure system in Flint. In this latter effort the newly organized Flint Federation of Teachers was a potent force.

. . . The tenure law was passed in Michigan. . . . Federation requested that the Board of Education ask that tenure be voted on in Flint. . . . The UAW gave us very strong support. . . . It was through their assistance that we got it, I am sure. (Interview, Parmelee, December 13, 1977)

Although no official records are available, the Flint Teachers' Club was closely associated with, if not officially affiliated with, the Michigan Education

Association. The Flint Federation of Teachers, chartered in 1935, had its origin in the dissatisfaction by classroom teachers with the Michigan Education Association, which was dominated by administrators.

Thus, the period from 1914 to 1938 was filled with activity by all types of teachers' organizations. The clubs and organizations arose out of a specific need for a specific group of teachers and was designed to meet only those needs. The Flint Teachers' Club emerged as the one organization which opened its membership to all teachers in the school system and had goals and objectives which were designed to benefit all teachers in both professional and personal ways.

#### Initial Drive for Collective Negotiations

In the city of Flint in 1936 the concept of "open-shop" prevailed. The city was anti-union. " . . . in those days the term 'union' was a fighting word" (Interview, Beer, January 14, 1977). In 1937 one of the largest strikes in the automobile industry occurred in Flint and fostered an attitude in the citizens that was very much like civil war. Very hard lines were drawn either for or against the unions; and there was very little room for anyone to express a neutral position. During this period, 1937, troops were sent to Flint to maintain order and were housed in the school buildings.

This act of housing troops symbolized the position of the school administration and Board of Education as one of anti-union.

It was in this climate of unrest and high anti-union sentiment that the Flint Federation of Teachers, a union organization, had its origin. " . . . it all started around this time; there was all the labor upheaval in Flint in the automobile plants" (Interview, McGhan, December 8, 1976). Some forty years after the events of 1937, the Flint Federation of Teachers is still remembered and associated with the labor image of forty years ago. " . . . it is connected historically with that (the automobile strike)" (Interview, McGhan, December 8, 1976).

Building principals in 1937 were asked to determine methods that could be used to dismiss teachers who were members of the Flint Federation of Teachers. As a result of this purge, three teachers were dismissed; one teacher with twenty-seven years of experience was released for tardiness, another teacher was dismissed for lack of discipline in the classroom, and another released for having a foreign accent (Lehman, 1967).

By the Fall of 1937 membership in the Flint Federation of Teachers had dropped to only seven. This was the minimum required to retain the charter granted by the American Federation of Labor. This charter, granted in 1935, still remains in effect.

From 1938 to World War II, the Flint Federation of Teachers continued to exist yet worked through the Flint Teachers Club. However, the Teachers' Club in the period of the late 1930s and early 1940s was considered to be an administrators' dominated organization.

" . . . We had the Teachers' Club which was really an administrative tool. . . . At the time, to become an administrator in the Flint School System, a person first had to become President of the Teachers' Club" (Interview, Parmelee, December 13, 1976).

" . . . Superintendents found a good way to keep teachers active . . . meet and confer . . . have tea and coffee . . . form a few committees . . . ignore them in the end . . . and everybody felt they were involved" (Interview, Short, December 14, 1976).

The thrust of more involvement of the Flint Teachers' Club in the general welfare of teachers developed over the concern of the teachers for retirement benefits and the desire for local tenure policy. The first step the classroom teacher members of the Flint Teachers' Club took was to become more active in the Flint Classroom Teachers Association. Membership in this organization was limited to classroom teachers and removed the administrators as an influence.

" . . . It eliminated any administrators from membership" (Interview, Parmelee, December 13, 1976).

An important step taken by the organization was to affiliate with

the Michigan Federation of Classroom Teachers (not affiliated with the Michigan Federation of Teachers)

" . . . a rebel group from the MEA" (Interview, Parmelee, December 13, 1976).

. . . They formed a Federation unit in order to agitate, to get something moving, within the association. This happened in the MEA and a number of units in the state, because MEA was basically an association run by superintendents and administrators. Within the MEA, we had a Classroom Teachers Association that wanted to be teacher-oriented. (Interview, Short, December 14, 1976)

A struggle for leadership of this newly organized Flint Classroom Teachers' Association occurred. The Flint Federation of Teacher members and members of the Flint Teachers' Club vied for control of the Classroom Teachers Association in the early forties. Those members of the Flint Teachers' Club who could not or would not agree with the militant philosophy of the Flint Federation of Teachers withdrew from the Association and in 1956 organized the Flint Education Association. The proposal to change the name from the Flint Teachers' Club to the Flint Education Association was agreed upon at the April 1956 Representative Assembly meeting of the Flint Teachers' Club (Minutes, Flint Teachers' Club Minutes, April 1956). The May 15, 1956, edition of The Flint Journal briefly mentioned the election of Edwin J. Merrill as President of the Flint Education Association, "formerly known as the Flint Teachers' Club."



During this same period, the later 1930s and early 1940s another organization was formed. Known as the Womens' Classroom Teachers Club, this organization was founded by Bertha Williams, a kindergarten teacher in an attempt to abolish an existing pay differential between men and women teachers. At the time of the founding of the Womens' Classroom Teachers Club, men teachers were paid \$400.00 more per school year than women just because they were men. The thrust of the Womens' Classroom Teachers Club was to eliminate this pay inequality. " . . . We were primarily interested in having an equal salary with the men" (Interview, Parmelee, December 13, 1976). This organization was countered with the formation of a Men Teachers' Club, which was primarily social, but which was active in attempting to maintain the \$400.00 pay differential.

During the World War II, membership in the Flint Federation of Teachers grew to over one hundred members. In 1943 the Flint Federation of Teachers held the first of its annual Teachers Institutes. These Institutes were not affiliated with the meetings of the Michigan Education Association and represented a significant step toward the Flint Federation of Teachers being recognized as a potent force for the classroom teacher.

In the Spring of 1944 a serious situation concerning salary and working conditions for teachers and

other school employees in Flint developed as a result of budget constraints. Representatives of the Flint Federation of Teachers, The Flint Teachers' Club, and the maintenance union had repeatedly tried to discuss salaries with the Board of Education. However, the position of the Board of Education at the time was that there would be no salary increase for the next year, unless there was a successful millage election.

The millage election was held on May 9, 1944. This election had been supported strongly by the teachers and the Board of Education. A very well-organized campaign directed by a public relations expert was conducted in every district of the city. " . . . The School Board was cooperating . . . and brought in a man from Chicago who was . . . to organize money-raising campaigns" (Interview, Parmelee, December 13, 1976). Teachers in each district were assigned to canvass house-to-house in an attempt to inform the voters of the feelings of the teachers in this matter. In addition to the teachers the maintenance personnel who were members of the CIO actively campaigned for the millage. All parties concerned, teachers, administrators, and maintenance personnel combined in an effort to influence the vote in favor of the millage (Interview, Parmelee, December 13, 1976).

The greatest problem to overcome was that the millage needed a three-fourth favorable vote for passage. By 9:00 P.M. on May 9, it was obvious that the millage had failed to receive the necessary three-fourths vote for passage. Representatives of the Flint Federation of Teachers, the Flint Teachers' Club, and the maintenance union met in the home of Mrs. Freda Parmelee, President of the Flint Federation of Teachers, at 10:00 P.M. following defeat of the millage and decided to strike against the School Board. " . . . And we decided we would have to close the schools" (Interview, Parmelee, December 13, 1976). The maintenance personnel were contacted that night and asked to establish pickets at each school the following morning. By 3:00 A.M. the following morning (Wednesday) every teacher had been contacted and asked not to report to their classroom, but instead to attend a system-wide faculty meeting at 10:00 A.M. May 10. The superintendent was also contacted and informed of the decision to strike and was invited to attend the faculty meeting the next morning.

The meeting was held in the Central High School with nearly all teachers attending. The situation facing the teachers and the schools in Flint was discussed. The administrators who attended the meeting did not oppose the actions of the teachers and left the meeting. A vote was taken not to return to the classroom until

the teachers had met with the Board of Education and a solution to the problem found. Of the 1,200 teachers who voted only forty opposed the strike (Interview, Parmelee, December 13, 1976).

Representatives from the teachers met with the Board of Education on Thursday (May 11) yet little progress was realized until Friday noon, at which time the Board of Education agreed to set the maximum salary for the coming year at \$2,500. The schools in Flint were under conditions that can only be described as a teacher strike (Interview, Parmelee, December 13, 1976).

It is important to note that the meeting of the teachers at which a strike vote was asked for and received was under the direction of the leadership of the President of the Flint Federation of Teachers. It was the Flint Federation of Teachers that called the strike, although it was a joint effort with the Flint Teachers' Club and the maintenance personnel union. The Flint Federation members had been the most active. " . . . This was the Federation calling the strike, we were the ones who had been active and had done . . . the work" (Interview, Parmelee, December 13, 1976).

The millage vote was held on Tuesday, the decision to strike made on Wednesday. The CIO sent representatives to the meeting to protect the interests of the maintenance personnel, but later agreed that a

single spokesman for all involved was all that was necessary. One of the issues involved was the elimination of the pay differential based on the sex of the teacher. Although the teachers did not get all their demands, there was a raise for everybody. The women received \$400 extra in an attempt to have equal pay for equal work. It is significant that no teacher suffered a loss in pay for the three-day strike (Interview, Parmelee, December 13, 1976).

The teachers returned to their classroom the following Monday. The strike and settlement thrust the Flint Federation of Teachers to the front as the most influential and powerful teacher organization in the system. From that date, the Flint Federation of Teachers was no longer the minority organization, working quietly and trying to avoid the union image. It became the majority voice for teachers in the Flint School System (Interview, Parmelee, December 13, 1976).

#### Mid-Stage Developments

Although the actions and influence of the Flint Federation of Teachers in the strike caused the Federation to be the premier teacher organization, the Flint Teachers' Club (to become the Flint Education Association in 1956) continued to represent and speak for the teachers. Thus, the period from the end of World War II until 1966 could best be described as one of co-existence.

" . . . Neither had any power over the other . . ."

(Interview, McGhan, December 8, 1976). There was some cooperation between the teacher organizations in the area of teacher salaries. The March 19, 1947, issue of The Flint Journal reported the position of the Flint Federation of Teachers choosing mass teacher resignations as a negotiations means to insure salary demands. Also, the Flint Federation of Teachers agreed to act in behalf of all teachers even if they were not Flint Federation of Teacher members. In 1946 and 1947 there was a superintendent's salary committee functioning to advise the administration on teacher salaries. In 1948 the teacher organizations worked together to successfully support a millage vote. In the 1950s the State Superintendent of Instruction ruled that a teacher did not have to belong to either organization to attend the Flint Federation of Teachers sponsored Institutes. This action by the State Superintendent was interpreted as a victory for the Flint Federation of Teachers.

The January 29, 1960, issue of The Flint Journal reported that representatives from the teacher organizations met to unite in an effort for increased salaries for teachers. This was the second time representatives from the organizations had joined for the same action. In February, 1960, the teacher organizations, the Flint Federation of Teachers, the Flint Education Association,

and the Flint Classroom Teachers Association met again to draft demands for salary increases (The Flint Journal, February 12, 1960). In May 1960 the teacher groups selected two members each to a Special Salary Committee which carried the combined recommendations to the Board of Education. Throughout the early sixties the three organizations, the Flint Federation of Teachers, the Flint Education Association, and the Flint Classroom Teachers Association worked jointly on the teacher salary problem. The last year that there was a joint salary committee representing the teachers of Flint was 1965.

In the Spring of 1965, a representative from the Flint Federation of Teachers was refused permission to address the Board of Education on the subject of teacher salaries. This failure by the Board of Education to hear teacher problems resulted in the decision of the Flint Federation of Teachers to picket the Board of Education. The decision to strike was carried out on May 13, 1965 (The Flint Journal, May 13, 1965). This action by the members of the Flint Federation of Teachers was not officially termed a strike. The Board of Education apologized to the Flint Federation of Teachers representative and the representative was allowed to address the May 19, 1965 meeting.

In the Spring of 1965, the Flint Federation of Teachers decided to seek collective bargaining with the Board of Education although no state statute existed which permitted or supported such a position. The Flint Federation of Teachers gave the following reasons for requesting collective bargaining:

1. The Flint Federation of Teachers and other teacher groups in the Flint Public Schools had been denied adequate direct access to the Flint Board of Education.
2. The administrative channels intended to serve as a substitute for direct communications had proven ineffective.
3. Attempts by the teacher organizations to act jointly have been to no avail in solving the communication problem.
4. Multiplicity of organizations claiming to represent teacher interests is detrimental to the best interest of teachers.
5. The absence of negotiations or proper communication between the Board of Education and elected representatives of the teaching staff is detrimental to the best interests of teachers and education in the city of Flint.
6. The Flint Board of Education has offered no satisfactory plan to improve communication or establish procedures for negotiations. (Flint Board of Education Minutes, May 26, 1965)

The Flint Federation of Teachers requested that the Flint Board of Education conduct a secret ballot election for the purpose of determining a single collective bargaining agent for teachers in the Flint Public Schools. This election would be supervised by an appropriate impartial authority, and those eligible to vote would be limited to members of the bargaining unit. It also requested that the Flint Board of Education grant exclusive recognition to the agent chosen in such an



election and that the agreement reached between the Board of Education and the duly elected bargaining agent be reduced to writing (The Flint Journal, May 27, 1965). The Board of Education did not reply to this resolution as presented to them. During the ensuing spring, informal discussions were taking place between representatives of the teacher organizations and the administration of the Flint Public Schools.

The Michigan Education Association, in the Spring of 1965, proposed a collective bargaining law " . . . their Professional Negotiations Bill . . ." for the state which preferred mediation as a responsibility of the State Department of Education. However, a labor oriented collective bargaining bill was considered most likely to pass the legislature. Therefore, the Michigan Education Association supported House Bill 2953, enacted as Public Act 379 of 1965, which amended the Hutchinson Act, and House Bill 2954, enacted as Public Act 282, of 1965, which amended the Labor Mediation Act. These acts established an omnibus public employees' approach to collective bargaining and were signed into law by Governor George Romney to take effect on July 23, 1965 (Interview, Linne, March 3, 1977).

The outcome of collective bargaining in Flint was of great concern to the Michigan Education Association, especially since the Detroit School System was

dominated by the Detroit Federation of Teachers. The Flint Education Association was immediately concerned with the possibility of a bargaining election to determine unit representation. Also the Flint Federation of Teachers continued its drive to be the sole representative of teachers. In August of 1965 the Flint Federation of Teachers circulated a petition in the schools asking support for its recommendation that the School Board hold an election among the teachers to determine a single representative (The Flint Journal, August 31, 1965).

With the opening of school in the Fall of 1965, the impact of Public Act 379 was being felt by teachers, teacher organizations, and administrators in the Flint Schools. Both teacher organizations were aware that one of the two rival organizations would eventually emerge as the sole representative of the teachers in the entire system. In October, 1965, the Flint Federation of Teachers announced it intended to be the sole bargaining agent for all teachers (The Flint Journal, October 15, 1965). Mrs. June Pfeigher, Michigan Federation of Teachers' Representative was quoted as saying that "there is a war on and Flint is a major battleground." In addition, she attacked the Flint Education Association and the Michigan Education Association as being "a company union run by administrators" (The Flint Journal,

October 15, 1965). The Flint Board of Education agreed to an election to determine which organization would be the sole representative of all teachers in the collective bargaining process.

The Flint Journal, November 6, 1965, reported that after some thirteen hours of mediation between the Flint Federation of Teachers and the Flint Education Association the election was set for February 3, 1965.

#### The Period of Merger

The first merger between affiliated organization of the National Education Association and the American Federation of Teachers occurred on October 11, 1969, in Flint, Michigan. On that date representative memberships of the Flint Federation of Teachers and the Flint Education Association voted to combine their organization into the United Teachers of Flint.

However, the first gestures toward merger in the Flint Schools occurred several years earlier, and although there were some differences, the gradual modification of the relationship between the Flint Education Association and the Flint Federation of Teachers indicates the direction of the changing relationship between the parent organizations.

Although the Flint Federation of Teachers had always represented only a small fraction of Flint teachers, it took the first step to achieve collective

bargaining rights in May 1965 by requesting the School Board hold an election to determine who would bargain for teachers. " . . . Even if we lose we shall have the satisfaction of knowing that teachers will be represented as they choose to be represented" (Federation Report, June 10, 1965). The Board chose not to act on their request pending several bills before the Michigan legislature which would have substantial effects upon the relationship of teachers and boards of education.

As mentioned, during the Summer of 1965 the Michigan legislature passed the Public Employment Relations Act. The following September the Board of Education, the Flint Federation of Teachers, and the Flint Education Association agreed to a representative election set for February 3, 1966.

The election campaign was intense and contained all the expected charges and countercharges generated by participants in such bargaining elections. " . . . We the Flint Federation of Teachers were considered to be a union and militant" (Interview, Cybulski, December 15, 1976) and " . . . the Flint Education Association was considered to be an association, not affiliated with labor, not interested in striking" (Interview, McGhan, December 8, 1976). The source of conflict between the Flint Education Association and the Flint Federation of Teachers had its origin in the positions taken by the

two organizations prior to and during the election campaign. The conflict affected the bargaining between the Flint Education Association and the Board of Education.

" . . . At times, it would seem that it was almost a game the Board would be playing to determine what we would get" (Interview, Clark, December 8, 1976). During the campaign the Flint Federation of Teachers stated that the Flint Education Association would not know how to bargain collectively for teachers if the Flint Education Association was selected as the sole bargaining agent for teachers. A summary of the positions of the two teacher organizations follows:

The Flint Federation of Teachers' position was that:

1. The Flint Federation of Teachers promised change. The Flint Education Association had been established long enough to do something and had failed to improve the status of classroom teachers.
2. The Flint Federation of Teachers represented the classroom teachers.
3. The Flint Federation of Teachers is a professional organization. A teacher can belong to a union and be a professional person at the same time.
4. The paternalism of the administrator-dominated Michigan Education Association and the National Education Association results in the coercion of

teachers to join the local association. There is no community of interest between teachers and administrators. The local association is a company union and cannot adequately represent the teachers.

5. Since passage of Public Act 379 sponsored by the Michigan Federation of Teachers, the administration cannot engage in unfair labor practices. For the first time, teachers have a freedom of choice in who shall represent them.
6. Since the passage of Public Act 379, the Flint Education Association must consider itself a labor organization in order to qualify for the representative election.
7. The Flint Education Association does not understand collective bargaining. The Flint Federation of Teachers is better prepared to conduct bargaining for teachers. In collective bargaining the teacher organization must demand far more than it expects to obtain in the contract, and it is inadvisable to publicize demands before collective bargaining begins.
8. The labor movement has historically been one of the strongest supporters of education.

9. The local Flint Federation of Teachers is an autonomous organization whereas the local Flint Education Association is closely affiliated with the Michigan Education Association and the National Education Association. The Flint Federation of Teachers would bargain for the local teachers and would not be influenced by the paternalistic National Educational Association and the Michigan Education Association.
10. The Flint Federation of Teachers would negotiate a one-year contract with the Board of Education. A longer contract would not meet the needs of the teachers.
11. The educational program was inadequate to meet the needs of the teachers.
12. Teachers were denied access to their personnel files.
13. The Flint Education Association leaders were granted leaves by the Board of Education to campaign in the election, which implies a working relationship between the Flint Education Association and the Board of Education.

The Flint Education Association position was that:

1. The Flint Education Association was a united profession of classroom teachers and nonsupervisory professional personnel.
2. The Flint Education Association had represented teachers successfully in the past.
3. The professionally trained teachers; concerns extended beyond the traditional labor collective bargaining orientation on wages and working conditions.
4. Administrators no longer dominated the state and local associations.
5. The Flint Education Association in its past political activity had helped elect Board of Education members and state representatives. The political activities would help in negotiations.
6. The Flint Education Association would negotiate from a position of strength with over sixteen hundred members and the resources of the Michigan Education Association and the National Education Association.
7. The Flint Education Association would negotiate from a position of professional knowledge of what was needed in the school system.



8. A three-year contract would be negotiated with a reopener clause on economic issues at the end of the first year. The three-year contract permits sufficient time for the working relationship to be established between the teacher organization and the Board of Education.
9. The Flint Education Association was realistic in its demands on the Board of Education (Lehman, 1967).

The Flint Federation of Teachers charged the Flint Education Association as being an administrator-dominated organization and not sufficiently militant or knowledgeable about collective bargaining to be an effective representative. The Flint Education Association countered by charging the Flint Federation of Teachers with being too small and weak, strike prone and dominated by labor (Interview with Beer, January 14, 1977; Cybulski, December 15, 1976). The election result, Flint Education Association 1035, the Flint Federation of Teachers 701, was much closer than the respective 1600-300 membership count prior to the election would have suggested. Thus, the Flint Education Association emerged as the sole representative for teachers in collective bargaining.

In spite of the bitterness and fighting during the campaign, when the Flint Education Association called

a strike in June 1966 (four months following representative election of February 1966), the Flint Federation of Teachers went on record in support of it; and many Flint Federation members were on the picket lines with their former opponents. " . . . The Flint Federation of Teachers told the Flint Education Association the price for supporting the strike . . . was . . . the Flint Education Association would not press for an agency shop clause . . . the Flint Education Association made the deal" (Interview, Beer, January 14, 1977).

The two-day strike of 1966 was characterized by some confusion and irresolute leadership but resulted in a new three-year contract negotiated by the representatives from the Flint Education Association (Interview, Beer, January 14, 1977). Between the June strike and the opening of school the following September, the Flint Education Association called for unity and suggested merger with the Flint Federation of Teachers. The Flint Federation of Teachers, still remembering the election loss, and the fact that they had supported the Flint Education Associations' strike and then were closed out of another representation election by the three-year contract, rejected the offer (Flint Federation of Teachers Report, September 27, 1966).

During the Summer of 1967, cooperation and merger were again proposed, this time in a letter from the Flint

Education Association President to his counterpart in the Flint Federation of Teachers. The letter expressed the willingness of the Flint Education Association to make concessions which would draw the two groups together and strongly urged the Flint Federation of Teachers to begin talks about merger immediately. In June 1968, the Flint Education Association President's Annual Report offered yet another discussion of merger. The report cited the absolute need for the future to be the elimination of the split between the two groups (President's Annual Report, June 4, 1968).

Flint Education Association merger discussions continued internally during the Fall of 1968, with the thought that a merger could provide a way to avoid the bargaining challenge that was sure to come from the Flint Federation of Teachers when the three-year contract expired (Interview, Beer, January 14, 1977).

In February 1969 the Flint Federation of Teachers filed petitions calling for a new election. But talk of merger continued even during the election campaign as part of the Flint Education Associations' general platform. The Flint Education Association's position was that there would be no more costly election if merger occurred. " . . . There wasn't much point in spending all our time fighting to find out who was going to be the bargaining agent" (Interview, Cole, December 8, 1976).

The election, held on May 7, resulted in another Flint Education Association victory, this time by a margin of 921 to 600. After the election, the Flint Education Association issued a call to the Flint Federation of Teachers "to meet at their earliest convenience to discuss ways in which we can all cooperate to provide better teacher organization in Flint" (Flint Education Association News Release, May 15, 1969).

Although informal discussions of merger between representatives of the two organizations occurred immediately following the election, it was not until late in August that a confrontation between leaders of the two groups precipitated former merger negotiations. " . . . The Federation was approached by Louis Beer . . . Executive Director of the Education Association, who suggested a merger . . . to have a unified front . . . since the Federation had lost two elections . . . the handwriting was on the wall" (Interview, Keim, December 15, 1976; Beer, January 14, 1977). In early October 1969, six months after the second election, a tentative merger agreement was reported out of subcommittees of the Executive Boards of both organizations. And finally, on October 11, 1969, the members of both organizations voted overwhelmingly for merger, then immediately cemented the pact by going out together on strike. " . . . Let's not have two blocks here but one united front" (Interview, Revis, December 6, 1976).

Although the merger of the two organizations was subtle and a complex arrangement, with many causes and effects, several factors emerge which set the stage for merger. One factor was the intermingling and shifting of personnel from one teacher organization to another. For years before the merger, teachers representing both groups had constant contact with each other. An example of this contact occurred in the early 1960s when both organizations had sent representatives to a Joint Salary Committee which worked with the Board of Education. Often, teachers in one group had been members at one time of the other organizations. Some teachers had even belonged to both groups at once. Although there were teachers on both sides with deepseated antagonisms toward the other group, a significant number had enough contact with both organizations to form a tenuous bridge between the two groups.

An equally important factor in the eventual merger, at least for the Flint Federation of Teachers' supporters, was the complete reversal of earlier positions by the Flint Education Association in its attitude concerning the representation of teachers. The following sequence of events demonstrate the rapid evolution of the position of the Flint Education Association concerning the mission and obligation of the organization in the matter of negotiations (McGhan & Litz, 1970).

1. 1962, the Flint Education Association rejected the concept of a strike as a legitimate weapon in forwarding the cause of teachers.
2. 1965, the Flint Education Association accused the Flint Federation of Teachers of being strike-prone.
3. 1966-67, the Flint Education Association called a two-day strike.
4. 1966-67, the Flint Education Association discontinued the rhetoric of a teacher/administrator family and forced the latter to withdraw from the organization.
5. 1968, the Flint Education Association sought the endorsement of organized labor in its negotiations for teachers.
6. October, 1969, the Flint Education Association had merged with the AFL-CIO affiliated Flint Federation of Teachers, considered reciprocity with the maintenance unions, paid a complimentary visit to the picket lines of a UAW local, and called a strike for three weeks. (McGhan & Litz, 1970)

Although the Flint Federation of Teachers criticized the details of the activities and accomplishments of the Flint Education Association during the latter years of the decade, the basic attitudes and actions of the Flint Education Association during that time, up to and including the October 1969 strike, indicates that it had become a professional union.

The activities and public statements of the 1969 edition of the Flint Education Association were quite different from the genteel professionalism espoused by the same organization in the early sixties. The blurring of sharp distinctions between the two organizations was further aided by the practical issues set forth and supported by the Flint Education Association.

It is clear that the impetus for merger, starting about 1966, came from the Flint Education Association (Interview, Beer, January 14, 1977; Cybulski, December 15, 1976; Keim, December 15, 1976; Manley, December 15, 1976; Short, December 14, 1976; & White, December 12, 1976). Only after two defeats in the representative elections, and facing the prospect of losing members because of an agency shop clause, did the Flint Federation of Teachers find the idea of merger attractive. " . . . We would protect some of our interests in a merged organization" (Interview, Cybulski, December 15, 1976). " . . . The reasons for the merger . . . was to still have a voice . . . agency shop meant agency shop" (Interview, Manley, December 15, 1976). " . . . It was going to be an agency shop, and with agency shop you have to pay the complete dues and if you don't you have no vote" (Interview, White, December 13, 1976). It was a merger of necessity.

The Flint Education Association, however, was not faced with the critical threat that faced the Flint Federation of Teachers. In 1969 the position of the Flint Education Association was one of extreme strength. Two elections within a three-year period had resulted in nearly identical margins of approval of the Flint Education Association; neither group gained or lost ground. The Flint Education Association had won the right to

bargain for a new contract of up to three years' duration, and the agency shop clause it had committed itself to seek had been included in the contracts of other districts and was ruled legally binding by the state Tenure Committee and the courts. The Flint Education Association could deal with problems concerning teachers from a position of unchallenged power. " . . . won two elections, moving toward agency shop, size, power and prestige of state organization" (Interview, January 14, 1977); " . . . more members" (Interview, Clark, December 8, 1976); " . . . larger membership" (Interview, Heitzner, December 6, 1976); " . . . always been the dominate organization" (Interview, Keim, December 15, 1976); " . . . numbers was the main point" (Interview, Revis, December 6, 1976); " . . . it was dominant because we had more members" (Interview, Short, December 14, 1976).

The actual terms of the merger were outlined in a joint statement of October 8, 1969, issued by the Flint Education Association Director and the President of the Flint Federation of Teachers (United Teachers of Flint, News Release, October 8, 1969).

The two teacher organizations in Flint, through the action of their respective Executive Boards, have agreed to merge. The terms of the merger are as follows:

1. The newly merged organization shall be known as the United Teachers of Flint.



2. The UTF shall hold charters both for the MEA, the MFT, and the AFT, and the NEA.
3. All members of the UTF shall have dues deducted equivalent to the current FEA-MEA-NEA dues, and may be members of the MEA and NEA.
4. Any teacher who wishes to maintain an affiliation with the MFT and AFT may do so by paying an additional fee of one dollar per month. This is one-half of the MFT-AFT dues. The other half for each teacher so desiring will come out of local dues.
5. The UTF shall continue to operate under the Constitution and By-Laws of the FEA with two exceptions:
  - (a) Two additional members of the Executive Board will be selected by the current members of the Flint Federation of Teachers to serve until March when the regular elections will be held.
  - (b) The name of the organization will be changed as noted above.
6. All assets of both organizations shall become the property of the UTF. (1969)

In addition, the Strike Committee established immediately after the merger consisted of seven persons of whom three were from the Flint Federation of Teachers.

In view of the relative positions of the two organizations, several reasons for the merger are suggested.

The terms of the merger enabled the Flint Federation of Teachers to salvage some attributes of their organization. Although a merger would sacrifice the Flint Federation of Teachers' independence, it would preserve and institutionalize the influence and role of the American Federation of Teachers in Flint. " . . . The AFT members remained a group" (Interview, Revis, December 6, 1976). " . . . They felt a need for a more

radical, literal viewpoint to be represented" (Interview, McGhan, December 8, 1976). For the extra dues, the Flint Federation of Teachers would be able to retain individual affiliation with the organization and receive its publications, and they could continue to avail themselves of the American Federation of Teachers' insurance policies.

As part of the terms of the merger of the Flint Education Association and the Flint Federation of Teachers, teachers who wished could join the Federation Caucus. The Federation Caucus was a sub-unit of the newly formed United Teachers of Flint but was composed mainly of members of the old Flint Federation of Teachers. " . . . The Federation Caucus is a caucus within the UTF" (Interview, Parmelee, December 13, 1976). The Federation Caucus then was a continuation of the Flint Federation of Teachers. The Federation Caucus maintained its affiliation with the Michigan Federation of Teachers and American Federation of Teachers as well as with the local AFL-CIO Council. The Federation Caucus has a trustee on the Flint Greater Council of the AFL-CIO and two members on the AFL-CIO Membership Council. The members of the Federation Caucus keep in contact with the state Michigan Federation of Teachers and attend various workshops and seminars sponsored by the Michigan Federation of Teachers. Membership in the Federation Caucus is optional and open to any teacher in the Flint

Community Schools (Interview, Cole, December 1976; Cybulski, December 15, 1976; Heitzner, December 6, 1976; Parmelee, December 13, 1976).

The position of the Flint Education Association in terms of the merger is more complex and less easily identified than those of the Flint Federation of Teachers. " . . . just no way for them not to be the dominate organization" (Interview, McGhan, December 8, 1976). Rather than emerge from the merger as the only representative of the teachers, the Flint Education Association saw the merger as a savings of time and money by eliminating additional elections. The merger caused an increase in power and leverage with the Flint Board of Education. And perhaps most importantly on the national level, the merger provided the Flint Education Association a unique position of authority in dealing with both national teacher organizations.

Although the real strength in terms of size of membership and financial resources of the United Teachers of Flint was not greatly enhanced by the merger, the apparent strength with its psychological impact was greatly increased. The symbolism of the union served not only to increase the feeling of unity among the teachers during the long strike of October 1969, but it also served to give the Board of Education and the community of Flint a strong image of teacher solidarity upon

which to focus. The merger provided a much more sensible position for the organization in terms of the community in which it operates. A large segment of Flint's population were union members and an organization which is opposed to unions becomes removed from the people and resources of its community (Interviews, Baker, December 20, 1976; Beer, January 14, 1977; Cole, December 8, 1976; & White, December 13, 1976).

Additional impetus came from the fact that the United Teachers of Flint, as the first merged organization in the United States, had placed itself squarely on a course approved by significant elements in both national organizations (The Flint Journal, October 13, 1969). It could also enjoy the benefits of being the focus of nationwide attention (The Wall Street Journal, October 13, 1969; Christian Science Monitor, October 23, 1969).

#### Latter Years

Following the historic October 11, 1969, vote to merge the Flint Federation of Teachers and the Flint Education Association to form the United Teachers of Flint, the combined membership agreed to strike.

Louis D. Beer, Executive Director of the Flint Education Association, was quoted as saying "teachers probably will be on strike unless a new contract is settled this week" (The Flint Journal, October 8, 1969).

The old contract had expired on August 31, 1969, and teachers were working without a contract at this time. George T. Roumell Jr., acting as fact-finder for the Michigan Employment Relations Commission, in the contract dispute issued his report and recommendations. Among the major recommendations of this report were a proposed salary scale substantially lower than the Flint Education Associations' proposal and higher than the Flint Board of Education offer. Also the report proposed the agency shop clause, as asked for by the Flint Education Association, and suggested that class size remain the same as it was and subject to binding arbitration in the future. The Flint Education Association requested a teacher-pupil ration reduction from 30.9 to 1 to 25 to 1. The Flint Board of Education refused to agree to this reduction and rejected the fact-finders report (Board of Education and Flint Education Association Report of fact-finder, October 3, 1969). On October 11, 1969, the newly formed United Teachers of Flint voted 1,045 to 55 to go out on strike (The Flint Journal, October 11, 1969).

On Monday, October 13, 1969, all fifty-five schools were closed, and twenty-four hour-a-day picketing began. The Michigan Federation of Teachers News of October 12-18, 1969, quotes teachers as saying "we shall not be moved."

During the period of the strike, the Board of Education attempted to operate the schools by opening the buildings and offering movies and athletic activities for the pupils. Many teachers felt the buildings should remain closed and suggested the maintenance staff honor the picket line. This suggestion was debated heavily both locally and nationally between the Michigan Education Association and the American Federation of Teachers and a decision not to seek maintenance personnel support was agreed upon.

. . . They agreed mutually at that time not to honor other people's picket lines and not ask others to honor theirs, particularly the Service Employers Union at that time . . . all those teachers painted picket signs, put AFL-CIO and the number of the AFT on them, and people started honoring it. . . . The feeling among the teachers was that they wanted the schools shut tight. . . . The only way to do that was to have the maintenance people honor the picket line. . . . After a great deal of intense debate and discussion, it was decided not to do that. . . . There was a fairly indirect or intensive confrontation between the MEA and AFT staff at the state and national levels over that issue. . . . Terry Herndon came down and had breakfast with me and the President of the Association and took the very strong position that he regarded this as a policy and one of the key policy differences between the MEA and the Federation. . . . June Pfeigher, who was the state staffer for the AFT, was in town strongly advocating the opposite position. . . . The one who Shanker beat . . . did not arrive until it was all over and expressed general disappointment with the action that was taken. (Interview, Beer, January 14, 1977)

Mr. Robert Craig, President of UAW Local 741 in Flint, filed a suit in Circuit Court on Wednesday, October 22, 1969, asking that an injunction be issued

against the striking teachers and against the Flint Board of Education. Mr. Craig claimed that the strike by the teachers was illegal under Michigan law. In addition he claimed that the acts of the Board of Education were illegal because the Board of Education had failed to seek legal redress against the teachers and had refused to bargain collectively with the Flint Education Association (The Flint Journal, October 22, 1969). However, no action was taken on this suit because the strike was settled on Friday, October 24, 1969, and teachers returned to their classrooms the following Monday. The terms of the settlement basically revolved around the acceptance by both teachers and the Board of Education of the recommendations made by fact-finder George Roumell, Jr. representing the Michigan Employment Relations Commission.

The period following the strike of 1969 to the present can best be described as one of relative calm. During this period the United Teachers of Flint has continued to take on the status of a union and function in the role as the sole bargaining agent for teachers in the Flint Community Schools. In a city with a long history of unions it has become increasingly important for the United Teachers of Flint to bridge the gap between the ideas of teachers as being not union-oriented and the economic realities of needing some form of

collective bargaining for teachers. This rapport between teachers, community, and unions seemed to be developing smoothly until September 1, 1976.

On September 1, 1976, Local 591 of the Service Employees International Union (SEIU) called a strike of the maintenance personnel of the Flint School System. In September of 1973 the United Teachers of Flint and members of Local 591 had signed an agreement to honor each other's picket lines. In the same month, September, 1973, the teachers again briefly struck for what was called a "professional holiday" and members of Local 591 honored the teachers' picket lines. This strike was over the issues of in-service days and a quota system for a minimum number of black administrators that would be eligible for administrative positions within the Flint Community Schools.

Under the 1973 agreement respect for the picket lines must be decided by a majority vote of the members of the teachers' organization or the union. However, Local 591 did not vote on honoring teachers' picket line, but followed the United Teachers of Flint Executive Board recommendation not to cross the picket lines.

In the 1976 strike by Local 591, the Executive Board of the United Teachers of Flint would not order the teachers to honor the picket lines but instead maintained it was up to a vote of the teachers. On



September 8, 1976, the teachers would meet to vote on honoring the picket lines. Prior to the vote Superintendent of Schools Peter Clancey indicated that teachers who honored the picket lines would lose a day's pay for each day they missed work. The teachers voted 432 to 261 not to honor the picket lines of Local 591 (The Flint Journal, September 1, 1976).

Local 591 reminded the teacher organization of their 1973 agreement and the honoring of teachers' picket lines by Local 591, and asked the Executive Board to instruct teachers to honor the strike. The Executive Board said it could not order teachers to honor the picket lines, however, the Executive Board agreed to call for another vote by the teachers. At the same time, the two national teacher organizations, the National Education Association and the American Federation of Teachers, urged the teachers in Flint to honor the picket lines of Local 591. However, the teachers in a vote of 968 to 749 again chose not to honor the picket lines. After this vote, Local 591 indicated it did not want or would not seek the support of teachers any longer (The Flint Journal, September 17, 1976).

The possible damage to teacher-union relations because of the failure of Flint teachers to honor the picket lines was stated in a letter to the United Teachers of Flint. Ray Lord, President of the Executive

Board, Chevrolet United Automobile Workers Local 659, stated that the teachers made a serious mistake in not honoring the picket lines of the school service workers. This action by teachers could result in long-range repercussions on teacher and school support by the rank and file union member (The Flint Journal, September 13, 1976).

The Service Workers agreed to a settlement of their strike on September 23, 1976. Following the settlement, Jack R. Johnson, President of the Greater Flint AFL-CIO Council, expressed the sentiments of that organization in an open letter to the United Teachers of Flint published in Interaction, the official newspaper of the United Teachers of Flint. Mr. Johnson admonished the teachers by saying:

How any organization that purports to be a representative of employees could even think of such an act is reprehensible, but to actually do it, constitutes anti-labor and anti-union practices that cannot be condoned. . . . Your organization's attitude indicates that you are not and never have been a feeling working part of this (the labor movement) tradition . . . and we have no choice at this time but to remove the UTF from our list of labor organizations. . . . Any organization that . . . thinks only of itself, cannot progress in the world of labor representations, but will ultimately fall of its own weight. (Interaction, October 26, 1976)

At this time there is no accurate measure of how organized labor will react to an appeal by teachers to support education. Since nothing has occurred in Flint which can be used to gauge union sentiment, any comments would be only speculation. However, one observation

could serve as a measure of sentiment "there will be no cooperation with the AFL-CIO-UAW regarding Flint teachers . . ." (Manley, December 15, 1976).

### Summary

Teacher organizations in the Flint Community Schools began in 1914 with the establishment of The Flint Teachers' Club. This organization was formed to better the conditions of teachers of that time and continued to exist until 1956 when it became the Flint Education Association. The Flint Federation of Teachers was established in 1935. These two organizations vied for representation rights for teachers until a decision to merge was made on October 11, 1969. This merger was the first for local affiliates of the rival National Education Association and the American Federation of Teachers. The combined organizations became known as the United Teachers of Flint. The conversion of the NEA and the United Teachers of Flint from a purely professional Association to a vigorous proponent of collective negotiations was dramatic evidence of the profound shift in teacher-thinking. The conversion to a union-oriented organization in a highly union-organized city such as Flint was a dramatic shift from previous positions of anti-union sentiment by teachers. The drive for collective bargaining in Flint was an outgrowth of and part

of the broad national movement of teachers to better their economic status and assume more formal voices in policy making in the school system.

## CHAPTER V

### OVERVIEW, CONCLUSIONS, AND RECOMMENDATIONS

#### Introduction

Collective bargaining has developed as our society has become more urbanized and the rights and powers of the individual have become greater issues in our society. The collective bargaining process is a decision-making process involving people and the power of the collective negotiations process is in cooperative decision-making.

The collective bargaining process in education is a method through which teachers expect to challenge the fixed and finite powers of boards of education and administrators. Teachers hope to gain through collective action that which they are unable to gain as individual teachers.

With the advent of collective bargaining negotiations, teacher organizations became increasingly active in the political sphere. The purpose of such activity was threefold: to bring about a local climate favorable to collective negotiations on the part of the school

board; to engender support at the state level for the enactment of the necessary legislation; and lastly, to bring pressure to bear on the school board during the onset of actual negotiations. The fact that public employees constitute an increasing proportion of the total labor force has greatly increased the potential impact of such involvement.

The current form of the teacher drive for recognition through local organizations represents a force on the educational scene. Teachers have long sought recognition in part through organizations, but unlike earlier forms of teacher organization activity, the current emphasis on negotiations has its major input at the local level.

Two organizations were formed to represent teachers on the national level--the National Education Association and the American Federation of Teachers. Although there has always been an intense rivalry between these two organizations, their positions regarding collective bargaining have been changing. In addition, the original lack of agreement between the two organizations has diminished so that the positions of both groups are similar.

During the period of 1935 to 1969, both the Flint Education Association, the National Education Association affiliate, and the Flint Federation of

Teachers, affiliated with the American Federation of Teachers, existed in the Flint Community School System. In 1969 members from the Flint Education Association and the Flint Federation of Teachers combined to form a single organization known as the United Teachers of Flint. This was the first merger between affiliates of the National Education Association and the American Federation of Teachers in the nation. The evolution and development of teacher organizations and the collective bargaining movement, together with the co-existence and eventual merger of the two teacher groups within this single school system, served as the basis for this study.

The remainder of this chapter is divided into three sections. The first will be devoted to a review of the organization and procedures of the study. Secondly, the author will present observations and conclusions. And finally, recommendations will be offered for consideration.

### Overview of the Study

The objective of this investigation was to trace the history of the collective bargaining movement in the Flint Community Schools. To achieve this objective, the conventional historical process in which all known sources of information pertinent to the subject were examined. The research utilized the primary investigative techniques of documentary search and interviews.

The first chapter develops the basic assumptions and operating techniques for the remainder of this study. Basic assumptions need to be clear before proceeding, for to skip over or ignore this task may lead to compound problems later. That an assessment of the similarities and differences between the two teacher organizations is necessary and possible and that the co-existence and merger of the two groups in the Flint School System symbolizes these similarities and differences are the underlying assumptions upon which the investigation was based. To substantiate such assumptions, a literature review was completed and was reported in Chapter II. Recapitulating some of the information derived from the review, the collective bargaining movement, in spite of criticisms (some deserved), is a complex and many faceted happening and has lived through a number of phases in responding to educational and societal pressures and should continue to evolve in the next decade in a socially desirable fashion.

Information gathered from writers and researchers revealed that the focus and intensity of interest in collective bargaining has varied according to the concerns of the assessor. The analysis exhibited three major time frames for attention: (1) the national antecedents of teacher collective negotiations,



(2) national developments in the 1960s, and (3) the drive for enactment of state laws.

Chapter III details the methods and procedures followed during this study. A major portion of the research utilized the primary investigative techniques of documentary search and interviews. The focus of investigation was former and present teachers and administrators in the Flint School System, representatives of local organizations, the Michigan Education Association, and Michigan Federation of Teachers, and literature and documents which provided information about the events being studied.

The heart of the study, however, is the fourth chapter. Information from the participants interviewed and documents examined are organized and analyzed. From this kaleidoscope of events influencing the collective bargaining movement, five major time frames for attention were established: Genesis of Teacher Organizations, Initial Drive for Collective Negotiations, Mid-Stage Developments, Period of Merger, and Collective Negotiations in Latter Years.

The fifth and final chapter summarizes the study, offers some conclusions, and suggests recommendations for consideration.

### Conclusions

It is somewhat difficult to separate these subjective conclusions which one has gathered as the result of such a study from those objective conclusions which are supported by the information. Objectivity becomes a large problem as one sorts the subtle feelings gathered through reading the literature and from impressions gathered through interviewing the participants. In hopes of preserving some separation of fact from feeling, conclusions offered should be viewed from three perspectives: (1) those conclusions supported by the information of the study, (2) those conclusions gathered through research of the literature on collective bargaining, and (3) those wholly subjective conclusions arrived at by the writer as a result of conducting the investigation.

1. The conversion of the National Education Association in the 1960s from a purely professional association to a vigorous proponent of collective bargaining was dramatic evidence of the profound shift in teacher thinking.
2. There is little difference between the National Education Association and the American Federation of Teachers in terms of collective bargaining and the rights of teachers to use collective action as a tool in achieving their goals.

3. Teachers' drive for collective negotiations in the Flint Community Schools was an outgrowth of and part of the broad national movement of teachers to better their economic status and assume some formal voice in policy-making in the public schools.
4. The purposes of teacher organization in the Flint Community Schools have been to organize teachers into an effective body; to work for teacher benefits of tenure, insurance, and fringe benefits; and to satisfy professional needs of specific teacher groups.
5. The Flint Federation of Teachers was organized to serve teachers who felt the Flint Education Association was too professional and not sufficiently militant in pursuing teachers' benefits, while the Flint Education Association (Flint Teachers' Club) was organized to pursue the professional needs of teachers in keeping with the National Education Association policy on professionalism of teachers.
6. The amount of organizational rivalry between the Flint Education Association and the Flint Federation of Teachers affected the development of the collective bargaining process.

7. Public Law 379 mandated collective bargaining for public employees and thrust the Flint Board of Education and the Flint Education Association and the Flint Federation of Teachers organizations into collective negotiations.
8. The historic merger, which combined the Flint Education Association and the Flint Federation of Teachers under the title The United Teachers of Flint, was the result of the Flint Education Association victories in the representative elections of 1966 and 1969 and the inclusion of an agency shop clause in the 1969 teacher contract by the Flint Education Association.
9. The emergence of the Flint Education Association as the dominant teacher organization (in two representative elections) seems to be contrary to what might be expected in a labor-oriented area such as Flint. Although the Flint Federation of Teachers was union oriented and would be expected to be the successful teacher representative, the less militant Flint Education Association was selected as the sole representative for teachers.
10. The Federation Caucus was formed as a result of the merger to retain the identity of the Flint

Federation of Teachers within the United Teachers of Flint and to insure the United Teachers of Flint would honor its commitments to teachers.

11. The environment in which the collective bargaining process emerged and functioned in Flint influenced the direction of the United Teachers of Flint. The AFL-CIO-UAW was and still is an important element in the community. Any teacher organization that is to be successful in Flint must not reject the concept of unions.
12. The potential damage to teacher-union relations because of the failure of Flint teachers to honor the Service Employees International Union (SEIU) picket lines in 1976 and the implications on future support of education could be far reaching.

#### Recommendations

1. Research should be conducted to ascertain the value of the Federation Caucus as part of the United Teachers of Flint.
2. The United Teachers of Flint should continuously examine its relationship with local organized labor and attempt to maintain labor's support and assistance.

3. There is a need to recognize the importance of the school service and maintenance employees as an integral part of the total collective bargaining process.
4. There is a need for research into Flint voter opinions regarding the activities of the United Teachers of Flint in collective bargaining for teachers.
5. There is a need for research to determine the role or the contribution which sub-units can make to the larger teacher organization at the local unit level.

## **APPENDICES**

**APPENDIX A**

**INTERVIEWEES**



## APPENDIX A

### INTERVIEWEES

Baker, Elizabeth N. Legislative Representative, Michigan Education Association, East Lansing, Michigan, 20 December 1976.

Beer, Louis D. Attorney, former Flint Education Association Executive Secretary, Bloomfield Hills, Michigan, 14 January 1977.

Brandt, August E. Director, Government Relations, Flint Community Schools, Flint, Michigan, 9 December 1976.

Clark, Verna. Membership Secretary, United Teachers of Flint, former teacher in the Flint Community Schools, Flint, Michigan, 8 December 1976.

Cole, Ernest P. Past President of the United Teachers of Flint, Flint Community Schools, Flint, Michigan, 8 December 1976.

Cybulski, Harry. Past President of the Flint Federation of Teachers, Teacher, Flint Academy, Flint Community Schools, Flint, Michigan, 15 December 1976.

Heitzner, Richard S. Public Relations Director, Mott Community College, Flint, Michigan, 6 December 1976.

Huber, Lawrence A. Assistant Director, United Auto Workers, Region 1-C, Flint, Michigan.

Keim, Harold. President of the United Teachers of Flint, Flint Community Schools, Flint, Michigan, 15 December 1976.

Linne, Henry B. President of the Michigan Federation of Teachers, Detroit, Michigan, 3 March 1977.

Manley, William J., Jr. Past President of the Flint Federation of Teachers, Trustee of the AFL-CIO Council for Genesee, Shiawassee and Lapeer Counties, teacher at the Potter Elementary School, Flint Community Schools, Flint, Michigan, 15 December 1976.

McGhan, Barry R. Former Newsletter Editor, Flint Federation of Teachers, teacher, Alternative High School, Flint Community Schools, Flint, Michigan, 8 December 1976.

Parmelee, Freda C. Former President of The Teachers' Club, retired teacher from the Flint Community Schools, Flint, Michigan, 13 December 1976.

Revis, Robert L. Director of Research and Testing, Flint Community Schools, Flint, Michigan, 6 December 1976.

Short, Allan J. Legislative Representative, Michigan Education Association, East Lansing, Michigan, 14 December 1976.

White, Muriel. President of the Federation Caucus, Teacher at the Potter Elementary School, Flint Community Schools, Flint, Michigan, 13 December 1976.

1. What prompted the Michigan Education Association to establish a unit in the Flint Community Schools?

**Baker:** It was inevitable that the MEA would move into Flint the way that it did, because it always had a field staff in that area. When the two groups merged during a crisis situation, it was an opportunity for the MEA to demonstrate the kind of resources and services it had. These were better than the kind of services and resources that the Federation could offer. At that point, the MEA demonstrated to the teachers in Flint that it was supportive, responded quickly to their needs, and moved in to participate in the merger.

**Beer:** No response.

**Brandt:** No response.

**Clark:** The MEA was here first. The membership count was more than the Federation's was. The MEA was here in 1928. I don't know exactly when.

**Cole:** The MEA's goal is to organize every teacher in Michigan to become a part of MEA and NEA. We have what we call the United Profession membership, in which teachers belong to their local MEA and NEA. This gives us greater strength. They organized in Flint because they were organizing teachers everywhere.

**Cybulski:** No response.

**Heitzer:** No response.

**Keim:** This was before my time, but, in most cases, administration-type units were begun. It was more like teaching clubs instead of unions. I assume that was true in Flint also. When I first started teaching, there was strong pressure from principals to join the MEA.

**Huber:** No response.

**Linne:** Let me backtrack a little bit on the Michigan collective bargaining law, because there is a little history on this one. The Michigan Education Association for years was opposed

Linne continued:

to collective bargaining. In 1964, when the union people got wind that the United States Supreme Court was going to come down with its ruling on the one man, one vote issue, and it looked as though it was going to be favorable, that is when we really got the thing in order to go for 1965. It was coupled with putting the thing together, but making a very good political effort in 1964 to take advantage of the change in the apportionment. That was successful, and the following year we came in with two sets. One was a comprehensive labor relations act. . . . Secondly, there were amendments to the state mediation act and to the Hutchinson Act which at that time was the anti-strike provision for public employees. The MEA came in with their own bill, which was House Bill 2450. They called it their Professional Negotiations Bill. It had a completely different structure that would have been established through the Department of Education and would have only applied to teachers.

McGhan: One of the things the MEA had was their ability to act as a lobbying organization. The more statewide support there is, the more members there will be around the state. The more money there is the more lobbying can be done. For a long while, all the MEA power was in the area of lobbying. There wasn't any collective bargaining law until 1966. As far as outright union activities are concerned, the MEA had not philosophically "tuned in" to it in the first place. Secondly, there wasn't any status for union activity. So, joining the MEA has to be a professional obligation of a teacher. Also, there are a lot of benefits that go along with that. Every fall we had a two-day workshop to go to Lansing or a big meeting in Flint (in-service meetings) to advance the profession.

Manley: They tried in all the school systems. The administrators all belonged, and this is how it came into being. There was no particular Federation at that time.

Parmelee: No response.

- Revis:** The MEA has been, historically, the large unit in Michigan. The MFT was strong in Detroit, Dearborn, and in urban areas. I suppose it is odd that, since this is a big suburban area with UAW, the MFT never seemed to get too strong here.
- Short:** Most people joined to form communications. The MEA was formed by a number of people who wanted to have some power with the legislature. The average state of the EA or NEA started for one purpose, and that was to lobby before the state legislature to express their concerns. Bargaining was way down the road. So in Flint, it was a group of teachers and administrators meeting to share concerns.
- White:** I believe the MEA has been here since 1917 or close to that. The Federation, the same or before.

2. How could the Michigan Federation of Teachers establish a local unit in the Flint Community Schools when an already established unit of Michigan Education Association existed, and why could teachers join either?

Baker: No response.

Beer: No response.

Brandt: No response.

Clark: By merging. This was before we had a master teacher contract, before we had a bargaining agent established for the teachers. Both were bargaining. The Federation would present their salary schedule to the Board and the Flint Education Association would present their salary schedule to the board. At times, it would seem that it was almost a game between the organizations. The board would be playing to determine what we would get.

Cole: No response.

Cybulski: No response.

Heitzner: No response.

Huber: No response.

Keim: No response.

Linne: This was one that was in effect prior to 1965 in the collective bargaining act. You already had two teacher groups who had been in existence for a long time. The Flint local, which is Local 435, was one of the originals that organized with the Federation in 1935, so they have been in existence for a long time. The Flint Education Association was the majority unit because, during the 1940s, the Michigan Education Association had a nice little thing going. Usually, the membership chairman was one of the principals or maybe, the superintendent. They had a gimmick going. Any building in which everybody . . . belonged [to the MEA], got a little plaque [with] "100% MEA" on it. The principal was the one who wanted to hang that plaque in his office. You had quite a bit of pressure for joining. This was our big problem in organizing Federation Units in Michigan. Throughout its entire history, [the Federation] always came in and tried to challenge, . . . overtake, and replace a previously existing unit.

McGhan: Both organizations have been around for a long time. Local 435, MFT unit members, went way back into the thirties. It started in 1935 or 1936, around the time there was all the labor upheaval in Flint in the automobile plants. It is connected historically with that. Joining the MEA is mandatory, teachers cannot join just one. Then they can opt for the additional amount of money that is entitled for the MFT benefits, i.e., getting a newsletter and insurance. Before the two unions merged (pre-1966), there was no collective bargaining and neither union had any power over the other one. They were both professional employee organizations, and the School Board, I suppose, was required to recognize them. There was another organization in existence. It was comprised of Mott Community College instructors. Mott used to be run by the School Board for a long period of time. Some of the instructors were Federation members. The FEA and the American Association of University Professors were also around, not exactly as bargaining agents, because nobody had any power to be a bargaining agent then. They were as a group who would sit down with school representatives and talk about teacher salaries and other things. There was a lot of talk and not very much action before teacher organizations in 1966. Then, between 1966 and 1969, the FEA people thought they had won the bargaining election and wanted to get rid of the Federation. They wanted to make it impossible for that organization to exist. That never happened. There was another bargaining election in 1969, and the Federation lost the second time. It was invited by the FEA to form a new organization. It has been traditional, you might say. Joining more than one organization was allowed.

Manley: This is just it; this is how the association or teaching profession started, it went hand in hand. When you talked with the principal, when the drag was on and you didn't get 100 percent, look out. You can see by this that their 100 percent belonged to the MEA-NEA organization. So,

Manley continued:

from that, some teachers became disenchanted and disagreements arose over various objectives. They decided to try to develop a format or some direction, whether it be an independent or other organization, such as Teamsters. The charter was then granted by Guy Yiester or Vera Reeves, President at the time (early thirties), for the Flint teachers, which is Local 435 of the AFT Chapter. We had both organizations, but when the PL379 came out, we had a bargaining election to see which group would then represent the Flint Teachers. At that time an election was held, and there was a three hundred-vote difference for the association. After that contract expired and within the legal time, they also had another election. I was President at that time and Harry Cybulski and I were co-workers for the Federation to try to overthrow the association. There was, surprisingly, a three hundred-vote difference again. It seems that no matter what we did, it was the three hundred difference. The correlation recently was that the maintenance people support this, and with that reciprocal agreement, the vote total again was three hundred votes. So what can we do? If you know, tell me, because I don't know. We can't seem to crack the nut.

You can have it taken out of the payroll or have it in cash. Just stipulate which way you want it to go. But everybody has to belong to the three organizations, the UTF Local, MEA, and NEA. Now, the other is optional. If you want to belong to the MFT and AFT, they will take money out of local dues to pay for it. As I say, we have one hundred and twenty-six out of the two thousand that want to belong to both. This was before the closed shop. When the closed shop came into being, and two contracts ago, this meant that you had to belong to the bargaining unit itself. So, you cannot belong to the AFT by itself.

Parmelee: The MEA was already here, you see. As far as they were concerned, they have always outnumbered the Federation. As far as the real MEA was concerned, it was really just



Parmelee continued:

a formality. The only people who really paid much attention to it were people who wanted to get into administration and get into another job in another city. The Federation of Teachers had always been in the minority, but we had the more active people, or activist, I would say, in the Federation until we had that 1966 strike. The MEA was beginning to lose teachers. The classroom teachers had membership in the MEA for just a nominal fee; I think it was \$2.50. When I first came, I think it was \$5.00, but they just took that out of our paychecks. They didn't ask whether we wanted to be a member; we just automatically were. The Federation changed that. Some people belonged to both organizations, because they wanted to be in good with both sides. Some of us separated entirely from it. MEA was beginning to lose so many members because other towns were organizing. Detroit was organized before Flint was, also Pontiac. They had always had a classroom division; and, after that, they began to be very aggressive. I think they are out-unioning the union. They have become a lot more radical. They use to be ultra-conservative.

As I said, there had been a time when they didn't even ask whether we wanted to join the MEA. Then in the late thirties, when the Federation was organized, they got their members by taking MEA dues out in October when they had their annual meeting or convention in their districts. After the Federation had been going for a little while, I think it was the first or second year I was President, we decided we would have our meeting at the same time the MEA was having their meeting. We used to meet in Saginaw one year and Flint the next. It happened that year that it was in Saginaw, and we had our meeting in Flint. It was a very rainy day on the Thursday that we had the meeting. The Board of Education was requesting that the teachers' names be listed and enrolled when they attended a meeting in order to check whether or not they were attending. We had a whole auditorium full of people. A lot of teachers

Parmelee continued:

came to our meeting instead of driving to Saginaw in the rain. We had an unusually good speaker during that time whose name was Brummell. We had a young man appear who was from the urban league. He was very good. We always had our meetings in Flint. Some people came to our meetings, even though they belonged to the MEA. It was always kind of a loose organization, and nobody told them they had to belong to either one. The Federation's dues was a little higher than the MEA dues, which made it a little difficult. Some of the people didn't join because of the higher dues. Our dues were ten dollars, I believe.

Revis: No response.

Short: Before 1965 there weren't any laws governing organizations, so any group could go in there and seek membership; in fact, dual membership was allowed. For a long time, teachers belonged to the MEA and also to the Department of Classroom Teachers. A teacher may have belonged to the Mathematics Teachers Association or the Music Teachers Association. There weren't any rules. Then, in 1965 with the passage of law, they had to have one bargaining agent, a minority agent. They just couldn't bargain. It was very possible that a group could have the bargaining rights, and a splinter group could be formed at the same time and have membership. However, they couldn't deal with the school board and bargain a contract. Before they passed this law in 1976, if there were two units, an EA unit and a Federation unit, they were both at the table. (EA means Education Association Unit.)

It was a matter of each organization seeking membership and whether teachers were willing to pay dues. It was free choice. The Flint Education Association had the bargaining rights in 1965. To do that they had to have the majority of teachers. The only way another unit could gain bargaining rights, after getting the majority, was to have a challenge, secure 30 percent of the teaching personnel on

Short continued:

authorization cards, and petition the MERC to have an election. There can only be an election from sixty to one hundred twenty days before the expiration of a contract. If there is a one-year contract, there is an election each year. If there is a three-year contract, there is one every three years to challenge the bargaining unit.

White: I felt that before we actually had a state collective bargaining law, each group had its own little negotiating team that worked out what was important to each group. I believe some of the things were very similar, except that the Federation has always had excellent people in math. We have had an index for our pay scale, and the index was there before we even had a contract. An actual written agreement existed before the collective bargaining law went into effect. We had a very good index that raised the teachers' pay each year. I believe we had twelve steps at that time. Now it would be the bachelors degree plus fifteen, masters plus fifteen, masters plus thirty, and that is what we have today. We also had at that time a specialist and a doctoral degree. Those are no longer in our contract. We have a clause at the bottom of our contract that says if you have a doctorate you will receive \$300 more per year than a person with a masters degree plus thirty semester hours. I think the Federation team that went in was a very strong, determined team. I really don't know about the MEA team at that time. Some of the Federation team have been on the negotiating board since then and have done a tremendous job. Some have felt that it was a futile thing to do. I don't feel that way. I would always vote for the negotiating board and team. I feel that when writing a contract, the most important thing is children. I realize teachers want protection and teachers' rights, but I don't think you will ever get these things without the cooperation of the community. The community better understand that you are for their child.

3. Why did the Flint Education Association emerge as the dominate organization?

**Baker:** There were more MEA members than FC members. That being the case, in most representation elections the EA came out as the dominant representative organization. In this case, because there were more EA members in Flint, they had the majority rule on the local executive board.

**Beer:** Well, because they had won the two elections and were moving toward agency shop. The other reason they emerged as the dominant organization is the size, power, and prestige of the state organization. The fact of the matter is, the Michigan Federation of Teachers never got off the ground because they were dominated by Detroit. Almost a majority of their members and their officers, the power, came out of that one giant Federation.

**Brandt:** No response.

**Clark:** We had more members, for one thing, and this was partly my feeling of all teachers at that time. The numbers were greater for professional membership in MEA, NEA, and the FEA because that was an education association. Membership seems to be meeting the professional needs of teachers, the curriculum planning for children, and things that we wanted in education. I think a lot of people at that time, and in the early years past, who were not in labor or in labor-related families, were looking for professional membership rather than union labor-oriented membership.

**Cole:** I think it has to do with the nature of people who have gone into teaching. A large percentage of the teachers in the recent past, and, I suspect today, who have gone into the teaching profession are from the laboring class, the lower middle class and the upper laboring class. Stepping up from a factory family existence, stepping up to the kind of life that is possible with a college degree and professional status in the community, made quite

Cole continued:

conservative folks out of teachers in the past. They have a history of being very conservative. The MEA-NEA image in the past has been much more conservative than the MFT-AFT.

Cybulski: It goes back to the idea that teachers feared the image of the FFT as a union. They felt more comfortable being in an organization that was not affiliated with labor. In a city such as Flint with a strong union background, and the UAW being as powerful as it is, I still haven't figured out why teachers would fear a union.

Heitzner: I guess the MEA emerged as the dominant organization, as opposed to the AFT, because of a history of having the larger membership. Traditionally, I think the teachers in the Flint System could be described as conservative in nature at least in the forties and fifties, and did not want to associate themselves philosophically with what they considered to be traditional labor unions. Even though MEA became an official collective bargaining unit, in effect was a union, I suppose the MEA still had the image of a professional association. The teachers, based upon history, decided to stay with that organization, because it gave an image more closely identified with what they had traditionally known.

Huber: No response.

Keim: Going as far back as I can remember, the EA has always been the dominant organization, because they had the numbers. At the time of the first vote for bargaining, which the Federation asked for, the Federation had about three hundred seventy-five members, and the EA had fourteen or fifteen hundred. So, when it came to a vote, even though the Federation might get twice as many votes as they had members, they still lost the votes. Again, I think it is because of women, elementary teachers felt more comfortable with a professional organization.

- Linne: We had a number of problems. Flint has a great deal to do with the Mott Foundation. I remember the consent hearing on one. I didn't attend it, but the report on it lasted thirteen hours, and I remember a saying of the people in Flint at that time, "In Flint, you never know where Mott is not." It took them a long time to agree on which groups were Flint employees and which ones were Mott employees and which ones should be in the unit. It turned out that there were about 2,000 persons that were eligible to vote. If I recall correctly, Flint Education Association had 1,300 or 1,400 members at the time. The Federation only had 142 members. Yet, the difference in the vote in each of the two succeeding ones was less than 150, and, if they had switched, they could have won. There was a margin of about 250 or 300 votes each time. So the Federation, polling 700 and some votes, received support way beyond the numbers paying dues.
- McGhan: I think the reason is that it won both of the elections. It didn't win by tremendous margins. I think the vote was 1,000 to 700 the first time and 900 to 600 the second time. It wasn't a 14 to 1 victory for them. They are larger, had more members and more money. There was just no way for them not to be the dominant organization. The only way that could change would be if former FC members, who are now in the Federation Caucus in the UTF, to rise to power in the new organization.
- Manley: There are two factors. One is that it was established for so long that it became a tradition to belong to the teaching organization, and many people felt that the other organization was comprised of other people who were beneath their dignity, such as fire fighters, you name it. As long as they were teachers, they felt they didn't want to belong to any organization other than a teacher organization. The other reason was "professional."

**Parmelee:** They had the election to see who would be the bargaining agent, and the MEA won. This gave them the advantage the first time. I was no longer president after that. We had a teacher, who was present then, named Vera Reeves. She was president at that time. Also, there was a man from the junior college named Guy Yiester who was president at one time and another woman named Rita Hinch. She taught at Central and went to the junior college. The junior college was under the direction of the Board of Education of Flint. It has only recently become a county college.

**Revis:** They had the Federation outnumbered nearly nine to one, and one remained as the dominant organization, particularly from the numbers standpoint. Numbers was the main point. If the Federation had two hundred members and the MEA had eighteen hundred members and we go together, the numbers will stay ahead of you for a while. Like the democrats and republicans right now. If you have them outnumbered you should win. If you do your homework, you will continue to win.

**Short:** It was dominant because we had more members. If you look at the Flint teaching structure and the makeup of the membership, we always had the majority. The Federation had what we called the "Young Turks," the aggressive people, the people who wanted to move, the people who would naturally be leaders. In fact, Flint has a wild history. Back in 1972, in the last strike, there was a young leadership group. They didn't represent the Association. It became very apparent during a couple of the ratification meetings. As we moved through the strike and into the ratification of an agreement, there was a big majority, who had formerly been in a leadership position, who suddenly emerged to try to get some things through. In fact, one of the strangest things I have ever experienced was in 1972 when we presented that package to the committee. They had a twenty-five-member UTF bargaining committee. The majority report to the membership turned down the contract. The minority report was to accept the contract.

Short continued:

The minority report had the head bargainer, Jim Hobson. The President was Brian Vieheisn. The first vote taken was to turn down the contract. They challenged it because they allowed people into the hall who were not members of the UTF. So, they chased everybody out and went back to the office to find the membership list and put it on the radio in Flint to get people back into the hall to take a new vote. People were checked as they came into the assembly. They voted to accept the contract. Then a flaw developed. We couldn't get back into school that day and called the Augie Brandt, who was the head negotiator for the Flint Schools, and the superintendent. We said we can't meet our agreement this day to get back into school, and they agreed. Just about this time, there was a movement in the Flint teachers to revoke that contract and to turn it down. That failed and everybody was back in school the next day. Then the membership out there turned that leadership out of office, which was former Federation members. They were the younger members (what I call "progressives") who had a lot of very progressive ideas. They came back with an old leadership that had been in office previously. They said they had dropped out for a couple of years because they got tired of participating in all the activities and committee meetings. It went from one extreme to the other. These people were MEA members who had also been active in the movement (FC). Flint has had a varied history. Leading up to the present year and what happened this fall in Flint--the old leadership, back in '72-'73, made an agreement with ASCMEA bus drivers, service employees in the Flint system, that, if one group was on strike, the other would honor the picket lines. In the '72 strike, the ASCMEA honored the UTF picket lines. In fact, it cost them several days' pay. ASCMEA was on strike this fall, in September, and the UTF didn't honor the picket lines. The new leadership, which wasn't in office in 1972, dishonored that agreement. That is the difference in people in office. The internal workings of



Short continued:

the Flint Association are well worth the study because they are as varied and diversified as any group you will find in the state of Michigan. One block of leaders will suddenly emerge and take over the presidency and different committees. They will go about so long, and, all at once, the group will decide they want another type and move another group in there. The others will be completely out for a while and just wait in the back. This is always in the Flint group, this discontent. Then a Federation unit or another group is formed to get back at the leadership. Flint has always gone through this turmoil, and it is not settled today. As far as staff people, they just have been in and out of there on a two-year tenure.

White: By two hundred votes; I think by sheer numbers, and I think some of the teachers were misinformed. They did not want to be associated with labor, and I see no reason for objecting to this. There are those few teachers who do not seem to realize that they are working people, the same as the person who works in the shop. We spend the same hours and, sometimes, work a little harder than they do.

4. What issues prompted the merger between the Flint Education Association and the Flint Federation of Teachers?

**Baker:** The merger was prompted by a contract dispute that arose between the local school board in Flint and the teachers. The teachers decided in a meeting that they were divided and that this division was being used by the local school board of education to take advantage of them in their contract settlement. The major dispute involved salary, agency shop negotiated into the contract, arbitration clauses, and a joint education curriculum council (in which the teachers would have equal input into the decision-making process of the curriculum). This dispute became so widespread and so intense that it was inevitable that a strike would occur. That was the time of the Genesee county strike. I believe it was 1969. (Check my facts on that.) That whole county was on strike, so the big chiefs of both unions had a unity discussion and saw they could achieve more as one merged local fighting the board of education in a unified manner, than as a divided group.

**Beer:** It had to do with a growing awareness of the Flint Federation of Teachers that there was no longer any way they could maintain a part of the process.

In 1966 the Flint Federation of Teachers told the FEA that the price to be paid for supporting the two-day strike, or professional holiday, was that the FEA would not press for an agency shop in the contract. The FEA made that deal.

Now, in the intervening three years, the FFT kept up the strong beat that the FEA was a tea party organization, they did nothing, and were in the hands of management. They were white racists, or conservative sell-out artists, clearly positioning themselves politically and portraying themselves as more radical, more activists, more working class; that was their whole game plan.

Starting in the fall of 1968, when I arrived, we did everything we could to activate the FEA. We started to file

Beer continued:

grievances where we could find them and visiting schools; we rewrote their constitution and opened up their political processes. There was more democracy in their organization. We went through an election, which we won by essentially the same margin as the FEA had won in 1966, and made it very clear in the process that we were going to try to negotiate for agency shop. The Federation held back and said nothing all summer. At the end of the summer they stated, essentially, that they wanted to make the same deal, to which our response was "no." We are not going to come to you and ask you to support our strike. You are teachers in this district and, if there is a strike, we expect that you will support it. We are not going to provide you any more quid pro quo than any other group of members. They were absolutely mortified that we would not admit them to the membership meetings of the FEA unless they joined. We posted a sergeant at arms to check membership cards. On one occasion he bodily threw out the president of the FFT who was demanding admission because he spoke for four hundred teachers. He was offered an FEA membership sign-up slip which said, if he joined at that time, we would be glad to admit him, and he could represent anyone he wanted. They really didn't know how to deal with this, and I think that it wasn't until after that happened that they started to realize how badly they were boxed in. The fact of the matter was, given the fact that they had portrayed themselves as the more militant, the more dynamic organization, there was absolutely no way they could refuse to support any strong action the so-called tea party organization was going to take, whether positive or negative. There was no way they could do that and maintain their credibility with their membership. They would be the strike breakers and the tools of management. They suddenly realized that they had no power whatsoever with which to deal. Finally, a group of three or four leaders of that group chose to set up a meeting with me in my office.

Beer continued:

I met with them, and they asked me to let them in. For the first time, they envisioned that the teachers were going to do something, and they were not a part of it. They were terribly frustrated by that. My position was that I was not going to do anything on an ad hoc basis, but if they wanted to talk about something on a permanent basis, then we would be very interested in talking. They considered that and decided that is what they wanted to do. We came up with a plan of allowing individuals to have their memberships subsidized in a national federation in a set amount, giving them a couple seats on the joint executive board. It would be based on the fact that they really wanted to participate and saw no other way to do that. There was no way for those individuals to maintain any credibility as teacher leaders with a minority organization that was just shut out of the action. I think that if the agency shop clause hadn't been in the contract, they would have been wiped out. This is what has happened in other places.

Brandt: No response.

Clark: They were both working toward the same goals, and they could work united in number, which gave strength to the contract and to the needs of the teachers. In unity there is strength.

Cole: We had gone through a series of rather costly challenges to see who was going to be the bargaining agent. Over a period of years, when these challenges are met, money is spent and energy is diverted from the things which should be done. Finally, after that very short period of time, from 1965 to 1968, or 1969, we merged. It became obvious that there wasn't much point in spending all of our time fighting to find out who was going to be the bargaining agent. We thought we had better just unite in some way to better our lot, and the merger was the outcome of that thinking.

There are some issues on which the MFT and the MEA, or UTF, are miles apart. One of them is that those who are MFT'ers at

Cole continued:

heart are labor union enthusiasts of thirty years ago. They seem to think that the only way to win against the board is to defeat the board, that is, to bring them to their knees and make them cry uncle. Don't give up until this happens. The approach I use, as a leader, is that we have some needs as professionals. The board is obligated to provide the money, resources, salaries, and fringe benefits so we can have the same kind of life as other people who are workers. It isn't a matter of making the board get on its knees, it is a matter of convincing the board that it needs to provide for the professional teacher that kind of income and service to the family that the job would require. This seems to be the main issue.

Cybulski: From the viewpoint of the FFT organization, it was strictly a matter of survival. We had lost the second bargaining election by the same margin with which we had lost the first election. We knew that FEA, having won the election, was going to negotiate an agency shop clause into the contract which would require everyone, not necessarily be a member, but to pay dues to the FEA. We realized that many of the FFT members would, given that situation, simply pay the dues to the FEA and would not be willing to pay the additional dues to the FFT. We realized that the best thing we could do was to get some type of agreement with the FEA merger that would protect some of our interests, retain our membership, continue our caucus organization, in a merged organization. From the viewpoint of the FEA, my understanding is that, even though they won the election, they were going into a contract and needed our support in upcoming bargaining, especially if there was going to be a strike. It would be much more effective if we were with them, backing them, rather than fighting them.

- Heitzner:** I have no knowledge on that question.
- Huber:** I would imagine the answer to that is to have an affiliation with a larger organization which would represent teachers state-wide.
- Keim:** We did have collective bargaining at that time, and we had had a vote, so the Education Association was the bargaining agent. They were going into an impasse situation. I believe a strike was, or had been, called, but the Federation people were approached by Louis Beer who was the Executive Director of the EA at that time. He suggested a merger. This was in 1969. He suggested it to have a united front. Since the Federation had lost two elections at that time, I think the handwriting was on the wall. The Federation members thought this might be the best way to go. I think a lot of them have been sorry since then. I think some of the differences were more philosophy than what they were really doing. The EA talked more professionally, but they had resorted to strikes at that point. They weren't that far away from the Federation philosophy, except in what they were telling the teachers. Teachers, as a rule, want to feel professional, and the EA probably recognized this more than the Federation did.
- Linne:** One of the issues that prompted us to talk about it at the state level was, why should we spend our money fighting each other if we can get together in one organization that represents teacher interests? Then it is much better. There have been discussions, but there are practical considerations to take into account when you talk about the merger. When we got down to a formal session or two formal recognized committees with each group having a strict agenda, we never got past the first item on the pre-agreed upon agenda.
- Manley:** When I was president of the FC, I knew the MEA local unit here was going to be striving for closed shop at all costs, whether they give up a raise or give up this. So, people in the MFT membership

Manley continued:

itself started to send me letters asking not to be on the rolls for the next year of MFT. In other words our rolls started to go down from three hundred to approximately two hundred less. When you are talking about twenty-two hundred teachers at that time, it was dwindling quite badly. If they did get it, we were looking at two full sets of monies. So talking about it, Barry McCann, myself, Hal Keim, Harry Cybuski, and Muriel White. All the people at that particular time decided the best thing to do was to try to merge so we could still have a voice. You could not use the mailbox unless you were in the bargaining unit. In other words, we would be disaffiliated in total. The reason for the merger, as I said, was to still have a voice, still be active, and try to change the organization from within. Agency shop or closed shop meant agency shop.

McGhan: No response.

Parmelee: No response.

Revis: This came as the negotiations were being conducted that year (1969). It came after negotiations had started, as I remember. A new fellow came in to negotiate for the MEA or FEA (Lou Beer). I think he was instrumental in bringing about the merger. He said, let's not have two blocks here but only one, united front. Even though one block was much smaller than the other, it was still one that had power.

Short: The agency shop, just before the strike in 1969, was an issue. We (MEA) had the bargaining rights, and agency shop was on the table. The Federation unit was small in Flint, and part of the negotiating agreement was agency shop in the contract. The Federation member units could still belong to the Federation, and they had worked out some kind of dues structure. They still had to pay dues to the Flint Education Association, MEA, then a little later on, the United Teaching Profession in

Short continued:

Michigan. They had to pay local, state, and national dues. That was purely agency shop, just before the strike in 1969.

White: During the contract of the particular year that we merged, October, 1969, we both had separate meetings. Each organization presented reasons for merger and against merger. Everyone within each organization had to vote. We took the majority vote, and the majority felt that we should merge. The Federation point of view was that, if we did not merge, we would still have to pay the dues. It was going to be an agency shop, and with agency shop you have to pay the complete dues and if you don't you have no vote. Therefore, we felt that was a rather foolish thing to do at the time, to cut ourselves off completely without seeing a contract and to have someone else vote for us, so we paid our dues to see the contract and changes that would take place. We then were able to vote with the other teachers of Flint. There were many people at the time that did belong to both organizations anyway, so, for them, there wasn't a hassle about it. There were a few very diehard MEA people and a few diehard MFT people that would never actually be members of either. They would pay their fees, but they did not feel that unions have a place in the profession.



5. What were the reasons for the establishment of the Federation Caucus within the United Teachers of Flint (UTF)?

**Baker:** The FC members who were agency fee payers became more discontented as the merger progressed in Flint. They (the Federation members) said they were losing their identity. The unit was becoming an MEA unit and not a merged unit. There was much discussion on whether the merger agreement was really being implemented or whether it was really an MEA unit. The FC then became active again in order to address this issue (1971-73). They emerged again with the intent of taking over the majority leadership on the executive board and the representative assembly of the Flint merged local.

Under the agency shop we have, the FC could pay its fee to the UTF, then hold its own caucus, and pay its dues. However, the representative agent would be the UTF or the MEA, but the caucus would not be members of the MEA or the UTF. They would be paying membership dues to us and keep their positions within the Flint schools. One dominates, one speaks for all teachers, and one speaks only for the FC. We were still operating under the merger agreement which did state that teachers could belong to both. It stipulated, however, that the MEA would be the agent of the teachers. But in terms of membership and participation, there would be equal participation by both organizations.

**Beer:** What happened, very simply, was that the Flint Education Association was a Michigan nonprofit corporation. We amended the articles of incorporation to change the name of the organization to the United Teachers of Flint. The school board was persuaded that there was no substantive change in the organization. The law on this issue, as I understand it, is that a successor union, if it maintains the same in character and quality as the previous union, is entitled to recognition. The teachers voted overwhelmingly in favor of the merger, and the school board knew that.

Beer continued:

They decided, on the advice of the council, not to play games and to deal with the newly merged unit.

The terms of the merger simply called for the local of the Flint Federation of Teachers to give its charter to the newly merged organization. We were, effectively, dually chartered. A piece of paper still sits in the local which says that Local 445 of the AFT is chartered. It was not a new unit in the sense that the old Federation had no bargaining rights. It became a sub-unit of a merged entity. Flint is not that different from a lot of cities in which the Federation is typically strong. I get the feeling, on the part of the MEA as it existed at that time, that Flint was as much like Detroit as any other city in that day. I remember people in the MEA saying that we can accept one Detroit, but we can't have any more. In many ways, I think, they have urban schools, poverty ridden schools. There were a lot of predominantly Black schools and a far higher percentage of black teachers than there were in many other cities. It was an area that was intensively unionized in many other ways, where there were teachers that came out of families that were part of a union tradition. In those days the term "union" was a fighting word for a lot of teachers in professional associations. It is hard to remember that, in 1965, the NEA held a statewide convocation of its membership to decide if it was to engage in collective bargaining, to reject or decline the opportunity to run elections, to be certified as a collective bargaining representative, and whether that was an appropriate thing for them to do.

Flint is a town like Detroit, Taylor, Dearborn, and some of the other places that are Federation units, in which union is not a dirty word. In the minds of those teachers whose clear distinctions between labor and management, attempts to do away with them are resented. It is a place where the existence of supervisors, managers, and principals in an organization was very

Beer continued:

hard to understand. It would have been far more surprising to me, given that socio-economic base, if there had not been a Federation unit.

Brandt: No response.

Clark: I think they were looking for their rights, working conditions, greater fringe benefits more in line with labor. General Motors had a lot to do with it. We had never had the high percentage of members in the FC as in the MEA-NEA-UTF. I think they were coming from homes where labor and unions were predominant, rather than professional homes. A lot of them were thinking in a Federation way, or a union way.

Cole: The FC was a continuation of the Flint Federation of Teachers. Once we merged, they felt that, since their numbers were considerably smaller than the membership of the MEA, that they would get swallowed if they didn't keep track of each other. When we merged, they still maintained allegiance to each other and formed a Caucus to keep their ideas alive, to keep interest in the MFT-AFT.

Cybulski: I was not a member of the negotiating team, but I was on the Executive Board of the UTF. When we merged, part of the agreement was that two of our members would be included on the new executive board of the UTF. I was one of the two.

There is still some opposition, from the viewpoint of the AFT members and the AFT caucus. We feel that a tremendous amount of

Cybulski continued:

our money, over \$200 a year in UTF dues, goes to the MEA-NEA. We feel that too much of that money is going to those organizations, and we are not getting the benefits from those organizations. If we had our choice, we would rather be affiliated with the AFT-MFT, because less of our money would go to those two organizations. The AFT and MFT dues are quite a bit lower than the NEA-MEA dues, and this goes back to the philosophy of the two organizations. The MEA-NEA believes that, with the money turned over to them, they will help the local organizations operate. The MFT feels that the local organizations should have greater autonomy, to take care of their problems with some help from the national and state organizations.

I still feel that the affiliation with the AFT-MFT is the future of the teachers, that teachers cannot separate themselves from the national labor movement. This is one of the main differences between the two national organizations affiliated with the AFL-CIO. I am still pushing in Flint to someday get our organization affiliated with the labor AFL-CIO.

Until the bargaining law Public Act 379 was passed, each organization tried to get as many members as it could. In the period during which I was involved, '64-'69, MEA had the larger membership. Approximately twelve to thirteen hundred members. We had approximately four hundred members. They had been successful in gaining the larger membership because they had the reputation of not being a union. At that time, teachers were not interested in being union members.

Heitzner: The MEA became the collective bargaining agent based upon petitioning, according to the laws of the state of Michigan at that time, when the collective bargaining legislation for schools was established. By vote of the teachers, they became the collective bargaining agent. Teachers at that point did not have any choice. I assume that teachers could maintain their membership in the Federation if they wanted to;

Heitzner continued:

but, by law, they had to pay union dues to the MEA. The MEA then took on the status of a union. In the early days the MEA members did not consider the MEA to be a union; in fact, I remember comments by MEA representatives here at the college that in no way would they become a union, and in no way would they use the tactics of unions, as commonly known at that time. But after collective bargaining took place and they became the official unit, it would be my observation that they had no choice but to assume all of the attributes of a traditional union.

To the best of my knowledge teachers had the right to maintain membership in both organizations, if they so chose. I can only guess that there were many members of the Federation who, for mental or philosophical reasons, maintained what they considered to be a truer union. They maintained that caucus as a watch-dog unit, or as a check-and-balance, like someone to stand on the sidelines and call shots when they thought they (MEA) were not in the interest of the teachers, particularly from a traditional union standpoint. I would guess that over the years the effectiveness of the Federation Caucus diminished.

Huber: No response.

Keim: They don't really. It is a sub-merger really. The Federation in the merger agreement has really been given second string status. Everybody has to be a member of EA, and those who want to pay extra are members of the Federation. That means that there are only about one hundred people who are members of the Federation. They do get a reduced rate for being in the Federation. The UTF pays part of the dues. This was in the merger agreement. The reading of the merger agreement is very difficult to interpret. The way it has been interpreted is that the UTF pays half of the state dues for members of the Federation.

The original goes way back from the thirties to the fifties, but I assume it was a leader-oriented group. They wanted

Keim continued:

somebody who would be militant and fight for teachers' rights. After the UTF was established, I think the purpose was to have a watchdog to see that the majority group was doing its job.

Linne: This is one from an outside point of view. I have given the technical reason for it: to maintain the charter or at least the facade of the merged organization. There may have been other reasons why the leaders who got into it wanted the merger or wanted to set up the Caucus. We never really discussed that thoroughly or, at least, didn't get any agreement with the local people involved.

For the simple reason that in Act 379 we had not included specific statutory legislation authorizing agency shop or union shop. Therefore, without the statutory authorization, although the law required exclusive representation, it did not prohibit members of the unit from belonging to other organizations or require them to belong to the representative the majority had elected.

This came about a few years later. It was history that started moving in and eventually led to the Supreme Court Decision in Smigel case from Southgate, where they ruled that the agency shop clauses were not lawful since the law didn't include it. That was quickly taken care of by Public Act 25, in 1973 I think, and put the language retroactive, making it lawful.

Manley: The reason for the Federation Caucus was that we generally have the same viewpoint on many issues, but different directions for accomplishing those ends. We firmly believe in treating people as people, Blacks as humans as well as Whites, firemen on an equal basis with teachers. In other words, our philosophy in the long run tends to make everybody equal. Therefore, we try to have a voice, still be active, and to have a good relationship with the total Flint community rather than to just try to be professional.

- McGhan: They felt a need for a more liberal, radical viewpoint to be represented. They wanted to keep unionism on a high level, so to speak. They didn't want the FEA to gobble them up or to lose their identity as an organization and a group of people. At the same time, the philosophy of that group of people would be lost, too. It was an effort to perpetuate its existence after there was no official existence. They could still be around as a group of people and represent their own viewpoints.
- Parmelee: The Federation Caucus is a caucus within the UTF. We didn't have a UTF until after I left teaching. The older teachers and more conservative teachers looked down on the Federation because we were associated with labor. They thought teachers should be more dignified, and they didn't approve of using labor tactics. There was no bickering back and forth. The MEA just went along as they had been doing. It wasn't until after the state organization became very aggressive and started to push their classroom teacher division that the MEA became aggressive. This came out of the head office in Lansing. It was the younger teachers. People my age were not suppose to be doing things like that. The Federation was responsible for getting tenure for the teachers in Flint. We did that singlehandedly, without any help from the MEA. The MEA office wasn't very enthusiastic about it anyway, because it was the Michigan Federation of Teachers that put the tenure law through the legislature. Legislation wasn't the thing MEA was interested in. They were interested in other things that affected the classroom teachers. This was the feeling we had. Most of them fought tenure. The people in charge of the MEA weren't pleased with it. The Federation was responsible primarily for--Detroit and Flint were the two strongest, I think, in Michigan. Saginaw and Pontiac and some of the smaller towns began to organize. After the strike in Flint in 1945, Governor Williams, who was a Democrat, was supported by the Federation as well as the legislators from Flint and Detroit. We have had quite a bit of influence in State Government.

Parmelee continued:

We got people appointed to state boards; we had Federation members on the Board of Education; and I was appointed to the Teachers Retirement Fund Board. The MEA was quite interested in that. The MEA had been dictating who was going to be on these boards until the Federation became a little bit stronger. When I was on the retirement board, we got social security for the teachers of Michigan. The Federation was responsible through the suggestions and influence of the members who were on the board. The Federation has always been looked upon by the younger teachers as a friend of the teacher. We were politically active, and the MEA was not. This was the difference. They were politically active, but quietly. The Board of Education in Flint was made up of conservative men. They had one woman on the board. They were bankers, lawyers, doctors, and realtors. They were interested in preserving the status quo. They couldn't quite understand why teachers weren't content to do what they had always done. After the Federation was organized, we saw to it that there was someone at each of the board meetings. They hadn't been accustomed to this. It was a good idea, and after we had been coming to the board meeting for quite some time, they began to accept us. They found out that we didn't have horns and tails. We were earnest young women and men who wanted to do a better job teaching school. The strong people in the MEA were not classroom teachers (a reason for the separation between the two groups) and were reluctant to give up their authority and their power.

Revis: It is the AFT members remaining as a group. I think the reason would be that they want not to be MEA members, but remain affiliated with labor, and would remain as a group as a result of that.

When they came together in 1969, there were some eighteen hundred MEA people and maybe two hundred MFT people. I was surprised that they would get together. They really didn't merge, because there were two



Revis continued:

independent groups within the UTF, rather than a merger where there was no semblance of the past. Two independent groups were coming together and saying, we will be united in our efforts for a common goal. This is part of the agreement, that they are independent organizations within the UTF. This was part of the negotiations, and I would look at it from the standpoint of the MFT, because they were the smaller. I feel that, when they came in, they said they would come in under these conditions negotiated. We will not submerge ourselves into the group, but we will come in and be an independent block in the group called the Caucus.

Short: The reasons were discontent, not moving fast enough, not being aggressive enough, especially in bread and butter issues--not getting enough salary, not getting a hard contract, not being willing to take on the administration or unwilling to process strong enough grievances, or take things to arbitration and really show them who is boss. So, you get a type of person who wants to move ahead. Current leadership and office holders don't move, so a splinter group is formed to put pressure on that group to do something.

White: We've always had the Federation Caucus because we had to keep in touch with our state organization in order to go to their leadership conferences and to be aware of all the things they were doing. They have excellent workshops on negotiations, kinds of collective bargaining, curriculum, all phases of teaching, and workshops for every department. We have to be sure some of our people attend these sessions because we don't want to be ruled or be dismissed from the organization itself. We did have a bylaw change within the Michigan Federation two years ago. At that time they had a clause in their constitution that no officer could belong to any other organization. I put in an amendment on that, or a deletion of that amendment, so that now anybody from Flint who belongs to MEA and the Federation can be a vice-president. I did run for vice-president.

6. What do you perceive to be the purposes of the United Teachers of Flint and the Federation Caucus?

**Baker:** The FC existed within the UTF to keep the organization honest, as it related to FC concerns. There was some concern on the part of caucus members that once the merger between the FC and the EA occurred, that FC ideas and concepts would be lost. Since the merger, the terms of that agreement provided for participation within both the EA and FC at all levels. This caucus served as the nucleus to insure the kinds of participation that would occur.

**Beer:** I do not know what the Federation Caucus is doing at the present time, if anything. My stated felt need for having the Federation Caucus was to allow those people who had been active in the Federation outside of the Flint Education Association to remain so. The AFL-CIO Council, Genesee Council, was very important, and it was important to continue to go to those Council meetings and be recognized in that group. There were other people who felt very strongly about their continuing attendance at the state and national conventions of the AFT, and the merger was structured with a coalition format to allow that process to continue. It was based on the number of people who chose to be members of the Federation of teachers.

There were other things with which I was concerned at the time, and subsequent events have indicated that the concern was justified, although I am not usre they actually took a lead. There was, although not a one-to-one correlation, a substantial correlation between Federation membership and black teachers. The number of Blacks in the Federation was substantially higher than in the Flint Education Association. We felt that maintaining the substructure was an intermediate step toward bringing some of those people into the political process. It would demonstrate to them that there was a legitimate role of participation for them to play in the United Teachers of Flint, a place where they felt they belonged and that would allow them to express themselves strongly within the combined organization and, hopefully, then to come fully into it.

- Brandt:** No response.
- Clark:** They both serve the teachers. The UTF is the bargaining agent for the teachers; the FC is membership that can be had in addition to membership in the MEA, NEA, UTF. The FC is the MFT and AFT and is affiliated. Part of the dues go to the Michigan State AFL-CIO and the greater Flint AFL-CIO council.
- Cole:** The UTF at this time, of course, is all the teacher members, and our purpose is to negotiate a contract, to enforce that contract, and to provide the best professional service possible to the children and the community. The FC is a smaller group of about one hundred twenty at this time who feel that the Federation approach to membership organization would be stronger than the MEA-NEA approach. The Federation says that this is true. They say they have the "guts."
- Cybulski:** Basically, they tried to get the best contract for the teachers to improve our working conditions, and all that any union tries to get for its members.
- Heitzner:** No response.
- Huber:** Well, their only purpose is to negotiate contracts with the teachers, the same as we do for the UAW members in General Motors, Ford and Chrysler, and in the many plants where we represent them.
- Keim:** The UTF's main purpose should be to protect teacher rights. I see the Federation Caucus as a watchdog to see that the UTF is doing its job.
- Linne:** The United Teachers of Flint is the name of the merged group, and it arose after several years of bargaining and several representation elections between the Flint Education Association and the Flint Federation of Teachers. After several contract negotiations, it became apparent that the School Board was utilizing the split in the teachers' groups. The leadership in both groups perceived that they weren't doing as well in bargaining as they could

Linne continued:

if they were united. So, in getting ready for this new round of bargaining, some of the leaders of both groups had tried to work out a merger so they could come in as a united front. The merger arrangement was . . . agreed upon by the local leaders before there was any contract with the state and national groups of either organization. From the Michigan Federation of Teachers' point of view, we do not look at it as a merger because it doesn't have many of the key elements of the merger. It was, more precisely, an absorption of the Federation Unit by the predominate Flint Education Association, with minor concessions. The continuation of the Federation Caucus, from a technical point of view, continued simply to maintain the charter of the AFT local in Flint, so it gave the semblance of a merger. If it didn't have the caucus or leaders of the AFT charter continued, then the charter would be revoked. The particular detail or concession that the Federation got from it was that the dues they pay to the United Teachers of Flint would cover half the special dues required for the Michigan Federation of Teachers. This was a real bargain because the special dues that we had for locals under association agency shop were much less than the regular dues. Also included, we paid the dues to the AFT out of the same money.

Manley: More cooperation is needed, regarding the unions. The teachers themselves, secretaries, maintenance people, and the whole gambit of the teaching profession need to be in one unit to be effective. If not, there is always going to be a division of purpose, which is very evident in this last little crisis situation. It pertains to the maintenance strike. The teachers voted not to honor an agreement they had previously made. The strike was in September. The teachers consented in '74 to honor this agreement, in case it happened.

**McGhan:** The purpose of the UTF, as any union, is to look out for the interest of its members, whatever those interests might be. The FC has a special interest within that broad description of the purpose of a union. A union is not just concerned with the interest of its members, but it is concerned that its members have some special interests that other members in the UTF don't have. In other words, it's like a political party within a country, it has a certain way of looking at itself and at other things. It represents a particular viewpoint within the UTF. I am not sure that UTF people would look at things differently than the FC would, but it might be that the FC type of person's viewpoint is, maybe, a more radical liberal union sort of position. It is more of an aggressive orientation towards a teacher's rights.

**Parmelee:** No response.

**Revis:** The Federation Caucus is the group of Federation Teachers within the UTF. I would think their purposes are to promote the welfare of the teachers, within the city of Flint, both the Caucus and the UTF.

**Short:** Firstly, we felt that "United Teachers of Flint" was a name that would appease all members. Since the split in the early sixties, a number of teachers had felt that the old Flint Education Association was not moving fast enough. So, they formed a Federation unit in order to agitate, to get something moving, within the association. This happened in the MEA and a number of units in the state, because MEA was basically an association run by superintendents and administrators. Within the MEA, we had a Classroom Teachers Association that wanted to be teacher-oriented. This battle took place, but no change occurred until 1965, when the passage of Public Act 379 gave the right to bargain to all school employees. At that time the split took place. But before, it was not a teacher association; it was a school employee association, and the officers were superintendents and principals.

**White:** Together, to keep the teachers informed of their rights and responsibilities, and to do the best for the students of the city of Flint.

7. What part has the AFL-CIO-UAW or industry played in the collective bargaining process as it relates to the Flint Community Schools?

**Baker:** In reference to our bargaining, I would say the strengths were with the UAW, some locals with AFL-CIO. We specifically had an agreement with UAW locals and other public employee locals during our last strike in October 1973, and I was there. At that time the UTF and several of the key locals signed a reciprocal agreement. This meant that in the event of a strike, neither would cross the other's picket lines. This was to be respected by all parties, top leadership of the UTF and top leadership of the other labor unions. Regarding the relationship between the AFL-CIO in which the FC is tied, there was some assistance provided by that labor union, but not a lot. The UTF was very much a stepchild of the AFL-CIO before they merged.

**Beer:** I can't really speak to the bargaining that occurred after 1969; the merger occurred in the midst of a strike. The UAW really didn't get into it. Contacts had not been made. It was largely because the School Board could not handle any more pressure than had already been put on them. Much more concern in 1969 was addressed to getting more community leaders who were management oriented. People went to see C. S. Mott and talked to various people within the General Motors hierarchy whom they knew within the IMA (the Industrial Mutual Association), Downtown Flint Corporation, and Flint City Council, rather than through the union.

The teachers struggled at that time, as they have on two subsequent occasions, with the issue of asking for mutual honoring of the picket lines. They agreed mutually at that time not to honor other people's picket lines and not to ask others to honor theirs, particularly the Service Employers Union at that time.

I remember, when that issue went over, all those teachers painted picket signs, put AFL-CIO and the number of the AFT on them, and people started honoring it. It was hell to pay. In the 1969 strike, the

Beer continued:

School Board was attempting to operate the community schools programs within the same schools in which they were running basketball games and showing movies, to provide an outlet for the kids and to take some of the pressure off. The feeling among the teachers was that they wanted the schools shut tight. The only way to do that was to have the maintenance people honor the picket line. After a great deal of intense debate and discussion, it was decided not to do that. There was a fairly indirect or intensive confrontation between the MEA and AFT staff at the state and national levels over that issue. Terry Herndon came down and had breakfast with me and the president of the association and took the very strong position that he regarded this as a policy and one of the key policy differences between the MEA and the Federation. June Pfeigher, who was the state staffer for the AFT, was in town strongly advocating the opposite position. The then president of the AFT, whose name escapes me at this time, was national president. The one who Shanker beat about two years ago did not arrive until it was all over and expressed general disappointment with the action that was taken. I think there is a lot of feeling on both sides that that was an issue that was symbolically significant of what the merger really meant.

Brandt: It must be put in proper perspective, the perspective being that the history of labor negotiations in Flint provided a special climate. The teachers' organizations, acting pursuant to Public Act 379 in 1965, entered a climate in Flint that was conducive to collective bargaining. Over the years, Flint has experienced (through the labor movement) both satisfactory bargaining and bargaining that created some concerns for the early thirties. The teachers, in my opinion, however, did not attempt to build upon the benefits derived from the private sector labor movement. They attempted to target in on those improvements they saw needed in the educational field. However, the



Brandt continued:

result of the climate that existed in Flint was that they were then able to sit down and, in a rather sophisticated way, attempt to bargain for their demands. This is, as far as dates are concerned, testing my memory, so I won't attest to the accuracy. But, as an example of what I said previously, Public Act 379 (as I recall) was signed by then Governor Romney in July 1965. Following the signing, in July of 1966, and prior to entering collective bargaining, there was a two-day strike in Flint on June 2 and 3, 1966. If the labor climate that Flint did experience had not been in existence, such a strike could have put a great deal of pressure on bargaining in the public sector. However, the strike did not raise many concerns in Flint, particularly in the private sector. Following the two days of strike (by teachers) in June, the parties sat down to negotiate. The union representation, through the efforts of the MEA, and NEA, secured the assistance of an attorney from New York to be the chief negotiator. Then negotiations began in earnest, and as a result of the negotiations there was a three-year contract agreed upon, two years with a salary increase, with a third-year reopener.

Clark: No response.

Cole: The labor started the negotiations process in private industry. We are, of course, in the public sector, rather than in the private. Our law that gives us the right to negotiate for working conditions and salary is actually labor law under Michigan law. The process of negotiations in private industry has changed a great deal. In the beginning, in order to have a right to do certain things, people got out their ball bats and struck each other. They preceded us by a large number of years. We came in in a very civilized time, when labor unions' right to negotiate was very clearly recognized by almost everyone. In 1965, when we had Public Act 379, we

Cole continued:

were granted the right to start at a point in history where negotiations were rather sophisticated.

Cybulski: There were two bargaining elections between the FFT and the FEA. The difference between the FFT and FEA at the time of the first bargaining election (1966) was that we (the FFT) were considered to be a union, while the FEA was considered to be an association, not at all affiliated with labor, not interested in striking. We had the reputation of being more militant, at least that was the image we tried to get across. We tried to dispel the image that we were strike-happy. We realized that most teachers were not interested in striking. As far as our relationship with labor is concerned, we were affiliated with the AFL-CIO, and we did get some support from the AFL-CIO, in our collective bargaining campaigns. We did get some monetary support. It seems that the UAW was in the AFL-CIO. We didn't really get separate support from the UAW, even though the UAW is still strong here in Flint. It has been through the AFL-CIO. I remember going to several UAW locals. They were affiliated with the AFL-CIO. I spoke to the membership and leadership, explaining the problem we were having being involved in a bargaining election. We didn't have the monetary support that the FEA had, because they were backed by the MEA which had a many more resources than we had. We asked for funds from the UAW locals, and several of them donated fairly generously.

Heitzner: At the time I was teaching in the Flint Community Schools there were two organizations. The American Federation of Teachers was affiliated with the AFL-CIO. The Michigan Education Association was not affiliated with any labor organization. The Michigan Education Association was the majority group. The AFT did have a very close relationship with the labor unions in this area.

Huber: Well, in the education process we are very concerned with the type of economics being taught. We are very dissatisfied that there isn't a fuller curriculum in economics and labor history. The students graduate from high school with very little knowledge of what labor is all about, what its function and history are, or the true meaning of organized labor.

If teachers think that the only subject matter to teach children is to balance a checkbook or arrange a budget, they are lacking in economics. I think our students should be taught, and have a right to be taught, the difference between socialism, communism, capitalism, the free enterprise system, and all the different facets of the economic system. The students can make the decision of what is right and what is wrong. There are many things that need to be corrected in the system we have, the free enterprise system.

Well, we have offered our services to speak at schools. Teachers do call us, and we do speak at schools. Also, I am a member of a board of economic studies in the high school, but I do not think that organized labor has sufficient input to determine the proper curriculum. I don't think teachers are asking for labor people (or those who have knowledge of the labor movement) into their classes so that the student might ask them questions about organized labor.

Keim: No response.

Linne: One of the particular benefits that the United Teachers of Flint saw when they worked out the merger were the contacts the Federation local had with the AFL-CIO Central Body in Flint. There were many occasions on which they used the labor people to make contact with the School Board members and tried to work out deals. My initial assumption on this was that the full United Teacher group would be paying dues to the Central Labor Body, and I found out later that it wasn't. So, they are getting an additional benefit out of this for a small price. There are only

Linne continued:

one hundred and twenty people who pay the AFT, and those are the ones that pay the dues to the Central Labor Body, but there are 1,900 or 2,000 teachers in the bargaining unit.

There is a kind of coalition or a working arrangement on political considerations. Since School Board members are elected it [industry] gets involved in that. Also, you have school millage elections, and you have the intertwining that way.

The big problem with the Central Labor Body came about when the UAW split from the AFL-CIO, because a majority of that group in Flint were UAW members. This has left it rather disorganized, and I am not sure if it has been put back together for any political power. The UAW is probably a more potent force on its own than the AFL-CIO body.

Manley: As of the time of the merger, the moneys are sent to the various unions. If a person belonged to both the AFL-CIO or the MEA, he would become a dual member to both the AFT or NEA, which is the national organization. Then the local agreement, according to the merger, will pick up most of his fee for belonging to both organizations. But, the one that is stipulated is MEA solely. So, if a person belonged to the other one, there would be a little penalty involved, but they pay most of it. Right now I am a trustee of the AFL-CIO Council for Genesee, Shiawassee, and Lapeer counties. In the past I worked for all the teachers in the city of Flint, whenever possible, but this is no longer possible. There will be no cooperation with the AFL-CIO-UAW regarding Flint teachers. There will only be cooperation with those who belong to the AFT. Oh, yes, this is one of our mottoes: "Brothers and Sisters Under One Flag." If a person doesn't belong or have an AFL-CIO card, UAW, AFL will no longer support teachers. In our unit we only have one hundred and twenty-six teachers out of two thousand who belong to the AFL-CIO. Industry hasn't played a large role in the collective bargaining

Manley continued:

process, just informative. Through the AFL-CIO, we have an active voice because I am on the board.

McGhan: When the Flint Federation of Teachers existed, it was a member of the local AFL-CIO council, and we sent two representatives to the monthly AFL-CIO council meetings. I was a representative for the Federation. At one point, we attended a number of those meetings where other employee unions around the city were getting together to deal with problems. It was called the Greater Flint AFL Council. Council #29 is what it was called. We went to these meetings to keep teachers' interests and needs in the forefront of other people's minds. Here were the hospital employees, firemen, and some of the smaller AFL-CIO trade unions. They were people out in the community whose children we were serving and we wanted them to know that we were union people, as they were. Teachers were interested in things that interested other union members. Furthermore, they had special things they were interested in, that they felt was a communication position. This was between the two bargaining elections, 1966 to 1969. I was most active in the Federation during that period.

It always irritated the Federation teachers, before the merger, that the FEA people seemed backward in terms of their attitudes toward unions. They couldn't see that, being in the middle of a big union town, there were certain advantages to be gained from trying to work with other employee organizations--getting to know people in the AFL-CIO and UAW and have them know you, for example. Since the FEA seemed to be rejecting contact with that sort of people, it seemed to me that the Federation was going over board to make contacts with other unions. It was something we always thought we were criticized for. It was a put down. These other people were not professionals. It had a social status connotation. They felt union members couldn't be professionals at the same time.

- Parmelee:** As far as the teachers were concerned, the Federation had very good relations with the UAW before the strike in 1945. The tenure law was passed in Michigan, and the Federation requested that the Board of Education ask that tenure be voted on in Flint. The UAW gave us very strong support, and it carried. We have had tenure in Flint for quite a long time. It was through their assistance that we got it, I am sure. Without them, we couldn't have. The Federation has always had friendly relations with them (the UAW), and they have always supported us.
- Revis:** I do know that the Federation did have some support from the outside labor organizations, particularly in the latter years, such as the UAW in Flint. Also, the local maintenance and operation supported the UTF in their strike in 1973. The strike was over the contract, and the issues were class size, money, and others that hadn't been resolved. There were three strikes, one in 1966, which lasted two days, one in 1969, which lasted a couple of weeks, and I do not remember how long the 1973 strike lasted.
- Short:** There wasn't any bargaining in Flint until the early sixties. Flint has a history, since the early UAW days, of sit-down strikes and the labor movement. For a number of years, school employees felt themselves to be above the labor movement; they didn't want to become part of the picketing or striking or using what they term "rough-house tactics." It was a great struggle to get over this. In fact, when the bargaining act was passed in '65, most teachers were not ready for it, not willing to bargain. That is the reason why the Federation was formed in Flint. The Federation's basic history in Michigan is that the members are bargaining-oriented, contract-oriented. They wanted some movement; they wanted to bargain; they wanted teachers to run the group. When they split off, they felt that the MEA and its affiliates were what we call "tea and crumpets." Meet and confer and have a little tea and

Short continued:

coffee and chat and form a few committees. In fact, we are still affected today, in the MEA, with all kinds of committees. The superintendents found that a good way to keep the teachers active was to form a lot of committees--keep everybody busy, read a lot of reports, then ignore them in the end, and everybody felt they were involved. This is going back for fifty years of activity. Then, boom, in 1965 it changed, and within a brief period of time the superintendents pulled out, then the secondary principals, then the elementary principals. Then MEA very quickly became a teacher-oriented association. Then we moved full thrust into bargaining, and some very aggressive leaders actually carried a vast majority of teachers right with them in the bargaining arena. They still struggled and fought. In fact we spent years persuading teachers that they should bargain.

White:

Our affiliation with the AFL-CIO right now is (of course, the UAW is no longer with the AFL-CIO, but they are again talking) that we have a trustee on the board, on the Flint Greater Council of AFL-CIO, and we have two members sitting on their membership council. They are Pete Murphy and John O'Brien. Our representative there and our trustee is William Manley, Jr. We have a very good relationship with them. It isn't always with negotiations, but many times it is. It isn't always with negotiations, but many times it is. It isn't every area. When we are negotiating, and we do happen to go on strike, we will have every other union behind us, their placards and people picketing with us. When a millage has to be passed, we present our feelings to the Board of Education and, knowing the state aid formula and the tax base of Flint, we present what we feel the millage will generate and what we will need to negotiate. Many times the Board does not agree with us. The last time was three and one-half mills. We had a very extraordinary situation at the time. We had political action money from the state, and

White continued:

we spent \$2000 of that money. We also had the teachers contribute money, which I think is the unique part. Teachers do not usually contribute to a campaign. Our teachers did contribute over \$2000 to the campaign. We put it in with the Flint Board. We also went to the AFL-CIO Council, and they paid for a great big ad in the paper, stating that the millage was needed to keep our schools running properly and to give their children a good education. I am not so sure we are going to keep doing that unless our Board sees fit to consult with us on the next millage proposal that comes along. The last time we went for twenty-one mills, they should have gone for twenty-three mills.



8. Any further comments not covered in the above concerning the history of collective bargaining in the Flint Community Schools?

Baker: I think you will find that the UTF, even prior to its merger, has been a very unique local association. It has always sought to be independent, and to deal with the "big guns," so to speak. They have really liked dealing with the top leadership in every organization at every level. Because of the merger, there has always been divisiveness within the organization. There has been a credibility problem, and maybe this isn't different from other locals, but I do believe that when it rears its head in Flint, it is traumatic because it comes out in such an emotional manner. The UTF is an explosive, highly emotional local. It is a very challenging local to work with and for. I do believe this local is sincere in its efforts to be an advocate organization for teachers. It is very intent on getting all it can for teachers. It comes closer than any of our locals to being a hard-core labor union. It was nice working three years in Flint. I learned a lot. I had respect for a large majority of the membership in Flint, and they respected me. I think our basic disagreement in Flint was that the UTF-FC had basically what the staff role should have been. Another concern that came up was, what does MEA do for me? This revolves around the fact that the dues in Flint are quite high. Members question what they get for their dues since they belong to two major organizations, the Fed and MEA. Those members of both had more allegiance to the Federation.

Beer: I think the best evidence of the major causes of the socio-dynamic of the situation is that the same problems are cropping up, only in different forms. I think there are far greater concerns of the School Board in maintaining control and power and the sensitivity of the teachers to that. There is a great deal of concern about the power structure and who has it and who fits where in ways that are not present in other school districts. It also remains

Beer continued:

true that teachers in Flint tend to be abrasive or expressive in their demands and feelings, tend to be more contentious internally. They tend, I think, to have high expectations of the people who are leading them and, at the same time, a higher level of involvement. I think that the teachers union or the association and their affairs are much more up front on day-to-day issues is more true for those people than tends to be true in other associations, and I see no reason for that to change for a long time.

Brandt: No response.

Clark: No response.

Cole: It is a philosophical point, but I have met, dined, and talked with as many prominent labor leaders as have any of the people in our AFT caucus. What really is outstanding to me is that Doug Frazier, Mr. Marshall, and other leaders in Michigan are not at all like the kind of image that our MFT people think their leaders are. These are people with great social conscience, with great negotiation savvy, with political savvy, with leadership ability that is not challengeable. The image that our people seem to go for has no relationship whatsoever to the concepts that they perceive (the FC is our people). Mr. Marshall is the State of Michigan AFL-CIO President. These people work on the same kinds of things that we feel are important. More and more, the MEA and the labor organizations, outside of the MFT more than MFT itself, are becoming very active leaders in United Way. We had a big campaign to build a wing at the hospital. Those same labor leaders sat at the same table that I did. These kinds of things in the community have progressed from simply trying to help men eek out a living and medical care for their kids, to a great sense of social responsibility for the whole community.

Cybulski: No response.

Heitzner: I would just observe that the MEA has evolved into a full-fledged union organization, and I suppose that the times have a great deal to do with it. But, if we wanted to compare the two organizations in two different decades, the MEA is a more extreme organization today than was the AFT in the fifties. That may have been true of either organization, if the other organization had become the collective bargaining unit. It may just be a progression of the times, but it is my observation that the MEA has taken a stance that many of their members and officers would have completely rejected twenty years ago.

Huber: I think the teachers' best move is to be affiliated with national organizations. I can perceive that the UAW will be rejoining the AFL-CIO, and, if we rejoin the AFL-CIO, then, on the local level, the teachers will be joining a council that not only will be having the teachers, but also the auto workers in attendance. We will be looking at the problems of the community and the state jointly, instead of separately. This is a need. One of the things with which we must start concerning ourselves is how schools are financed. Secondly, we must take a strong look at the wages and fringe benefits in line of what the public can afford.

Keim: I felt that in the Federation there was a sense of excitement. In times of making history, the Federation was pushing for new things. Actually, it was the Federation that was asking for collective bargaining. They asked for an election as soon as the Public Law 379 was passed in Michigan. Although they had a small number of people, they were willing to try it. It really felt exciting for them to be members of the group then.

Linne: Bargaining has to be a process in which the parties come to the table with equal power. You can look at the symposium they had on the bargaining in New York with Theodore Keil, a very renowned arbitrator. All the ones that have any experience with bargaining indicate that there is no real

Linne continued:

bargaining unless the employees have the right to withhold their services or the right to strike. With the Crestwood decision from the Supreme Court a couple of years ago, that has become very obvious. In Michigan the public employees, particularly teachers, really have equal power when it comes to bargaining. So, there have to be some changes in the Public Employment Relations Act as it applies to public employees. Now, the other public employee units may not be as much under the gun as it appears, but eventually it is going to be the same way. They will be facing the same kind of problems. The way the Supreme Court is interpreting the law now is that anybody that will withhold service, and, if you look at the definition of a strike, it is the failure to perform everything you are supposed to do, full faithful performance of one's duties. Anything less than that can be construed to be a strike. If you strike, you can be fired.

Manley: I didn't become involved until about 1966. I was in administration when I first came into the system. In 1966 I became a little active, and then in '69 President. Vera Reeves was President before Guy Yiester, then Harry Cybulski and myself. We always had a feeling of comradeship, treated everybody the same, and it varies so much from other organizations that are so self-centered and only call upon labor when in trouble. It is too bad because now it is going to be hurt in the future.

McGhan: As far as where teachers in Flint are now, they are where the Federation always wanted them to be. Even though the Federation lost the election twice to the FEA, and then merged with the FEA, the FEA was almost doing a favor for the Federation by asking it to merge. Even though those things happened, the Federation still won a final victory in getting teachers into collective bargaining, getting them to think of themselves as a union, to deal with the problems they faced as employees, on those terms. They lost the battle but won the war.

Parmelee: I taught in the Flint Community Schools for thirty-seven years and never was a member of the UTF. I was not teaching before the UTF was organized. I was a member of The Teachers Club when I first came, and then I was a member of the Federation of Teachers until I retired in 1966. I was a member of the Federation for over twenty years. I was President of the Federation of Teachers just after World War II started. The man who was president was drafted, and I became President. I was President from 1941-45 and into the fifties, I think. I didn't join when they first organized, but it was just a small group of people. That was in the early thirties or forties, and there were only about twenty people. Before that, we had The Teachers Club which was really an administrative tool. Everybody belonged when they first came to Flint. They also belonged to the MEA. Dues were taken out of the first two paychecks in the fall. The MEA was run by five or six small-town superintendents in Michigan. They had a meeting every fall which they called a convention. Most people didn't attend. They enrolled, and that was about it. They were primarily concerned with legislation. Most of the legislation was to the advantage of their school districts. They had more power. Detroit had its own separate organization, as I recall. At that time, to become an administrator in Flint, first become president of the Teachers Club. The Teachers Club President was elected by delegates who were elected by each building in that city. No one paid too much attention to it until a few young men became interested in organizing a teachers' credit union. I don't know who was responsible for the organization of the Federation, but there was a woman near Detroit, I think from Highland Park, who was instrumental in organizing what they called Michigan Federation of Classroom Teachers. This eliminated any administrators from membership. They were a rebel group from the MEA. They had their meetings and separate conventions. Many people belonged to both organizations. Our Teachers Club affiliated with that organization. I wasn't

Parmelee continued:

particularly interested then because I hadn't been teaching very long. I wasn't familiar with all the political aspects of teaching school. The men at that time got \$400 more a year, just because they were men. We had a salary schedule from \$1200 to \$1900, if you had a Masters degree, for the women. The men along the whole scale got \$400 more. We had a Kindergarten teacher in Flint by the name of Bertha Williams who became disgusted with the whole business, and she started organizing the women classroom teachers. What we were primarily interested in was having an equal salary with the men. I became interested in this, and, once the Federation was organized, I waited several years before I joined. The school board superintendent was opposed to the unionization of teachers. The first big publicity was when the president who taught at the Junior College was dismissed. An elementary school teacher and a young junior high school teacher were also dismissed. There was a lot of publicity in the papers, and the Federation died a little. This was in the late thirties or early forties. We had come through the depression and the realtors put through a law which limited real estate property tax to fifteen mills. This hurt the school system a lot, and we didn't have much school aid at that time either. All they had in Michigan was that which was called the primary school fund, which was divided up on the basis of the census. The total amount for all the school districts didn't amount to a great deal. Flint had tried, but then a law was finally passed whereby the school district could ask for special elections, and people could voluntarily raise their property tax. The women classroom teachers were very interested in this and worked very hard at it. I don't know how many elections they had held and lost. Then they put one through, but by this time I had become interested in the Federation and had become the president. When we had our last election to try to break the millage, we lost by, I think it was three-fourths or two-thirds.

Parmelee continued:

It just wasn't a simple majority. We had lost by just a few votes at that time. The school board was cooperating with us then. They brought in a man from Chicago who was supposed to be able to organize campaigns of any kind (money raising campaigns). The school system was divided into districts. Some teacher called on every member of every house or rang the doorbell for their support. The night the election returns came in we had lost and knew it by 9:00 P.M. The maintenance people had also organized, and they belonged to the CIO. They had been very active in the campaign. We decided to let the people know we were dead serious, and we decided that we would have to close the schools. I called the board of the Federation together, and by 10:00 we had decided to strike. We called the maintenance men and they set up the pickets at the schools. Then we called all the teachers in the system, which took us until about 3:00 A.M., and told them they were not to report to school but come to Central High School for a mass meeting. We had had a lot of those mass meetings before, so this was not new. I called the superintendent, whose name was Mr. Pratt, and told him we were having our meeting. He wanted to know if he should come, and I told him if he wanted to he was welcome. We met, and in the meantime the principals were called in to tell their teachers they should come to school. A few of them did, but not very many. By 10:30 nearly everybody was at the auditorium. We voted and took a secret ballot and voted to strike. Forty people voted not to strike. There were over one thousand teachers in the system. This was the Federation calling the strike. It had a joint relationship with the MEA. We were the ones who had been active and had done a lot of the work.

We were the ones who called the meeting. The election was on Tuesday, and we had our meeting on Wednesday. The CIO sent some people out from Detroit to take care of the interests of the maintenance men. They were afraid the teachers were going to take advantage of them. They decided I should

Parmelee continued:

be the negotiator for the teachers. We sent a letter to the Board of Education telling them what we wanted. One of the things was an equal pay for equal work (regardless of sex) revision of the salary schedule. The Board called us to a meeting on Thursday morning, and we had two or three meetings. The CIO people left after the first meeting because they realized the teachers were going to be fair. We carried through from then on. Friday morning they settled. We didn't get everything we asked for; we didn't expect to, but we did get our salaries adjusted. There was a raise for everybody, but the women got more. They automatically got \$400 extra, which made some of the men a little unhappy. We went back to school on Monday morning. That was 1945. The settlement gave the Federation quite a boost in support and membership. From then on we were not the minority group, but not the majority either. A lot of people who couldn't join a union were not opposing us. Just before I left teaching, I think it was in 1966, they had an election to determine who should be the bargaining agent, the MEA or the Federation. We put on quite a campaign, but the Federation lost to the MEA. They (the MEA) called for a strike. They couldn't get what they bargained for in salaries. It wasn't a strike to get better things for the teachers, but a struggle over who was going to represent the teachers. I think they were out about three days. Then they negotiated a contract. The MEA represented them (the teachers in Flint). That was in the Spring of 1965. I was there one more year. I left in 1966. When that contract was up, they had another strike which lasted longer, two or three weeks. I don't know how they resolved the differences between the MEA and the Federation. With the second strike, they finally became the United Teachers of Flint. I don't think they are very united. The MEA was here in 1930 and had been here a long time before that. In Michigan they had what was called a "normal school period." The superintendents were in charge and came in for two



Parmelee continued:

weeks of special training, I think it was. I taught biology at Northern for four and one-half years, came to Central, and finished there.

Revis: With the passage of the law, 379, in which you could have collective bargaining, the first contract was in June, 1966, and quite a lot of outside help came in. The NEA had a representative in here negotiating for the MEA and the FEA at that time. The FEA was the Flint Education Association. It was an NEA lawyer that came in and helped to write the first contract. They were helping out in the big districts in the country. This was the first contract under the 379 law. They thought it was important because it was the biggest unit in Michigan at that time (I guess it would still be the biggest unit), so he came in and gave assistance in writing the first contract.

Short: Flint is an extremely interesting local group of teachers and school employees. I am just amazed that the administration hasn't been able to crush them, because of their internal fights. One of Flint's biggest problems over the years has been the internal dissension and the inability to really get things together. I think the administration has been very tolerant of the situation and really hasn't sought to destroy it. At times, they leave themselves very vulnerable. It is just unbelievable, the bickering and fighting. They are their worst enemy most of the time.

White: No response.

## **APPENDIX B**

### **LETTER TO INTERVIEWEES**

APPENDIX B

LETTER TO INTERVIEWEES

William B. Abel  
4484 Karen Ann Dr.  
Okemos, Michigan

Dear

I would like to take this opportunity to thank you for the privilege of interviewing you for my dissertation entitled "The Historical Development of Collective Bargaining in the Flint Community Schools."

This letter will confirm the time of \_\_\_\_\_ on \_\_\_\_\_ for the interview.

Enclosed is a copy of questions and areas which will be included in the interview. Again, thank you for your time and cooperation you have shown to me while doing my study.

Sincerely,

William B. Abel

Enclosure

## **APPENDIX C**

### **SECOND LETTER TO INTERVIEWEES**

APPENDIX C

SECOND LETTER TO INTERVIEWEES

William B. Abel  
4484 Karen Ann Dr.-G6  
Okemos, Michigan 48864

Dear

Enclosed you will find the transcript from the taped interview we had concerning my dissertation topic "The History of Collective Bargaining in the Flint Community Schools." Any corrections or revisions you wish to make, please do so and return to me no later than March 30, 1977, in order that I may have it to the typist by April 3, 1977.

I do appreciate the help you have given me during the writing of my dissertation.

Again, thank you for your help and consideration.

Sincerely,

William B. Abel

Enclosure

**APPENDIX D**

**AUTHORIZATION STATEMENT**

APPENDIX D

AUTHORIZATION STATEMENT

\_\_\_\_\_ I hereby authorize Mr. William B. Abel to use the material that was taped concerning the "History of Collective Bargaining in the Flint Community Schools." I do not wish to read it before being published.

\_\_\_\_\_ I hereby authorize Mr. William B. Abel to use the material that was taped concerning the "History of Collective Bargaining in the Flint Community Schools." I would like to read the taped interview before being published.

Thank you.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

APPENDIX E

THANK YOU LETTER



APPENDIX E

THANK YOU LETTER

William B. Abel  
4484 Karen Ann Dr.  
Okemos, Michigan

Dear

Enclosed you will find the transcript from the taped interview we had concerning my dissertation topic "The History of Collective Bargaining in the Flint Community Schools." Any corrections or revisions you wish to make, please do so and return to me no later than March 31, 1977.

I do appreciate the help you have given me during the writing of my dissertation.

Again, thank you for your help and consideration.

Sincerely,

William B. Abel

Enclosure

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