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A descriptive analysis of faculty grievances at five Michigan universities, 1975 to 1985

Heidloff, Theodore Hudson, III, Ph.D.

Michigan State University, 1989

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A DESCRIPTIVE ANALYSIS OF FACULTY GRIEVANCES AT
FIVE MICHIGAN UNIVERSITIES, 1975 TO 1985

By

Theodore Hudson Heidloff, III

A DISSERTATION

Submitted to
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ABSTRACT

A DESCRIPTIVE ANALYSIS OF FACULTY GRIEVANCES AT FIVE MICHIGAN UNIVERSITIES, 1975 to 1985

By

Theodore Hudson Heidloff, III

Purpose. The study was to analyze the nature of faculty grievances filed at five Michigan universities during the years of 1975-1985. Within that period the researcher looked for (1) significant relationships in the nature of faculty grievances from institution to institution; (2) whether grievances decrease in frequency and are they resolved at a lower level in the resolution process as the bargaining matures; and (3) what impact, if any, does the choice of bargaining agent make?

Procedure. A total of 264 faculty grievances were examined using 19 variables. Faculty grievances were divided into nine subject areas along ten academic disciplines. Grievances were of two types: individual and group. Group grievances are those complaints affecting more than one individual or the union. The data were summarized by individual, group and institution. Totals and percentages for each category were obtained, and Chi-square was employed to evaluate the information derived.

Findings. There were no statistically significant differences found in the nature of faculty grievances from one institution to another. The second hypothesis dealt with the effect of time upon the grievance

process. Of the variables employed in this hypothesis, it was found that the number of grievances did decrease over the time periods studied. Further, there was a statistically significant relationship between the rate of decrease and the time (in months) it took to resolve the matter.

In addition, the choice of a particular bargaining agent (NEA or AAUP) impacted upon the number and rate of grievances filed. In absolute terms, the number of grievances declined over time for both agents. However, AAUP institutions had fewer total grievances and they declined at a sharper rate than NEA institutions.

The final hypothesis centered on other aspects of the bargaining agent's role in the grievance process. Statistically significant relationships were found between the AAUP and NEA on the preference for filing individual or group grievances, the subject area of the grievance, and, most importantly, the outcome of the grievance. No statistically significant outcomes were obtained between the unions when the rate of grievance resolution was tested.

This work is dedicated to the memory of my father, Theodore Heidloff, who instilled in me the spirit to succeed. It is also dedicated to Mary and our sons, Teddy and John Paul. One could not ask for a better supporting cast.

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CHAPTER I

Statement of the Problem

This inquiry systematically analyzed the nature of faculty grievances at five Michigan universities: Central Michigan University, Eastern Michigan University, Ferris State University, Saginaw Valley State University, and Oakland University. All are of similar scope and complexity, operate under appointed governing bodies, and serve a high proportion of Michigan students. All of these institutions have had faculty collective bargaining for 10 years or more. This research assessed the impact faculty grievances had upon the institution, the parties involved, and the agreement itself.

The researcher sought to answer the following questions:

1. Did the type of faculty grievance change according to the length of the bargaining relationship? For example, do grievances filed over faculty working conditions occur more often in the second year of bargaining than the eighth year?
2. Did the choice of bargaining agent (A.A.U.P. v N.E.A.) account for any differences in the type of grievances filed?
3. Are grievances resolved at a lower, less formal level as the bargaining relationship matures?

It was presumed that these and other research questions could best be studied in institutions that have operated under collective bargaining for 10 or more years. Bargaining relationships of a decade's duration provided sufficient opportunities for each side to test the other's strengths and weaknesses, and as a result, were less susceptible to variations caused by individual personalities, short-term fiscal constraints, or other less enduring conditions.

The Need for the Study

In the daily management of labor relations under a collective bargaining agreement, the greatest amount of time and effort is expended in meeting and resolving contract grievances. As Davey (1959) has noted, most employers and union leaders agree that the real heart of collective bargaining is the administration of the agreement, for it is from this that grievances arise.

While some within an organization believe that grievances should be avoided at all costs, conflict is inevitable in organizations of any size or complexity. mutually accepted is the basis of effective contract administration.

Grievances expose the weak, misunderstood, or obviously bad paragraphs of the agreement. They also expose those issues upon which there was insufficient or no accord. A review of past grievances and their location within the organization can give focus to negotiations. Grievances also have a cathartic effect, if handled promptly and fairly, thereby substituting for other concerted action.

Grievances are used by both sides to favorably push the limits of their control. Unions use them to protect their members and to solidify their existence as a political organization (Kruger 1979). Management uses grievances to protect its rights and to shield its supervisors. Grievances, too, are often the only mechanism through which management is made aware of divergent goals and practices within the organization. Grievances may also be used by either party to achieve ends not gained at the bargaining table. The intensity with which a grievance is fought and the level it must reach for resolution indicate the type of working relationship the parties possess.

In faculty labor relations, grievances take on an added importance due to the scarcity of promotions, the relatively low professional salaries, and traditional

attitudes that differ from those of "industrial" unions. As is the case in the industrial sector, however, grievances are used to achieve a variety of ends beyond the mere resolution of a contract violation. In academe, for example, a grievance may be prompted by the administration's desire to raise promotion standards. If successful, the administration can establish more stringent criteria for promotion. In the same situation, a faculty union may seek to quantify those same standards at a level more easily achievable by their members.

Background of Theory and Research

Most research in grievance analysis and its impact on the organization concerns the industrial sector. Ash's (1970) study of the broad impact of grievance decisions provides parallels for study in the public sector. Ash discussed at length the management characteristics present in many grievance situations.

Ash found a steady and rapid growth in the number, both absolute and relative to the work force, of grievances filed under the agreement during the five-year study period. Looking at factors associated with grievances and whether there was a significant difference between those workers who grieved and those who did not, Ash concluded that there were three statistically significant differences about those who grieve: They were younger, were more likely to have served in the Armed Forces, and were significantly more likely to be Caucasian. Ash also suggests that there may well be a decided relationship between the character of supervision and departmental grievance rates. While faculty do not work under these same conditions, the findings have relevance for this study.

Duane's (1979) study of grievance analysis at the junior and senior colleges of Minnesota also has application to this present study. He states that one function of grievance data analysis is to locate institutional policy problem areas

or those that provide the largest number of faculty grievances. In Duane's study the policy problem areas identified were, in descending order of frequency:

- | | |
|-----------------------------|----------------------------|
| 1. Salary | 8. Leaves of absence |
| 2. Work load | 9. Discrimination |
| 3. Appointment/layoff | 10. Grievance procedure |
| 4. Employee rights | 11. Management rights |
| 5. Association rights | 12. Department chairperson |
| 6. Reprimand/dismissal | 13. Promotion |
| 7. Miscellaneous provisions | |

Duane compared subunits (defined as a department, division, or college) exhibiting high grievance rates with similar subunits that had fewer grievances. (Since the size of membership among the subunits under evaluation varied widely, Duane developed a grievance ratio to aid his comparisons.) The research findings suggest in subunits with inordinate grievance rates one of two things is operating:

- 1) grievances are not properly screened by union representatives and/or administrators are not willing or able to resolve complaints informally, or
- 2) afoot within the subunit are serious policy problems that can be characterized as--
 - a. substantive disorders, like faculty layoffs; or
 - b. procedural disorders, such as contractual ambiguities.

Muchinsky and Massarani (1981) suggest that the nature and scope of grievances indicate the quality of the underlying union-management relationship. They further believe that changes in contract language over time reflect that relationship as well.

One of Muchinsky and Massarani's findings was the high denial rate for grievances made at the beginning of a newly established bargaining relationship.

This high denial rate was not present where unions had been in operation for longer than a year.

A partial reason for high grievance rates during the first year was that union and management were unaccustomed to each other in advocacy roles. Secondly, these grievances were classified as the symptomatic variety, where the complaint not only details a specific problem but indicates other underlying factors. These complaints emerge to vent frustration, to increase pressure during negotiations, or to retaliate for management actions, and are then converted into formal grievances. Though they may have some contractual basis, the grievances are only symptomatic of the real problem.

Graham and Heshizer (1979) studied over 300 labor agreements and interviewed labor and management officials to determine whether contract language had any effect on the level (low or high) of grievance resolution. They concluded that, while language encouraging early, low-level resolution was comforting to read for employees, it had little impact in determining actions. The circumstances of the grievance dictated the level of resolution.

One outcome unanticipated by Graham and Heshizer was that grievances became more difficult to resolve in periods of high unemployment. They believe that workers become more aware of those contractual violations that might possibly affect their job security in these times and are less willing to overlook them than if employment is high. Given the financial problems Michigan's educational institutions have faced, the same effect may be present in faculty grievance rates.

Significance of the Study

In administering a collective bargaining agreement, problems are usually reacted to rather than anticipated. In researching faculty grievances and their influence upon labor management relations, the researcher sought to provide, for the institutions involved, an accurate record of their grievance activity from many perspectives. A study of grievances, however, does not describe the entire labor relations process. But it may provide a measure of the success or failure the parties have had in the daily administration of their agreements. Administering any agreement involves the continuous translation of words and phrases into action. An optimum achievement for this study would be to narrow the gap between the words of an agreement and the deeds associated with its administration, thereby contributing to a better work environment.

Statement of Hypotheses

This researcher's premise is that an examination of faculty grievances over a sufficient period of time will reveal quantifiable results that define the condition of the relationship between the parties.

Using reasonably similar Michigan universities that have had collective bargaining for 10 or more years, it was assumed that the conditions under which faculty work are the same. If that is the case, the absolute number and general circumstances that gave rise to faculty grievances should not vary significantly by institution. Therefore, the first hypothesis, in null form, was:

1. The absolute number and circumstances giving rise to faculty grievances do not vary significantly from institution to institution.

Another area of research inquiry was the effect the passage of time had upon the contractual relationship between the parties. Grievances generally have three stages; informal resolution; formal resolution; solution imposed upon the

parties by an arbitrator or other impartial panel. It was postulated, therefore, that the level at which grievances were resolved changes significantly over time. The second hypothesis, in null form, was:

2. The level of resolution (informal, formal, imposed solution) that a grievance obtains does not vary significantly over time.

Of the five institutions studied, three have been organized by the Michigan Education Association (MEA) and two by the American Association of University Professors (AAUP). It was assumed that the philosophy of these competing organizations is not the same. The MEA grew in membership first through the unionization of K-12 public school teachers. The AAUP only organizes college faculty. Does the selection of a particular bargaining agent create significant differences in the nature and type of grievances filed by faculty members? The third hypothesis, in null form, was:

3. The nature and type of grievances filed by faculty does not vary significantly by choice of bargaining agent.

Methodology for Experimental Design

To test the hypotheses, the actual grievance documents housed at each institution were examined. The following information was obtained from each of 264 grievances examined:

- a. Academic rank at time of grievance.
- b. Length of service to institution at time of grievance.
- c. Sex of grievant.
- d. Academic discipline of grievant (social sciences, humanities, natural science and mathematics, applied arts and technology, etc.).
- e. Circumstances under which grievance was filed:

1. Promotion, tenure or reappointment
 2. Seniority, retrenchment
 3. Fringe benefits
 4. Supplemental compensation
 5. Faculty working conditions
 6. Salary
 7. Union rights under the agreement
 8. Discrimination and harassment
 9. Discharge and discipline
- f. Level at which grievance was resolved (informal, formal, imposed solution, no solution).
 - g. Total number of grievances by individual labor agreement and institution.
 - h. Differences by institution and broad academic disciplines (natural sciences and mathematics, social sciences, humanities, applied arts and technology).
 - i. Month and year grievance was filed.
 - j. Contract in force at time grievance was filed.
 - k. Length of time to resolve matter.
 - l. Outcome of grievance (withdrawn by grievant, resolved in favor of union, resolved in favor of administration, or resolved by negotiated agreement).

The variables noted above refer to grievances filed by individuals. Grievances filed by groups or by the bargaining agent on behalf of individuals were identified in this study as group grievances. Information of the following type was gathered on these grievances:

- a. Circumstances under which grievance was filed.
 - 1. Seniority, retrenchment
 - 2. Fringe benefits
 - 3. Supplemental compensation
 - 4. Faculty working conditions
 - 5. Salary
 - 6. Union rights under the agreement
 - 7. Discrimination and harassment
 - 8. Discharge and discipline
- b. Month and year grievance was filed.
- c. Contract in force at time grievance was filed.
- d. Level at which grievance was resolved (informal, formal, imposed solution, no solution).
- e. Length of time to resolve matter.
- f. Outcome of grievance (withdrawn by grievant, resolved in favor of union, resolved in favor of administration, or resolved by negotiated agreement).

The data were primarily analyzed using Chi-square testing at the .05 level of significance. Other testing measures were utilized as necessary. Use of these test measures show whether, in fact, there are significant differences in the data as stated in the hypotheses.

Definition of Terms

For the purposes of this study, the following definitions are used:

Bargaining Unit -

The group of employees determined by national, state or territorial labor boards to constitute the unit appropriate for bargaining purposes.

Where no official designation or certification was made, it was the unit accepted by the employer for bargaining purposes.

Bargaining Agent -

The union certified by a national, state or territorial labor agency to represent a majority of the employees in an appropriate bargaining unit and to be the exclusive bargaining agent for those employees. The employer is obligated to meet and negotiate the wages, hours, and other terms and conditions of employment with this agent.

Arbitration -

A procedure whereby parties unable to agree on a solution to a problem indicate their willingness to be bound by the decision of a third party. The parties usually agree, in advance, on the issues that the third party (the arbitrator) is to decide. Collective bargaining agreements generally provide for arbitration as the last step in the process set up to handle plant grievances.

Grievance -

Any complaint by an employee or by a union (sometimes by the employer or employer association) concerning any aspect of the employment relationship. The complaint may be real or fancied, arbitrable or non-arbitrable under the contract. Arbitrable grievances usually arise out of the interpretation or application of the collective bargaining agreement's terms.

Limitations of the Study

Because each of Michigan's four year state-supported institutions are either legislatively or constitutionally autonomous, research findings at one will not necessarily apply at another. The general working conditions of faculty, however, were similar enough for a study of this type to be meaningful.

Another limitation to this study is that it was confined to only one state.

The study was also limited because it lacked representation by one of the three major faculty unions, i.e., the American Federation of Teachers (AFT). No four-year institution in Michigan has the AFT as its bargaining agent.

Organization of the Study

The remaining chapters of this study were as follows:

Chapter II, Survey of Related Literature, was devoted to a review of publications and research studies that were relevant to this study.

Chapter III, Means and Method of Data Collection, described the procedures preparatory to conducting the data collection and the methods used for collecting the data.

Chapter IV, Presentation and Analysis of the Data, analyzed the data collected as it related to the hypotheses of the study.

Chapter V, Summary, Recommendations and Suggestions for Future Research, summarized the study and made recommendations for future research.

CHAPTER II

The Survey of Related Literature

This chapter is a review of the relevant literature in the broad area of organizational grievances and the more specific area of faculty grievances. Grievance systems will be examined both in and out of the public sector and in industrial and educational settings. Next, the component parts of a grievance procedure and how they interact will be reviewed. Factors such as the number and type of grievances filed against an enterprise and at which stage settlement was achieved are among the more important facets of this inquiry. Then, the role of individual and group grievances and their impact on the organization will be explored. Finally, the unique aspects of faculty collective bargaining and the part that grievances play in union-management relations will be discussed.

Grievance Systems

As earlier stated, a grievance is any complaint by an employee, an employer, or a union concerning any aspect of the employment relationship. The complaint may be real or fancied, arbitrable or non-arbitrable under the contract. For the purposes of this study, arbitrable grievances, those that arise out of the terms and their application within the agreement, will be the only ones considered.

Grievances typically proceed along the same path, i.e., from informal stages through formal steps, usually culminating in a binding resolution prescribed by a third party neutral such as an arbitrator or review panel. The Bureau of National Affairs (1979) found that 99% of sample contracts contained a provision for grievance resolution. There were, however, variations in the scope of the grievance procedure, the number of steps in the procedure, the time limits for filing, and the nature of third party responsibility. In 75% of the public sector agreements and 90% of the private sector agreements, management accepted

binding arbitration of certain types of grievances in return for a no-strike pledge from the union over the life of the agreement (Mills, 1982).

The widespread use of grievance procedures suggests that they must satisfy the needs of both management and union. Kochan (1980), quoting Chamberlain and Kuhn, noted that grievance procedures that include arbitration clauses perform three basic needs for the union and management under a collective bargaining agreement:

- (1) The agreement must be interpreted on a day-to-day basis and differences over interpretations must be resolved;
- (2) The terms must be adapted to changing circumstances and unforeseen situations and
- (3) Demands by workers, local-level managers, and first-line supervisors for adjustments and modifications of the basic agreement to fit local conditions must be accommodated.

The importance of the grievance procedure has been noted by many. Ryder (1956) believed that the procedure has a dimension beyond words on a piece of paper, that it gives life to the terms and conditions of the agreement it serves. Grievance procedures can help define common work practices and serve as notice to employees about the breadth of activity the contract can accommodate.

McKersie and Shropshire (1962) also found grievances to be important:

It is the day-to-day administration of a contract that determines how well the objectives of the contract are realized and it is the day-to-day administration that most influences the development of a constructive relationship between the contracting parties.

A fairly representative grievance procedure from Holley and Jennings (1980):

	Union Personnel Involved	Activity	Management Personnel Involved
First Step	Employee (with or without union steward)	Discuss grievance	First-line supervisor
		Unresolved	Resolved
		Grievance reduced to writing and answered by management in 5 days	
Second Step	Addition of union grievance committee person	Discuss grievance relative to precedent	Addition of industrial representative
		Unresolved	Resolved
		Management answers in writing	
Third Step	Addition of union grievance committee members	Can be appealed in five days	
		Discuss grievance with maximum input	Addition of industrial relations manager and general plant management official (e.g., assistant plant manager)
		Unresolved	Resolved
Fourth Step		Management answers in writing	
		Can be appealed in 10 days	
		Arbitration (Addition of third party neutral)	
		Final and binding decision	

Figure 1. Sample Grievance Procedure.

While diagrams of the type just noted suggest that the grievance process provides a direct approach to dispute resolution, there are several unwritten dimensions to the process. As Holly and Jennings (1980) say, one factor in this dispute resolution matrix is the variety of personalities and motives the participants bring to the process. Such emotional factors make it difficult to effect three principles of grievance procedure: a clinical rather than a legalistic approach should be followed, the grievant's role and the procedure should be clear in the contract, and each grievance should be decided on its own merit. They found the resolution process to be characterized by three types of social relationships conducted against the back drop of the agreement's provisions.

Conflicting power relationships, according to Reynolds (1978), and supported by Holly and Jennings arise when one of the parties or its agents has a "different agenda." Generally, individuals rather than organizations engage in activities that are at variance with the larger group's stated objective. A union member's grievance against management, for example, might be aimed at damaging a manager's credibility with his or her peers. A "different agenda" on the part of management might result in uneven standards being applied to an employee who has fallen out of favor. Regardless of the "success" of such actions, this type of relationship distorts the primary purpose of contract administration, i.e., rational decision making.

Kruger (1980) has said that sympathetic relationships occur between individuals when each is aware of the other's needs (and that of the organization) and uses that awareness to appreciate and better work with the other. Management needs to understand that the union is primarily a political organization within whose framework there are several layers of needs, wants, and desires. Some of these are manifested by actions that outwardly appear only to threaten or embarrass management. In truth, the union may take such actions to

solidify its own internal factions. The union must understand too that management has its constituent groups watching for consistency of treatment. These factions, although they are not identified as such, must also be accommodated by management.

Reynolds (1978) agrees with Holly and Jennings on codified relationships, which include the rights and privileges of first-line supervisors and union grievance personnel, as defined by the labor agreement and various union and management publications. Such codification, which is detailed in handbooks on grievance processing, plays an important role in the area of dispute resolution. It creates an atmosphere in which mutual rights and respect are given value. Generally, problems should be solved at this level, rather than having a solution imposed from above. The further a grievance travels, the more difficult it becomes to settle due to factors of pride and prestige. This is particularly evident in cases where one or both sides back their people in spite of the original action being wrong.

The three types of interpersonal relationships described above combine with the grievance procedure to form the operational basis for the real process in response to these relationships, and the personalities of the contract administrators is a phenomenon long understood by those who practice grievance administration. All of this adds considerable complexity to what appears on the surface to be a straightforward process.

Thomson and Murray (1976), reflecting on earlier works on how grievances are handled, categorized these on a continuum ranging from most to least severe. Depending on economic conditions, internal organizational affairs, leadership styles, and a myriad of other factors that play a part in the overall organizational climate, all of these patterns could be present in a union-management relationship. Thomson and Murray's continuum has five levels:

1. **Aggressive** - In this situation one party sees nearly all of its dissatisfaction as subjects for grievance. The parties behave as if one side must win at the other's expense. There is little or no trust between the parties and joint resolution of issues is rarely, if ever, achieved.
2. **Repressed hostility** - The workforce is dissatisfied with its work environment but does not articulate these dissatisfactions as open grievances. Mistrust and disrespect of management are everpresent. Employees feel as if they have little or no power, however, to effect change so they do nothing.
3. **Moderate** - Grievances, some of which can be seen as 'zero-sum' issues, arise frequently. There is a basic but cautious respect between the parties. Grievants are not without limited power to change conditions and some prior consultation by management takes place. The use of threat and force are relatively rare.
4. **Passive** - Positive attitudes generally prevail. Few grievances are felt or articulated. The employees have little influence, joint consultation is rare and the workforce generally does what it is told and does not mind it.
5. **Cooperative** - Attitudes are generally favorable. Few grievances are felt or articulated and, among those that are, none are seen as 'zero-sum.' Linking and trust prevails. Workers make their considerable influence felt through joint consultation with management on all issues, including grievances. There is never any use of threat or force.

Thomson and Murray (1976) concluded that, in practice, the grievance process is much more complex in terms of the issues and of the organization's social structure and its values than previous assumptions about the grievance procedure reflected. This is true even in fairly simple enterprises, such as single plants with single unions.

A more expansive view of grievance handling is offered by Ryder (1956) who also links the actual bargaining process to grievances. He sees the duration of the collective bargaining relationship between the parties as an important factor. As this relationship matures, both sides tend to become complacent and to stray from the agreement's language. This usually comes after the realities of bargaining are firmly in place and a balance of power has been established. Movement away from complacency is spurred by the grievance process. Contract

provisions are given substance, modifying organizational practices as a result. Some of these practices are later codified as contract provisions in future agreements.

Loughran (1984) explains it is not uncommon for the parties to deliberately write vague contract language in order to reach a settlement on that issue, knowing that future grievances will more sharply focus this imprecision. In this way a grievance outcome defines previously vague contract language. Defining these meanings through grievances can be likened to a polishing process occurring over the life of a contract. This phenomenon is largely limited to labor agreements because other types of commercial contracts contain far fewer implicit meanings in their terms and conditions.

A final broad area of grievance systems to be examined is the approach taken to resolution. Julius (1986) explains that the approach used has heightened significance in faculty grievance administration. In a setting where the lines of authority are blurred by design, form rivals substance in importance. It is a foolhardy administration that seeks to dominate faculty in matters of governance, for example. In the best of times and under the best of conditions, the issues of who controls whom and what is never far below the surface.

Holley and Jennings (1980) describe management's approach to grievance resolution as being either clinical or legalistic. Both approaches have advantages, disadvantages and may, depending on the issue, operate within the same bargaining relationship. A clinical approach attempts to uncover all of the causes behind an employee's grievance: the legalistic approach strictly defines the grievance according to contract provisions. Although the clinical approach can undoubtedly be viewed as more fair, it does have limitations.

Orze (1978) cites one limitation is a labor agreement's inability to incorporate issues of fairness and equity that can satisfy everyone. For example,

in issues of faculty supplemental compensation, seldom, if ever, are there written provisions that address extra teaching capabilities. Yet it is true that some faculty can teach more than a normal load with no loss in efficiency, while others struggle to maintain quality within a normal schedule. Faced with a grievance in this area, the administration may well know the capabilities of its faculty members but would be reluctant to modify or to overlook a contract violation because of what might follow. So, while fairness would dictate that individual faculty members teach as often as each felt capable, most contracts would not allow it.

Orze continues with another limitation to the clinical approach is the grievant's expectation of a complete and thorough answer to their complaint. This is not always the case because expansive written answers to a grievance expose management to the chance of expanding the dispute's boundaries. This is the reason for short, cryptic grievance answers. Fairness usually takes a backseat to keeping the issue narrowly defined.

Regardless of the approach taken, grievances and the system in which they operate are a vital aspect of the collective bargaining relationship. Grievances mold and shape the contractual provisions made at the bargaining table. With a broad review of the grievance system complete, the components of a grievance and how they act and interact will be examined.

Behavior of the Grievance System

Prior researchers have considered several functional aspects of the grievance process, including the number of grievances filed, the level at which grievances are resolved, and profiles of persons who are more apt to file grievances.

Volume of Grievances and their Significance

Whyte (1956), in an address many years ago, discussed the significance of grievance volume, which can mean many things to the respective parties. A high number of grievances may indicate a union leadership frustrated with management. It is not unknown for unions, anxious to pressure management into change, to canvass for grievances. Frustration with management, however, results in few grievances being filed if the employees lack confidence in their union. In the absence of such confidence, frustrated employees often resort to work slowdowns as a tangible means of expression.

Whyte explains two other reasons that account for fewer grievances being filed than the actual level of grievable problems felt by employees. According to his theory, any employee should feel free to pursue his or her problems with management with or without the union's involvement. Employees do not want to be considered "troublemakers" by management, however, for fear that their future with the organization will be affected. It is also probable, particularly in industrial settings, that employees feel that they should be able to handle problems themselves with little or no help from anyone else.

While the chief determinants of grievances are organizational and institutional conditions, the rates at which they are filed provide useful clues about overall grievance activity, according to Slichter, Healy, and Livernash (1960). Fleishmann and Harris (1962) found that supervisory "structure" and "consideration" were linked to grievance rates. Structure describes the behavior of a supervisor who organizes and defines group activities and his relation to the work group. Consideration includes behavior that is indicative of mutual trust, respect, warmth, and rapport between supervisor and employee. The study revealed that, in general, supervisors who stressed highly structured behavior and who had little consideration for employees had high grievance rates and a high

turnover of employees. Ash (1970) found that foremen, confronted with many grievances, took longer to answer them and had more group (as opposed to individual) grievances filed. Grievances and turnover were lowest for groups with supervisors (foremen) who showed medium to high consideration for employees, coupled with less emphasis on structure. These same supervisors were able to increase structure without increases in grievances and turnovers.

Fleishman and Harris concluded that supervisory behavior characterized by low consideration was more critical in regard to grievances and turnover than highly structured behavior. Thus, supervisors who establish a climate of trust and rapport with their subordinates are better able to work through other problems in the workplace than those supervisors whose behavior is highly structured. This connection between supervisory structure and grievance rates was also noted by Ash, whose five-year study of 1,344 grievances suggested a decided relationship between the character of supervision and the rate at which grievances are filed.

Gandz and Whitehead (1981) researched the relationship between the organizational climate and grievance initiation and resolution. The underpinnings of this relationship can be illustrated in this way:

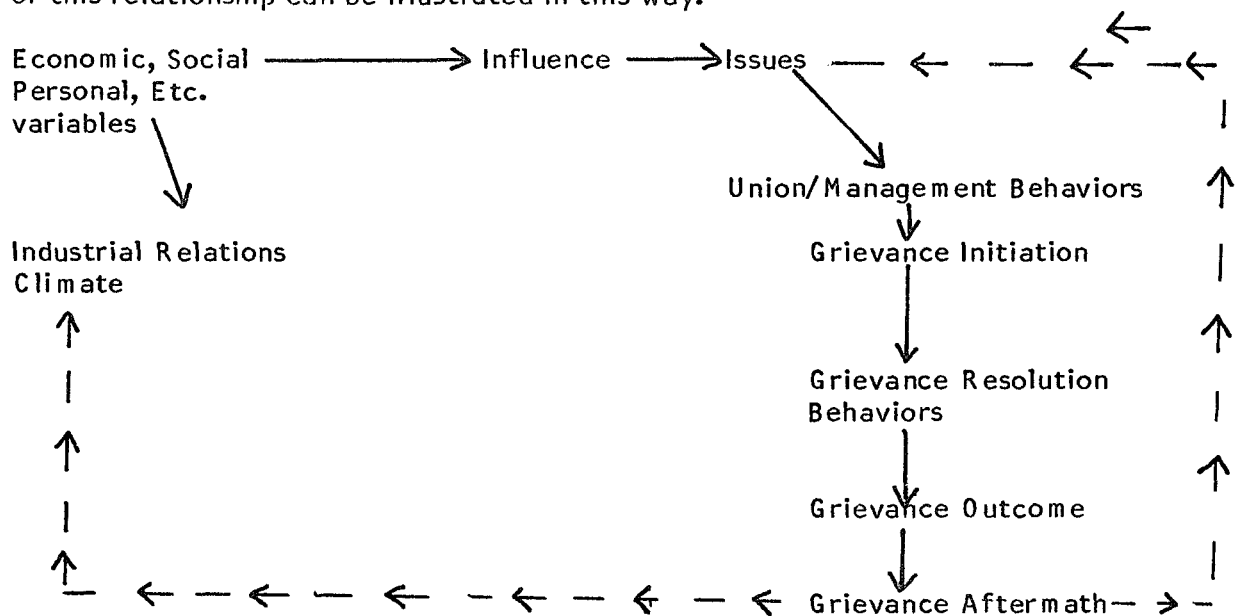


Figure 2. Grievance factor flowchart.

Recognition that grievance rates and resolution patterns are related to the organizational climate can foster change in the behavior of the parties. The researchers hypothesized that there would be an association between high grievance rates and conflict at the bargaining unit level. Results supported this hypothesis. Gandz and Whitehead, who liken grievance rates to proxy votes on the industrial relations climate, suggest that both parties should collect and analyze grievance data. Variations from the norm should trigger further analysis and action where desired.

Breslin (1981), in offering a critique of the Gandz-Whitehead research, feels other factors, independent of the bargaining relationship, influence the grievance workload:

1. Internal Union Pressures

Often a function of individuals, grievances can and are filed for many reasons including promotion of individual wants and needs.

2. Local Union Elections

An upturn of grievances is made as favors to individual employees by candidates for union office.

3. The Threat of Legal Action by Employees

The specter of outside agencies (EEOC, NLRB, Department of Civil Rights) intervening against the union impels representatives to process grievances of dubious value.

4. Factor of Cost

The increasing cost of arbitration and its preparation in time and money forces the parties to settle earlier than in prior years.

5. Workforce Characteristics

Generally, better employee screening results in less grievances.

Settlement Step

It is a hypothesis of the researcher that faculty grievances will be settled at a lower level as the parties' bargaining relationship matures. This is frequently the case in non-academic settings. Turnea and Robinson (1972), quoting an earlier finding, say:

It should be stressed that the typical grievance is settled at the first step. This is particularly the case after the union-management relationship has matured. Once the shop foreman and union stewards or committeemen can get used to each other and to living under a contract, they are likely to work out a *modus operandi*.

A swift settlement of employee grievances is almost always beneficial to both parties. The action, real or imagined, that prompted the grievance is addressed and presumably changed or corrected. The grievant usually experiences a sense of relief that the process is over and the parties can continue their relationship. Turner and Robinson set out to test the premise that lower step resolution indicates harmonious union-management relationships. In a study of many industrial business firms in one state, union officials and management personnel were interviewed in order to provide a cross-check of attitudes. The authors' hypothesis was supported in 77% of the companies examined.

Orze (1978), in a monograph on conflict resolution in academe, states that grievances should be settled at the earliest and lowest level of the procedure by the appropriate authority. Orze feels that the tangible and intangible resources of boards of control and presidents are finite and that these limited resources should not be exhausted in elongated conflicts that are likely to continue because of personality conflicts and tests of individual will. Only bona fide policy or control questions should be allowed to reach the highest levels of the grievance procedure. Resolution at the lowest possible step is made, in part, by limiting the number of procedural steps to only those necessary for a fair, equitable, and

speedy decision. Informal resolution is always encouraged, provided the proper delegation of authority has been made.

Graham and Heshizer (1979) used an interview method to determine whether actual contract language had any effect upon low-level settlement of grievances. Examples of such language include "The parties agree to make every effort to settle grievances in the lowest possible step of the procedure," or "The parties agree to make a determined effort to settle grievances at the lowest step of the procedure." The researcher's underlying premise was to establish whether it is the procedure or the people who operate it that determine successful grievance resolution. An examination of over 300 labor agreements and resultant interviews found that low-level settlement language had little value as a guide to the parties' behavior, even in instances where there was a high rate of grievance settlement at early stages. Graham and Heshizer concluded, however, that this type of language has some value if for no other reason than to jointly express a philosophy.

Faculty grievance procedures differ in one important way from their counterparts in other settings. That difference is embraced by the term "shared governance." On any campus there are three human components: faculty, staff, and students. Each is dependent upon the others for support, instruction, and guidance. Practically speaking, this three-way relationship is reduced to one between faculty and administration in the operation of the university. Comparatively, the student body has but a small role in the operation of the university. There are few known grievance procedures that incorporate students into the process, particularly in collectively bargained settings.

In an academic setting, the line between employer and employee is purposely blurred and grievance procedures reflect this phenomenon. Estey (1986) describes a faculty grievance in this way:

A faculty grievance is an elusive thing, the description of which varies from campus to campus. The faculty and

administration on each campus decide what constitutes a faculty grievance; they determine who may use the faculty grievance procedure, and what, when and where they may grieve. A faculty grievance might be defined as a complaint by an appropriate (eligible) person, about an appropriate issue, at an appropriate time, to an appropriate committee. A complaint that passes all these tests qualifies as a faculty grievance but if it fails any of them it will not be a faculty grievance. It may be something equally important, but it will not be a faculty grievance, and it will not show up in data on faculty grievances.

Dr. Daniel Julius, Associate Vice President for Academic Affairs at the University of San Francisco in a 1986 interview also spoke about the nature of faculty grievances:

The first way I would get at that question is by saying outright that the nature of faculty grievances in unionized relationships depends entirely, almost entirely, on the definition of a grievance in the labor agreement. For example, if the definition of a grievance is related to a violation of a specific term of the agreement, and if in fact the grievant has to be someone who is directly wronged by a violation of the specific term of the agreement, then the nature of the grievances brought forth varies quite substantively than if you had, instead, a definition of a grievance which provided for any misunderstanding between the parties and the contract itself, including references to state statutes. The grievant, because of the misunderstanding, could in fact grieve anything under the sun. . . .

In California, for example, in the California State University system, a definition of a grievance was really related to a violation or misinterpretation of a specific term of the agreement. And in that agreement, we did not or we were very careful not to reference any outside personnel policy statutes, institutional wide procedures, because anything you put into the contract becomes subject to the grievance procedure. Now that I have said that, I have one further thought, and that is the nature of grievances depends on the final adjudicating body within the grievance procedure. For example, is there advisory arbitration? Further, if there is arbitration, how are the rights or how have the rights of the arbitrator been circumscribed? For example, do arbitrators have the right to fashion a remedy? Do they have to adhere to a standard of review for the grievance. For example, on the contracts I bargained at the University of San Francisco, I am very specific in defining what the rights of the arbitrator really are with regard to a grievance.

. . . For example, most good grievance procedures you will see a statement on arbitrability. In other words, if it is not arbitrable, it gets thrown out. And then a statement further delineating the rights of the arbitrator. . . .

I would say the nature of grievances depends upon the definition of a grievance and how a grievance procedure culminates. That's one whole side of it. Now the other side of it, of course, is how the contract is implemented. I advise my deans, for example, at the University of San Francisco that grievances are good things and that grievances mean that a contract indeed is being lived with and is a living agreement. The inclination of most higher education administrators not acquainted with labor relations is that, let's avoid grievances, we're going to look bad. I am saying, grievances are a good thing. Just in summary, I would say, in principle, that grievances are a healthy sign, but too many grievances means there is a real problem and too few grievances means that there's a real problem. In general, there should be one or two over a semester and if everything is being grieved on promotion and tenure, you have real problems. So how have grievances changed? I would say they have not but it depends very much on the definition of a grievance, how the grievance procedure is implemented, what rights the arbitrator has, and the sophistication of the parties and the relationship between the parties. . . . We work out most things. We do not use the grievance procedure except in rare instances, and even then I will not permit a loser to go to arbitration. Management never wants a loser to go to arbitration.

Grievable issues may be defined broadly or narrowly, as in the following example:

A grievance is an allegation or complaint that there has been a violation, misinterpretation, or improper application of the express terms and conditions of this Agreement or of any department procedure developed under Article 10 of this Agreement.

Central Michigan University

Questions of process and unfair procedures are open to scrutiny, but most commonly, faculty grievance procedures insist that questions of academic judgment in the areas of tenure and promotion be barred from scrutiny. A provision, similar to the following, can be stated:

The arbitrator shall have no power to add to subtract from or modify the terms of this Agreement nor shall he/she exercise any responsibility or function of E M U or the Association. This is not intended to restrict the authority of the arbitrator to the determination of issues of procedural compliance only, and he/she shall have the authority to determine substantive questions properly presented in accordance with the terms of the grievance procedure

Eastern Michigan University

While faculty grievance procedures differ in important ways, their common purpose is to provide a process for dispute resolution. Many authors describe the grievance procedure as the quid pro quo for giving up the right to strike during the life of the labor agreement.

Beyond the personal outcomes that accompany a grievance resolution, there are organizational benefits. Duane (1979) suggests three ways grievances help the organization. They can be used in the management of policy problems, can highlight problem subunits in the organization and can assist in the processing of employee grievances themselves.

Policy problems can emanate in many ways from many sources. Duane distinguishes between substantive disorders (faculty layoffs, for example) and those that are procedural, such as imprecise contract languages. Grievances may result from both conditions but the remedy for each is quite different. Only by analyzing the root causes can a correct solution be chosen.

A second area of Duane's research had to do with grievance data analysis, which he used to identify problem subunits within an institution. In order to compare these units, which could vary tremendously by size and complexity, a grievance ratio was developed. Subunits found to have an inordinately high grievance ratio typically had one of two conditions present:

- 1) Grievances were either not screened well by the union representatives or the immediate administrator was not willing or able to resolve complaints informally. Every complaint became a grievance.

- 2) Serious policy problems arose someplace within the subunit.

Duane found that the first condition lead to high settlement rates at the lowest levels of the grievance procedure, while the second produced grievances that reached the highest levels of the procedure. Duane cautions, however as do many others, that one must delve deeper than mere grievance ratios for longlasting solutions to these grievances. Agreeing with earlier work by Slichter, Healy, and Livernash, Duane states (p. 287) that "a grievance procedure that settles a large proportion of routine grievances at the first two steps is functioning very well."

If grievance procedures that work to effect resolution at the lower levels of the process are considered effective, would a similar pattern emerge the longer the parties spend time in a bargaining relationship? The answer to this question was a topic of interest in this research.

In a 1986 interview with this researcher, Thomas Mannix, Associate Vice Chancellor of Employee Relations for the State University of New York System, addressed this question by saying he believed that it was very hard to settle grievances during the first contract but the longer the relationship between the parties endured, the more grievances ought to be settled at step one or two. As the parties mature, they both conclude that it is always better to maintain control of the situation themselves than to cede it to a central office administrator or an arbitrator.

David Reilly, Director of Personnel at the the University of Bridgeport, has bargained with the same faculty union since 1973. In a 1986 interview with the researcher on the question of differences in grievances over time he said:

They have changed as far as they are fewer in number at this point. We used to get (challenged) on any negative decision on a promotion, tenure, reappointment, whatever. Even if the CPC (College Personnel Committee) and the DPC (Departmental Personnel

Committee) voted negatively . . . A lot of those went to arbitration and as I said this morning, we usually lost them because of not having our act together in terms of the deans, departments, etc. . . . now they (the deans) are getting used to it and we are getting the administrators, I hope, trained a little better. . . . They listen to us and we prepare them and maybe they become better witnesses.

A more detailed and slightly different answer to the same question comes from Julius, again in an 1986 interview. He believes, as do others cited here, that the nature and type of faculty grievances change over time:

Yes, I think so. I think, over time, the parties test soft aspects of the agreement, or aspects of the agreement that have been problematical. You have some kind of resolution, an arbitrator, an outside court, among the parties themselves and once those issues are resolved, those issues should not be reoccurring again. In the academic environment, issues tend to very subjective. They tend to rise again and again and again because everyone feels they are unique and everyone feels his/her promotion is unique and that is alot of baloney. But issues come up again. In general, over time, a relationship should mature. . . . One other thing I would add to that is not only the nature of grievances changed because issues become resolved, but in the next negotiations, if management is smart, what they will be doing is looking at aspects of the agreement which brought forth grievances and changing the parts of the agreement that have been problematical or changing the agreement to conform with an arbitration award or changing the agreement to avoid future grievances.

Lindenberg (1986), in reflecting upon her experiences at Eastern Michigan University as a union member and grievance officer, categorized the union-management relationship there as having three phases, all of which had an impact on the grievance process. Collective bargaining with the faculty began in 1974, a phase she calls initiation (1974-77), followed by continental drift (1977-80) and bilateral accommodation (1980-present).

In the initiation phase, working relationships were fostered and key issues were identified. Major grievances involved faculty workload and the criteria for promotion. Previously promotion criteria needed to be expanded to recognize the

value of avenues other than scholarly publication. Ultimately, an arbitration decision on the question of whether administrators used contractually approved promotion criteria or something outside the agreement resulted in the union gaining much power.

The second phase or continental drift (1977-80), was characterized by a new level of sophistication at the Review Board, the third step of the internal grievance procedure. Flexibility was recognized as a virtue by the members (three union, three administration) in dealing with complaints and grievances. On many promotion cases, however, the board deadlocked at three-to-three. This caused great frustration in faculty ranks which later manifested itself in the faculty's 11-day "withholding of services" during the next contract negotiation.

The third and present phase of "bilateral accommodation" (1980-present) reached a peak in 1982 when the parties came together to draft a memorandum of understanding, which outlined the need for "clear and explicit criteria" in promotion and tenure and how they were to be applied.

Lindenberg concludes:

Having served as grievance officer at two different periods of time, I can now attest to the fact more emphasis is now given to informal contacts and settlement than initially was the case. The grievance procedure tends to be used for honest differences of opinion on contract interpretation, and the cathartic value of complaints has not been lost. But clear violations of the contract are now more often resolved before they arrive at a Step III Review Board hearing. A result of this stabilized relationship was the utilization of problem-solving modes on most major issues during the 1985 contract negotiations.

Variation by Bargaining Agent

According to Douglas (1987), three national organizations control virtually all faculty collective bargaining in this country. As of December 31, 1985, 446 institutions of higher education collectively bargained with their 195, 570 faculty

members: 369 of these institutions were in the public sector, 77 in the private. In total, 27.9% of all college faculty in the United States are represented by bargaining agents, 36.8% at public sector colleges and 4.7% at private institutions. At two-year colleges, 38.1% of all faculty are unionized. The national collective bargaining organizations are the American Federation of Teachers (AFT), the National Education Association (NEA), and the American Association of University Professors (AAUP).

The American Federation of Teachers, an affiliate of the American Federation of Labor, Congress of Industrial Organizations (AFL-CIO) also represents K-12 teachers, although in different bargaining units. The AFT has historically been viewed as an organization more closely aligned in philosophy to that of the "industrial" model of collective bargaining. The AFT and its affiliates represent faculty at 133 colleges and universities. This includes 107 public and 26 private institutions: 43 are four-year colleges and 90 are two-year colleges.

The National Education Association began as an organization representing K-12 teachers and later expanded its membership to include college faculty. The NEA and its affiliates represent faculty at 209 colleges and universities, including 190 public and 19 private institutions. Of these, 31 are four-year colleges and 178 are two-year colleges.

The American Association of University Professors has confined itself to collegiate faculty. While the AAUP has long been an organization where faculty can air their views on matters of concern, it has not always been a certified bargaining agent. The AAUP and its affiliates represent faculty at 44 colleges and universities. This includes faculty at 26 public and 18 private institutions: 40 are four-year colleges and 4 are two-year colleges.

Reilly (1976) believes there is little difference in form and substance between the three major academic unions. The AAUP is thought to embrace more

traditional academic (faculty) values, making their philosophy closer to collegiate faculty views than the others. Mannix (1986) believes, however, that little difference can be discerned from reading any union's contract. Differences in the amount of attention paid to governance issues and academic judgment may exist but probably have more to do with the institution's complexity than anything else.

Julius (1986) takes a contrasting view on the differences between major faculty unions. His own research indicates that in certain institutions, given certain demographic and institutional variables, some agents do better.

In general, the AAUP has bargained stronger contracts in the four-year sector and the AFT has bargained stronger contracts for those in the two-year sector. This is against statistically significant research. However, there are contributing variables. For example, it is quite feasible that the AAUP was brought into institutions where faculty had more rights to begin with. Hence, the contracts as we measure them reflect those greater prebargaining rights. While certain institutions are definitely associated with stronger rights and different agents, it may be that the prebargaining situations were different.

As I have said, the AAUP has done very well in the four year sector. In addition, and this is significant, that when there is a coalition of agents they (the AAUP) tend to do better. Also, when faculty switch an agent, going from the AFT to the NEA or NEA to an independent union, they invariably bargain better contracts. The switch of an agent variable tends to be associated with stronger assertions of faculty rights. . . . One more fact to take into account and that is the personality of the people at the bargaining table. They make a big difference.

Some of the viewpoints and suggestions from this review of relevant literature formed the basis for the research methodology employed as described in chapters three and four.

CHAPTER III

Method of Data Collection and Analysis

This chapter is a presentation of the methods, purpose, and procedures utilized in the collection of the research data. This study is an analysis of all written and filed faculty grievances at five Michigan institutions of higher education during the years 1975-1985. The broad components of the research information gathered were: sex of grievant and length of service at that institution; the broad academic discipline of each grievant; the issue or issues that precipitated the grievance; the level at which the grievance was resolved; the nature and outcome of the grievance for the parties involved; and the length of time to reach resolution.

Selection of the Institutions for this Study

The five universities which comprise this study were legislatively autonomous, state supported institutions in Michigan. They are five of the thirteen public universities in the state. The criteria for selection was based upon the unionization of their faculty, choice of bargaining agent, length of bargaining relationship and degree of similarity in enrollment and academic program offerings.

The universities in the study were:

Central Michigan University, Mt. Pleasant
Eastern Michigan University, Ypsilanti
Ferris State University, Big Rapids
Oakland University, Rochester
Saginaw Valley State University, University Center

Population

The research population in the study was all faculty members in a bargaining unit at the stated universities. Due to slight differences in the composition of the

bargaining unit, a broad term like faculty was preferred to more descriptive terms of rank and tenure status. The data consisted of all written and filed grievances submitted to the universities' administrations for resolution from July 1, 1975 through June 30, 1985 by their respective faculties.

Procedure for Campus Research

Each administrator charged with the responsibility of grievance resolution was contacted by telephone. The researcher explained the general purpose of the research effort and the manner in which it was to proceed (Appendix A). Four of five institutions gave permission for the research to be conducted on their campuses. Western Michigan University did not grant permission to the researcher citing administrative inconvenience. A fifth institution (Oakland University) was selected and approved by the dissertation chairperson.

Following this, telephone calls were made to each institution to arrange a work schedule. At each institution the original grievance materials were requested. Grievances in this study are classified into two groups: individual grievances and group grievances. Individual grievances represent the concern of one individual while group grievances represent expressed concerns of two or more persons. Most often, group grievances are processed under the name of the collective bargaining agent. For example, at Central Michigan University, these grievances are labeled "association grievances." The bargaining agent grieves on behalf of all those persons similarly affected by the action of the other party.

Visitation Procedures and Data Collection

Each institution was visited for a period of from two to four days during the first nine months of 1986. All grievance files were made available for examination. Arbitration decisions in those grievances that proceeded to that

level of resolution were also made available. It was found that each institution categorized its grievance files and related information in slightly different ways than the four other institutions. However, the research procedure utilized was the same for all institutions.

After considering the hypotheses, reviewing available data from professional associations, consulting with faculty members at Michigan State University and unionized faculty elsewhere, a data collection form was devised. This form (Appendix B) has two parts; one for individual grievances and one part for group grievances. The researcher had complete access to each institution's grievance files. For reasons of convenience and confidentiality, grievance information was usually (and in all instances here) kept separate from other information such as personnel files, transcripts and faculty resumes. The data collection form (Appendix B) was completed after the researcher read the contents of each grievance file.

These data collection forms were used as a means to transfer the information from the institution's grievance files. Information not normally a part of grievance files such as length of employment at the institution, hire date, and academic rank were obtained from other academic personnel information sources, usually the Office of the Provost. Partial or missing information was obtained through interviews with appropriate campus officials.

Each grievance was assigned a number to preserve the anonymity of the individual grievant. Beyond the initial collection of information, no use was made of individual names. Each institution was assigned a number (1-5) to allow for differentiation between institutions. Individual grievance data forms differed from group grievance forms on the following variables:

1. Sex of grievant
2. Academic department of grievant
3. Academic discipline of grievant
4. Academic rank of grievant
5. Length of time at this institution

These five variables were not be present nor would they be appropriate information for use in a group grievance.

Institutional Characteristics

As this study dealt exclusively with faculty grievances at five institutions, the larger context of the institution and its characteristics may be useful to the reader.

Central Michigan University in Mt. Pleasant, Michigan was founded in 1892. Its total enrollment in the fall of 1986 was 16,743 of whom 89.5% were undergraduate students. It has teaching faculty of 721, of whom approximately 600 are in the bargaining unit. There are three major schools within the university.

Eastern Michigan University was founded in 1849 as a teacher-training school, later changed to university status in the 1960's. Fall semester 1986 enrollment was 22,231 students, an all-time high. The faculty bargaining unit is approximately 600 and is organized by the AAUP.

Ferris State University in Big Rapids, Michigan was founded in 1884. Its 100 courses of study are concentrated in vocational, pre-professional and short course areas. Its seven schools served 11,310 students in the fall term of 1986. FSC's bargaining unit is 507 and organized by the National Education Association.

Oakland University in Rochester, Michigan began as a branch of Michigan State University in 1957. In 1963, the name was changed to Oakland University, and in 1970 became an autonomous institution with the consent of the Michigan

Legislature. Oakland's 12,707 students are taught by a full-time faculty of 330. The faculty is represented by the AAUP.

Saginaw Valley State University began as a private college in 1963 and later became a state-supported institution. Its five colleges enrolled 5,377 students in the fall of 1986. Ninety-seven full-time faculty comprise a NEA bargaining unit.

Statistical Analysis

The primary statistical technique used in this study was Chi-Square, which is a nonparametric testing procedure. The data collected in this study were, for the most part, of a nominal nature.

Nominal data exist when symbols or numbers are used to identify different categories of a variable. The researcher attaches a name to categories on a scale. For example, a grievance was resolved at the informal, formal or imposed level. It is a scale which implies no ordered relationship between the categories on the scale.

Chi Square testing involves a "goodness of fit" test wherein the sample frequencies actually falling within certain categories are contrasted with those which might be expected on the basis of the hypothetical distribution. If a marked difference exists between the observed or actual frequencies falling in each category and the frequencies expected to fall in each category on the basis of chance or a previously established distribution, then the Chi-Square test will yield a numerical value large enough to be interpreted as statistically significant. Other statistical tests used less frequently were the Pearson product-moment correlation and the Lambda, a measure of association for crosstabulations based on nominal-level variables.

CHAPTER IV

Presentation and Analysis of the Data

This chapter is the written result of findings collected from 264 faculty grievances filed at five Michigan universities -- Central Michigan, Eastern Michigan, Ferris State, Oakland, and Saginaw Valley State. Using 19 variables, this information was organized and analyzed as it related to the researcher's three major hypotheses and their related subhypotheses. The research hypotheses, in null form, were:

1. There are no Differences from Institution to Institution in the Number of Grievances Filed or in the Circumstances that Gave Rise to Them.
 - a. The Type of Grievance (Individual or Group) has no Significant Relationship to the Level of Resolution that is Attained.
 - b. The Resolution Level of a Grievance has no Significant Relationship to its Outcome.
 - c. There is no Significant Difference in the Outcome of a Grievance from Institution to Institution.
2. The Level of Resolution (Informal, Formal, Imposed or no Resolution) that a Grievance Obtains does not Vary Significantly as a Function of the Time that the Parties have Bargained.
 - a. There is no Significant Difference in the Level of Resolution a Grievance Attains and the Time Period in which it is Filed.
 - b. The Passage of Time has no Significant Relationship to the Level of Resolution that a Grievance Attains.
 - c. There is no Significant Difference in the Time Needed to Resolve a Grievance and the Time Period in which that Grievance is Filed.

- d. The Type of Grievance Filed has no Significant Relationship to the Time Needed to Resolve the Matter.
 - e. The Passage of Time has no Significant Relationship to the Level of Resolution that a Grievance Attains.
 - f. The Choice of Bargaining Agent has no Significant Relationship to the Frequency with which Grievances are Filed.
3. The Choice of Bargaining Agent has no Significant Relationship to the Nature and Type of Grievance that is Filed.
- a. The Choice of Bargaining Agent has no Significant Relationship to the Type of Grievance (Individual or Group) that is Pursued.
 - b. The Choice of Bargaining Agent has no Significant Relationship to the Types of Subjects Area over which the Grievances are Filed.
 - c. The Choice of Bargaining Agent has no Significant Relationship to the Outcome that a Grievance Attains.
 - d. The Choice of Bargaining Agent has no Significant Relationship to the Length of Time it takes to Resolve a Grievance.
 - e. The Choice of Bargaining Agent has no Significant Relationship to the Level of Resolution that a Grievance Attains.
 - f. The Choice of Bargaining Agent has no Significant Relationship to When a Grievance is Filed.

The initial hypothesis in this study involved the number of faculty grievances and the circumstances that led to their filing. (Faculty concerns resolved apart from the grievance procedure were not considered in this study.) The researcher hypothesized that neither the number of grievances filed nor the circumstances that led to their being filed varied significantly from institution to institution.

Grievance data were divided into three categories: individual grievances, group grievances, and total grievances. Briefly, an individual grievance is filed by one person to remedy a situation specific to the grievant; a group grievance is advanced by a bargaining agent on behalf of one or more of its members. Total grievances combine both groups. Of the 264 grievances filed during the study period, 173 (65.5%) were initiated by an individual and 91 (34.5%) were part of collective efforts by a bargaining agent or more than one individual.

The individual grievances represented 42 academic departments at the five institutions under study (Appendix C). The five academic departments that produced the most individual grievants were:

Teacher Education	24
Physical Education	15
Art	13
Management	10
Mathematics	10

To ensure greater research control, these departments were then grouped into ten academic disciplines. The assignment of a department to a specific discipline was discussed and agreed upon by a selected panel of academicians (Appendix D). The frequency with which individual grievances occurred across academic disciplines is found in Table 1. The group grievances are not included in these data because they are not department or discipline specific.

It was the intent of the researcher to use Chi-Square testing as the primary research technique. However, early in the data analysis it became apparent that the usefulness of this test was compromised by the abundance of open cells in several data matrices under investigation. Therefore, the researcher's guidance committee advised that Chi-Square testing be eliminated from those hypotheses

(and subhypotheses) with this condition. In those situations, the research findings are reported in a descriptive manner.

Table 1

Individual Grievances by Academic Discipline

<u>Discipline</u>	<u>Frequency</u>	<u>Percent of Total</u>
Health Sciences	10	5.8
Education	45	26.0
Technology	16	9.2
Engineering	2	1.2
Athletics	2	1.2
Social Sciences	25	14.5
Natural Sciences	15	8.7
Language Arts	8	4.6
Business	28	16.2
Fine and Applied Arts	<u>22</u>	<u>12.7</u>
TOTAL	173	100.0

There is little prior research to augment the information in Table 1. In this study business faculty, with 10.6% of the grievants, filed more grievances (16.2%) than all but education (26%) with 17.0% of the grievants. The grievance rate, however, does not necessarily reflect faculty union membership. Under existing labor laws, the grievance procedure must be available to all members of a bargaining unit, regardless of union membership.

Subject Area of Individual Grievances

As academic departments have been arranged into broader disciplines for better statistical control, the 173 individual grievances too have been reduced to nine general subject areas. The tenure, promotion, and reappointment area was most likely to be grieved, with individual complaints filed over denial of promotion, denial of tenure, and failure to reappoint. Table 2 is a listing of all nine individual grievance subject areas and their frequency.

Table 2

Individual Grievances by Subject of Grievance

<u>Subject Area</u>	<u>Frequency</u>	<u>Percent of Total</u>
Tenure, Promotion, Reappointment	72	41.6
Seniority, Retrenchment	8	4.6
Faculty Benefits	7	4.0
Supplemental Compensation	13	7.5
Working Conditions	43	24.9
Salary	10	5.8
Union Rights Under the Agreement	2	1.2
Discrimination and Harassment	4	2.3
Discharge and Discipline	14	8.1
TOTAL	173	100.0

Subject Area of Group Grievances

Unlike individual grievances, the subject area of group grievances centered around working conditions and was 36.3% of the total (33 of 91 grievances). Working conditions, though, are ideally suited to group grievances because they tend to have broad application. The tenure, promotion, and reappointment area, as with the individual grievances, was a contentious one for groups; 15 of 91 grievances were in this area (16.5%). Specific grievances in this area concerned alleged changes in promotion criteria, changed methods of performance evaluation, and contents of personnel files.

Another subject area numerically noteworthy was faculty salaries. In this particular study, salary grievances were initiated over actions that affected large groups of faculty, for example, as when one member of a department received a "market" increase in salary and other department members did not.

Union rights under the bargaining agreement were also a disputed area. Theoretically, these are rights all bargaining unit members possess and, therefore, are most appropriately advanced as a group grievance. The entire range of subject areas and frequency of filed grievances is found in Table 3.

Table 3

Subject Areas of Group Grievance

<u>Subject Area</u>	<u>Frequency</u>	<u>Percent of Total</u>
Tenure, Promotion, Reappointment	15	16.5
Seniority, Retrenchment	9	9.9
Faculty Benefits	4	4.4
Supplemental Compensation	4	4.4
Working Conditions	33	36.3
Salary	13	14.3
Union Rights Under the Agreement	11	12.1
Discrimination and Harassment	1	1.1
Discharge and Discipline	1	1.1
TOTAL	91	100.0

Research Hypothesis 1: There are no Differences from Institution to Institution in the Number of Grievances Filed or in the Circumstances that Gave Rise to Them

When individual and group grievances were combined, 87 of 264 (33.8%) were over tenure, promotion, or reappointment. Grievances associated with faculty working conditions followed closely with 76 (28.8%). (See Figure 1.) The nine grievance subject areas were analyzed to determine whether any institution had many more grievances than the others in the areas studied. On all but one campus (Oakland University), grievances over tenure, promotion, and reappointment decisions were numerically larger than all other grievances. Table 4 lists the grievance subject areas and their frequency at each institution.

Although widely publicized, the issue of faculty salaries accounted for only 23 grievances, or 8.3% of the total. This must be qualified by the fact that most salary grievances are lodged over procedural defects in the distribution of salaries and not over the amount of the salary. These categorical results differ markedly from Duane's 1979 study, cited earlier, of grievances in Minnesota's junior and senior colleges which found that matters of salary and work load produced the most faculty grievances.

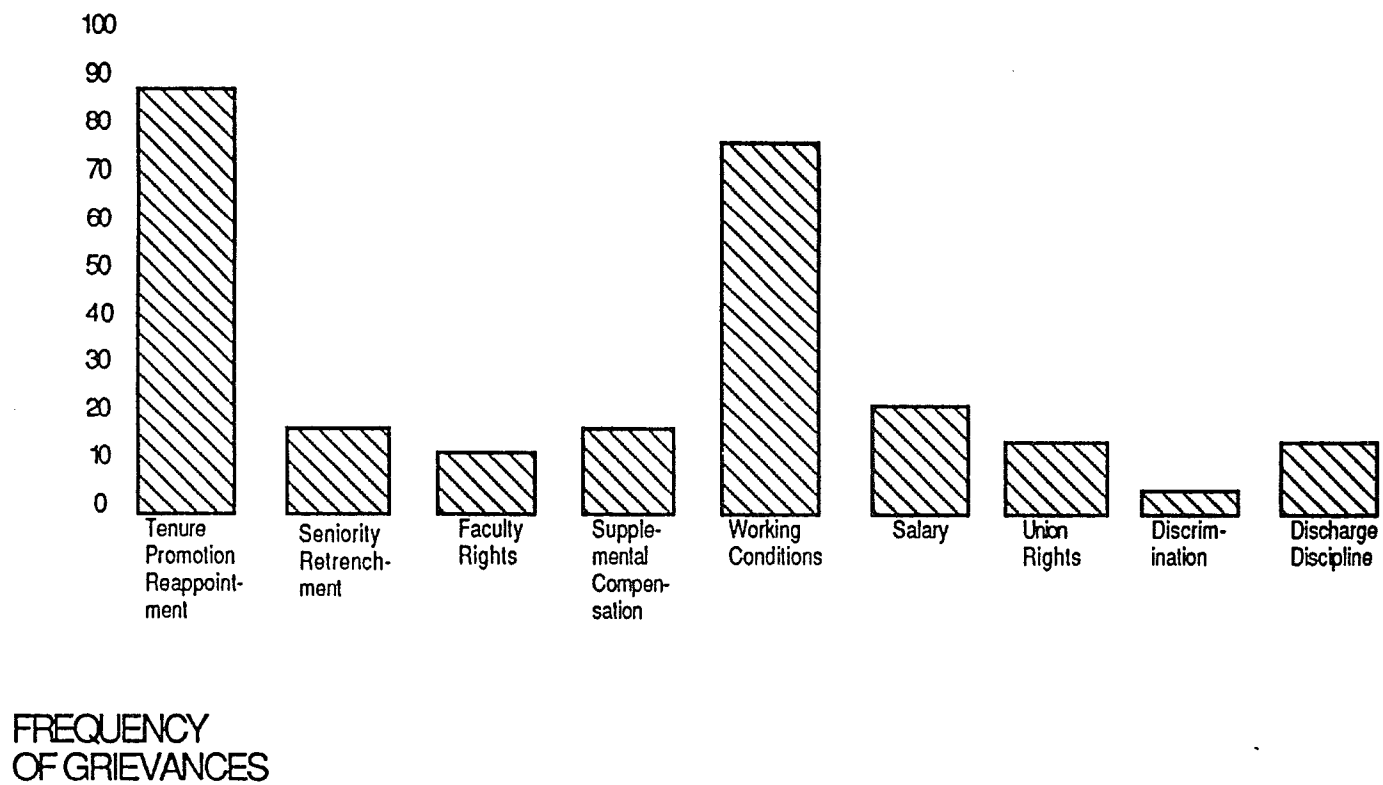


Figure 3. Faculty Grievances 1975 - 1985, By Type. N = 264.

Table 4

Number and Distribution of Faculty Grievances by Institution and Type

<u>Subject Area</u>	<u>CMU</u>	<u>FSU</u>	<u>SVSU</u>	<u>OU</u>	<u>EMU</u>
Tenure, Promotion, Reappointment	24	11	13	8	31
Seniority, Retrenchment	0	4	1	5	7
Faculty Benefits	0	6	0	5	0
Supplemental Compensation	12	2	1	0	2
Working Conditions	17	17	7	17	18
Salary	0	6	0	9	8
Union Rights Under the Agreement	2	1	0	5	5
Discrimination and Harassment	2	0	1	0	2
Discharge and Discipline	5	6	0	2	2
TOTAL FACULTY GRIEVANCES	62	53	23	51	75

A Pearson Product-Moment correlation test was also conducted on these data and resulted in a value of $-.036$, for a significance of $.275$, or not highly correlated. It cannot be determined from these results that faculty grievances vary from institution to institution in this study. The first research hypothesis is therefore retained.

General Characteristics of Individual Grievants

A general component of this study was to identify faculty grievants by academic rank and sex. Due to the mixed nature of group grievances, this information could only be gathered from those filing individual grievances.

All five institutions employed the traditional ranks of instructor, assistant professor, associate professor, and professor. No attempt was made to examine differences of hiring, promotion, tenure, or reappointment criteria at the five institutions. Academic rank was recorded as that rank held at the time the grievance was filed. Assistant professors lodged the most individual grievances by a wide margin, 45.7%, or 79 of 173 grievances. This is not surprising given

that most tenure decisions are made at the rank of assistant professor and that the area most frequently grieved concerns tenure, promotion and reappointment. Table 5 is a list of individual grievants by academic rank.

Table 5

Individual Grievants by Academic Rank

<u>Academic Rank</u>	<u>Frequency</u>	<u>Percent of Total</u>
Instructor	14	8.1
Assistant Professor	79	45.7
Associate Professor	48	27.7
Professor	<u>38</u>	<u>18.5</u>
TOTAL	173	100.0

Individual grievants were also characterized by the length of time each had spent at the institution. It was surmised that the rate at which grievances were filed would decline as the years of service increased. Two reasons seemed apparent. First, the major academic decision, i.e., tenure would, in a vast majority of cases, be made between years one and seven. Second, between those same years, it is usual for at least one promotional opportunity to have presented itself. The length of employment was divided into four-year segments for statistical control and to approximate time between academic employment decisions.

Table 6 illustrates the "seniority" aspect of faculty members filing grievances.

Table 6

Time Spent at Institution When Individual Grievance was Filed

<u>Length of Employment</u>	<u>Frequency</u>	<u>Percent of Total</u>
0-4 Years	55	31.8
5-8 Years	45	26.0
9-12 Years	29	16.8
13-16 Years	24	13.9
17-20 years	15	8.7
Over 20 Years	<u>5</u>	<u>2.9</u>
TOTAL	173	100.0

As was expected, 57.8% of all individual grievances were filed within the first eight years of service. Each succeeding four-year interval shows fewer grievances filed. After the eighth year of employment, grievance activity diminishes rapidly and, by the 20th year, it is all but non-existent. It must be mentioned here that those persons leaving the institution after denial of tenure, promotion, or reappointment were not considered.

Research Hypothesis 1a: The Type of Grievance (Individual or Group) has no Significant Relationship to the Level of Resolution that is Attained

Hypothesis 1a was centered on the entire range of resolutions and outcomes that faculty grievances could achieve. The level of resolution refers to the stage (or step) of the grievance procedure at which the problem is resolved. Grievances can achieve an informal, formal, or imposed resolution or no resolution at all. While some grievances move through all four stages, others get resolved short of the limit. For example, a faculty member either achieves tenure or does not, all but eliminating the no resolution step. Similarly, grievances over denial of promotion and reappointment are limited to various degrees of

resolution. Table 7 is an illustration of the level of resolution at which individual grievances were settled.

Table 7

Individual Grievances and the Level of Resolution

<u>Level of Resolution</u>	<u>Frequency</u>	<u>Percent of Total</u>
Informal	67	38.7
Formal	80	46.2
Imposed	21	12.1
No Resolution	<u>5</u>	<u>2.9</u>
TOTAL	173	100.0

An informal resolution occurs at the first step of the grievance procedure. Typically, this follows unsuccessful verbal discussion of the matter by the union and the administration. It is at this stage that the grievance is reduced to writing and officially placed in the hands of the union for resolution. In most situations, the grievant retains control of whether the grievance is pursued at successive stages.

At the formal resolution stage, the parties decide to resolve the matter themselves. This occurs after the informal process has failed to achieve a solution but before a third party is brought in to issue a binding order on one of the parties. An imposed solution is one made by an arbitrator or by judicial ruling. In this study, there were five instances where no resolution could be found or remembered. Also, there were cases where both parties gave tacit approval to allowing the grievance to languish with no final resolution.

Table 8 presents the resolution levels for group grievances.

Table 8

Resolution Level for Group Grievances

<u>Level of Resolution</u>	<u>Frequency</u>	<u>Percent of Total</u>
Informal	32	35.2
Formal	46	50.5
Imposed	13	14.3
No Resolution	<u>0</u>	<u>0</u>
TOTAL	91	100.0

Both individual and group grievances were largely resolved by the two parties (85.0% and 85.7%, respectively). Only 12.1% of the individual and 14.3% of the group grievances were settled by an outside authority. This supports the position of Turnea and Robinson (1972), Orze (1978), Julius (1986), and Mannix (1986) that settlement at the lowest possible step should be the object of any grievance procedure.

In testing this hypothesis for significance, two of the eight matrix cells lacked the expected frequency of more than five events. Thus, the type of grievance filed, individual or group, and its relationship, if any, to the level of grievance resolution was untestable given the design of the study.

Research Hypothesis 1b: The Resolution Level of a Grievance has no Significant Relationship to its Outcome

Hypothesis 1b was a research inquiry into the relationship, if any, between the level of resolution and the outcome of that grievance. Grievances have outcomes that can be associated with one of the parties to the agreement or, in a small number of cases, neither party. In this study, a grievance could achieve one of six outcomes:

- * Withdrawn by the grievant. In some cases the filing of a grievance is action enough to bring about the desired change. In other situations, the grievant may have a change of mind and decide not to carry the grievance through to conclusion.
- * Resolved for Union. The grievant is granted the remedy sought in the grievance.
- * Resolved for Management. The grievant's desired remedy is not granted. The grievance can also be denied because of a procedural defect, e.g., the grievant fails to file the complaint in a timely manner.
- * Unknown or Unresolved. In some instances a grievance's resolution is not recorded or remembered by union or management. In fewer instances, the parties mutually agree that pursuing the grievance will not be productive and thus a conclusion is never reached.
- * Negotiated Agreement. The parties reach an agreement through compromise on the issues.
- * Dropped by Union. The union believes no useful purpose can be served by pursuing the grievance. Those that are dropped are generally group grievances because of the union's legal obligation to process grievances. This grievance outcome does not apply to individual grievants.

Tables 9 and 10 are the outcomes of the total grievance activity, separated into individual and group grievants.

Table 9

Individual Grievances and Their Outcome

<u>Outcome</u>	<u>Frequency</u>	<u>Percent of Total</u>
Withdrawn by Grievant	33	19.1
Resolved for Union	71	41.0
Resolved for Management	54	31.2
Unknown or Unresolved	10	5.8
Negotiated Agreement	<u>5</u>	<u>2.9</u>
TOTAL	173	100.0

Table 10

Group Grievances and Their Outcome

<u>Outcome of Grievance</u>	<u>Frequency</u>	<u>Percent of Total</u>
Withdrawn	13	14.3
Resolved for Union	28	30.8
Resolved for Management	18	19.8
Unknown or Unresolved	3	3.3
Dropped by Union	5	5.5
Negotiated Agreement	<u>24</u>	<u>26.4</u>
TOTAL	91	100.0

Outcome data can be viewed as which side prevailed? As with individual grievances, the union prevailed more often than management.

The occurrence of the withdrawn by grievant outcome was similar for groups and individuals, 14.3% and 19.1% respectively. The category of negotiated agreement, however, showed a marked difference between individual and group grievants. In only 2.9% of the individual cases could the outcome be termed a negotiated agreement while 26.4% of the group cases achieved this outcome. It may be that a negotiated agreement is easier to achieve between management and an organization familiar with its role (the union) rather than an individual whose contract rights have allegedly been violated. Generally speaking, both parties to a collective bargaining agreement realize before long that grievances are best resolved when "grievance positions" are not taken as personal statements of worth by the contract administrator. Individual grievants, however, in their zeal to right a wrong are less apt to assume a neutral position in considering their own grievances. Table 11 is the collective data for the study's 264 grievances comparing the level of resolution and the outcome of the grievance.

Table 11

Resolution Level and Outcome of Faculty Grievance

LEVEL OF RESOLUTION	<u>Withdrawn</u>	<u>Resolved for Union</u>	<u>Resolved for Management</u>	<u>Unknown or Unresolved</u>	<u>Dropped by Union</u>	<u>Negotiated Agreement</u>	<u>Total/ % of Total</u>
Informal	36	33	19	2	4	5	99 37.5
Formal	10	53	33	6	1	23	126 47.7
Imposed	0	13	20	0	0	1	34 12.9
No Resolution	0	0	0	5	0	0	5 1.9
TOTAL	46	99	72	13	5	29	264
% OF TOTAL	17.4	37.5	27.3	4.9	1.9	11.0	100.0

Contrary to the popular notion that grievance disputes are settled by an outside agent, the parties in this study resolved their differences at the informal or formal stage of resolution 85.2% of the time. Settlements were imposed by outside agents in only 12.9% of the 264 grievances studied. The outcome was unknown or the case unresolved in 13 (4.9%) of the cases studied. It would appear that the grievance procedures in this study do what they purport to do, i.e., resolve differences. For these institutions, the grievance process appears to allow for differences of opinion in contract interpretation to be resolved with finality.

A Cramer's V test was also performed on the data. Its value was .45480, indicating that a degree of association exists between the variables but revealing nothing of the manner of that association. Another test of relationship, Pearson's R test, was conducted with these variables and yielded a value of .22580, indicating a mild degree of correlation between the resolution level and the outcome achieved. However, no statistical significance at the .05 level was attained in this subhypothesis.

Institutional Characteristics of Faculty Grievances

At the core of this study is the assertion that the grievance procedure is the single most important part of any collective bargaining agreement. As claimed by Elkouri and Elkouri (1978), no other provision serves a more important function or serves in so many different ways. The grievance procedure channels institutional conflict into a process where it can be peacefully resolved. Successfully managing this conflict is crucial to the stability and internal integrity of the academic process (Leslie, 1975). It follows, therefore, that the

institutional frequency of individual and group grievances among faculty should be examined. One can begin to gain an insight into the labor relations atmosphere of the institutions in this study by examining the number and type of grievances filed during the study period (1975-1985). Table 12 is the frequency with which individual grievances were filed:

Table 12

Institutional Frequency of Individual Grievances

<u>Institution</u>	<u>Frequency</u>	<u>Percent of Total</u>
CMU	54	31.2
FSU	44	25.4
SVSU	13	7.5
OU	14	8.1
EMU	<u>48</u>	<u>27.7</u>
TOTAL	173	100.0

Among institutions of similar size and complexity, such as EMU, OU, and CMU, the individual grievances filed differed broadly. EMU, for example, has three times and CMU almost four times as many grievances as OU. Likewise, SVSU and FSU are similar, yet FSU has more than three times as many grievances as SVSU.

The institutions appear differently when the group grievance pattern is examined, except for EMU which experienced high rates of both individual and group grievances. The frequency of group grievances by institution is the subject matter of Table 13.

Table 13

Institutional Frequency of Group Grievances

<u>Institution</u>	<u>Frequency</u>	<u>Percent of Total</u>
CMU	8	8.8
FSU	9	9.9
SVSU	10	11.0
OU	37	40.7
EMU	<u>27</u>	<u>29.7</u>
TOTAL	91	100.0

While CMU and FSU shared similar total grievance frequencies with OU and EMU (CMU-62 and FSU-53 to OU-51 and EMU-75), their ratios of individual to group grievances are quite different.

Graphically, the mix of individual to group grievances is represented by Figure 2.

In addition to the institutional frequency of faculty grievances by subject area (see Figure 1), the researcher also examined the outcome and level of resolution that each institution achieved with its faculty grievances. The outcomes of each institution's faculty grievances can provide an observer with valuable information about the relationship between the parties to an agreement. In most instances, the outcome of a grievance weighs most heavily on management because of its power to act on desires. This is supported by Reilly (1986) and Julius (1986). The union, on the other hand, can only react to actions brought by management. At EMU, CMU, and SVSU the faculty union prevailed over the administration by wide margins. Such losses--2 to 1 ratio at SVSU and EMU and nearly that often at CMU--suggest that the administration seriously and repeatedly breached contract provisions. At FSU and OU the administration prevailed over the union at a more nearly even pace.

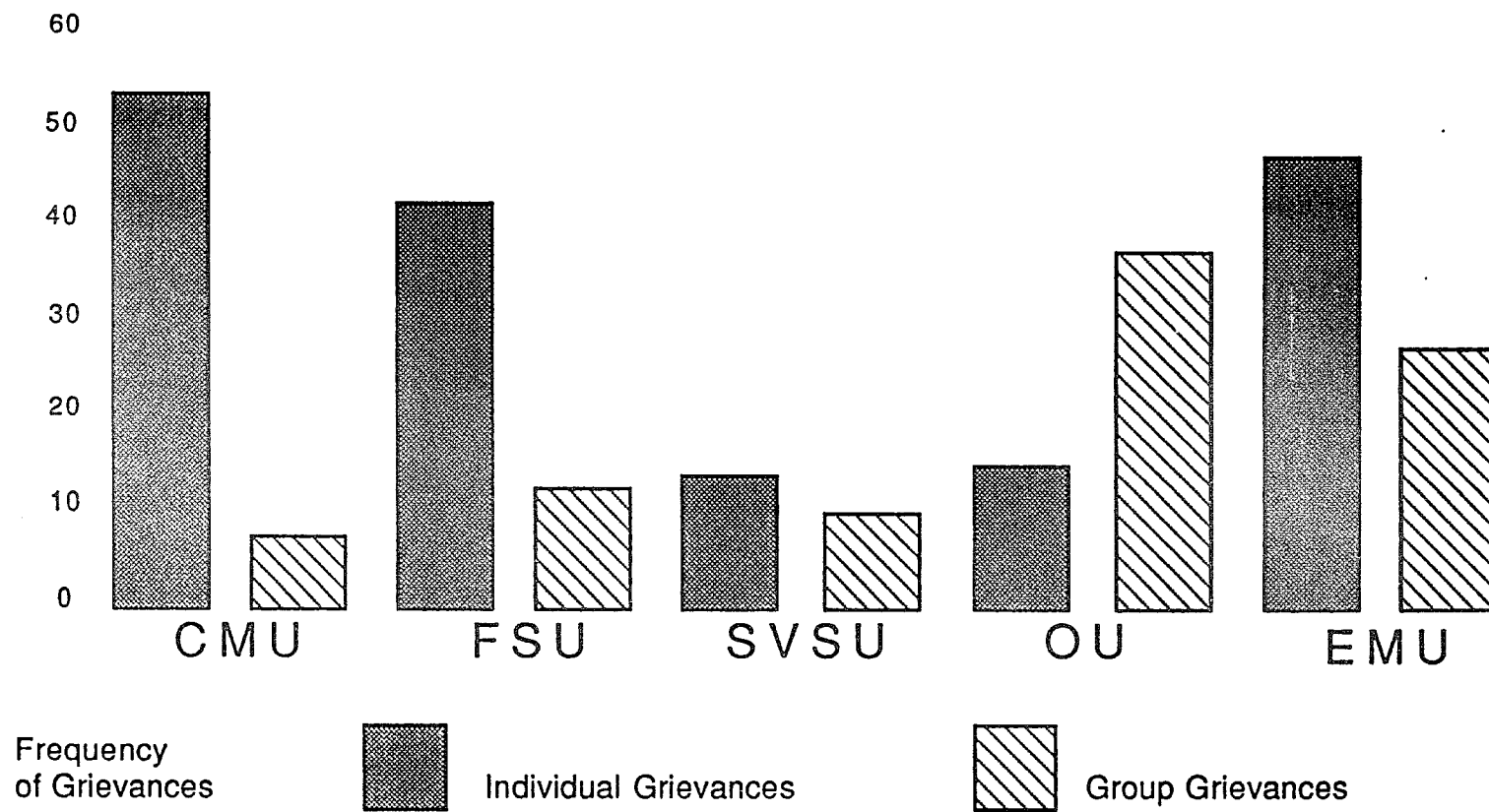


Figure 4. Faculty Grievances 1975 - 1985, Individual and Group, By Institution

Only at OU did the category of negotiated agreement achieve importance in terms of the institutional total. In 39% of the grievances (20 of 51) a negotiated agreement was achieved. This level of negotiated agreement stands in sharp contrast to the other institutions, suggesting a different, less adversarial orientation and philosophy in operation at OU.

Research Hypothesis 1c: There is no Significant Difference in the Outcome of a Grievance from Institution to Institution

Table 14 is a complete listing of the outcome for all grievances by institution. With the pattern established of the faculty union prevailing over the campus administration on the campuses of EMU, CMU, and SVSU, would all outcomes be similarly affected? That is the subject of hypothesis 1c.

Table 14

Outcome of Grievances by Institution

<u>Outcome</u>	<u>CMU</u>	<u>FSU</u>	<u>SVSU</u>	<u>OU</u>	<u>EMU</u>	<u>TOTAL</u>
Withdrawn by Grievant	14	7	5	10	10	46
Resolved for Union	27	19	11	7	35	99
Resolved for Management	16	23	6	10	17	72
Unknown or Unresolved	5	3	1	0	4	13
Dropped by Union	0	1	0	4	0	5
Negotiated Agreement	<u>0</u>	<u>0</u>	<u>0</u>	<u>20</u>	<u>9</u>	<u>29</u>
TOTAL	62	53	23	51	75	264

As is the case in Table 15, the institutional mix of resolution levels varies widely. Although 85.2% of all grievances were resolved at one of the first two levels, in only one instance (CMU) did the informal level of resolution attain a greater frequency than did formal resolution.

Table 15

<u>Level</u>	<u>Institutional Resolution Level</u>					<u>TOTAL</u>	<u>Percent of Total</u>
	<u>CMU</u>	<u>FSU</u>	<u>SVSU</u>	<u>OU</u>	<u>EMU</u>		
Informal	34	19	9	21	16	99	37.5
Formal	19	22	11	25	49	126	47.7
Imposed	6	10	3	5	10	34	12.9
No Resolution	<u>3</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>1.9</u>
TOTAL	62	53	23	51	75	264	100.0

Research Hypothesis 2 and Related Subhypotheses: The Passage of Time Accounts for no Significant Differences in the Grievance Resolution Process

The passage of time and its relationship to the grievance process was a consideration of this research. Interwoven into the grievance process, time has both a procedural and substantive identity. Within the grievance process all procedures studied employed time limits for one or both parties to respond to the allegation of a breach in the agreements' provisions. Typically, these procedures call for the grievant to respond to a grievable action within a certain number of days. After the grievance is filed, the other party (in this study management in all cases) must answer within a precise number of days. Time limits characterize each stage of both the informal and formal grievance process. These deadlines can be changed, however, by a negotiated agreement.

The phrase "Justice delayed is justice denied" perhaps best summarizes the substantive base of the grievance procedure. While a grievance is being processed, there can be no resolution for the grievant except in those cases (in this study 17.4%, or 46 of 264 of the grievances filed) where the grievant withdraws from the process before the complaint can be resolved.

Beyond these obvious elements of time, the researcher hypothesized that the length of the bargaining relationship would have a measurable effect upon a grievance's resolution. In short, grievances should be settled at lower levels the longer the parties have bargained with one another. The length of time in days, months, and years it took to achieve resolution was calculated for each grievance. It was assumed that a short resolution period was desired by both parties to the collective bargaining agreement.

The researcher also examined at what juncture grievances were filed in the ten-year study period. Would, for example, more grievances be filed toward the beginning of a bargaining relationship (1975) than after the parties had bargained for a decade (1985)? It was hypothesized that the number of grievances filed would be greater near the beginning of bargaining than later. For better statistical control, the ten-year study period was grouped into three stages--1975-1979, 1980-1982, 1983-1985. In order to fully frame the parameters of this research hypothesis, several broad considerations of the passage of time are considered.

General Findings in the Subject Area of Hypothesis 2

From the research data in this study, it is clear that management and labor strove to settle grievances in a timely manner. By the end of the fourth month from the date of grievance filing, 73.1% (193 of 264) of all grievances were resolved. That figure increased to 90.5% of the total by the end of the eighth month, roughly equivalent to an academic year. It is the desire of grievance administrators from both parties to resolve grievances quickly. Further emphasis is given to settlement within the parameters of an academic year. Only 9.8% (26 of 264) of all

grievances took one year or longer to resolve; therefore, as an alternative to litigation, the grievance procedures studied do resolve matters with finality and speed.

Over the ten-year study period each institution went through a similar pattern with its respective bargaining agents. The period 1975-1979 was characterized by the beginning of a unionized faculty. That beginning included campaigning, an election, contested issues and the successful completion of an initial agreement. The years of 1980-1982 were a period of severe economic conditions in the state of Michigan and successor agreements at all five institutions. Better economic conditions and the continuance of the bargaining relationship between faculty and the administration characterized the period of 1983-1985. Although some attempts have been made to oust a faculty bargaining agent, none have been successful. The faculty bargaining agents that began in 1975 continued through the end of academic year 1984-1985.

As was expected, the period of 1975-1979 had the most grievances filed, 48.9% of the total (129 of 264). The periods of 1980-1982 and 1983-1985 were nearly evenly divided with the rest at 27.3% (72 of 264) and 23.9% (63 of 264), respectively. Heavy grievance activity at the onset of a bargaining relationship followed by fewer grievances is consistent with the pattern set forth by Julius (1986) and others.

The grievance activity by academic year is represented in Figure 3. The peak year for grievance activity was 1980-1981 with 38 followed by the lowest year for grievances in 1981-1982 with 11. The grievance period coincided with a severe economic downturn in Michigan that resulted in funding cutbacks at all public universities.



Frequency
of Grievances

Figure 5. Total Faculty Grievances by Academic Year. N=264.

Research Hypothesis 2a: There is no Significant Difference in the Level of Resolution a Grievance Attains and the Time Period in which it is Filed

The contents of Table 16 illustrate the four levels of resolution during the three-time subdivisions in the study period.

Table 16

<u>Level of Resolution</u>	<u>Resolution Level by Years</u>			<u>TOTAL</u>	
	<u>1975-1979</u>	<u>1980-1982</u>	<u>1983-1985</u>		
Informal	48	30	21	99	(37.5%)
Formal	61	32	33	126	(47.7%)
Imposed	15	10	9	34	(12.9%)
No Resolution	<u>5</u>	<u>--</u>	<u>--</u>	<u>5</u>	(1.9%)
Total	129	72	63	264	
(Percent of Total)	48.9	27.3	23.9	100.0	

The data presented in Table 16 support the notion that grievances decline over time and that the resolution level is lower, i.e., at the less formal stages of the grievance procedure. Due to the high number of open cells, however, these data do not lend themselves to analysis by means of Chi-Square testing.

Research Hypothesis 2b: The Passage of Time has no Significant Relationship to the Level of Resolution that a Grievance Attains

Does the passage of time favor the union or management? Does more negotiated agreement ensue from the parties' familiarity over time? The number of total grievances, however, did decline in each successive time period, i.e., as did those withdrawn by the grievant. Grievances resolved in favor of the union were greater in all time periods than were those resolved for management. Resolution by negotiated agreement declined in absolute numbers over the time periods studied (13 to 9 to 7) but remained constant at about 11% of the total grievance population.

Research Hypothesis 2c: There is no Significant Difference in the Time Needed to Resolve a Grievance and the Time Period in which that Grievance is Filed

It was theorized that the parties would be able to resolve their grievances in less time as the bargaining relationship matured because more experienced people would be handling grievances for both sides. Secondly, "posturing" to demonstrate strength (for strength's sake alone) would likewise diminish over time. The data in Table 17 illustrate the relationship between the three time periods and the number of months needed to achieve settlement of a grievance.

Table 17

Grievance Resolution in Months by Selected Time Periods

<u>Resolution Time in Months</u>	<u>1975-1979</u>	<u>1980-1982</u>	<u>1983-1985</u>	<u>Row Total and Percent</u>
Up to One Month	34	20	19	73 (27.7)
One to Four Months	54	20	25	99 (37.5)
Four to Eight Months	23	16	10	49 (18.6)
Eight Months to One Year	14	9	2	25 (9.5)
Thirteen Months and Longer	<u>4</u>	<u>7</u>	<u>7</u>	<u>18 (6.8)</u>
Column Total	129	72	63	264
(Percent of Total)	48.9	27.3	23.9	100.0

Chi-Square = 12.376; Degrees of Freedom, 8; Level of Significance .05

A Chi-Square test performed on the data in Table 17 revealed a value of 12.376 with eight degrees of freedom. At the 0.05 level, a χ^2 value of 15.507 must be achieved before the null hypothesis can be retained. This χ^2 value of 12.376 requires that the null hypothesis be retained. While total grievances decline over time there is no statistically significant relationship between that decline and the length of time it takes for any one grievance to be resolved.

Research Hypothesis 2d: The Type of Grievance Filed has no Significant Relationship to the Time Needed to Resolve the Matter

As stated earlier, there are nine grievance subject areas in this study. One subhypothesis of the research on the passage of time was whether the type of grievance had a significant relationship to the time needed to resolve the matter.

Research Hypothesis 2e: The Passage of Time has no Significant Relationship to the Level of Resolution that a Grievance Attains

Hypothesis 2e involved the level of grievance resolution, i.e., informal to imposed resolution along with no resolution, and the amount of time it took to achieve the various outcomes.

A visual review of the data in Table 18 reveals that the majority of grievances are solved at the first two levels of the process, usually within four months. While these data are not testable for statistical significance, it can be observed that the grievances in this study were settled quickly by the parties to the agreement in 85 percent of the 264 grievances studied.

Table 18

Grievance Resolution in Months and Resolution Level

<u>Length (in months) to Resolve</u>	<u>Informal</u>	<u>Formal</u>	<u>Imposed</u>	<u>No Solution</u>	<u>Row Total & Percent</u>
Up to One Month	48	21	1	3	73 (27.7)
One to Four Months	34	62	3	0	99 (37.5)
Four to Eight Months	12	30	5	2	49 (18.6)
Eight Months to One Year	3	6	16	0	25 (9.5)
Thirteen Months & Longer	<u>2</u>	<u>7</u>	<u>9</u>	<u>44</u>	<u>18 (6.8)</u>
Total	99	126	34	5	264
(Percent of Total)	37.5	47.7	12.9	1.9	100.0

Research Hypothesis 2f: The Choice of Bargaining Agent has no Significant Relationship to the Frequency with which Grievances are Filed

As the bargaining relationship matures, grievances tend to be fewer and to be settled at lower levels. Does the choice of a bargaining agent result in fewer grievances? In this study the absolute number of grievances filed over the study period differed little in terms of the bargaining agent, 138 (NEA) to 126 (AAUP). The bargaining agents were compared to the other three study periods for statistical significance. The result was a Chi-Square value of 7.009 with two degrees of freedom at the .05 level of significance. The χ^2 value allows the researcher to not retain the null hypothesis that the choice of a bargaining agent and a reduced incidence of grievances over time are unrelated. Over time the choice of a particular bargaining agent can significantly reduce the number of grievances filed. Table 19 is the grievance activity for both bargaining agents during each time period.

Table 19

National Bargaining Agent and Grievance Study Period

<u>Bargaining Agent</u>	<u>1975-1979</u>	<u>1980-1982</u>	<u>Row Total 1983-1985</u>	<u>& Percent</u>
NEA (CMU, FSU, SVSU)	58	39	41	138 (52.3)
AAUP (OU, EMU)	<u>71</u>	<u>33</u>	<u>22</u>	<u>126 (47.7)</u>
Total	129	72	63	264
Percent of Total	48.9	27.3	23.9	100.0

Chi-Square = 7.009; Degrees of Freedom, 2; Level of Significance .05

While the total number of grievances declined over time for both bargaining agents, AAUP institutions had fewer total grievances and declined more sharply than the NEA institutions.

Research Hypothesis 3 and Related Subhypotheses: The Choice of Bargaining Agent has no Significant Relationship to the Nature and Type of Grievance that is Filed

The third research hypothesis in this study dealt with the national affiliation of the campus bargaining agent. Although there are three major national faculty unions--American Association of University Professors (AAUP), National Education Association (NEA), and American Federation of Teachers (AFT)--only two are represented in this study. The AFT presently has no four-year campus bargaining agent in Michigan. In this section, therefore, national union or bargaining agent refers only to the AAUP or the NEA. In this study CMU, SVSC, and FSU are represented by the NEA; EMU and OU are represented by the AAUP.

Research Hypothesis 3a: The Choice of Bargaining Agent has no Significant Relationship to the Type of Grievance (Individual or Group) that is Pursued

The researcher wanted to determine if the perceived differences in operating philosophy between the AAUP and the NEA would likewise be statistically significant in faculty grievance data of this study. The aggregate grievance data are indicated in Table 20.

Table 20

Faculty Grievances by Bargaining Agent

<u>Bargaining Agent</u>	<u>Frequency of Individual Grievances</u>	<u>Percent</u>
AAUP	62	35.8
NEA	111	64.2
	<u>173</u>	<u>100.0</u>

<u>Bargaining Agent</u>	<u>Frequency of Group Grievances</u>	<u>Percent</u>
AAUP	64	70.3
NEA	27	29.7
	<u>91</u>	<u>100.0</u>

<u>Bargaining Agent</u>	<u>Frequency of Total Grievances</u>	<u>Percent</u>
AAUP	126	47.7
NEA	138	52.3
	<u>264</u>	<u>100.0</u>

Taken together (individual and group grievances) the numerical differences between the bargaining agents are small. Marked differences between the two agents do exist, however, in the type of grievances filed. The AAUP filed more than twice the number of group grievances as the NEA. It would appear then that the AAUP's philosophy of operation dictates pursuit of those grievances that impact a broad base, unlike the NEA's more individually oriented philosophy.

A Chi-Square test was performed on the differences between the types of grievances filed by the two bargaining agents. A value of 27.070 resulted with one degree of freedom at the .05 level of significance. This χ^2 value indicates that the null hypothesis stating that no significant differences exist between bargaining agent selected and type of grievance advanced should not be retained. When individual

and group grievances are compared, the AAUP advances the interests of its members significantly more often through group grievances than does the NEA.

Research Hypothesis 3b: The Choice of Bargaining Agent has no Significant Relationship to the Types of Subjects Area over which the Grievances are Filed

It was of interest to the researcher whether the choice of bargaining agent affected the subject area of faculty grievances. This aspect of the research, coupled with the previous section on overall type of grievance pursued, formed the structure for the third research hypothesis, i.e., the subject area of the grievance does not vary by bargaining agent. In Table 21 the subject areas of the grievances are differentiated by bargaining agent (the institutions represented in parentheses).

Table 21

Bargaining Agent and Grievance Subject

<u>Subject Area of Grievance</u>	<u>Bargaining Agent</u>		<u>Total Number and Percent</u>
	<u>NEA (CMU, SVSU, FSU)</u>	<u>AAUP (OU, EMU)</u>	
Tenure, Promotion Reappointment	48	39	87 (33.0)
Seniority, Retrenchment	5	12	17 (6.4)
Faculty Benefits	6	5	11 (4.2)
Supplemental Compensation	15	2	17 (6.4)
Working Conditions	41	35	76 (28.8)
Salary	6	17	23 (8.7)
Union Rights Under the Agreement	3	10	13 (4.9)
Discrimination and Harassment	3	2	5 (1.9)
Discharge and Discipline	11	4	15 (5.7)
TOTAL	138	126	264
Percent of Total	52.3	47.7	(100.0)

Chi-Square = 26.324; Degrees of Freedom, 8; Level of Significance .05

A Chi-Square test was performed on the data, resulting in a value of 26.324 with eight degrees of freedom. At the .05 level of

significance, this χ^2 value requires that the null hypothesis not be retained. Thus, it can be stated that a significant difference exists between the two national unions (bargaining agents) and the grievances their campus affiliates pursue. Further, it would appear that at these institutions the perceived "philosophical stance" of the national union is borne out through the campus grievance procedure.

Research Hypothesis 3c: The Choice of Bargaining Agent has no Significant Relationship to the Outcome that a Grievance Attains

As an extension of the primary hypothesis, the researcher also wanted to know whether the choice of bargaining agent produced different grievance outcomes. Overall, the difference in total grievances between the two bargaining agents is 138 (NEA) to 126 (AAUP). It is in the pattern of outcomes, as illustrated in Table 22, that differences appear. The most striking numerical difference occurs in the negotiated agreement category. The AAUP institutions achieved negotiated agreements with management in 29 of its 126 grievances, while the NEA failed to achieve any negotiated agreements with management at its institutions. (In making these statements, it should be noted that placement of grievance outcomes into categories involved a measure of subjective reasoning.) Thus, the difference between resolution for one side or the other versus a mutually agreed outcome was at times slight. To test this subhypothesis a Chi-Square test was employed. The calculated χ^2 value of 39.815 with five degrees of freedom exceeded that value required for significance at the .05 level. It may then be concluded that affiliation with one bargaining agent or the other makes for significant differences in the outcome of a faculty grievance, beyond what might be attributed to chance.

Table 22

Grievance Outcome and Bargaining Agent

<u>Outcome</u>	<u>Bargaining Agent</u>		<u>Total Percent of Total</u>
	<u>NEA (CMU, SVSU, FSU)</u>	<u>AAUP (OU, EMU)</u>	
Withdrawn	26	20	46 (17.4)
Resolved for Union	57	42	99 (37.5)
Resolved for Management	45	27	72 (27.3)
Unknown or Unresolved	9	4	13 (4.9)
Dropped by Union	1	4	5 (1.9)
Negotiated Agreement	--	29	29 (11.0)
TOTAL	138	126	264
Percent of Total	52.3	47.7	100.0

Chi-Square = 39.815; Degrees of Freedom, 5; Level of Significance .05

Research Hypothesis 3d: The Choice of Bargaining Agent has no Significant Relationship to the Length of Time it takes to Resolve a Grievance

As has been noted elsewhere in this study, an important aspect of the grievance process is the amount of time it takes to reach resolution. Differences left unresolved or tardily resolved afford no advantages for the union or for management. Likewise, the individual grievant wishes a timely resolution. Among the subhypotheses associated with the bargaining agents, the researcher wished to know whether the AAUP or NEA was able to resolve their grievances more expeditiously than the other and, if so, was the difference statistically significant?

The AAUP and NEA achieved nearly identical results at the four month resolution mark. In 65.2% of all grievances filed, resolution was achieved in no more than four months. This rate of resolution would seem to indicate that all parties to a grievance place importance on speed of resolution. The entire range of resolution rates is illustrated in Table 23.

Table 23

Rate of Resolution by Bargaining Agent

<u>Elapsed Time Until Resolution</u>	<u>Bargaining Agent</u>		<u>Total Percent of Total</u>
	<u>NEA (CMU, SVSU, FSU)</u>	<u>AAUP (OU, EMU)</u>	
One Day to One Month	36	37	73 (27.7)
One Month to Four Months	48	51	99 (37.5)
Four Months to Eight Months	30	19	49 (18.6)
Eight Months to One Year	10	15	25 (9.5)
More than One Year	<u>14</u>	<u>4</u>	<u>18 (6.8)</u>
TOTAL	138	126	264
Percent of Total	52.3	47.7	100.0

Chi-Square = 8.601; Degrees of Freedom, 4; Level of Significance .05

To test the subhypothesis that no significant differences in rate of resolution existed, a Chi-Square test was conducted. The χ^2 value of 8.601 with four degrees of freedom was not sufficient to reject the null subhypothesis. No statistically significant differences exist between the AAUP and NEA in the rate of resolution of faculty grievances.

Research Hypothesis 3e: The Choice of Bargaining Agent has no Significant Relationship to the Level of Resolution that a Grievance Attains

The resolution level, i.e., how far along the continuum of informal to imposed that a grievance must travel before solution, is of importance to both parties. To have most, if not all, grievances settled at the informal step would be a measure of success for both sides. Clearly that has not happened in the institutions in this study, but it is a mutual goal of most organizations. In this study 225 of the 264 total grievances filed were resolved by the parties themselves at the informal or formal level.

NEA institutions (CMU, FSU, SVSU) settled far more grievances at the informal step than did the AAUP institutions (OU, EMU): 62 to 37. At the formal level the reverse was true. A Pearson Product-Moment correlation coefficient

was calculated with a value of .044, indicating little or no relationship between the variables. As a result, the subhypothesis that there exists no difference between the bargaining agents on the variable of resolution level is neither supported nor denied. The range of results on this is found in Table 24.

Table 24

Resolution Level by Bargaining Agent

<u>Resolution Level</u>	<u>Bargaining Agent</u>		<u>Total Number and Percent</u>
	<u>NEA (CMU, SVSU, FSU)</u>	<u>AAUP (OU, EMU)</u>	
Informal	62	37	99 (37.5)
Formal	52	74	126 (47.7)
Imposed	19	15	34 (12.9)
No Resolution	<u>5</u>	<u>--</u>	<u>5</u> (1.9)
TOTAL	138	126	264
Percent of Total	52.3	47.7	100.0

Research Hypothesis 3f: The Choice of Bargaining Agent has no Significant Relationship to When a Grievance is Filed

As has been stated by Kruger (1980) and others, the union is a political organization. The grievance procedure can and does get used to further means other than the resolution of a grievable act. Would the pattern of group grievances be different than that of individual grievances as the bargaining relationship matured? Would these patterns vary by bargaining agent? Data relating to these questions are presented in Table 25.

Table 25

Grievances, Individual and Group, of the Bargaining Agents, 1975-1985Individual Grievances

<u>Time Period</u>	<u>NEA (CMU, FSU, SVSU)</u>	<u>AAUP (OU, EMU)</u>	<u>Total and Percent</u>
1975-1979	46	31	77 (44.5)
1980-1982	29	20	49 (28.3)
1983-1985	<u>36</u>	<u>11</u>	<u>47 (27.2)</u>
Column Total and Percent	111 (64.2)	62 (35.8)	173 (100.0)

Chi-Square = 4.342; Degrees of Freedom, 2; Level of Significance .05

Group Grievances

1975-1979	12	40	52 (57.1)
1980-1982	10	13	23 (25.3)
1983-1985	<u>5</u>	<u>11</u>	<u>16 (17.6)</u>
Column Total and Percent	27 (29.7)	64 (70.3)	91 (100.0)

Chi-Square = 3.203; Degrees of Freedom, 2; Level of Significance .05

In terms of individual grievances, the general AAUP trend is downward over the ten-year study period as is the NEA's. But, while the NEA declined in absolute terms over this period, the incidence of grievances was higher and stayed that way.

A more striking difference is found between the AAUP and NEA in group grievances. As has been stated in the literature, group grievances allow the "philosophy" of the bargaining agent to make itself known. Both agents experienced a decline in group grievances over the study period. The high rate of AAUP group grievances (40) in 1975-1979 suggests that the then-newly elected agent put forth various grievances to test its strength and management's resolve.

Chi-Square tests were performed separately for individual and group grievances. The independent variable (bargaining agent) was compared to the dependent variable (time period) for significance at the .05 level.

The test conducted for individual grievances filed over the three time periods produced a value of 4.342 with two degrees of freedom. At this value the null hypothesis as stated in 3f is retained, i.e., the choice of a national bargaining agent does not significantly effect the type of individual grievance filed in a given time period.

Likewise, the same result was found for the Chi-Square test conducted on group grievances. That X^2 value was 3.203 with two degrees of freedom. Thus, the choice of a national bargaining agent does not significantly influence the type of grievance filed in a given time period ranging from the onset of the bargaining relationship to its maturation ten years later.

CHAPTER V

Findings, Conclusions and Recommendations

The researcher's purpose in this study was threefold. The initial objective was to determine whether the "faculty experience" at different, but similar, universities resulted in a changed mix of faculty grievances. It is tempting to assume from the perspective of either the union or the administration that the institutional employer is unique. Such uniqueness extended logically leads to the presumption that the conditions giving rise to grievances are unique to that institution as well. The relative lack of prior research in this area of faculty grievances lent additional importance to this objective.

The researcher's second purpose in this study was to attempt to determine whether the passage of time contributed significantly to the nature and type of relationship the union and the administration were able to establish. Using the grievance procedure with its different levels of resolution from informal to imposed afforded the opportunity to test the research premise. Heretofore, it had only been speculated by contract administrators that the passage of time worked to moderate (in a general way) positions taken by both sides in a grievance.

This research hypothesis brought together two assumptions commonly held by contract administrators. One, grievances should be settled at the lowest possible level. Second, the longer two parties to a contract have a bargaining relationship, the fewer grievances are filed.

The third research hypothesis was centered on differences between the two national faculty unions found in Michigan at four-year institutions of higher education, the American Association of University Professors (AAUP) and the National Education Association (NEA). Not involved in this study was the American Federation of Teachers (AFT). All three unions evolved differently as organizations. AAUP, with its membership consisting of only college faculty has

changed from a watchdog of academic ideals to a labor union. That presence makes for an ambivalence in the organization, i.e., academic watchdog or union? Or perhaps both depending on the campus. The NEA grew from "the" elementary and secondary school union into junior colleges and lastly to senior colleges, most often those institutions known primarily for teacher training. Would these differences in origin and perceived difference in "philosophy" of these unions manifest themselves in the grievance process was the issue studied.

Conclusions

The information gained through this study seems to indicate that both sides strove to resolve grievances at the lowest two levels of the process. Of the four ways a grievance could end (informal, formal, imposed by a third party or no solution), 85.2% of the time the parties found the solution themselves. This result is consistent with the view of most contract administrators, i.e., retention of internal control over the outcome. In only 12.9% of the grievances did an outside agent determine the outcome, belying another popular misconception about collective bargaining. The results, however, do not support a widely held belief among grievance administrators about which academic disciplines produce more grievants. It is assumed widely that business faculty do not participate in collective bargaining because of their strong individualistic orientation. In this study business faculty, with 10.6% of the grievants, filed more grievances (16.2%) than all but education faculty (26%) with 17% of the grievants.

Given the importance of tenure, promotion and reappointment decisions in a faculty member's career, this area will most likely remain the single largest source of grievances. Such was the case here. Even with that fact none of the institutions in this study were ready to cede control of the academic judgment made by the faculty and administration to an outside party.

The results from this study also suggest that the parties sought to settle grievances in a timely fashion. In four months time 73.1% of all grievances had been resolved. When viewed from the perspective of an academic year (nine months), 90.5% of all grievances were settled. As the bargaining relationship matures in time, contract administrators and the leadership of the parties gain experience with each other. This results in a situation that the longer two parties have a collective bargaining relationship, the shorter it would appear that a grievance will take to be resolved.

The other research consideration in this hypothesis centered on a theory that fewer grievances would be filed as the length of the bargaining relationship grew. As was theorized, the period of 1975-1979 had the most grievances filed with 48.9% of the total. Each succeeding period had fewer grievances. The 1980-1982 period saw 27.3% of the grievances followed by 1983-1985 at 23.9%. Frequent grievance activity at the onset of a bargaining relationship followed by fewer grievances is consistent with the pattern set forth by Julius (1986) and others. Thus the results garnered from this study do not support the hypothesis that the level of resolution is independent of the time that the parties have bargained.

Overall, the difference in the number of grievances filed between the two unions was small, 138 (NEA) to 126 (AAUP). Within the totals lie many differences. The fact that the AAUP filed more than twice the number of group grievances than the NEA is instructive. Group grievances have many purposes. Group grievances are often more complex than individual grievances because the grievable issue is an interpretation of a policy or the grievance involves more than one person. The AAUP, on these two campuses, chose to advance their interests on this broader plane. The NEA chose to advance individual issues, exhibiting

more of a "me versus them" approach found more often in K-12 labor relations. When the unions' origins are considered, the approach taken by both is where perception meets reality.

Further, the difference in the number of group grievances filed versus individual grievances suggests a different orientation in how the bargaining agent views its role. For while the bargaining agent has a legal obligation to carry grievances forward, it also has an operational need to avoid confrontation with management over trivial matters. It is not uncommon for a union grievance administrator to "counsel" a potential grievant out of filing an action for several reasons. An objectionable action may not be grievable under the provisions of the agreement, or it may have little chance of success, or it may involve an area of university life with which the union does not want to involve itself. A high group to individual grievance ratio as is found with AAUP suggests that it defines its role broadly, grieving only when management's actions threaten the union or a large number of its members.

When grievance outcomes are considered, the differences are striking as well. A faculty member with an AAUP union can expect a negotiated agreement 23% of the time while his or her NEA counterpart has little or no prospect of that whatsoever. Again, a negotiated agreement as a grievance outcome indicates a willingness to compromise on issues. It is an aspect of shared governance, an honored way to operate in higher education.

Both unions prevailed over management more times than the reverse. In percentage terms of the total grievances filed, this difference was 37.5% of the outcomes were favorable to the union to 27.3% of the outcomes favorable to management, respectively. Although the researcher did not gather data on the ten-year trend in grievance outcome by campus, future research efforts might focus on whether unions prevail over management over time and by what margin.

The results do depart from conventional wisdom of the private sector placing management in a stronger position to prevail. However, while management can control many variables its authority is so diffused in an academic setting that many practices can and do develop that are contrary to the contract's tenets. These practices, in violation of the contract terms, are the basis for many grievances.

Both unions resolved their differences with management expeditiously. Although some grievances are brought for frivolous reasons, most are not. The rate of resolution was nearly identical at the four-month mark. Of all 264 grievances filed, 65.2% were resolved by the end of four months. No statistical differences could be found between the two unions in rate of resolution. This indicates that grievances assume a high priority with all concerned and indirectly suggests that the negotiated grievance procedure is an efficient process for resolving differences.

Finally, the differences between the unions as to the level of resolution each obtained for their membership was scrutinized. Even though NEA institutions settled far more grievances at the informal level than the AAUP, no statistical significance could be ascertained.

Over the ten-year study period, both unions filed fewer grievances later than at the start of the bargaining relationship. This fact confirms a long held belief of contract administrators. Within the general decline lies, however, important differences. AAUP's group grievances, always higher than the NEA's in each time period (75-79, 80-82 and 83-85), took a significant drop after the initial time period. The decline was from 40 (1975-79) to 13 (1980-82) to 11 (1983-85). This may lend additional credence to the theory that the AAUP presses issues through grievances for different reasons than does the NEA. For the institutions in this

study, the choice of bargaining agent did make a difference, a difference reflected in the grievance process.

These findings support the view that different operational philosophies are present in the NEA and AAUP. AAUP is viewed as more conservative and less like an "industrial" union than the NEA. The NEA, with its roots in K-12, education is more liberal in its approach to collective bargaining.

In summary, for the institutions in this study, the bargaining agent makes a difference. The choice affects the type of grievance that is pursued. What type of faculty concerns that end up as grievances is also affected by the choice of a bargaining agent. Perhaps more importantly, the choice of a bargaining agent affects the outcome or end result of a faculty grievance. These findings are those of subhypotheses 3a, 3b, and 3c.

The choice of bargaining agent does not affect the faculty grievance process on the dimension of time. Neither the amount of time it takes to resolve a matter nor when the grievance was filed in the ten year study period differed significantly by choice of national bargaining agent. These findings are those of subhypotheses 3d and 3f.

Limitations of the Study

As mentioned, the lack of a four-year higher education AFT affiliate union in Michigan served to limit research capability on the last research hypothesis. Expanding a study of this type across state lines would accomplish this task.

It is tempting to analyze the effectiveness of parties to a collective bargaining agreement solely on the win-loss record. However, there are many other variables that contribute to a productive bargaining relationship. Some of these are the experience of the respective leadership/contract administrators on both sides, the degree to which the faculty union expresses the "view" of the entire faculty and the attitude of the executive leadership of the university.

A third limitation of this study was in the nature of the data. Much of the data presented was of the nominal variety, the least powerful for statistical analysis. Subjective judgment such as what determines a negotiated agreement do not lend themselves to sophisticated mathematical analysis. The research design incorporated 19 variables deemed to be necessary to conduct this research. However, the number of variables contributed to the number of open cells in the various data matrices used in Chi-Square testing. These open cells, in turn, lead to many situations in which the data did not lend themselves to analysis.

Recommendations for Further Research

There are some other types of studies that might be fruitful given these findings. One of the first that suggests itself is the inclusion of campuses that have an AFT affiliate bargaining agent. As these findings suggest, there is a difference between the unions on several dimensions. The full range of those differences could be measured by having one or more AFT affiliates included in another study.

Another study in this area could include a larger number of institutions possibly across single state boundaries. Studies of administrative philosophy of interaction when different bargaining agents are present is a possible research topic. Continuing along the organizational philosophy line, a study comparing unions stated philosophy with their actual grievance behavior could be investigated.

A study of what relationship exists between the economic health of an institution and grievance activity might be fruitful. All of these institutions were affected by the early 1980's recession in Michigan. They were affected in many ways, but most important was an overall reduction in State funding. It has been the observation of the researcher that in these times individual grievances go up and group grievances decline. Individual grievances go up because economic

uncertainty contributes to individual uncertainty. Problems that might be tolerated in good times are less so in bad. Group grievances go down in bad times because faculty union, by and large, realize the impact of bad times on the university. Today's faculty union enjoys a high level of "political" awareness. As is all too often the case in public higher education, economic conditions emerge which are beyond the capability of either management or the union to solve alone.

Although this study did not gather data on the ten-year trend in grievance outcome by campus, future research efforts might focus on whether unions prevail over management over time and by what margin. It has been suggested that the ratio of 70:30 in the industrial sector, management prevailing, is the reverse of what is true in education.

APPENDICES

APPENDIX A

Request for Grievance Information

Dear _____:

Thanks very much for allowing me to use the faculty grievance files at Ferris State College as primary source material for the dissertation. The inclusion of FSC is of crucial importance to the success of this venture.

The identity of each grievant will be kept strictly confidential. Beyond the information gathering stage, there will be no use for individual situations as the data will be analyzed in aggregate form. Once the study is complete, I will provide each participating institution a synopsis of the entire study and a detailed report on FSC. I believe that this information will be helpful to each campus.

For this project, I will need access to the grievance files for the past ten years, the academic rank of each grievant, academic department, and how long he or she has been at FSC. I will come to campus at a time most convenient to you. Thanks very much.

Sincerely,

Ted Heidloff
Associate Director, Faculty Relations

TH:lah

APPENDIX B

Data Collection Form - Group Grievances

ID# _____ **INSTITUTION#** _____

GROUP GRIEVANT:

**GRIEVANCE TYPE
AND NUMBER:**

SPECIAL COMMENTS:

**MONTH AND YEAR
GRIEVANCE FILED:**

ACADEMIC YEAR:

**GRIEVANCE BROUGHT
UNDER WHICH CONTRACT:**

**LEVEL AT WHICH GRIEVANCE
WAS RESOLVED:**

OUTCOME OF GRIEVANCE:

LENGTH OF TIME TO RESOLVE MATTER:

APPENDIX B

Data Collection Form - Individual Grievances

ID# _____ INSTITUTION# _____

SEX OF GRIEVANT:

DEPT. & DISCIPLINE
OF GRIEVANT:

ACADEMIC RANK AT
TIME OF GRIEVANCE:

HOW LONG AT THIS
INSTITUTION:

GRIEVANCE TYPE
AND NUMBER:

SPECIAL COMMENTS:

MONTH AND YEAR
GRIEVANCE FILED:

ACADEMIC YEAR:

GRIEVANCE BROUGHT
UNDER WHICH CONTRACT:

LEVEL AT WHICH GRIEVANCE
WAS RESOLVED:

OUTCOME OF GRIEVANCE:

LENGTH OF TIME TO
SOLVE MATTER:

APPENDIX C

Academic Departments of Individual Grievants

<u>Department</u>	<u>Frequency</u>	<u>Per Cent of Total</u>
Political Science	6	3.5
Teacher Education	24	13.9
Physical Education	15	8.7
Management	10	5.8
Finance	2	1.2
Art	13	7.5
Business Law	3	1.7
Industrial Technology	9	5.2
Geography	3	1.7
English	4	2.3
Information Systems and Analysis	3	1.7
Journalism	3	1.7
Library Science	4	2.3
Recreation and Park Administration	1	.6
Economics	3	1.7
Religion	1	.6
Sociology	6	3.5
Broadcast and Cinematic Arts	2	1.2
Marketing	7	4.0
Graphic Arts	2	1.2
Allied Health	2	1.2
Technical Trades	1	.6
Social Services	1	.6
Biology	3	1.7
Accounting	3	1.7
Athletics	1	.6
Environmental Quality	2	1.2
Radio, Television	2	1.2
Mathematics	10	5.8
Dental Hygiene	2	1.2
Nursing	6	3.5
Chemistry	2	1.2
Welding	1	.6
Radiology Technology	1	.6
Psychology	4	2.3
Engineering	2	1.2
Music	2	1.2
Foreign Language	2	1.2
Business Education	3	1.7
Speech and Dramatic Arts	1	.6
Home Economics	1	.6

APPENDIX D

Academic Departments of Grievants by Discipline

<u>Discipline</u>	<u>Frequency</u>	<u>Percent of Total</u>
<u>Health Sciences</u>	10	5.8
Nursing		
Pharmacy		
Dental Hygiene		
Radiology		
Dental Assisting		
Allied Health		
<u>Education</u>	45	26.0
Curriculum and Instruction		
Secondary Education		
Education		
Library Science		
Physical Education		
Home Economics		
<u>Technology</u>	16	9.2
Plastics Technology		
Welding		
Environmental Quality		
Technical Trades		
Industrial Technology		
Radio, Television		
<u>Engineering</u>	2	1.2
Engineering		
<u>Athletics</u>	2	1.2
Athletics		
Recreation and Park Administration		
<u>Social Sciences</u>	25	14.5
Sociology		
Psychology		
Political Science		
Geography		

Economics		
History		
Philosophy		
Social Services		
Religion		
<u>Natural Sciences</u>	15	8.7
Mathematics		
Chemistry		
Biology		
<u>Language Arts</u>	8	4.6
Foreign Language		
Speech		
English		
<u>Business Administration</u>	28	16.2
Marketing		
Accounting		
Management		
Law and Finance		
<u>Fine and Applied Arts</u>	22	12.7
Journalism		
Broadcast and Cinematic Arts		
Graphic Arts		
Commercial Art		
Music		

APPENDIX E

Institutional Summary of Grievances

Seniority

- A. Total number of faculty grievances filed during 1975-1985
 - 1. Individual Grievances
 - 2. Group Grievances
- B. Grievances by Academic Rank
 - 1. Instructor
 - 2. Assistant Professor
 - 3. Associate Professor
 - 4. Professor
- C. Subject Matter of Grievances
 - 1. Tenure, Promotion, Reappointment
 - 2. Seniority, Retrenchment
 - 3. Faculty Benefits
 - 4. Supplemental Compensation
 - 5. Faculty Working Conditions
 - 6. Salary
 - 7. Union Rights Under the Agreement
 - 8. Discrimination and Harassment
 - 9. Discharge and Discipline
- D. Grievances by Level of Resolution
 - 1. Informal
 - 2. Formal
 - 3. Imposed
 - 4. No Resolution
- E. Grievances by Outcome
 - 1. Withdrawn by Grievant or Union
 - 2. Resolved for Union
 - 3. Resolved for Management
 - 4. Unknown or Unresolved
 - 5. Dropped by Grievant
 - 6. Mutual Agreement

F. Grievances by Length of Time to Reach Resolution, in Months

- 1. One Month or Less**
- 2. One to Four Months**
- 3. Four to Eight Months**
- 4. Eight Months to One Year**
- 5. One Year or More**

(SU)

APPENDIX E

Institutional Summary of Grievances Eastern Michigan University

A.	Total number of faculty grievances filed during 1975-1985	75
1.	Individual Grievances	48
2.	Group Grievances	27
B.	Grievances by Academic Rank	
1.	Instructor	1
2.	Assistant Professor	24
3.	Associate Professor	14
4.	Professor	9
C.	Subject Matter of Grievances	
1.	Tenure, Promotion, Reappointment	31
2.	Seniority, Retrenchment	7
3.	Faculty Benefits	0
4.	Supplemental Compensation	2
5.	Faculty Working Conditions	18
6.	Salary	8
7.	Union Rights Under the Agreement	5
8.	Discrimination and Harassment	2
9.	Discharge and Discipline	2
D.	Grievances by Level of Resolution	
1.	Informal	16
2.	Formal	49
3.	Imposed	10
4.	No Resolution	0
E.	Grievances by Outcome	
1.	Withdrawn by Grievant or Union	10
2.	Resolved for Union	35
3.	Resolved for Management	17
4.	Unknown or Unresolved	4
5.	Dropped by Grievant	0
6.	Mutual Agreement	9

F. Grievances by Length of Time to Reach Resolution, in Months

1.	One Month or Less	16
2.	One to Four Months	32
3.	Four to Eight Months	12
4.	Eight Months to One Year	11
5.	One Year or More	4

G. Grievances by Year Filed

1.	1975-1979	43
2.	1980-1982	18
3.	1983-1985	14

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APPENDIX E

Institutional Summary of Grievances Oakland University

A.	Total number of faculty grievances filed during 1975-1985	51
1.	Individual Grievances	14
2.	Group Grievances	37
B.	Grievances by Academic Rank	
1.	Instructor	0
2.	Assistant Professor	7
3.	Associate Professor	4
4.	Professor	3
C.	Subject Matter of Grievances	
1.	Tenure, Promotion, Reappointment	8
2.	Seniority, Retrenchment	5
3.	Faculty Benefits	5
4.	Supplemental Compensation	0
5.	Faculty Working Conditions	17
6.	Salary	9
7.	Union Rights Under the Agreement	5
8.	Discrimination and Harassment	0
9.	Discharge and Discipline	2
D.	Grievances by Level of Resolution	
1.	Informal	21
2.	Formal	25
3.	Imposed	5
4.	No Resolution	0
E.	Grievances by Outcome	
1.	Withdrawn by Grievant or Union	10
2.	Resolved for Union	7
3.	Resolved for Management	10
4.	Unknown or Unresolved	0
5.	Dropped by Grievant	4
6.	Mutual Agreement	20

F. Grievances by Length of Time to Reach Resolution, in Months

1.	One Month or Less	21
2.	One to Four Months	19
3.	Four to Eight Months	7
4.	Eight Months to One Year	4
5.	One Year or More	0

G. Grievances by Year Filed

1.	1975-1979	28
2.	1980-1982	15
3.	1983-1985	8

APPENDIX E

Institutional Summary of Grievances Saginaw Valley State University

A.	Total number of faculty grievances filed during 1975-1985	23
1.	Individual Grievances	13
2.	Group Grievances	10
B.	Grievances by Academic Rank	
1.	Instructor	1
2.	Assistant Professor	6
3.	Associate Professor	4
4.	Professor	2
C.	Subject Matter of Grievances	
1.	Tenure, Promotion, Reappointment	13
2.	Seniority, Retrenchment	1
3.	Faculty Benefits	0
4.	Supplemental Compensation	1
5.	Faculty Working Conditions	7
6.	Salary	0
7.	Union Rights Under the Agreement	0
8.	Discrimination and Harassment	1
9.	Discharge and Discipline	0
D.	Grievances by Level of Resolution	
1.	Informal	9
2.	Formal	11
3.	Imposed	3
4.	No Resolution	0
E.	Grievances by Outcome	
1.	Withdrawn by Grievant or Union	5
2.	Resolved for Union	11
3.	Resolved for Management	6
4.	Unknown or Unresolved	1
5.	Dropped by Grievant	0
6.	Mutual Agreement	0

F. Grievances by Length of Time to Reach Resolution, in Months

1.	One Month or Less	8
2.	One to Four Months	9
3.	Four to Eight Months	3
4.	Eight Months to One Year	2
5.	One Year or More	1

G. Grievances by Year Filed

1.	1975-79	6
2.	1980-82	10
3.	1983-85	7

(SU)

APPENDIX E

Institutional Summary of Grievances Ferris State University

A.	Total number of faculty grievances filed during 1975-1985	53
1.	Individual Grievances	44
2.	Group Grievances	9
B.	Grievances by Academic Rank	
1.	Instructor	5
2.	Assistant Professor	18
3.	Associate Professor	17
4.	Professor	4
C.	Subject Matter of Grievances	
1.	Tenure, Promotion, Reappointment	11
2.	Seniority, Retrenchment	4
3.	Faculty Benefits	6
4.	Supplemental Compensation	2
5.	Faculty Working Conditions	17
6.	Salary	6
7.	Union Rights Under the Agreement	1
8.	Discrimination and Harassment	0
9.	Discharge and Discipline	6
D.	Grievances by Level of Resolution	
1.	Informal	19
2.	Formal	22
3.	Imposed	10
4.	No Resolution	2
E.	Grievances by Outcome	
1.	Withdrawn by Grievant or Union	7
2.	Resolved for Union	19
3.	Resolved for Management	23
4.	Unknown or Unresolved	3
5.	Dropped by Grievant	1
6.	Mutual Agreement	0

F. Grievances by Length of Time to Reach Resolution, in Months

1.	One Month or Less	18
2.	One to Four Months	19
3.	Four to Eight Months	7
4.	Eight Months to One Year	2
5.	One Year or More	7

G. Grievances by Year Filed

1.	1975-79	22
2.	1980-82	9
3.	1983-85	22

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APPENDIX E

Institutional Summary of Grievances Central Michigan University

A.	Total number of faculty grievances filed during 1975-1985	62
1.	Individual Grievances	54
2.	Group Grievances	8
B.	Grievances by Academic Rank	
1.	Instructor	4
2.	Assistant Professor	22
3.	Associate Professor	9
4.	Professor	19
C.	Subject Matter of Grievances	
1.	Tenure, Promotion, Reappointment	24
2.	Seniority, Retrenchment	0
3.	Faculty Benefits	0
4.	Supplemental Compensation	12
5.	Faculty Working Conditions	17
6.	Salary	0
7.	Union Rights Under the Agreement	2
8.	Discrimination and Harassment	2
9.	Discharge and Discipline	5
D.	Grievances by Level of Resolution	
1.	Informal	34
2.	Formal	19
3.	Imposed	6
4.	No Resolution	3
E.	Grievances by Outcome	
1.	Withdrawn by Grievant or Union	14
2.	Resolved for Union	27
3.	Resolved for Management	16
4.	Unknown or Unresolved	5
5.	Dropped by Grievant	0
6.	Mutual Agreement	0

F. Grievances by Length of Time to Reach Resolution, in Months

1.	One Month or Less	10
2.	One to Four Months	20
3.	Four to Eight Months	20
4.	Eight Months to One Year	6
5.	One Year or More	6

G. Grievances by Year Filed

1.	1975-79	30
2.	1980-82	20
3.	1983-85	12

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