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Iowa Public Employment Relations Act: Its significance for public schools and implications for noncertified employees

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Iowa Public Employment Relations Act:
Its significance for public schools and implications
for noncertified employees

by

Ronald D. Riekema

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CHAPTER I. STATEMENT OF THE PROBLEM

Introduction

The most significant development in labor relations since the 1930s has been the growth of public sector collective bargaining. In the past thirty years, public payrolls have tripled and the public sector has become one of this country's fastest growing areas of employment. Certainly this growth has also been reflected in Iowa during the decade of the 1960s and into the seventies.

In less than forty years, public employee unions have advanced from an ineffective minority voice, often ignored and seldom taken seriously, to strong militant spokesmen for the right of public employees. With numbers come strength and with the strength the ability and willingness to use it.

The growth of public employee collective bargaining will have an impact on our political structure and educational policies. The direct involvement of teachers through collective bargaining in the management of our schools has been characterized as a revolutionary development.

The decade of the 1960s was a period of debate over whether there should be collective bargaining for public employees. While the debate is not completely over, the evidence is that collective bargaining is here to stay in most parts of the nation. Recent years have witnessed a marked rise in the frequency and intensity of the demands by public employees for recognition of certain rights, many of which were won long ago by private sector employees.

The question of the legitimacy of collective bargaining for public employees has been resolved in Iowa. The sixty-fifth General Assembly passed the Iowa Public Employment Relations Act which granted the basic rights of collective bargaining with public employees to state, county, municipal, and school employees.

Acceptance of the concept of collective bargaining does not obligate the public employer to accept any and every legislative or contract proposal advanced by public employee organizations. Careful consideration and participation in the legislative and bargaining process will afford the public employer an opportunity to participate creatively and positively in the development of policies, rather than risking the imposition of terms and provisions which later prove to be of negative value.

Collective bargaining between teacher organizations and boards of education have become a way of life in America's school systems. The number of states that now have legal precedent, either authorizing or mandating collective bargaining, is gradually increasing. This recent trend has blossomed since the 1960s. A new educational decision-making process has arrived upon the scene in full bloom. The increased organizational activity resulting from collective bargaining has resulted in additional tasks to be performed. The bargaining process demands considerable resource allocations in terms of time, personnel, and most importantly, dollars.

Need for the Study

Most attention in educational circles has focused upon teacher bargaining in recent years. With the rapid growth of various public sector employee organizations other than the teachers, trends would indicate that more involvement will be coming and necessitated from the nonteaching members of a school district's staff.

In states having statutes dealing with educational collective bargaining, such laws generally deal with the certified staff. This factor was brought to light during the early discussions of a legislative interim committee in 1972 which was exploring collective bargaining for public employees. At that time, teachers were attempting to promote a separate bill for the profession and were not seeking support from other public employee organizations. Such efforts failed and the measure did not even receive floor consideration from the Iowa General Assembly.

During the 1973 and 1974 legislative sessions, in order to get a collective bargaining bill passed, all public employee groups were supporting such legislation and such combined efforts secured its passage.

The entrance of collective bargaining (sometimes referred to as "collective negotiations" in public employment) into government, including the public school, has created many unanswered questions for which there are few precedents. Some persons who claim special knowledge about labor relations suggest that there is little difference between bargaining in the private sector and negotiations in the public sector; that generally speaking the laws and techniques which prevail in the private sector can be transferred easily to the public sector.

When employee-employer relations in the private sector are carefully compared to those in the public sector, many significant differences do appear. It would be a serious mistake to assume that experience gained in private industry can be applied easily to public employment.

It would also be a serious mistake to assume that experience gained in private industry cannot be of benefit to employee-employer relations in government. If there is a precedent in industry which provides possible solutions to problems faced in the public sector, such precedents should be considered.

As is the nature of social change, the movement from unilateral to bilateral relations in the schools has eliminated certain problems only to raise others.

The strike for recognition has been made unnecessary in many states, but strikes and threatened strikes over salaries and other work conditions have become more common. The increased pressure for higher salaries and improved conditions has necessitated higher state contributions to school budgets and thereby raised the question of appropriate geographic area of bargaining units. Negotiations over school conditions, rules, and programs which in the past were determined unilaterally, have evoked concern over the types of issues which are appropriate for bilateral decisions and those which should be treated on a consultative basis because of the interest of other groups besides teachers.

Collective bargaining is basically an adversary process. Two sides vie with one another for advantage. Proposals or demands are marshalled to support differing points of view, concessions may be made, trade-offs

are consummated, consensus or disagreement may occur, and an agreement or contract may be signed or an impasse may result. These aspects of bilateral, formalized decision-making are often unfamiliar and threatening to school administrators not accustomed to collective bargaining.

Statement of the Problem

The 1974 Iowa Legislature passed what many people consider to be one of the most significant pieces of legislation in the labor law field ever to be passed in Iowa. This was the "Public Employment Relations Act."

This legislation affects all public employees-state, county municipal, and local governmental bodies. For education, specifically, much attention has been given to the certified employee (classroom teacher, counselor, administrator, etc.). Little attention has been directed to the noncertified employee (custodians, secretaries, cooks, bus drivers, etc.). In coming years, employers and employees in public employment must face this issue and adjust to the many ramifications of the new labor law in Iowa.

The general focus of this study was to determine the perceptions of representatives of a) boards of education, b) administrators, c) secretaries, d) custodians, e) cooks, f) bus drivers, regarding the impact of the Iowa Public Employment Relations Act and as it applied to them.

The purpose of this study was to explore the relationship of the employer to the noncertified employee segment of the school setting.

The noncertified employee group is an important segment to any

school district. Since little attention has been directed to these employees, it was felt that a study in this area would be of importance to employers and employees.

Hypotheses

In this study, the following hypotheses were tested to determine if there were any significant differences in the perceptions of management (superintendents and board members) in comparison to the perceptions of labor (drivers, hot lunch, secretaries, and custodians) as to various aspects of collective bargaining:

Hypothesis 1. There is no relationship between the position of the respondent (management and labor) and attitude towards the formation of bargaining units. Responses will be independent of position and attitude.

Hypothesis 2. There is no relationship between the position of the respondent (management and labor) and attitude towards the right to bargain collectively with the employer. Responses will be independent of position and attitude.

Hypothesis 3. There is no relationship between the position of the respondent (management and labor) and attitude towards a federal collective bargaining law for public employees. Responses will be independent of position and attitude.

Hypothesis 4. There is no relationship between the position of the respondent (management and labor) and attitude towards membership in bargaining units. Responses will be independent of position and

attitude.

Hypothesis 5. There is no relationship between the position of the respondent (management and labor) and attitude towards representation by a bargaining unit. Responses will be independent of position and attitude.

Hypothesis 6. There is no relationship between the position of the respondent (management and labor) and attitude towards procedures for bargaining. Responses will be independent of position and attitude.

Hypothesis 7. There is no relationship between the position of the respondent (management and labor) and attitude towards impasse procedures. Responses will be independent of position and attitude.

Hypothesis 8. There is no relationship between the position of the respondent (management and labor) and attitude towards strikes, pickets, etc. Responses will be independent of position and attitude.

Hypothesis 9. There is no relationship between the position of the respondent (management and labor) and attitude towards the grievance procedures. Responses will be independent of position and attitude.

Hypothesis 10. There is no relationship between the position of the respondent (management and labor) and attitude towards what are negotiable items. Responses will be independent of position and attitude.

In general the areas to be looked at are:

A. Right to bargain

- B. Procedure
- C. Units
- D. Scope
- E. Impasse
- F. Grievance
- G. Strikes
- H. Representation
- I. Membership

Definition of Terms

Agreement

A written document negotiated by an employer and employee organization for an established period of time, usually one or two years. Sets forth the conditions and terms of employment, rights and responsibilities of both parties, and procedures for settling disputes and handling grievances.

Arbitration

A method of settling disputes by submitting them to an impartial third party, an arbitrator, whose decision is usually final and binding. Arbitration is compulsory when required by law; voluntary when entered into upon the volition of the disputing parties.

Collective negotiations (bargaining)

A decision-making process in which the employee representative bargaining agent bargains with the employer in an effort to reach an understanding regarding conditions and terms of employment. The desired outcome of collective bargaining is an agreement. Collective negotiations is termed professional negotiations by teachers' associations and collective bargaining by teachers' unions.

Exclusive negotiating rights

The right and responsibility of an employee organization to bargain collectively, as the agent for all employees of a designated class or category, whether the employee is a member of the organization or not.

Fact finding

Investigation of a dispute or impasse existing between an employee organization and employer by an individual, panel, or board which issues reports of the facts and the issues involved and may make recommendations for settlement.

Grievance plan

A formal plan specified in a collective bargaining agreement, which provides for the adjustment and grievances through discussion at progressively higher levels of authority in management and the employee organization and possibly to an arbitrator or the courts.

Impasse

Persistent disagreement between the employee organization and the employer requiring the use of mediation or appeal procedures for resolution.

Mediation

The efforts of an impartial third party, who assists in settling disputes between parties. Unlike, the arbitrator, the mediator does not dictate the terms of settlement.

Negotiating agent

The group, committee, or individual designated as the representative of the employee or employer at the bargaining table. Each party has a negotiating agent.

Negotiating unit

The employee organization which will coordinate the bargaining for employees.

Sanction

A statement of censure, accompanied by anything short of work stoppage, as a means of drawing attention to an alleged infringement of an employee's rights, thereby seeking recourse.

Strike

Temporary work stoppage by employees to express a grievance, enforce a demand for changes in the conditions of employment, obtain recognition, or settle a dispute with the employer.

Sources of Data

The mailed questionnaire method of descriptive research was selected to obtain perceptions of Iowa board members, administrators, custodians, secretaries, cooks and bus drivers relating to the effect of the Public Employment Relations Act on them. The source of the school districts and enrollments were obtained from the records of the Department of Public Instruction, Des Moines, Iowa.

A review of related literature and research provided the

information from which the study instrument was formulated.

Delimitation

The scope of this study was limited to board of education members, administrators (superintendents), custodians, cooks, secretaries, and bus drivers in Iowa public school districts. Excluded from the study were schools that were private in nature.

Organization of the Study

The presentation of this study has been organized into five chapters. The first chapter includes the need for the study, the statement of the problem, hypotheses to be tested, definition of terms, sources of data, and delimitations of the study. The second chapter presents a review of related research and literature. The third chapter contains the methodology and design of the study. In the fourth chapter the findings of the data collected from the mailed questionnaire are recorded and analyzed. A discussion of the findings with emphasis on areas of agreement or disagreement are found in chapter five. A summarization of the study and recommendations are also included in this final chapter.

CHAPTER II. REVIEW OF LITERATURE

A major feature of the contemporary American scene is the increasing tendency of public employees to seek a share in the decision-making process by means of collective bargaining, chiefly in matters relating to conditions of employment. This being so, public officials must try to find an effective means of dealing with the situation. Obviously, nothing will be gained by ignoring the problem; rather, every effort must be made to cope with it effectively.

Enactment of positive legislation appears to be the best way to harness and direct the energies of public employees eager to have a voice in determining their conditions of work. Such legislation will not eliminate all disputes and may not eliminate all work stoppages. It will produce rational methods of dealing with them. In the long run more effective and orderly procedures will result from legislation setting out the basic guidelines for employee relations.

Numerous interests have sponsored laws on employee relations in the public field. The principal ones have been the employee organizations. A favorable political and social environment has been evident for such legislation to develop in recent years. The policy of this country, supported by federal and state laws, has been to encourage private employees to organize for bargaining purposes. This policy has influenced considerably public employees.

Another factor contributing to legislation has been the accepted, informal bargaining with public employees which has developed over the

years in the absence of laws governing such negotiations.

The Legal Status of Collective Bargaining

In forming organizations for collective bargaining are public employees exercising a right? Public employees assert that they have such a right, that to deprive them of this right would reduce them to second-class citizens.

The right to join and participate in employee organizations is based on the Constitution of the United States. The Constitution of the United States entitles the people to petition their government. Public employees invoke this authority when they organize to petition. The Fourteenth Amendment to the Constitution forbids any state to "make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state . . . deny to any person within its jurisdiction the equal protection of the law." The Constitutional provisions give public employees, as citizens, the right to assemble peaceably and to petition the government.

To petition the government is one thing. It is quite another to demand a share in decision-making in the areas of wages and employment, or to insist that decisions must have the consent of employee organizations.

In regard to the rights of teachers to bargain collectively, Nolte and Linn (24, p. 183) stated:

There seems to be no reason why teachers and other employee groups in the public schools may not legally organize and bargain in a collective manner with their employer, the

board of education. As a matter of fact, teachers have been engaging in this type of activity through their appointed professional committees for many years. In such situations, it is well settled that the board may listen or not as it wishes, accept or reject the proposals which teachers present, and take any action which it considers necessary and proper to the general welfare of the schools. In negotiations involving the board of education, including those pertaining to teachers' salaries and conditions of work, the board, however, will not be permitted to "tie its own hands," since to do so would rob it of its legal prerogative to have the last word concerning all matters pertaining to the schools. A board of education must remain forever free to decide unilaterally what is good and best for the children and for the school system.

Seitz (30, p. 114) expressed the following:

Those who question the right of public school teachers to negotiate and bargain collectively most frequently express their basic objection in the contention that negotiation and collective bargaining constitute a serious invasion of school board authority.

Seitz (30, p. 121) also stated:

It is, of course, apparent that when the school board undertakes collective bargaining, as it has been defined, it undertakes burdens which it does not need to assume if it does not bargain collectively. The assumption, however, of these burdens does not mean that the board has delegated away its authority. In this respect it is interesting to recall that the history of industrial relations establishes that when the employer is first confronted with the statutory necessity of bargaining collectively, he complained that he was being forced to delegate away his authority. The courts did not agree with him. The courts recognized that he did assume additional burdens but he still retained ultimate authority to make final decisions.

Stinnett et al. (35, p. 22) stated regarding the rights of teachers to bargain collectively:

There is little legal doubt today that certificated school employees have the right to organize and join employee organizations. There had been some doubt in the past, and several states have enacted statutes which specifically state that public employees have the right to join unions and employee organizations.

Shils and Whittier (32, p. 543) expressed the following views regarding the legality of collective negotiations:

Plenty of evidence is available that boards have broad discretionary authority to adopt policies and programs that result in beneficial government of the schools.

Furthermore, approval by a board of an agreement negotiated with a teacher organization becomes in effect a legislated policy of the board itself. The board's action in approving the agreement makes it official policy which becomes binding on the staff. A few legalists have said that since board members cannot legally delegate inherent powers (granted by the legislature) to a joint decision-making instrument, a contract is not legally binding and could be terminated by the board at will. Contracts, while not legally binding, are nevertheless morally binding.

Teachers want to formalize their relationships with the board, whether or not a state mandate exists. Once a board has evidenced an interest in negotiating an agreement, withdrawal of its word would be a display of bad faith.

The authors also had this to say regarding the legality of collective bargaining:

There is wide judicial recognition of the right of employees of boards of education and of other government agencies to organize in the unions of their own choosing and to bargain collectively with their employers.

In the famous case of the "National Labor Relations Board vs. Jones and Laughlin Steel Corporation," the right of employees to bargain collectively with their employer is stated as a fundamental right. If this is true, such a right is granted not only because laws such as the National Labor Relations Act have been passed, but also because it is an inherent right. This right is not limited only to those engaged in private employment.

It follows, therefore, that an organization of teachers should have the same right to bargain with employers of its membership and to reach satisfactory mutual conclusions. It is also proper and legal that these agreements be in writing, if so requested.

Collective bargaining should be considered as a wholesome

process that will ultimately tend to benefit the teaching profession and the board. The right of governmental units to organize and assemble peaceably for purposes of presenting their views should be encouraged as a basic and proper functioning of our form of government.

In 1955, the Labor Law Committee of the American Bar Association indicated:

Statutory restrictions on the right of public employees to strike against government, to organize as they see fit (within certain limitations to protect the public interest), to negotiate collectively with public administrators, are not satisfactory approaches of solving the problem of management-employee relations in government. Wherever practicable, the privileges accorded to employees in private industries should be extended to public employees, modified to meet the unique needs of the public service and compatible to public affairs.

Doherty and Oberer (10, p. 49) expressed the following view:

While there is something to be said for a limitation on the types of employee organizations which public employees ought to be permitted to join, it seems at this point in our history to be quite clear that blanket attempts to bar them from organizing at all are of most dubious constitutionality. As has been seen, the rights of assembly, association, and petitioning of government for redress, protected by the First Amendment (made applicable by the Fourteenth Amendment to the states and their municipal agencies), entail minimum the right of self-organization.

In any event, the fact is that the patterns of organization of public employees, including teachers, have already crystallized to the extent that a turning back of the clock is probably no longer feasible.

Stinnett, Kleinmann, and Ware (35, p. 22) point out the legal setting for collective bargaining as follows:

There is little doubt today that certificated school employees have the right to organize and to join employee organizations, including professional associations and unions. This right has been questioned in the past, however, and therefore has been established in some states by statute.

The right to join and participate in employee organizations is based on the Constitution of the United States. . . . The Fourteenth Amendment to the Constitution forbids any state to "make or enforce any law which abridges the privileges or immunities of citizens of the United States; nor shall any State . . . deny to any person within its jurisdiction the equal protection of the laws. The Fourteenth Amendment has been declared to place on the states the same restrictions as are placed on the Congress in the first 10 amendments. These are the Constitutional provisions which give public employees the right to assemble peaceably and to petition the government. To deny this Constitutional right afforded citizens in general, would be to deny the equal protection of the laws. School boards are agencies of the state and have no right to do what is forbidden to the state.

The Governor's Advisory Committee on Public Employee Relations in the State of Michigan (29) reported in 1967:

The basic premises and policy of the Michigan Public Employment Relations Act in granting "rights of unionization to public employees seem to us to be sound and should be continued.

The judicial view, in absence of statutes providing for negotiation and agreement authority to governmental units has not always been clear. In 1951, the Connecticut Supreme Court of Errors in "Norwalk Teachers' Association v. Board of Education," in what is now considered a landmark decision answered "yes" to the following question presented to it: "Is collective bargaining to establish salaries and working conditions permissible between the plaintiff (teachers' association) and the defendant (school board?"). The Court went on to explain:

The statutes . . . give broad powers to the defendant with reference to educational matters and school management in Norwalk. If it chooses to negotiate with the plaintiff with regard to employment, salaries, grievance procedure and working conditions of its members, there is no statute which forbids such negotiations. It is a matter of common knowledge that this is the method pursued in most school systems large

enough to support a teachers' association in some form. It would seem to make no difference theoretically whether the negotiations are with a committee of the whole association or with individuals or small related groups, so long as any agreement made with the committee is confined to members of the association.

The Court further added:

The qualified "yes" which we give . . . should not be construed as authority to negotiate a contract which involves the surrender of the board's legal authority and discretion, is contrary to law or is otherwise ultra vires.

The authority is and remains with the Board.

Moskow (20, p. 44) views collective bargaining in public employment as follows:

A board of education, like any public agency, is obviously free to discuss its problems and its personnel with anyone it chooses. If it wishes, it can discuss the wages and working conditions of teachers with teacher organizations. Similarly, if the school board is persuaded by the views expressed by a teacher's representative, and those views relate to matters within the control of the board, nothing would prevent the board from unilaterally promulgating rules embodying those views. If, instead of embodying these views in its rules, the school board were to embody them in a collective bargaining agreement which was terminable by the board at will, this too would be unobjectionable.

Before 1968, the Iowa Attorney General of the State of Iowa held that public employees had the right to organize and join labor organizations. Under the same opinion, Iowa public employers did not have to recognize employee unions nor did they have the authority to bargain collectively with public employee groups (6, p. 1).

In 1968, an Iowa District court addressed itself to a number of issues concerning the public section labor relations. The court held that:

Public employees had the right to form and join labor organizations.

In February of 1970, the Supreme Court of Iowa, ruling on an appeal, upheld the 1968 district court decision with regard to the issues of public sector labor relations.

In a 1966 publication by the American Association of School Administrators, the views of teachers and administrators towards the field of labor relations were stated. At the 1964 Seattle Convention of the National Education Association, the following language was adopted (1, p. 26):

Recognizing the legal authority of the board of education the administrative function of the superintendent, and the professional competencies of teachers, matters of mutual concern should be viewed as a joint responsibility. The cooperative development of policies is a professional approach which recognizes that the superintendent has a major responsibility to both the teaching staff and school board.

Further comment regarding the rights of teachers and the process of collective bargaining were stated:

1. The right to work under policies which the workers have participated in determining is firmly grounded in Western culture. This is to say that the right of individuals to participate in the passage of laws or the development of rules under which they live is a mark of a free, democratic society. This is an inherent right grounded in law and custom.

Teachers view their right to participation in the formulation of policy as being highly productive rather than destructive. It makes available to the school district the talents of highly competent professionals.

The AASA, in its publication, made reference to comments by the authors Kleinmann, Stinnett, and Ware in one of their books on the subject of collective bargaining (1, p. 40). Their comments were:

Undoubtedly, if the question of legality is ever raised in the district where negotiations is practiced, the view will be that the governing boards do have the power.

Boards of education have the power and the authority to set educational and personnel policies for the school district. Within this power, they may devise procedures to carry out their duties. Under this power, the board should be able to participate in negotiation procedures, even in the absence of statute.

If it is held that the board cannot bind itself to a professional negotiation agreement or contract with a local association under its general powers, there is nothing legally to prohibit the board from adopting negotiation procedures and abiding by them as it abides by its other rules and regulations. In the absence of fraud, statute violation, or abuse of discretion, the courts will not interfere with reasonable regulations adopted by a board for the government of the schools.

In its 1965 resolution entitled "Staff Relations," AASA (1) said

this:

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

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

It is very apparent that with the increasing push for collective bargaining in all public sectors, the development of personnel policies

for the present and the future will call for far different and more formalized procedures than have existed in most school systems throughout the nation.

The preceding comments have been only a few of the many viewpoints expressed about the legal basis of collective bargaining for public employees. As labor relations for the public employee has come to the front, a number of major pieces of legislation, federal and state, have supplied the necessary impetus to the process.

Prior to 1959, no state had legislated any guidelines regulating the union-management relationship in the public service. There were many local policies in cities which spelled out local ground rules, but these were not supported by statute.

Wisconsin established a significant precedent in 1959 when the Wisconsin State Legislature passed the first statute granting to local government employee unions the right to be recognized and to bargain with public employers (14, p. 5). This statute was further amended in 1962. The statute applies to all municipal employees and employers, including teachers and school boards, except for policemen, sheriff's deputies, and county traffic officers. Wisconsin's lead was not followed by any other state government.

The status of public employee labor relations remained at a standstill until 1962 which is now considered the beginning of the modern era of public sector labor relations.

In January, 1962 President Kennedy issued Executive Order 10988. This order granted to federal employees the right of organization and

representation, with bargaining permitted in those areas where employment conditions were not set by act of Congress. The Executive Order 10988 was of first importance because it gave positive encouragement to collective bargaining as a process.

E.O. 10988 mandated recognition, so that each local, in any remote area of the federal government, could become the spokesman for its membership on local issues. It permitted recognition of organizations which did not have majority status, thus providing a minority group the recognition that would help it recruit members.

Dr. Harold Davey states (9, p. 342) "E.O. 10988 had a catalytic impact far beyond the confines of the federal establishment. It was of great value in stimulating the drive for unionization among employees of state, municipal and county agencies."

The step taken by President Kennedy in 1962 was viewed by union leaders as being the "Magna Carta" for federal employee unionism. President Kennedy further supplemented E.O. 10988 in 1963 with a "Standards of Conduct for Employee Organizations" and a "Code of Fair Labor Practices" (21, p. 44). The "Standards" called generally for the maintenance on the part of employee organizations of certain democratic internal procedures, equal treatment of members, periodic elections, and due process. The "Code" prohibited both management and labor from engaging in specified practices which tended to thwart free choice of individuals in the determination and selection of employee unions to which they might wish to belong or to select as their bargaining agent.

After the advent of E.O. 10988, some of its uncertainties and

inconsistencies became evident. Upon taking office in 1968, President Nixon appointed a study committee to conduct an intensive review and evaluation of the federal labor relations program.

From this committee came the recommendations and the resulting Executive Order 11491 was issued by President Nixon in October, 1969. This Order helped clarify and strengthen many sections of E.O. 10988. Many important provisions were provided in E.O. 11491 to improve federal employee and employer bargaining procedures in the field of labor relations.

As stated earlier in this review of literature on labor relations for public employees, what is considered a "landmark" decision was rendered in 1951 in Connecticut. This was the Norwalk case and dealt with the legality of bargaining by teachers and the board of education in the absence of legislation.

With the Wisconsin legislation and federal executive orders, other states began to pay more attention to the demand by public employees for some type of legislation. By 1974, eighty-five percent of the states had enacted some type of public sector labor legislation though the character of the legislation varied widely. The one common denominator was the right of union membership and representation. On all other points, the legislation covered a wide range of possible options. Some states provide for substantial bargaining rights, others settled for a meet-and-confer or consultative relationship. Some laws established state regulatory agencies, but others did not.

States such as Michigan, New York, and Wisconsin have been leaders

in the field of labor relations for public employees. Each state bases its approach to this area dependent upon the conditions within that state.

The New York statute is called the "Taylor Law". It was named after Professor George Taylor of the University of Pennsylvania who was appointed the task of drawing up new labor legislation. The new law was somewhat of a compromise, being neither a labor nor an educational statute. It is looked upon by many as a model for future legislation in other states.

In many cases, when one speaks of collective bargaining it also brings to the fore the concept or discussion of the right to strike issue. In many areas, the reticence of public employers and governmental agencies to recognize the right to bargain was based upon the opposition to this principle.

The right to strike was a necessary and useful tool in the private sector in dealing with collective bargaining. This issue in itself is an undertaking. The purpose of mentioning this facet of the bargaining process and ongoing discussions concerning it is to focus on two states which have enacted bargaining for their public employees.

These states are Pennsylvania and Hawaii. Comprehensive legislation was signed into law in Hawaii in June, 1970 and in August, 1970 in Pennsylvania. The two laws set major precedents in expressly authorizing public employee strikes.

Hawaii's authorization applies to all employees in the state. Pennsylvania authorizes strikes by all employees except police and firefighters, prison guards, court and mental hospital personnel.

A total of four states now have provisions which permit strikes by public employees. Montana grants nurses a limited right to strike, and Vermont permits strikes by municipal employees and teachers.

The Process of Collective Bargaining

What do we mean exactly when we say "collective bargaining?" Heisel (14, p. 12) selected the definition of National Labor Relations Act, Section 8 (d):

For the purposes of this section, to bargain collectively is the performance of the mutual obligation of the employer and the representatives of the employees to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms and conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and the execution of a written contract incorporating any agreement reached, if requested by either party, but such obligation does not compel either party to agree to a proposal or require the making of a concession.

Heisel further stated:

The process is decision-making and under collective bargaining the decisions regarding terms and conditions of employment are made bilaterally, by agreement between the parties. True collective bargaining can exist even if the terms and conditions of employment are set forth in an ordinance or resolution, provided that legislative authority commits itself to the passage of legislation agreed upon in the bargaining process.

Stinnett, Kleinmann and Ware (35, p. 2) noted:

Professional negotiation has been defined as a set of procedures, written and officially adopted by the local staff organization and the school board which provided for an orderly method for the school and staff organization to negotiate on matters of mutual concern, to reach agreement on these matters, and to establish educational channels for mediation and appeal in the event of an impasse.

It means, specifically, that boards of education must be prepared to engage in give-and-take negotiations over policy matters with staff organizations.

The American Federation of Teachers generally defined collective bargaining in the following manner:

Collective bargaining may be defined as negotiations about working conditions between an employer and an organization of employees with a view to reaching an agreement. The collective part of the term is usually viewed as the workers organized in some kind of association, the purpose of which is to seek for its members better wages and working conditions. The bargaining part is looked upon as the procedure sought to be followed by the workers' group in seeking its ends.

Schmidt et al. (29, p. 1) expressed the following view:

Collective bargaining, by definition, is an exercise in pragmatism. It requires the accommodation of potentially conflicting views of two parties who adapt the peculiarities of their own local social and financial environment to their employment relationship. The result is an agreement to which each has contributed and which each voluntarily agrees to support, it may very well not completely satisfy either.

A complex institutional process like collective bargaining is not easily defined meaningfully in a single sentence states Dr. Harold Davey (9, p. 2). Davey defined the process thus:

Collective bargaining is defined as a continuing institutional relationship between an employer entity and a labor organization representing exclusively a defined group of employees of said employer (appropriate bargaining unit) concerned with the negotiations, administration, interpretation and enforcement of written agreements covering joint understandings as to wages or salaries, rates of pay, hours of work and other conditions of employment.

Of major importance is that fact that the collective bargaining relationship between employer and the union is a continuous one, involving contract administration as well as contract negotiation.

The American Association of School Administrators stated their concept of professional negotiations as (1, p. 33):

Professional negotiation may be defined as a process by which teachers and other professional employees exert formal and

deliberate influence upon school board policy. Properly viewed, professional negotiation is an orderly step in the steady evolution of democratic school administration, which has been in the process of development throughout this century.

The AASA has further stated:

We believe that there is no one best procedure for sharing responsibility for policy development. School board members, administrators and classroom teachers must develop policies and practices appropriate to local conditions, rather than adopt those established elsewhere.

We believe that if boards of education fail to provide machinery through which grievances can be given appropriate consideration and to make reasonable welfare provisions for all staff members, their state legislatures are likely to establish appeal procedures.

We believe that there is an intrinsic value in local decision making which is worth preserving to the maximum extent consistent with the obligations of citizenship in the state and nation.

It is generally felt that the first philosophical pronouncement regarding school staffs involvement in the developing school programs was stated in 1938 by the Educational Policies Commission (35, p. 23).

It stated in part:

The entire staff of the school system should take part in the formulation of the educational program. In all that is proposed with respect to the administration of schools, there is implicit an acknowledgment of the contribution to be made by the education profession. To indicate the place of leadership in all good administration is not to deny the large part to be played in the development of policy by all professional worker. . . .

In 1960, the National Education Association adopted a mild resolution dealing with representative negotiation. It was intended to project a desire of teachers for more meaningful participation in policy-making. At this point in time, there remained much diversity of opinion

among teachers as to the proper role of negotiations in education.

In 1962, at the NEA national convention the term professional negotiation was used for the first time (20, p. 11). The resolution contained two main changes. First, it indicated that the process for teaching should be different than used in industry; second, it clearly called for the need for legislation which would establish the rights of collective negotiation for teachers.

The National Education Association further states:

Professional negotiations is a set of procedures written and officially adopted by the local staff organization and the school board, which provides an orderly method for the school board and staff organization to negotiate on matters of mutual concern, to reach agreement on these matters, and to establish educational channels for mediation and appeal in the event of an impasse.

The president of the American Federation of State, County, Municipal Employees, Jerry Wurf, has this to say of collective bargaining:

Collective bargaining is more than simply an additional holiday, or pay increase, or an improved pension plan, or a grievance procedure. It is, of course, all of these, and their importance can hardly be overestimated. But it is, in its most profound sense, a process.

It is a process that transforms pleading to negotiation. It is a process which permits employees dignity as they participate in the formulation of their terms and conditions of employment. It is a process which embraces the democratic ideal and applies it concretely specifically, effectively, at the place of work.

Public employees and collective bargaining have engaged in sporadic flirtations with each other for decades. It is no longer a flirtation. It is a marriage. And it will endure.

Literature shows that there is a wide variation as to the concept of collective bargaining, but broken down to its simplest form it is

that two sides sitting down together and negotiating, bargaining over issues.

Management in its viewpoint is making the attempt to retain all that it has, while at the same time the employee group makes every attempt to get something from management. Collective bargaining is a power struggle.

Smythe (33, p. 1) concluded that there are five factors that form the framework for economic bargaining power by any group:

1. Members must be irreplaceable for one reasons or another;
2. the employees must be critical to the operation of the organization;
3. the cost of disagreement for the employer must exceed the cost of agreement;
4. the employees must be keenly aware of the first three points; and
5. the employees must have the militancy and cohesiveness to strike.

It is clear that the increase in employee involvement is not a passing fancy, but will remain an integral part of the employee relationship indefinitely.

Acceptance of the concept of collective bargaining does not obligate the public employer to accept any and every legislative or contract proposal advanced by public employees. Careful consideration and participation in the process will afford the public employer an opportunity to participate creatively and positively in the development and retention of policies which are of a positive nature.

Motivations for Collective Bargaining

The review of literature encompassed a wide range of ideas as causes for the collective bargaining push in education.

Doherty and Oberer (10, p. 1) list some of the reasons as:

1. More men in teaching.
2. Need for improved salaries
3. Increased educational standards for teachers
4. Larger school systems
5. Security
6. Discipline and other student related problems
7. Increased competition between the National Education Association and American Federation of Teachers

Shils and Whittier commented (32, p. 2):

In all school districts - big city, suburban, and rural - teachers are now being subjected to considerable stress and strain. Parent groups, civic associations, and civil rights advocates focus a searchlight on the schools and the teachers.

They also conclude:

Teachers are concerned about their lot during these chaotic times. . . . They want a dignity and self-respect on a par with employees working for private corporations. Through their employee organizations, teachers hope to find an almost equal voice with boards of education and school superintendents in developing educational policies.

A reason given by Griffiths (12, p. 96) for the board-superintendent-teacher relations problem being so prominent today is that teachers' needs are not being met. The needs are scandalously low and out of proportion salary schedules, smaller classes, and assistance in clerical talk and supervision. Griffiths also points out that most superintendents

have an outmoded concept of their role as teacher of teachers.

A statement by Taylor (36, p. 11):

The traditional organization structure, the board-administrator-teacher relationship, has become increasingly ill-adapted to meet the public interests, diverse and conflicting, and the public has failed to respond to the simple argument that nothing is wrong that money won't cure.

Moskow (20, p. 2) feels that there are three basic potential areas of conflict within a school system which can give rise to teacher militancy for collective bargaining rights.

First, possible conflict over the allocation of funds to public education. Teachers usually want higher salaries and in some cases they want more funds allocated to education in general.

Second, potential conflict over the rules that govern the employment relationship of the teachers. Teachers usually want protection from any arbitrary or discriminatory application of the rules.

Third, a potential conflict area is over the professional function of the teacher.

Other reasons as contributing to the increased activity as pointed out by Moskow are:

1. Consolidation of school districts into larger units
2. Teaching conditions in the city schools
3. Rising percentage of the labor force working as public employees
4. Increasing percentage of male teachers and decreasing turnover rate indicates a greater career commitment.

An observation made by Azzarelli (4) is that public school teachers are no longer timid and self-effacing as in pre-World War II days. With this new posture by teachers, school administrators and board members no longer hold the exclusive operational tools of power.

Arnold Wolpert (38, p. 37) feels that:

Teachers today didn't just happen; they have developed and emerged under a constantly developing pattern. If there is one thread that holds true, it's been that the teachers in the United States have sought professional stature. They have never really gotten it. On the other hand, they have never really given up hope. The background and aspiration of American's teachers is for professional status. They keep trying to get to where they believe they ought to be and to where they believe education deserves to be. Long ago they realized they would not make it by themselves and that they had to band together some way or another to make it.

We are actually going through a period breakthrough like a teen-ager getting some independence, in which there are excesses perpetrated. Really, what is shaping up as the emerging role of teachers is one of having the prerogative of a legitimate profession, of saying, "These are the decisions that we are qualified to make because we are the experts in education."

In a publication published by the American Association of School Administrators, some indications of the upsurge in teachers desire for collective bargaining rights follow (1):

Basic to the recent upsurge of teacher demands for participation in school policy making is the rapid elevation of teacher competence as reflected in increased preparation. The significance of this drastically upgraded competence, as measured in college years of preparation, is to be found in the feeling of self-confidence. Their reasoning is that if teachers are competent to teach adequately the nation's children, they are competent to have a meaningful role in the planning of educational programs for these children.

It is also pointed out that:

The steady decrease in the number of schools and the twin factor of growth in size were of significance. Large size always tends to foster an atmosphere of impersonality. The individual teacher tended to be overwhelmed by a sense of loneliness and perhaps nothingness.

The upsurge in organization of public employees at the state and

local levels were based on the following factors as accounted for by

Ulmann (37, pp. 11-12):

1. Labor unions devoted more energy and resources to the task of organizing government employees. Associations of teachers, nurses, and civil service employees reacted to the union challenge by acting more like unions themselves, while at the same time insisting on their basic professional orientation.
2. The United States Supreme Court's reapportionment decisions in 1962 and 1964 helped. Reconstituted legislatures, more representatives of urban centers, were more friendly to labor and sympathetic to collective bargaining for public employees.
3. The relatively unfavorable earnings and fringe benefits of government employees in states as compared with private industry provide a fertile field for cultivation by unions.

It was also felt by Ulmann that personnel management in the public sector has not kept pace with the professionalization and advances made in private industry.

Ashby, McGuinnis and Persing (3, p. 3) attributed the rapid advance of state legislation favorable to collective bargaining to two forces.

1. Organized teachers in several states have pressured legislators to enact legislation guaranteeing the rights of teachers to organize and negotiate salaries, working conditions and other matters. The pressure has been intensified by the competition between the National Education Association and the American Federation of Teachers.
2. Legislators and other leaders at the state level recognized the need for laws regulating the relationships between local boards and local teacher organizations, since widespread disruptions were taking place in the absence of legislation providing for the orderly processing of such disputes.

Selden, 31, p. 40), President of the American Federation of Teachers states that his organization's objectives are three-fold:

1. improve salaries
2. working conditions and their improvement
3. improving fringe benefits and expansion

It is also stated by Selden that teachers have been restricted in their exercise of their professional judgment, but that they are now demanding this sort of professional status. The AFT has a commitment towards broader social objectives and social progress.

Charles W. Cheng commented (7, p. 154):

The growth of teacher collective bargaining has resulted in an upheaval in public education. Through bargaining, teachers have sought to become active partners in a decision-making process once controlled by administrators and school boards. Since teacher unions have achieved recognition, the scope of bargaining--that is, the range of issues open to negotiations--has been expanded beyond such traditional topics as wages and fringe benefits to include broader educational policy issues.

This process has been accomplished by one other major development: the rise over the last decade of a new class of professionals consisting of union staff, board of education negotiators, and neutral third parties (arbitrators and mediators). This new class has used collective bargaining to attain a strategic position in public education decision-making.

Mr. Kenneth Kovach has written (17, p. 300):

The advent of employee organizations and collective bargaining in the public sector is the most significant development in the industrial relations field of the last thirty years. In addition to the more obvious implications for employees, public officials and the art of government, it may have important effects on the labor movement and in labor-management relations in the private sector.

Mr. Arvid Anderson (2, p. 5) of the Wisconsin Employment Relations Board had this to say regarding the upsurge in collective bargaining by public employees in a speech on the subject.

Why has this demand come about? It has come about literally

because it has been the public policy to encourage collective bargaining in the private sector for three decades by the National Labor Relations Act and many state labor relations laws. Now what has happened is that school teachers, as other public employees, are no longer content to say to their employer, "Please listen to our reason." Teachers are no longer content with the paternalistic employer, no matter how enlightened, to provide for them the things which an administration thinks they ought to have in terms of their conditions of employment. They want the freedom to make their own mistakes, much as an adolescent is no longer satisfied to have the "moldy-oldies" make all the decisions for them. They want the freedom to have something to say about their vocation and about their livelihood.

It has been pointed out that public employees are a fertile field for the union organization. Mr. George Meany, President, AFL-CIO pointed out (19, p. 32):

We are convinced that every worker has a right to join a union and have a responsible voice in his own destiny. To deprive him of that right is to close the gates of hope for a better future.

Public employees across the land have been making themselves heard. It seems to have come as a surprise to some that teachers and clerks and policemen and sanitation workers are not happy--that they feel they are underpaid and exploited and excluded from the mainstream of American economic life. Farm workers and public employees are not asking for anything more than other American citizens already have. They want to share in the affluence they keep reading about.

We need laws to bring all employees of all levels of government under the same protection that workers in private industry have enjoyed since 1935.

Some factors for the increasing activity for collective bargaining by educators was pointed out in research done by the New Jersey State Education Association (23, p. 48). They gave some of the following reasons behind the acceleration in this area:

Times have changed. Employer-employee relationships have

changed. Large numbers of male breadwinners entered teaching. The biggest single factor for the new aggressiveness is that teachers have organized to act on their own behalf.

Teachers are not isolated from the rest of society. Garbagemen organized and received higher salaries; bus drivers acted collectively and they receive higher salaries.

Teachers felt that dedication and professionalism availed them little in the marketplace or at the councils of power.

Poor working conditions, inadequate fringe benefits and low wages weaken the teaching profession.

Bendiner (5, p. 33) pointed out the following reasons as factors in teachers' increased aggressiveness:

Modern teachers alienation grows in intensity, the demands grow. He is expected to make up in the classroom for all of the tragically damaging elements in his students' environment.

Academically he must be far better prepared. Teachers used to be satisfied with low pay, or at least they were not acutely dissatisfied with it. They either shared a general view of their inadequacy that amounted almost to a national tradition, or they gained enough personal reward from their service to compensate for their marginal salaries. Society changes; it also changes for teachers. A teacher deserves better treatment than he gets from a society that more than adequately rewards its football players, television repairment, and swimming pool salesman.

Status of Collective Bargaining in Iowa

Bognanno and Gilroy (6, p. 1) have charted the course of collective bargaining in Iowa as follows:

- | | |
|-------------|--|
| Before 1968 | An opinion by the Attorney General of Iowa held that Iowa's public employees had the right to organize and join labor organizations. |
| 1968 | An Iowa District Court addressed itself to a number of issues concerning the public sector. |

It held that public employees had the right to form and join labor organizations. Public employees did not have the right to strike.

Public employees could not picket public employers to coerce recognition.

Public employers could, if they chose, recognize employee representatives.

Public employers did have the power to bargain collectively with employee organizations.

1970 Supreme Court of Iowa upheld the 1968 district court decision.

The Supreme Court also held that public employers may bargain or meet and confer with as many employee representatives as they choose.

The Sixty-Third General Assembly established a Collective Bargaining Study Committee to investigate the desirability of enacting legislation. The Committee later recommended that a comprehensive public employment relations law be enacted.

1970 to 1973 Between 1970 and 1973 a significant number of public sector negotiation bills were introduced.

In 1973 Senate File 531 passed the Senate.

1974 Both Houses passed an amended version of Senate File 531.

April 23, 1974, the Public Employment Relations Act was signed into law by the Governor.

After the 1969 legislative session, the Governor appointed an interim study committee to explore and develop a bill to present to the next Iowa Assembly. All facets of the public sector were represented on the interim committee--education, city employees, county units, union representatives.

The committee held many hearings. They listened to experts in the field and reviewed versions of the other state's collective bargaining measures. A bill was developed and presented to the next assembly. As other measures in previous years, the bill was not allowed out of committee and the matter was dead for another session.

Alliances of various organizations on both sides of the issue debated, discussed and compromised their positions to support their cause. The professional associations in responding to mounting demands by their membership for greater involvement in the decision-making process clamored for a broader and broader scope of negotiations in the public sector.

It was not until the 1973 session, that a measure was presented out of committee. This measure was presented in the Senate and introduced as Senate File 531. During this time prior to and during the period of debate some of the heaviest lobbying for any measure to come before the Senate was carried on.

The Senate passed this public employee bill by a margin of 33 to 14. There was not time in the session for the House to take up the measure. The bill did receive specific consideration and was placed on the calendar for the 1974 session as a priority item of business.

In February, 1974, the measure came to the floor of the House. For twelve days the House debated. One hundred and ninety-eight amendments were considered. Of this number, 58 amendments were accepted in total or in part by the House. In the final vote, the House passed the collective bargaining bill by a vote of 56 to 43. The amended version of

Senate File 531 was returned to the Senate.

More debate developed as opponents of the measure hoped that with the many amendments attached to the original version, collective bargaining in the public sector could still be sidetracked.

After some consideration of the House version, the Senate approved the amended bill. The vote margin was 30 to 20. The bill was then sent to the Governor for his signature. The Governor signed the bill making the Act effective July 1, 1974, but the provisions of the Act relative to the duty to bargain were not effective until July 1, 1975. Provisions of the Act did not become applicable to employees of the Board of Regents until July 1, 1976.

Prior to the passage of the Iowa Public Employee Relations Act, there were cries of doomsday regarding all aspects of public employment. Similar cries were heard after the passage of the Act and prior to the first year that public bodies were to become involved in collective bargaining.

In the area of education, collective bargaining did come on the scene. For everyone, management to employee, found themselves treading new ground. Both sides attempted to gear up by means of conferences, workshops, publications, etc. to prepare those organizations wishing to enact their newly granted rights.

As with any new law, there were and still remain many areas requiring continued interpretation. During the course of the first year of collective bargaining, interpretations were needed from all sources to clarify each step of the process.

Little comparison can be made between districts as each proceeded to deal with collective bargaining within the needs and abilities of its own school district.

If anything, experience was gained by teams representing both management and employee. With such background, the settings for the second and future years in collective bargaining will be improved.

The Public Employee Unionization Growth

The rise of public employee unionization is a comparatively recent phenomenon. Some public employee groups have a long history but in past years were relatively small and had little if any voice in the affairs of their vocations.

Government is the largest and fastest growing industry in the United States. According to Jack Stieber (34, p. 65) in 1965 one out of every six nonagricultural wage and salary employees was on the public payroll, which then totaled ten million. This was three million more than in 1955. By 1975 government employment is expected to increase to about 15 million and comprise one out of every five employees in the country.

Stieber also points out that in 1970 there were over two million union members in state and local government alone. Another million are in public education and federal government has over one million employees who are members of unions. It is calculated that a higher proportion of public sector employees belonged to collective bargaining organizations than in the private sector.

The Task Force on State and Local Government Labor Relations reported in 1970 (21, p. 1) that during the sixties government employment increased 44.1 percent. State and local government accounted for the major increase in employment going from 6.3 million to 9.7 million over that same period. Unions of public employees made gains of 135.5 percent compared to a gain of about 5 percent among private sector unions. Affiliation has also emerged as a significant factor in the common support engendered for such measures as the Public Employee Relations Act which is intended as a national standard for state, local labor relations.

Mr. George Meany commented (18, p. 167):

Public employees are the largest bloc of workers in the national work force and one of the largest blocs of union members. About three million federal, state, and local employees are members of 32 AFL-CIO unions. The full organizing potential is about 13,000,000 and growing.

In 1964, the American Federation of State, County and Municipal Employees (AFSCME) had fewer than a quarter of a million members. The membership roles in 1976 totaled 750,000 members. Future predictions indicate that this organization's rapid growth would move it further up the ladder in terms of size among the many AFL-CIO affiliates.

According to U.S. Labor Department figures, more than 51 percent of state and local government employees are unionized. In contrast, among workers in private industry--whose right to collective bargaining are for the most part guaranteed by federal law--only 29 percent belong to unions.

Figures presented by Davey (9, p. 344) indicated that the growth

of the American Federation of State, County and Municipal Employees was at a rate of 3,500 new members per month.

It is extremely difficult to adequately document the figures relating to the public sector's rapid growth in unionization. The purpose of such review is to point out that public sector and collective bargaining is rapidly growing and will continue to do so in the next few years. Public employers must recognize this and prepare to cope with the labor relations activities resulting from such unionism.

Public Versus Private Bargaining

Collective bargaining over the past 35 years has become an accepted process for the private sector. Many proponents for bargaining in the public sector suggest there is little difference between bargaining in the private sector and public. Such proponents generally feel that the laws and techniques which prevail in the private sector can be transferred easily to the public sector.

Such arguments have in turn been used by opponents of bargaining for the public sector. Stating simply that looking at the bargaining process in the private sector and disruptions in industry is the reason why the public sector should not achieve bargaining rights.

It would also be a mistake to assume that the experiences gained in the private sector cannot be of benefit to employee-employer relations in government.

Rhodes and Neal (26, p. 6) indicate the following as some differences between the private and public sector bargaining:

1. There is no federal law nor regulating agency such as the National Labor Relations Board for the public sector.
2. There is a general lack of expertise by negotiators for the public sector as compared to the private sector.
3. In private industry the employees may strike--the ultimate weapon which provides employees with bargaining power equal to that of management.
4. In private industry, few terms of and conditions of employment are mandated by law. In government, many of the terms and conditions of employment are mandated.
5. The economic factor is a major difference between the two sectors.
6. The distinction between employer and employee is less clear in public employment. A condition which confuses bargaining relationships.

Ashby, McGuinnis, and Persing (3, p. 9) pointed out the following differences:

1. Industry is profit motivated. The school systems of the nation are not proprietary.
2. Industry is a private matter and initiative. Schools are mandated by law for the general welfare.
3. Industry exists primarily in a competitive setting. Schools are not competitive in the same sense.
4. Industry is accountable to its stockholders; the schools are accountable to the public.
5. Bargaining in industry is concerned with a fair distribution of the profits. Public employee bargaining in education tends to go further by asking that the employees be co-equals at the negotiating table.

Four main elements distinguish collective bargaining for government employees from bargaining in the private sector were enumerated by Professor Hildebrand (15, p. 126):

1. The right to strike or lock out is taken away by law from the public sector.
2. Most of the services of public employment are supplied free. Government services are financed by taxes and appropriations through the legislature, a board of supervisors, a municipal council, or a board of education.
3. The employer or management immediately involved in collective bargaining may lack final power to reach agreement. In the public sector, the aim of the ultimate decision makers is re-election.
4. Both at law and by tradition inclination legislative bodies in the United States are wont to retain as much of their rule-making jurisdiction as they can.

Most unions approved of approaching the public sector with similar legislation as operating within private industry. They see little difference between employment in the two sectors. Unions focus upon the individual employee, his economic needs, his job and his fundamental rights. Public employees do not differ from those in private industry in terms of economic requirements and the desire to have a voice in determining their working conditions. Most jobs in public employment have a counterpart in the private sector. Due to these factors, unions see little need for differential treatment of employees. Stieber (34, p. 77) indicated the following differences:

1. Terms and conditions of public employment are most often mandated by law or prescribed by civil service regulations.
2. There is a diffusion of decision-making authority in the public sector.
3. The strike is unlawful in the public sector.
4. Types of public employee organizations tend to prefer broader groupings of employees rather than the more narrowly defined employee organizations in the private sector.

Mr. Charles Redenius (25, p. 597) expressed the viewpoint:

Public labor relations laws which are the result of political considerations, economic constraints which are largely outside the control of public officials, and increasing taxpayers resistance are just some of the more important problems. The private sector is not confronted by these types of difficulties. They may argue that their problems are just as formidable, but surely the problems they face are different in kind. In coming to grips with these difficulties, the experiences of the private sector will be of little utility.

Proponents of the traditional view of collective bargaining for the public sector versus the private sector often quote the following statement made by President Franklin D. Roosevelt in 1937 (28, p. 436):

The process of collective bargaining as usually understood, cannot be transplanted into the public service. It has its distinct and unsurmountable limitations when applied to public personnel management. The very nature and purposes of government make it impossible for administrative officials to represent fully or to bind the employer in mutual discussions with government employee organizations. The employer is the whole people who speak by means of laws enacted by their representatives in Congress. Accordingly, administrative officials and employees alike are governed and guided and in many cases restricted by laws which establish policies, procedures or rules in personnel matters. Particularly, I want to emphasize my conviction that militant tactics of any organization of government employees have no place in the function of any organization.

Dr. Davey (9, p. 345) has observed that there are certain special characteristics when government is the employer. These characteristics are:

1. In almost all instances it is a nonprofit organization.
2. The government agency or department in question is performing its service as a true monopoly in most cases.
3. The government's agency budget goes largely for employee wages and salaries, thus making any negotiated increases in labor costs highly visible to the appropriating body and to the taxpayers.

4. The scope of negotiations in public sector situations is generally more restricted than in the private sector due to statutes or ordinances.
5. Not always easy to draw lines between management and rank and file.
6. Bargaining on a contract to the final solution is frequently more difficult because the test of economic strength and bargaining power is not available to pressure parties into agreement.
7. It is difficult in the public sector to always determine who is the employer, partially because of the fiscally dependent status of government agencies.
8. Shortage of experienced and available negotiators and neutrals.
9. A statutory framework for public sector labor relations is nonexistent in about half the states.

Dr. Davey further stated:

The public sector is not inexorably fated to repeat the mistakes of the private sector during the latter's growing pains period of the late 1930s and late 1940s, but there is evidence in many local government situations that this will happen, sometimes due to ignorance and in others because of a deliberate attempt to thwart employee efforts to organize and bargain collectively.

Many proven and negotiated policies applicable in the private sector can and should be appropriated freely by public sector practitioners.

Each problem facing public sector collective bargaining must be dealt with individually. In some cases private industry experience will provide guidance. In other cases new answers must be found. Collective bargaining in government faces many new situations, each of which must be dealt with as a unique problem. To assume that private industry experience provides the answers will serve neither the best interests of government employees or of government-at-large.

Issues in Collective Bargaining

It is extremely difficult to specifically pinpoint what might be the major issues in collective bargaining as it varies with each segment of the public sector. Issues are of a local nature and are dependent upon many variables, such as, the geographical setting, makeup of the community's work force, size of the community, and other variables.

The variety of legislative approaches to the issue of collective bargaining in itself points out that there is no one major subject of concern. Employee organizations themselves do not agree on the approaches to utilize and the issues to be developed.

In the broad overview of collective bargaining, one might categorize some concerns. These would be, not necessarily in the order of importance:

1. Scope of bargaining
2. Resolving of impasses
3. Bargaining unit determinations
4. The strike issue

In Iowa during the first year of collective bargaining, the two issues of the scope of bargaining and resolution of impasses posed the greatest concerns.

Scope of negotiations, which is the basic crux of the process, is generally viewed by teachers to be very broad. Teachers tend to view that anything is subject to negotiation. This is different from saying that "everything is negotiable." Teachers feel that where they are concerned, they claim the right to play a meaningful role in the appraisal

and decision-making process.

Collective bargaining agreements have tended to designate rather broadly the subjects considered appropriate for negotiation. Most agreements go beyond what one thinks of as welfare concerns. The AASA believes negotiations may well encompass all or some aspects of policy governing such items as (1, p. 39):

1. Curriculum
2. Inservice
3. Personnel policies
4. Assignments
5. Transfers and promotions
6. Recruitment
7. Discharge and discipline of teachers
8. Physical facilities
9. Grievance
10. Salaries and wages
11. Fringe benefits
12. Leaves of absence
13. Other mutually agreed upon topics

In Section 9 of the Iowa Public Employment Relations Act, the scope of negotiable items are spelled out as:

The public employer and the employee organization shall meet at reasonable times, including meetings reasonably in advance of the public employer's budget making process, to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment, including terms authorizing dues checkoff for members of the employee organization and grievance procedures for resolving any questions arising under the agreement. . . .

Rogers (27, p. 11) in his comments on this section of the law stated:

One of the most serious problems created in this entire bill is the broad catch-all phrase "other terms of employment" in the listing of bargainable subjects.

Rhodes and Neal (26, p. 48) indicated:

Teachers are not restricting their demands to just salary and welfare matters. They want the deciding vote in class size, curriculum, administration and many other areas.

Doherty and Oberer (10, p. 92) expressed their judgment in regards to bargaining scope as:

Where state law does not specifically spell out the items to be negotiated, it is the judgment of the authors that almost all items of sufficient concern to the teachers to warrant their arising during negotiations should be discussed at the bargaining table. This does not mean that school boards should relinquish the power of unilateral determination as all such subjects broached by the teachers.

The Iowa Public Employment Relations Act has been referred to regarding the list of items regarded as mandatory negotiable issues. The law also refers to "other terms and conditions of employment" which refers to items considered to be permissive negotiable items. Such a list of items could be never ending depending upon conditions within a local district.

Permissive negotiable items do not require either side to consent to discussion of an item. Refusal to do so is not in violation of the law.

Mandatory and permissive items of negotiation vary from state to state.

Iowa law also makes reference to illegal subjects of bargaining. This would include any subject that would be unlawful, or inconsistent with the underlying policy of the Act. Examples of illegal subjects would be: 1) provisions for a closed shop, 2) discrimination among employees, 3) membership or nonmembership in an employee organization, and 4) contract proposal which would permit a strike.

It is felt that the fact that Iowa's law lists mandatory items that there was a clear intent to restrict the number of such bargaining subjects.

In the viewpoint of some experts in the field of collective bargaining, the real nub of the bargaining problem is over the right to strike. In few instances has such a right been granted to employees in the public sector.

Most state statutes deal specifically with this aspect of the bargaining process. In reality, such statutes have done little to deter strikes in the public sector.

Doherty and Oberer (10, p. 118) recommended:

The strike should be declared illegal and impasse-resolving procedures should be provided, including the final step of arbitration or fact finding with recommendations; however, in the event the school board refuses to abide by the decision of the arbitration body or the recommendations of the fact finders, the teachers should have the right to strike.

The Iowa law specifically outlaws public employee strikes and at the same time spells out impasse procedures. The final step in the law is for compulsory binding arbitration. This step by Iowa places it with very few other public sector laws utilizing this avenue for resolving impasses.

Rogers (27) in his commentary on the Iowa law reflected upon the comments of experts in the field of labor relations and the general negative reaction to the use of compulsory binding arbitration.

One criticism of this approach is that it infringes upon the negotiation freedom of the parties involved. It is also felt that it is not consistent with the concept of representative government to

delegate final decisions on matters affecting public funds to anyone outside the public agency.

At this point in time, the use of this final step has been untested in Iowa. In Michigan, where such a concept has been a part of the law, Rogers pointed out that it did not essentially diminish the number of strikes in that state.

There are some visible cracks in the opposition to allowing strikes in the public sector. As pointed out in earlier comments, some states have given such permission within their legislation.

Stinnett, Kleinmann, and Ware (35, p. 35) described a court ruling in Minnesota which said:

To hold that a public employee had no right to strike only because he is a public employee is to indulge in the expression of a personal belief and then ascribe to it a legality on some tenuous theory of sovereignty or supremacy of government. . . . The right to strike is rooted in the freedom of man, and he may not be denied the right except by clear, unequivocal language embodied in a constitution, statute, ordinance, rule or contract.

Noncertificated Employees

As the collective bargaining process across the United States and also specifically in Iowa tends to establish itself, another group of the school employees will begin to stir for recognition. Most attention in educational circles has focused on teacher negotiations in recent years.

In settings where union organizational activities have been established, some of the noncertificated employees are already involved in such groups. Some professional associations have sought also to include

the nonteaching employees within their ranks.

Basically, in most writings and commentaries dealing with the collective bargaining process in education very little is mentioned of the nonteaching employee.

For the purposes of this study, the intent was to look at collective bargaining in the field of education in the state of Iowa. More specifically to examine the place of the nonteaching employee of the Iowa school systems. The use of the terms "noncertified, nonclassified, nonprofessional, nonteacher," etc. is in no way meant to be degrading or to minimize the role of such employees in the Iowa schools. The terms are used to delineate between the various categories of employed staff members

The Iowa Public Employee Relations Act specifically defines the professional employee as follows:

Any employee engaged in work: (1) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work; (2) involving the consistent exercise of discretion and judgment in its performance; (3) of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; (4) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual or physical processes.

Any employee who has completed the courses of specialized intellectual instruction and study described in the above sections; and is performing related work under the supervision of a professional person to qualify himself or herself to become a professional employee as defined in the above sections.

With such a definition as per the Act, employees such as bus drivers, custodians, secretaries, and hot lunch personnel are defined as nonprofessional employees.

The very root of the collective bargaining process is the definition of appropriate bargaining units. In Section 13, item 2 of the Iowa Public Employee Relations Act the matter of bargaining unit determination is spelled out as:

In defining the unit, the board shall take into consideration, along with other relevant factors, the principles of efficient administration of government, the existence of a community of interest among public employees, the history and extent of public employee organization, geographical location, and the recommendation of the parties involved.

Iowa law specifically states in this same Section 13, item 4:

Professional and non-professional employees shall not be included in the same bargaining unit unless a majority of both agree.

Negotiating with nonprofessional employees poses most of the pitfalls of bargaining with teachers plus possibly some additional problems. Determining some guidelines in order to provide that appropriate bargaining units can be developed is of major importance towards assuring the negotiations will fulfill the legislative goals or policy directives.

Two tests are commonly applied in establishing appropriate units. One is the community of interest among employees. This involves the nature of their jobs, the organization and the structure of the work, and the location of the job. The other test is the extent of grouping of employees to produce effective bargaining and efficient operation. Both tests cannot always be applied to a single unit.

If the community of interest test is applied in a manner that results in many groups being established, bargaining about policies and conditions that would have to be uniform for all employees could not be effective. Such unit determinations would require too many separate negotiating sessions and would tend towards one group using the other's gains as their approach. Such an approach would not lend itself to any stability or efficient management of the school operation. Grouping employees on a very broad basis, across many job lines, could lend itself towards a more efficient bargaining process.

As the size of a school district increases, the number of units possibly needed and the complexity of determining the appropriate units also increases. Ashby, McGuinnis and Persing (3, p. 58) indicate the primary concern in establishing bargaining units in public employment is in the public interest. They point out three important criteria to be used:

1. effective staff representation;
2. effective administration;
3. stability in board-staff relations.

They further observed:

Essentially the same philosophy and working rules should govern the recognition procedures for non-professional employees as outlined for the professional staff. There may be more problems in the non-professional area due to the fact that there are more discrete groups in this category, such as, secretaries, bus drivers, custodians, and others. A single classification for all non-professional personnel may suffice in smaller districts, but larger districts will, in all probability, be unable to rely on such an arrangement.

The Illinois Governor's Advisory Commission of Labor-Management Policy for Public Employees stated the following:

Professional employees because of their specialized education and training have interests and responsibilities which distinguish them from nonprofessionals. Because of this uniqueness the presumption is that they should be in negotiating units separate from the nonprofessional. That presumption should be overcome only if the professionals vote to be included in the same unit with the nonprofessionals. The latter group should be given a similar choice since there are public agencies in which the nonprofessionals are a small portion of the total, and they should not automatically be placed in with a larger professional group that did not reflect their interests. If the community of interest among both groups is so great that they wish to be put together, that wish should not be denied.

Stinnett, Kleinmann and Ware (35, p. 22) commented:

It is also necessary to distinguish between professional employees and noneducational employees of the schools. The employment problems of noneducational employees are more akin to the problems of other custodians and engineers, whether employed publicly or privately, than they are to the problems of professional school employees.

Shils and Whittier (32, p. 188) devote a chapter to the topic of dealing with the nonprofessional employee. They stated:

Good personnel programs in school systems should be designed to stimulate cohesion rather than to accentuate differences. All school employees are part of the educational team which is aiming at maximum educational results.

They make the point that divisiveness destroys teamwork and harms the educational effort.

Gee and Melle (11, p. 366) pointed out from their studies that:

From the employees' point of view, the interests of non-teaching public school employees are most effectively represented by one organization composed of all non-supervisory, non-teaching employees.

There are stirrings among the noncertified personnel across the state of Iowa. Among the more heavily populated communities and those which are industrially oriented, organizations of such public employees

are not uncommon. As pointed out by Clark (8, p. 335), on a national level there are at present over 2,700,000 persons employed by school districts and approximately one-quarter of these--nearly 750,000 are noninstructional personnel.

Jascourt (16, p. 33) pointed out:

disputes involving teachers usually attract the most attention. Discussion of decisional material most frequently focuses on teacher bargaining because of the fuzzy line between policy and working conditions and therefore, what is bargainable or non-bargainable. It has become apparent, however, that problems involving non-instructional personnel do have high impact, especially in terms of financial stress.

Approach to Review of Literature

The sources as presented within this review have been confined primarily to sources available to the writer. Without question a multitude of fine references have not been utilized as defining and expanding upon the complex field of collective bargaining in the public sector.

The wealth of material on the topic is overwhelming and it continues to proliferate as collective bargaining comes to the front and the immediate attention of public management. One cannot do justice to the materials available. There is an endless source of articles, books, and reports from experts in the private and public sector.

In most professional magazines today, it is not unusual to find one to two articles per issue dealing with the bargaining topic.

During the past few years, there have been endless conferences, workshops, clinics and other formats presenting the views of activists

in the field of labor relations. The professional organizations for both management and the employees have sponsored such activities.

There have been a number of doctoral dissertations on the topic of collective bargaining. Some of which have been done at Iowa State University:

"Collective Negotiations as Perceived by Iowa Board Members and Superintendents" Henry J. Borger, Jr., 1969

"Study of the Influence of Legislation on the Role of School Superintendents in Collective Negotiations Between Teachers and Boards of Education" Kenneth Mallas, 1972

"Collective Negotiations as Perceived by Iowa Teachers and Superintendents" Marvin G. O'Hare, 1969

"The Role of the Principal in Collective Negotiations as Perceived by Iowa Educators and Board Members" LeRoy E. Johnson, 1972

"Collective Bargaining and Iowa Educators: A Framework for a Model Collective Bargaining Statute Reflecting Current Opinions of Adversaries" Kenneth Palmer, 1972

These dissertations added breadth to the Iowa scene and some basic guidelines to consider for public employers in the state. Not only did the studies bring to light some important points, but also opened new avenues that should be pursued. Each dealt with a different vantage point, such as, Mallas in his study worked with administrators from other states and their perspectives.

As with all research and collective bargaining formats, such information must be taken by the reader and used in the proper context of that specific time and situation. There can be broad guidelines developed and procedures, but the specifics of day-to-day operation must be localized to the immediate scene.

CHAPTER III. METHODOLOGY

This chapter presents the methods and procedures utilized in conducting the study. The chapter is divided into four major areas: 1) development of the questionnaire, 2) selecting the population, 3) administration of the survey instrument, and 4) treatment of the data.

Development of the Questionnaire

The questionnaire was designed to secure facts and perceptions of the respondents regarding their relationship to the Iowa Public Employment Relations Act. It was developed after an analysis and review of pertinent literature on the bargaining process in public education and related material dealing with the private sector.

The survey instrument (see Appendix B) was periodically reviewed by the researcher's advisor, Dr. Ross Engle, Iowa State University of Science and Technology, Ames, Iowa. The questionnaire was revised in accordance with his recommendations and then submitted to the researcher's doctoral committee for further suggestions at the time of the committee's meeting. Further discussions were held with persons at the Data Processing Center with respect to format and organization. Revisions were made upon their recommendations.

The survey instrument was also reviewed by three superintendents for a general examination of the material and to secure their comments. Noncertified employees in the researcher's local school district were asked to go over the questionnaire. The researcher's own district was

not included in the final study.

The method of response to the questionnaire was limited to three possible answers. This method was chosen so that the respondent could answer with some clarity and brevity as to whether that person was either in agreement, undecided, or there was disagreement with the statement. An introductory paragraph on the first page was provided to give specific instructions on how to complete the questionnaire.

A three-digit number was written in the upper right hand corner of the first page of the questionnaire. This numeral was used to identify the respondent's school district.

Selecting Population

Only those school districts in the state of Iowa which maintained a public high school recognized by the Department of Public Instruction were included in this study.

Utilizing information provided by the Department of Public Instruction, forty school districts were selected to be asked to participate. School districts were chosen on the basis of geographical location in order to get a distribution across the state. Only schools totally eliminated from the study were those from urban centers. The survey instrument was then sent to each school district selected from the categories. A list of school districts participating in the study can be found in Appendix A of this study.

Administration of the Questionnaire

A form letter (see Appendix A) was developed to transmit the questionnaire to those individuals participating in the study. The letter briefly described the problem, outlined the procedures, and pledged that neither the respondent nor the district would be identified in the study. Personal contact was made with a number of districts to make the request for participation and to describe the total study procedure.

At the end of ten days, a follow-up letter with a questionnaire was sent to the selected school districts who did not respond the first time. At the conclusion of this period, telephone calls were made as a follow-up. In some instances, the questionnaires were taken personally to the school districts. Follow-up letters and telephone calls were used as necessary. A major effort on the researcher's part was made to obtain 100 percent sample response.

The chief administrator of each district was asked to distribute the questionnaires to the respondents in each category. This was to be done by randomly selecting from that district's employees the participants in this study. The chief administrator in each of the selected districts handled for the researcher the process of distributing the survey instruments and also the collection of them for returning to the researcher.

Treatment of the Data

The data received on the completed questionnaire were entered on data processing cards. By means of computer programming the combined responses on each question were formulated into tables according to the category of respondents.

The chi-square statistical treatment was used on the responses to selected questions. Chi-square technique using the null hypotheses to generate the expected frequencies from contingency table row and column totals applied. The equation utilized to compute chi-square was:

$$\sum \frac{(\text{observed frequencies} - \text{expected frequencies})^2}{\text{Expected - frequencies}}$$

The degree of freedom was determined by the classification. The test was taken from an accumulative distribution of an appropriate chi-square at the five percent, or significance level. A significant difference refers to a calculated value which exceeds the table value with appropriate degrees of freedom at the significance level desired.

The researcher was assisted and advised by personnel at the Computer Center. The proper format and results were reviewed upon receipt of information from the Computer Center.

CHAPTER IV. FINDINGS

Overview of Respondent Characteristics

The questionnaire used in this study was sent to forty selected Iowa public school systems. The schools were selected from lists provided by the Department of Public Instruction. Large urban centers were not included in the list from which selections were made as it was determined that in most situations the conditions prevalent would not be appropriate for this particular investigation.

The respondents to the survey instrument represented six categories of individuals associated with the school system. The categories were: labor (bus drivers, hot lunch, secretaries, custodians) and management (superintendents, board members).

From the forty school systems, there were 397 responses. By category the responses were: bus drivers - 78; hot lunch - 79; secretaries - 83; custodians - 78; superintendents - 40; and board of education members - 39.

The responses were not equal in each category, but upon review of the total responses it was determined that it would not have a negative effect on the survey. It was also decided that it would not be necessary to obtain the missing responses in corresponding categories.

The personal data information was not used in measuring such relationships to questionnaire items. The personal data was to provide background material as to the respondents involved in this study. This data can assist in looking at the total picture and help place in some

perspective the results of the material in terms of the individual respondents.

One might have taken this specific study to much more depth by comparing the responses on the survey items based on categories such as comparison by experience, comparison by sex, comparison by occupation, comparison by age, etc. As in any study, there are many ramifications, but one must narrow a particular survey in order to arrive at any finality.

Such comparisons could be followed through on future studies. The arena of collective bargaining holds a never-ending supply of potential studies that could be developed, each of which could be very enlightening to all parties as the growth of collective bargaining continues within the public sector and more specifically the public school systems in the state of Iowa.

Information follows which will give the reader some perspective as to descriptive data pertaining to the individuals who responded to the study.

Age

<u>Category</u>	<u>Number</u>	<u>Percent</u>
21-30	31	7.8
31-40	92	23.2
41-50	144	36.3
51-60	105	26.4
61-over	25	6.3
Total	397	100.0

Sex

<u>Category</u>	<u>Number</u>	<u>Percent</u>
Male	199	50.1
Female	197	49.6
Total	396	99.7

(1 respondent did not supply this information)

Position

<u>Category</u>	<u>Number</u>	<u>Percent</u>
Driver	78	19.6
Hot lunch	79	19.9
Secretarial	83	20.9
Custodian	78	19.6
Superintendent	40	10.1
Board member	39	9.8

Assignment

<u>Category</u>	<u>Number</u>	<u>Percent</u>
District wide	189	47.6
Elementary	67	16.9
Junior high	40	10.1
High school	101	25.4
Total	397	100.0

Education

<u>Category</u>	<u>Number</u>	<u>Percent</u>
Less than HS	38	9.6
High school	282	71.0
BA	25	6.3
MA	22	5.5
Specialist	19	4.8
Doctorate	11	2.8
Total	397	100.0

Experience

<u>Category</u>	<u>Number</u>	<u>Percent</u>
1-5 years	117	29.5
6-15 years	171	43.1
16-25 years	83	20.9
26-35 years	20	5.0
35-over	5	1.3

Occupation

<u>Category</u>	<u>Number</u>	<u>Percent</u>
Housewife	3	.8
Farmer	13	3.3
Business	13	3.3
Sales	3	.8
Retired	3	.8
Professional	45	11.3
Other	317	79.8

Findings

The following commentary will deal with the items as submitted to the respondents of the questionnaire. The findings will be dealt with under general areas of classification rather than each item in its numerical order. All items will not be included in table form.

The basic assumption for all items on the survey instrument was that there would be no relationship between the positions of the participants and their respective attitudes towards the various concepts presented. The responses would thus be considered independent of the position (management or labor) and attitude.

Collective bargaining concept

Table 1. Item 1: Noncertified employees should have the right to bargain collectively with their employer

Category	Agree	%	Und.	%	Disagree	%
Driver	70		5		3	
Hot lunch	63		14		2	
Secretarial	58		14		11	
Custodial	<u>67</u>		<u>10</u>		<u>1</u>	
	258	81.1	43	13.6	17	5.3
Superintendent	25		5		10	
Board member	<u>21</u>		<u>11</u>		<u>7</u>	
	46	58.2	16	20.3	17	21.5
Total	304		59		34	
Percent	76.6		14.9		8.6	
Chi-square	25.591 (df 2); Sig. 0.001					

The statistical results were found to be significant. There is a relationship between the variables of position of the respondent and the attitude towards the right to bargain collectively.

Noncertified respondents were in general agreement that such categories of employees should have the right to bargain. The two employer classifications were not as conclusive on this issue with only fifty-eight percent indicating agreement. Management at this time would undoubtedly not be as receptive to noncertified employee organizations desiring to bargain.

Table 2. Item 78: The collective bargaining process should be a local issue and be developed to meet the needs of the local district and community

Category	Agree	%	Und.	%	Disagree	%
Driver	69		7		2	
Hot lunch	60		14		5	
Secretarial	64		15		4	
Custodial	<u>64</u>		<u>11</u>		<u>3</u>	
	257	80.8	47	14.8	14	4.4
Superintendent	34		4		2	
Board member	<u>36</u>		<u>1</u>		<u>2</u>	
	70	88.6	5	6.3	4	5.1
Total	327		52		18	
Percent	82.4		13.1		4.5	
Chi-square 3.977 (df 2); not sig. 0.136						

Participants did not respond to this item on the basis of the positions they held as the findings were found not to be significant. The responses were independent of the position held by the participant.

It is evident that employer and employee respondents felt that collective bargaining should be a local matter and be developed to meet the needs of the local school district and community. Results reflect a fairly strong agreement on this item on the part of both labor and management participants.

Table 3. Item 79: Collective bargaining for public employees has been a "positive" step in education

Category	Agree	%	Und.	%	Disagree	%
Driver	31		26		21	
Hot lunch	28		34		17	
Secretarial	17		35		31	
Custodial	<u>36</u>		<u>28</u>		<u>14</u>	
	112	35.2	123	38.7	83	26.1
Superintendent	0		5		35	
Board member	<u>3</u>		<u>7</u>		<u>29</u>	
	3	3.8	12	15.2	64	81.0
Total	115		135		147	
Percent	29.0		34.0		37.0	
Chi-square 83.368 (df 2); sig. 0.001						

The results for Item 79 were significant. Although the total findings suggested agreement that collective bargaining has not been a positive step in education, there was a notable difference of attitude between management and noncertified employees.

Eighty-one percent of the superintendents and board members did not feel that there has been any positive effect on education due to the bargaining process. Management participants being directly involved in the negotiating process with certified employee groups would base their opinions from such experiences and background.

Possibly due to an unfamiliarity with the bargaining process, thirty-eight percent of the noncertified respondents indicated they were undecided on this item. Thirty-five percent of the labor category felt that the bargaining process had a positive contribution as opposed to

Table 4. Item 80: A federal collective bargaining law for public employees would be advantageous

Category	Agree	%	Und.	%	Disagree	%
Driver	17		31		30	
Hot lunch	18		31		30	
Secretarial	18		30		35	
Custodial	<u>24</u>		<u>36</u>		<u>18</u>	
	77	24.2	128	40.3	113	35.5
Superintendent	4		1		35	
Board member	<u>3</u>		<u>5</u>		<u>31</u>	
	7	8.9	6	7.6	66	83.5
Total	84		134		179	
Percent	21.2		33.8		45.1	
Chi-square 59.392 (df 2); sig. 0.001						

only 3.8 percent of the management group choosing to agree with the survey item.

There is a dependent relationship of the position of the survey respondent and the attitude expressed as the results of Item 80 were found to be significant. One must note the differences of attitude between labor and management categories.

Board members and superintendents were more definite in their attitudes towards this item with eighty-three percent indicating that a federal bargaining law would not be advantageous. Such attitudes would be in line with the results of the previous item shown in Table 3.

Forty percent of the noncertified respondents indicated they were undecided on this issue. Lack of experience and unfamiliarity with the bargaining process could be a factor in determining such responses.

Thirty-five percent felt as management did in that a federal law would not be advantageous for public employees. One might note the distribution of responses among the various noncertified categories.

Bargaining units

Table 5. Item 2: The most appropriate bargaining unit would be one overall unit which would represent all noncertified employees

Category	Agree	%	Und.	%	Disagree	%
Driver	36		15		27	
Hot lunch	26		23		30	
Secretarial	25		14		44	
Custodial	34		11		33	
	<u>121</u>	38.1	<u>63</u>	19.8	<u>134</u>	42.1
Superintendent	27		3		10	
Board member	23		10		6	
	<u>50</u>	63.3	<u>13</u>	16.5	<u>16</u>	20.3
Total	171		76		150	
Percent	43.1		19.1		37.8	
Chi-square 17.753 (df 2); sig. 0.001						

Table 6. Item 3: Each noncertified group of employees should remain a separate unit and bargain separately

Category	Agree	%	Und.	%	Disagree	%
Driver	42		10		26	
Hot lunch	40		21		18	
Secretarial	41		13		29	
Custodial	40		14		24	
	<u>163</u>	51.3	<u>58</u>	18.2	<u>97</u>	30.5
Superintendent	7		3		30	
Board member	7		8		24	
	<u>14</u>	17.7	<u>11</u>	13.9	<u>54</u>	68.4
Total	177		69		151	
Percent	44.6		17.4		38.0	
Chi-square 40.477 (df 2); sig. 0.001						

The results of Items 2 and 3 were found to be significant. There is a dependent relationship between the variables of position and attitude of the participants.

A majority of management respondents differed with labor on both questions. Board members and superintendents show a preference that there should be one overall noncertified employee bargaining unit as opposed to the concept that each respondent group bargain for itself.

Although forty-two percent of the labor participants disagreed with the one concept of one overall unit for bargaining, it must be noted that thirty-eight percent did agree with management. The concept of each unit bargaining separately found greater support among the labor categories with fifty-one percent supporting it. Approximately one-fifth of all noncertified participants were undecided on each question. This could be due to the fact that in many districts there is no bargaining experience to serve as a basis for taking a position.

Table 7. Item 4: Noncertified employee groups should be a separate unit from the teachers' unit

Category	Agree	%	Und.	%	Disagree	%
Driver	69		7		2	
Hot lunch	65		9		5	
Secretarial	66		7		10	
Custodial	65		9		4	
	<u>265</u>	83.3	<u>32</u>	10.1	<u>21</u>	6.6
Superintendent	37		2		1	
Board member	36		3		0	
	<u>73</u>	92.4	<u>5</u>	6.3	<u>1</u>	1.3
Total	338		37		22	
Percent	85.1		9.3		5.5	
Chi-square 4.811 (df 2); not sig. 0.090						

Responses to Item 4 were found to be independent of the position held by the survey participant and the attitude expressed. The results were not significant.

Management was clearly in agreement that noncertified employees should be in units separate from certified (teaching) personnel. Labor participants were fairly consistent among all categories in supporting separate units.

Item 5 reverses the previous question and posed that noncertified groups and teacher organizations should be one overall unit for employees. The results were found to be not significant.

Approximately ninety percent of the management participants and eighty-two percent of the labor categories disagreed that there should be only one unit for certified and noncertified employees.

The findings of Items 4 and 5 are supportive of the general concept that noncertified groups should be in separate bargaining units. At this point in time of collective bargaining, it could be assumed that noncertified employees would desire to pursue the process through some type of bargaining unit or units involved with groups having a common interest.

One should note a very minor percentage expressed no opinion on either Item 4 or 5.

Table 8. Item 6: Noncertified employee groups should be allowed to join together as their membership determines

Category	Agree	%	Und.	%	Disagree	%
Driver	50		17		11	
Hot lunch	13		35		11	
Secretarial	39		35		9	
Custodial	45		29		4	
	<u>167</u>	52.5	<u>116</u>	36.5	<u>35</u>	11.0
Superintendent	14		7		19	
Board member	23		9		7	
	<u>37</u>	46.8	<u>16</u>	20.3	<u>26</u>	32.9
Total	204		132		61	
Percent	51.4		33.2		15.4	
Chi-square 25.168 (df 2); sig. 0.001						

The results for this item were found to be significant and would indicate that the responses were dependent on the position held by the participant.

Although a majority of the respondents in both labor and management categories agreed that noncertified units should be allowed to join together as their membership wished, there was a high percentage undecided on this item.

Management participants and more specifically superintendents indicated disagreement with the concept with nearly thirty-two percent choosing such an alternative.

As in many items of the survey, the newness of the bargaining process and experiences of the participants in this area can be reflected by the lack of clearly defined opinions.

Table 9. Item 7: The board of education should determine the appropriate bargaining group for noncertified employees

Category	Agree	%	Und.	%	Disagree	%
Driver	12		15		51	
Hot lunch	9		24		46	
Secretarial	9		24		50	
Custodial	9		9		60	
	<u>39</u>	12.3	<u>72</u>	22.6	<u>207</u>	65.1
Superintendent	15		8		17	
Board member	12		11		16	
	<u>27</u>	34.2	<u>19</u>	24.1	<u>33</u>	41.8
Total	66		91		240	
Percent	16.6		22.9		60.5	
Chi-square 24.025 (df 2); sig. 0.001						

The responses of the noncertified participants and those of the management categories reflect a dependent relationship between position and attitude. Item 7 is significant.

Attitudes of labor participants reflect a more conclusive opinion with sixty-five percent indicating that the board of education should not determine the appropriate bargaining unit.

Management was not able to indicate a strong position on this item. The undecided percentage for all respondents should be noted.

The 397 participants were next asked to indicate their opinion on whether the superintendent of schools or other board designated representative should determine the appropriate bargaining unit for noncertified employees. The findings were found not to be significant. Of the total participating, 234 disagreed with the statement or 58.9 percent. It can be concluded that the position of the participant and attitude are independent.

The superintendent or any other board designated representative should not play any role in determining the appropriate bargaining unit for the noncertified employees.

Membership

Table 10. Item 9: There should be restrictions on what employees can be a member of a bargaining unit

Category	Agree	%	Und.	%	Disagree	%
Driver	26		17		35	
Hot lunch	20		24		35	
Secretarial	30		16		37	
Custodial	<u>22</u>		<u>12</u>		<u>44</u>	
	98	30.8	69	21.7	151	47.5
Superintendent	33		2		5	
Board member	<u>27</u>		<u>6</u>		<u>6</u>	
	60	75.9	8	10.1	11	13.9
Total	158		77		162	
Percent	39.8		19.4		40.8	
Chi-square 54.220 (df 2); sig. 0.001						

This item is significant. When breaking down the responses by non-certified and management categories, it is found that management prefers the establishment of some types of restrictions on employees' membership in bargaining units. Seventy-five percent of the superintendents and board members agreed that there should be restrictions. This is contrasted by a majority of the employee participants disagreeing with Item 9 on such restrictions.

Table 11. Item 10: Supervisors should not be a part of the bargaining unit

Category	Agree	%	Und.	%	Disagree	%
Driver	41		17		20	
Hot lunch	35		23		21	
Secretarial	38		30		15	
Custodial	<u>34</u>		<u>10</u>		<u>34</u>	
	148	46.5	80	25.2	90	28.3
Superintendent	38		1		1	
Board member	<u>33</u>		<u>3</u>		<u>3</u>	
	71	89.9	4	5.1	4	5.1
Total	219		84		94	
Percent	55.2		21.2		23.7	
Chi-square 48.047 (df 2); sig. 0.001						

Table 12. Item 11: Part-time employees should not be a part of the bargaining unit

Category	Agree	%	Und.	%	Disagree	%
Driver	36		12		30	
Hot lunch	36		19		24	
Secretarial	40		18		25	
Custodial	<u>42</u>		<u>12</u>		<u>24</u>	
	154	48.4	61	19.2	103	32.4
Superintendent	33		3		4	
Board member	<u>30</u>		<u>5</u>		<u>4</u>	
	63	79.7	8	10.1	8	
Total	217		69		111	
Percent	54.7		17.4		28.0	
Chi-square 25.559 (df 2); sig. 0.001						

Table 13. Item 12: Seasonal employees should not be a part of the bargaining unit

Category	Agree	%	Und.	%	Disagree	%
Driver	31		13		34	
Hot lunch	34		17		28	
Secretarial	39		17		27	
Custodial	<u>40</u>		<u>13</u>		<u>25</u>	
	144	45.3	60	18.9	114	35.8
Superintendent	33		2		5	
Board member	<u>31</u>		<u>6</u>		<u>2</u>	
	64	81.0	8	10.1	7	8.9
Total	208		68		121	
Percent	52.4		17.1		30.5	
Chi-square 33.363 (df 2); sig. 0.001						

The preceding three items dealt with excluding various personnel from a bargaining unit. Findings for all three statements were found to be statistically significant. There is a relationship between the position of the participant and his/her attitude towards each of the statements.

A majority of noncertified participants disagreed on each item that the stated employee should be excluded from a bargaining unit. An average of eighty-three percent of the superintendents and board members answered in agreement that the stated employee should be excluded from any bargaining unit. Management attitudes could be attributed to an understanding of the bargaining law and from their basis of experience with certified units.

Table 14. Item 75: If a noncertified employee does not choose to join the noncertified employee organization, he/she would still be entitled to the benefits derived from the agreement and the use of the grievance procedures

Category	Agree	%	Und.	%	Disagree	%
Driver	33		19		26	
Hot lunch	39		16		24	
Secretarial	24		41		18	
Custodial	33		18		27	
	<u>129</u>	40.6	<u>94</u>	29.6	<u>95</u>	29.9
Superintendent	38		0		2	
Board member	30		7		2	
	<u>68</u>	86.1	<u>7</u>	8.9	<u>4</u>	5.1
Total	197		101		99	
Percent	49.6		25.4		24.9	
Chi-square 52.689 (df 2); sig. 0.001						

The results of Item 75 were found to be statistically significant. Of the total responses and attitudes expressed, one cannot make any definite conclusions.

Responses by category of participants directly reflects the attitude on the basis of the position held. There is a direct dependent relationship between position and attitude.

Noncertified employees were uncertain on this item with nearly thirty percent undecided.

Board members and especially superintendents were in strong agreement on this item. Management agreed that a nonmember should receive any benefits secured through the agreement and thus be able to utilize the grievance procedures.

The granting of benefits to nonmembers is a concern in the public

employee sector as it is within the private business sector.

Employee perceptions could be generally attributed to the concept that anyone not contributing to the organization by service or dues should not be allowed to participate in benefits secured by the bargaining process. This is one area of the law in which there has been some concern and movement towards attempting to make nonmembers at least pay some fee to the bargaining organization.

Representation

Items 13, 14, and 15 deal with the question of the selection of the spokesman for a bargaining unit.

Item 13 posed that the largest noncertified employee group should automatically be the spokesman. The findings were not significant. The responses were independent of the position of the participant and attitude. Of the 397 responses, 253 indicated that the spokesman for noncertified employees should not be awarded to the largest group of employees.

Item 14 was also found not to be statistically significant. This item dealt with the spokesman being elected by the members of the various noncertified groups. Seventy-two percent of the management participants and seventy-two percent of the employee respondents felt that the election process would be a viable means of selecting the spokesman. The findings for this item would indicate responses were independent of the position of the participant.

Table 15. Item 15: The noncertified employees organized as one over-all unit should be represented by a committee composed of representatives from each noncertified category

Category	Agree	%	Und.	%	Disagree	%
Driver	64		10		4	
Hot lunch	59		18		2	
Secretarial	68		11		4	
Custodial	62		11		5	
	<hr/>		<hr/>		<hr/>	
	253	79.6	50	15.7	15	4.7
Superintendent	27		6		7	
Board member	23		11		5	
	<hr/>		<hr/>		<hr/>	
	50	63.3	17	21.5	12	15.2
Total	303		67		27	
Percent	76.3		16.9		6.8	
Chi-square 13.659 (df 2); sig. 0.001						

A committee composed of representatives of the various noncertified employee groups was posed as an alternative in Item 15. The findings were significant. There is a relationship between the variables of position and attitude towards the committee approach.

Of the total participants, there is general consensus towards this approach, but management people tend not to favor this method as highly as labor.

From the three items, it would seem that utilizing the approach of most organizations today, one would tend to lean towards the election process. This method had the greatest degree of agreement between labor and management.

Table 16. Item 32: Even though one noncertified unit may have received recognition to speak for all noncertified employees, minority units should have the right to "informal" recognition or right to be heard by the employer

Category	Agree	%	Und.	%	Disagree	%
Driver	51		16		11	
Hot lunch	57		16		6	
Secretarial	55		18		10	
Custodial	60		12		6	
	—		—		—	
	223	70.1	62	19.5	30	10.4
Superintendent	17		3		20	
Board member	9		11		19	
	—		—		—	
	26	32.9	14	17.7	39	49.4
Total	249		76		72	
Percent	62.7		19.1		18.1	
Chi-square 67.118 (df 2); sig. 0.001						

Item 32 was found to be statistically significant. There is a dependent relationship of position and attitude.

One can note the contrast of attitude on the part of management and employee participants. Management tends to disagree with the right of minority units to be heard by the employer. They feel that noncertified groups are to be represented exclusively by the chosen spokesman. Forty-two percent of the superintendents though did agree with the labor categories.

Noncertified respondents were predominantly supportive of minority units having the right to be heard by the employer. Seventy percent of the labor group indicated agreement on this item.

Table 17. Item 70: If there are competing organizations of noncertified employees seeking to be the spokesman for such employees, and election should be held to determine which organization would meet with the employer on behalf of noncertified employees

Category	Agree	%	Und.	%	Disagree	%
Driver	41		23		14	
Hot lunch	37		31		11	
Secretarial	48		22		13	
Custodial	46		18		14	
	<hr/>		<hr/>		<hr/>	
	172	54.1	94	29.6	52	16.4
Superintendent	37		1		2	
Board member	30		7		2	
	<hr/>		<hr/>		<hr/>	
	67	84.8	8	10.1	4	5.1
Total	239		102		56	
Percent	60.2		25.7		14.1	
Chi-square 24.939 (df 2); sig. 0.001						

The findings of this item were significant. Board members and superintendents responded in agreement on the item with eighty-four percent reflecting support to requiring an election to determine which noncertified unit would represent all such employees.

Noncertified participants could not reach such a degree of support. Although fifty-four percent were in agreement among all labor categories, twenty-nine percent indicated that they were undecided. This uncertainty is in contrast to the strong agreement on the part of board members and superintendents.

Table 18. Item 71: The noncertified employee unit selected as spokesman during the bargaining process with the employer would remain as spokesman until recall asked for by other noncertified employees

Category	Agree	%	Und.	%	Disagree	%
Driver	55		17		6	
Hot lunch	47		28		4	
Secretarial	52		23		8	
Custodial	50		24		4	
	<hr/>		<hr/>		<hr/>	
	204	64.2	92	28.9	22	6.9
Superintendent	30		6		4	
Board member	30		6		3	
	<hr/>		<hr/>		<hr/>	
	60	75.9	12	15.2	7	8.9
Total	264		104		29	
Percent	66.5		26.2		7.3	
Chi-square 6.212 (df 2); sig. 0.001						

Item 71 asked the participants to indicate an opinion on the matter of elected units remaining as spokesman until recalled by noncertified employees. This item was found to be significant. The responses were dependent on the position of the participant.

Management and labor agreed that the elected unit should continue to serve until recalled, but management much more conclusively than labor. Labor categories reflected a higher degree of uncertainty on this matter with nearly twenty-nine percent choosing the alternative of undecided as their response.

Table 19. Item 73: The employer and employee unit should have the right to employ outside parties to represent them at the bargaining table

Category	Agree	%	Und.	%	Disagree	%
Driver	43		15		20	
Hot lunch	35		26		18	
Secretarial	39		28		16	
Custodial	39		19		20	
	<hr/>		<hr/>		<hr/>	
	159	49.1	88	27.7	74	23.3
Superintendent	37		1		2	
Board member	32		6		1	
	<hr/>		<hr/>		<hr/>	
	69	87.3	7	8.9	3	3.8
Total	225		95		77	
Percent	56.7		23.9		19.4	
Chi-square 38.095 (df 2); sig. 0.001						

The results for Item 73 were found to be significant. One can note that management was strongly supportive of the use of outside parties at the bargaining table.

Labor categories did agree to the concept of outside parties, but twenty-seven percent also were undecided on this matter.

Board members and superintendents have undoubtedly formed such attitudes through the concepts presented in inservice meetings dealing with collective bargaining. In many cases, it has been stressed that board members and administrators not become directly involved, but that their role be more of a guidance and advisory nature.

Procedures

Table 20. Item 16: Noncertified groups should meet the same requirements of certified groups in determining if such employees want collective bargaining

Category	Agree	%	Und.	%	Disagree	%
Driver	44		24		10	
Hot lunch	42		30		7	
Secretarial	55		21		7	
Custodial	49		17		12	
	<u>190</u>	59.7	<u>92</u>	28.9	<u>36</u>	11.3
Superintendent	39		1		0	
Board member	33		5		1	
	<u>72</u>	91.1	<u>6</u>	7.6	<u>1</u>	1.3
Total	262		98		37	
Percent	66.0		24.7		9.3	
Chi-square 27.982 (df 2); sig. 0.001						

By examining the above table, it is evident that there is a relationship between the position and attitude of the respondents. The findings for Item 16 were found to be significant. Management clearly shows strong agreement on the item. Noncertified employees support the item, but there is a sizable undecided group.

Table 21. Item 17: Noncertified employee units should follow the same procedures for bargaining as do certified units

Category	Agree	%	Und.	%	Disagree	%
Driver	49		16		13	
Hot lunch	41		25		13	
Secretarial	41		35		7	
Custodial	44		22		12	
	<u>175</u>	55.0	<u>98</u>	30.8	<u>45</u>	14.2
Superintendent	36		2		2	
Board member	23		9		7	
	<u>59</u>	74.7	<u>11</u>	13.9	<u>9</u>	11.4
Total	234		109		54	
Percent	58.9		27.5		13.6	
Chi-square 11.077 (df 2); sig. 0.001						

The findings for Item 17 were found to be significant. Board members and superintendents felt that the procedures should be the same for noncertified and certified units. Superintendents supported such a concept with ninety percent indicating agreement.

Again, noncertified participants were supportive of the idea that similar procedures should be followed, but over thirty percent were undecided. Noncertified participants are not as decisive on this issue which could be attributed to their lack of experience and unfamiliarity with collective bargaining and related concepts.

Items 18, 19, and 20 dealt with the question of when the noncertified employee units should be allowed to meet with representatives of the employer.

Table 22. Item 18: Noncertified units should meet with the employer before the teacher unit begins bargaining

Category	Agree	%	Und.	%	Disagree	%
Driver	19		29		30	
Hot lunch	16		36		27	
Secretarial	10		42		31	
Custodial	16		42		20	
	<hr/>		<hr/>		<hr/>	
	61	19.2	149	46.9	108	34.0
Superintendent	1		22		17	
Board member	4		16		19	
	<hr/>		<hr/>		<hr/>	
	5	6.3	38	48.1	36	45.6
	<hr/>		<hr/>		<hr/>	
Total	66		187		144	
Percent	16.6		47.1		36.3	
Chi-square 8.659 (df 2); sig. 0.013						

This item finds that for both management and labor there is a definite indecisiveness. The results were found to be significant and the responses were dependent upon position of the participant.

Item 19 posed the question as to noncertified employees meeting after the teacher units had bargained and Item 20 posed if noncertified units and teacher units should meet at the same time.

The attitudes expressed were found to be independent of the position of the respondent. The results were not significant for Item 19 and also Item 20.

The undecided percentage was sizable for both management and labor on both questions. For Item 19, forty-three percent of the noncertified participants were undecided and fifty-three percent of management. The percentages were not as high on Item 20, but in both cases high enough not to allow any conclusion to be drawn.

Table 23. Item 21: The first step in the bargaining process should be to establish rules for procedure

Category	Agree	%	Und.	%	Disagree	%
Driver	60		10		8	
Hot lunch	66		12		1	
Secretarial	76		5		2	
Custodial	67		9		2	
	<u>269</u>	84.6	<u>36</u>	11.3	<u>13</u>	4.1
Superintendent	39		0		1	
Board member	34		3		2	
	<u>73</u>	92.4	<u>3</u>	3.8	<u>3</u>	3.8
Total	342		39		16	
Percent	86.1		9.8		4.0	
Chi-square 4.107 (df 2); not sig. 0.128						

Labor and management were decisive on this item. The responses were independent of position held and the results were found not to be significant. Results speak for themselves in that most people look for some type of organization pattern to any process that might be undertaken.

Table 24. Item 22: Bargaining sessions should be carried out in closed sessions and the public should not be permitted to observe

Category	Agree	%	Und.	%	Disagree	%
Driver	40		13		25	
Hot lunch	53		16		10	
Secretarial	43		26		14	
Custodial	40		12		26	
	<hr/>		<hr/>		<hr/>	
	176	55.3	67	21.1	75	23.6
Superintendent	13		9		18	
Board member	12		2		25	
	<hr/>		<hr/>		<hr/>	
	25	31.6	11	13.9	43	54.4
Total	201		78		118	
Percent	50.6		19.6		29.7	
Chi-square 28.920 (df 2); sig. 0.001						

The results were found to be significant. Labor and management are found to be in disagreement on this item with the noncertified respondents tending to favor closed bargaining meetings.

Table 25. Item 23: Bargaining sessions should be open to the public

Category	Agree	%	Und.	%	Disagree	%
Driver	25		15		38	
Hot lunch	15		11		53	
Secretarial	12		27		44	
Custodial	23		14		41	
	<hr/>		<hr/>		<hr/>	
	75	23.6	67	21.1	176	55.3
Superintendent	17		9		14	
Board member	26		3		10	
	<hr/>		<hr/>		<hr/>	
	43	54.4	12	15.2	24	30.4
Total	118		79		200	
Percent	29.7		19.9		50.4	
Chi-square 29.184 (df 2); sig. 0.001						

Statistically, the findings for Item 23 were found to be significant. The responses were dependent upon the position held by the respondent.

Board members and superintendents indicate support for the concept of open bargaining sessions so that the public may be aware of the issues at the table. Labor categories reflect opposition to the open meeting concept. Neither labor nor management are strongly decisive on this issue.

Table 26. Item 24: Noncertified employee units should expect teacher units to support their bargaining demands

Category	Agree	%	Und.	%	Disagree	%
Driver	29		24		25	
Hot lunch	27		31		21	
Secretarial	27		30		26	
Custodial	<u>41</u>		<u>16</u>		<u>21</u>	
	124	39.0	101	31.8	93	29.2
Superintendent	4		3		33	
Board member	<u>2</u>		<u>7</u>		<u>30</u>	
	6	7.6	10	12.7	63	79.7
Total	130		111		156	
Percent	32.7		28.7		39.3	
Chi-square 68.382 (df 2); sig. 0.001						

Superintendents and board members tended to disagree with the concept that teacher units should support noncertified demands. Labor participants were not conclusive on the issue with a high percentage expressing no opinion. The results were found to be significant and responses dependent upon position.

Table 27. Item 25: Teacher units should expect the noncertified units to support teacher bargaining demands

Category	Agree	%	Und.	%	Disagree	%
Driver	26		21		31	
Hot lunch	24		26		29	
Secretarial	24		28		31	
Custodial	<u>36</u>		<u>15</u>		<u>27</u>	
	110	34.6	90	28.3	118	37.1
Superintednent	4		1		35	
Board member	<u>2</u>		<u>7</u>		<u>30</u>	
	6	7.6	8	10.1	65	82.3
Total	116		98		183	
Percent	29.2		24.7		46.1	
Chi-square 52.263 (df 2); sig. 0.001						

Management respondents strongly disagreed that noncertified units should be expected to support teacher demands. Noncertified participants were again not conclusive on the matter as can be noted by examining Table 27. The results of the item were found to be significant. Responses were dependent upon the position of the respondents.

Table 28. Item 26: The noncertified bargaining unit or persons representing the employees during bargaining sessions should be guaranteed freedom from discrimination which may result from the bargaining process

Category	Agree	%	Und.	%	Disagree	%
Driver	62		11		5	
Hot lunch	64		10		5	
Secretarial	72		10		1	
Custodial	64		10		4	
	—		—		—	
	262	82.4	41	12.9	15	4.7
Superintendent	37		2		1	
Board Member	34		5		0	
	—		—		—	
	71	89.9	7	8.9	1	1.3
Total	333		48		16	
Percent	83.9		12.1		4.0	
Chi-square 3.143 (df 2); not sig. 0.207						

The results for this item were found not to be significant. The responses were independent of the position held by the participant. A majority of management and labor participants agree that there should not be any type of discrimination towards those participating in the collective bargaining process.

Table 29. Item 27: Expenses incurred by the noncertified bargaining unit should be borne by all of the noncertified employees represented

Category	Agree	%	Und.	%	Disagree	%
Driver	56		14		8	
Hot lunch	46		26		7	
Secretarial	51		23		9	
Custodial	49		19		10	
	<u>202</u>	63.5	<u>82</u>	25.8	<u>34</u>	10.7
Superintendent	34		0		6	
Board member	34		2		3	
	<u>68</u>	86.1	<u>2</u>	2.5	<u>9</u>	11.4
Total	270		84		43	
Percent	68.8		21.2		10.8	
Chi-square 20.934 (df 2); sig. 0.001						

The results of Item 27 were found to be significant. The management respondents were clearly in favor of the assessment of costs to all noncertified employees. Employee participants were in agreement to the item, but there was a fair amount of disagreement and also undecided.

Table 30. Item 33: Bargaining sessions should be held during nonwork hours

Category	Agree	%	Und.	%	Disagree	%
Driver	48		9		21	
Hot lunch	58		9		12	
Secretarial	56		21		6	
Custodial	59		12		7	
	<u>221</u>	69.5	<u>51</u>	16.0	<u>46</u>	14.5
Superintendent	37		1		2	
Board member	37		0		2	
	<u>74</u>	93.7	<u>1</u>	1.3	<u>4</u>	5.1
Total	295		52		50	
Percent	74.3		13.1		12.6	
Chi-square 19.960 (df 2); sig. 0.001						

Table 31. Item 34: Bargaining sessions should be conducted during working hours

Category	Agree	%	Und.	%	Disagree	%
Driver	21		11		46	
Hot lunch	13		9		57	
Secretarial	6		21		56	
Custodial	7		12		59	
	47	14.8	53	16.7	218	68.6
Superintendent	1		1		38	
Board member	2		1		36	
	3	3.8	2	2.5	74	93.7
Total	50		55		292	
Percent	12.6		13.9		73.6	
Chi-square 20.613 (df 2); sig. 0.001						

For both items, the findings were found to be significant. Management participants were in strong agreement on both items. Board members and superintendents agreed that sessions should be held during off duty hours and correspondingly disagreed with sessions during working hours. Noncertified employees in general agreed with similar positions, but not to the degree as reflected by management.

Management concepts are based in part on the practice used during bargaining sessions with certified units. It is general practice that sessions be held during nonworking hours and without additional remuneration.

Employee respondents, even though supporting off-duty hours without pay, do generally come from experiences today which deal with the use of required time sheets, compensation for work hours over a minimum established week and other employee orientations.

Table 32. Item 35: Team members for the noncertified bargaining representatives should be paid during the sessions

Category	Agree	%	Und.	%	Disagree	%
Driver	18		18		42	
Hot lunch	22		15		42	
Secretarial	11		26		46	
Custodial	19		18		41	
	<hr/>		<hr/>		<hr/>	
	70	22.0	77	24.2	171	53.8
Superintendent	0		3		37	
Board member	2		9		28	
	<hr/>		<hr/>		<hr/>	
	2	2.5	12	15.2	65	82.3
Total	72		89		236	
Percent	18.1		22.4		59.4	
Chi-square	24.189 (df 2); sig. 0.001					

The attitudes expressed on this item were found to be dependent upon the position held by the respondent. The results were significant. The above table reflects the strong management attitude on the subject of pay during sessions. While noncertified employees disagree that members should be paid, there is not the degree of support to that attitude. The difference might be attributed in some degree to the concept of work hours, records, and pay on the part of the employee in contrast to management's background in dealing with certified units.

Table 33. Item 36: When a bargaining agreement is reached with the employer, all individual noncertified employee groups must approve the agreement before final approval

Category	Agree	%	Und.	%	Disagree	%
Driver	44		14		20	
Hot lunch	46		18		15	
Secretarial	41		15		27	
Custodial	48		15		15	
	<u>179</u>	56.3	<u>62</u>	19.5	<u>77</u>	24.2
Superintendent	8		3		29	
Board member	15		11		13	
	<u>23</u>	29.1	<u>14</u>	17.7	<u>42</u>	53.2
Total	202		76		119	
Percent	50.9		19.1		30.0	
Chi-square 26.982 (df 2); sig. 0.001						

The results were significant. It can be seen by examining the table that the responses were dependent upon the position of labor or management. A majority of the noncertified respondents agreed with the item as presented, while a majority of management participants disagreed that each individual employee unit had to give approval.

Table 34. Item 37: When a bargaining agreement is reached with the employer, only a majority of the separate noncertified employee groups must approve the agreement before final acceptance

Category	Agree	%	Und.	%	Disagree	%
Driver	32		15		31	
Hot lunch	32		15		32	
Secretarial	39		17		27	
Custodial	33		13		32	
	<u>136</u>	42.8	<u>60</u>	18.9	<u>122</u>	38.4
Superintendent	28		2		10	
Board member	19		11		9	
	<u>47</u>	59.5	<u>13</u>	16.5	<u>19</u>	24.1
Total	183		73		141	
Percent	46.1		18.4		35.5	
Chi-square 7.691 7.691 (df 2); sig. 0.001						

This item was found to statistically significant. The responses were dependent upon the position of the participant.

Fifty-nine percent of the management respondents agreed that only a majority of all noncertified employee groups were necessary to grant approval on a bargaining contract. Labor respondents were not conclusive on this item.

Management attitudes could be based on their experiences in the decision-making process. Employee attitudes could stem from their desire to retain some individual identity for their own units and desiring to keep some semblance of control on the local level. As in other areas, the smaller employee units desire not to lose all voice in the bargaining matters.

Items 39, 40, and 41 dealt with the questions of individual noncertified units meeting with the employer. In Item 39, the approach was given as each noncertified unit meeting one at a time with the employer; Item 40 presented the question of the largest employee unit meeting first; and Item 41 presented the proposition of noncertified groups drawing for position.

The results for all three items were found not to be significant. Such findings would indicate that the variables of position and attitude were independent.

None of the three approaches posed found any general consensus or approval among all categories of participants.

There was general disagreement with Item 40 which found the most conclusive support among all groups in labor and management. This

item dealt with giving first position to the largest unit. A majority of labor and management disagreed that the largest unit should meet first with the employer.

Of the three approaches, the one which garnered the most support from all participants was the proposition which dealt with drawing for position. This would tend to gain nominal support as it would place all units on the same footing and provide the different size units with equal opportunity.

On all three items, there was a sizable percentage of both labor and management which indicated there was no opinion. Such indecisiveness could be attributed to an unfamiliarity with the bargaining process for noncertified units.

Table 35. Item 42: The noncertified bargaining unit which meets with the employer should be able to determine how many members they wish to have on the bargaining team

Category	Agree	%	Und.	%	Disagree	%
Driver	59		10		9	
Hot lunch	57		15		7	
Secretarial	53		21		9	
Custodial	50		19		9	
	<u>219</u>	68.9	<u>65</u>	20.4	<u>34</u>	10.7
Superintendent	26		3		11	
Board member	20		4		15	
	<u>48</u>	58.2	<u>7</u>	8.9	<u>26</u>	32.9
Total	265		72		60	
Percent	66.8		18.1		15.1	
Chi-square 26.423 (df 2); sig. 0.001						

This item was found to be significant. A majority of all the respondents agreed with the right of the bargaining unit to determine how many members would be on the team. Management was not as supportive of this concept with thirty-two percent expressing disagreement. The results indicated that the responses were dependent on the position of the participant.

Item 43 posed the concept that the employer should choose the site for the bargaining sessions. Attitudes expressed on this item were found to be independent of the position of the respondent. The results were not found to be significant.

Fifty percent of management and forty-nine percent of the noncertified people disagreed that the employer should choose the meeting site. No firm conclusion can be made as for both labor and management there was a sizable degree of no opinion indicated on this item.

Table 36. Item 44: The site for the meetings should be chosen by the employees

Category	Agree	%	Und.	%	Disagree	%
Driver	11		22		45	
Hot lunch	8		16		55	
Secretarial	2		23		58	
Custodial	14		22		42	
	<u>35</u>	11.0	<u>83</u>	26.1	<u>200</u>	62.9
Superintendent	0		8		32	
Board member	3		7		29	
	<u>3</u>	3.8	<u>15</u>	19.0	<u>61</u>	77.2
Total	38		98		261	
Percent	9.6		24.7		65.7	
Chi-square 6.707 (df 2); sig. 0.035						

The findings were found to be statistically significant. Labor and management tended to agree that the employee should not have the right to choose the site. From the above table, one can note the varying degree of opinion differences between management and labor groups.

A neutral meeting site and agreed upon by both parties was the concept presented in the next item, Item 45. The results were found not to be significant. Responses were independent of the position of the participant. Seventy percent and more for both labor and management categories agreed that this should be the approach in determining the meeting site to conduct the bargaining sessions.

Table 37. Item 56: During the bargaining process, one person should be designated to keep written records of the proceedings

Category	Agree	%	Und.	%	Disagree	%
Driver	52		9		17	
Hot lunch	46		13		20	
Secretarial	49		6		28	
Custodial	58		8		12	
	—		—		—	
	205	64.5	36	11.3	77	24.2
Superintendent	24		0		16	
Board member	21		4		14	
	—		—		—	
	45	57.0	4	5.1	30	38.0
Total	250		40		107	
Percent	63.0		10.1		27.0	
Chi-square 7.470 (df 2); sig. 0.023						

The results were dependent on the position of the respondent. Item 56 was found to be statistically significant. Labor and management both tended to agree that one person should be designated, there was a sizable percentage in both categories expressing some disagreement.

Item 57 posed the question to the participants that each bargaining team should keep its own records. The results were found not to be significant and were independent on the position of the participants.

As stated on many of the items in the survey instrument, management indicates a clearer point of view which probably can be attributed to the background of the participants and the experiences gained through working with certified units.

Many of the procedural points are those which are brought out during inservice work, actual experience, or upon advice of a district's negotiator.

The large majority of noncertified employees with no background or at the most very little would not be conversant with the minute procedural details of the bargaining process.

Many of the procedural approaches are dependent upon existing relationships of the employer and employees within a district at the time the bargaining process might be instigated.

Table 38. Item 58: Agreement should be reached on each item presented during the bargaining process before moving to another item

Category	Agree	%	Und.	%	Disagree	%
Driver	46		16		16	
Hot lunch	37		22		20	
Secretarial	30		26		27	
Custodial	48		18		12	
	<hr/>		<hr/>		<hr/>	
	161	50.6	82	25.3	75	23.6
Superintendent	4		3		33	
Board member	11		9		19	
	<hr/>		<hr/>		<hr/>	
	15	19.0	12	15.2	52	65.8
Total	<hr/>		<hr/>		<hr/>	
	176		94		127	
Percent	44.3		23.7		32.0	
Chi-square	52.581 (df 2); sig. 0.001					

The results were found to be significant. Labor tended to agree with the item as presented, while sixty-five percent of the management participants expressed disagreement. Management was somewhat more decisive in their attitude on Item 58.

Item 59 raised the question of the bargaining process not being discussed with others until after the final package was resolved in total. The results of this item were found not to be significant. Among all of the participants there were mixed responses as to the proper approach.

A higher percentage among all categories indicated agreement that there should not be any discussion, but the undecided alternative and those in disagreement could not be discounted.

Table 39. Item 60: Costs incurred throughout the bargaining process should be borne equally by the employer and the employee units

Category	Agree	%	Und.	%	Disagree	%
Driver	41		22		15	
Hot lunch	47		19		13	
Secretarial	52		19		8	
Custodial	41		24		13	
	<hr/>		<hr/>		<hr/>	
	131	56.9	88	27.7	49	15.4
Superintendent	29		1		10	
Board member	24		4		11	
	<hr/>		<hr/>		<hr/>	
	53	67.1	5	6.3	21	26.6
Total	234		93		70	
Percent	58.9		23.4		17.6	
Chi-square 17.897 (df 2); sig. 0.001						

A greater percentage of all respondents agreed that the costs should be borne by the employee and employer. Even though there is such indication of agreement, the results were found to be significant. The responses to this item were dependent upon the position of the respondent.

Noncertified employees reflected no opinion on this item with twenty-seven percent choosing that alternative.

Item 61 presented a list of twenty-five items. Participants in the survey were asked to indicate which items they felt should be an allowable issue at the bargaining sessions by placing a checkmark by such item. The following items were found to be significant. Responses were dependent upon the position of the respondent.

Table 40. Item 61: Negotiable items

Issue	Labor	%	Management	%
Wage/salaries	301	94.7	78	98.7
Fringe benefits	294	92.5	77	97.5
Retirement	262	82.4	47	59.5
Vacations	240	75.5	52	65.8
Work breaks	148	46.5	32	40.5
Work schedules	160	50.3	13	16.5
Grievance	200	62.9	55	69.6
Seniority	181	56.9	21	26.6
Promotions	154	48.4	10	12.7
Selection	107	33.6	4	5.1
Safety	150	47.2	21	26.6
Evaluation	127	39.9	15	19.0
Qualifications	145	45.6	4	5.1
Work rules	164	51.6	10	12.7
Work loads	177	55.7	15	19.0
Working conditions	209	65.7	22	27.8
Layoff	148	46.5	16	20.3
Travel expenses	130	40.9	33	41.8
Overtime	207	65.1	38	48.1
Discipline	132	41.5	11	13.9
Dues check-off	99	31.1	30	38.0
Use of facilities	108	34.0	11	13.9
Transfer	130	40.9	18	22.8

Of the twenty-five items, the respondents agreed on a number of items which was felt should be allowable as bargainable issues. Wages and salaries, as seen above, were felt to be a bargainable item by ninety-five percent of all participant categories. Fringe benefits followed closely with ninety-three and one-half percent of the total survey members agreeing that this should be bargainable.

Retirement programs, vocations, and the grievance procedure also found sizable support among labor groups and management. These are the only issues which found any major degree of common support from labor and management. All other items found labor generally in more support than management.

Leave policies and impasse procedures were found not to be significant. The responses on these two items were independent of the position of the participants. Leave policies found over eighty percent of all survey participants in support of this as a bargainable item. Impasse procedures found only forty-six percent of all survey members indicating support as an issue.

One might assume that for noncertified employees they were not as familiar with many areas and were not able to express a definite opinion towards them. Management, being more versed in the bargaining process and with some knowledge of what is allowed within the scope of issues under current law, was able to draw more conclusive opinions on many items.

The list would allow one to gain some perspective as to what issues and type of issues would be important at the bargaining table between labor and management.

Table 41. Item 62: If there is collective bargaining for noncertified employees and sessions are in progress, an individual employee should still have the right to meet with the employer

Category	Agree	%	Und.	%	Disagree	%
Driver	22		18		38	
Hot lunch	21		23		35	
Secretarial	16		24		43	
Custodial	27		13		38	
	<u>86</u>	27.0	<u>78</u>	24.5	<u>154</u>	48.4
Superintendent	8		2		30	
Board member	8		4		27	
	<u>16</u>	20.3	<u>6</u>	7.6	<u>57</u>	72.2
Total	102		84		211	
Percent	25.7		21.2		53.1	
Chi-square 16.412 (df 2); sig. 0.001						

The responses were found to be dependent upon the position of the respondent. The results were significant.

Management responded as they had on another item dealing with the right of minority units to be heard by the employer in disagreeing with this item.

Table 42. Item 63: If noncertified employees desire recognition for bargaining, the employees should be required to produce a petition or other record that noncertified employees are in favor

Category	Agree	%	Und.	%	Disagree	%
Driver	36		27		15	
Hot lunch	42		27		10	
Secretarial	46		32		5	
Custodial	38		27		13	
	<u>162</u>	50.9	<u>113</u>	35.5	<u>43</u>	13.5
Superintendent	35		2		3	
Board member	32		6		1	
	<u>67</u>	84.8	<u>8</u>	10.1	<u>4</u>	5.1
Total	229		121		47	
Percent	57.7		30.5		11.8	
Chi-square 29.810 (df 2); sig. 0.001						

Item 63 was found to be significant. Board members and superintendents were affirmative that such proof be presented by the noncertified employees. Eighty-four percent of the management participants expressed such agreement.

Such an approach by superintendents and board members is consistent throughout the study. Management people in many cases have been involved directly in the collective bargaining process. A knowledge of the Iowa law would also give some validity to such responses.

Noncertified participants were not as conclusive on this issue. Fifty percent did express agreement that some proof of desire on the part of the noncertified employees should be produced, while thirty-five percent were unable to give any opinion. Again this could be attributed to many survey participants not being familiar with the law or with the bargaining process.

Impasse procedures

Table 43. Item 46: Bargaining should stop if an impasse develops

Category	Agree	%	Und.	%	Disagree	%
Driver	19		27		32	
Hot lunch	29		29		21	
Secretarial	18		40		25	
Custodial	<u>26</u>		<u>25</u>		<u>27</u>	
	92	28.9	121	38.1	105	33.0
Superintendent	6		2		32	
Board member	<u>10</u>		<u>5</u>		<u>24</u>	
	16	20.3	7	8.9	56	70.9
Total	108		128		161	
Percent	27.2		32.2		40.6	
Chi-square 40.848 (df 2); sig. 0.001						

The responses were found to be dependent on the position held by the survey member. Item 46 was found to be statistically significant.

Noncertified respondents were quite undecided on this issue and no conclusion can be made. Management on the other hand was able to draw a firmer attitude as being in disagreement that bargaining should stop upon impasse.

Board members and superintendents could attribute their attitudes to experience and some understanding of time constraints for the bargaining process, budgeting and realization of cost factors of the impasse procedure.

Noncertified participants expressed some lack of understanding of the issue. As in many similar situations, lack of knowledge of the process and experience could be a factor.

Table 44. Item 47: When impasse develops, Iowa law spells out the process for such by specifying mediation, fact-finding, and arbitration and it is an adequate process

Category	Agree	%	Und.	%	Disagree	%
Driver	47		30		1	
Hot lunch	43		35		1	
Secretarial	37		44		2	
Custodial	<u>42</u>		<u>34</u>		<u>2</u>	
	169	53.1	143	45.0	6	1.9
Superintendent	27		6		7	
Board member	<u>19</u>		<u>14</u>		<u>6</u>	
	46	58.2	20	25.3	13	16.5
Total	215		163		19	
Percent	54.2		41.1		4.8	
Chi-square	34.318 (df 2); sig. 0.001					

The responses to this item were found to be dependent upon the position of the respondents. The results were significant.

Although, noncertified employees did agree on this survey item, forty-five percent chose the answer of being undecided in response to the question. They may conclude that if it is a law it should be adequate, while at the same time remain unfamiliar with the law and impasse as a part of the total process.

Table 45. Item 48: Cost which is incurred by use of a mediator, fact-finder, or arbitrator should be shared equally

Category	Agree	%	Und.	%	Disagree	%
Driver	46		17		15	
Hot lunch	45		23		11	
Secretarial	54		23		6	
Custodial	48		22		8	
	<u>193</u>	60.7	<u>86</u>	26.7	<u>40</u>	12.6
Superintendent	35		2		3	
Board member	26		5		8	
	<u>61</u>	77.2	<u>7</u>	8.9	<u>11</u>	13.9
Total	254		92		51	
Percent	64.0		23.2		12.8	
Chi-square 11.508 (df 2); sig. 0.001						

The results were found to be significant. The attitudes were dependent upon the position of the participants. Board members and superintendents clearly felt that the costs of impasse procedures should be borne equally by both employer and employee groups.

The question as to whether the employer and employee groups should have a voice in the selection of third party participants was raised in

Item 49. The position held by the respondents was found to be independent of the responses expressed. The results were found not to be significant. Of the total responses, there was agreement that there should be a voice in the selection of the third party.

Eighty-seven percent of the superintendents agreed on this question and board members were also very supportive. Management recognizes the importance of retaining some control on the local level of the bargaining process.

Table 46. Item 50: The Iowa Public Employment Relations Board should assign the mediator, fact-finder, and arbitrator

Category	Agree	%	Und.	%	Disagree	%
Driver	19		18		41	
Hot lunch	19		32		28	
Secretarial	27		27		29	
Custodial	<u>17</u>		<u>31</u>		<u>30</u>	
	82	25.8	108	34.0	128	40.3
Superintendent	8		7		25	
Board member	<u>9</u>		<u>10</u>		<u>20</u>	
	17	21.5	17	21.5	45	57.0
Total	99		125		173	
Percent	24.9		31.5		43.6	
Chi-square 7.628 (df 2); sig. 0.022						

The results were significant. Attitudes expressed on this issue were dependent on the position of the survey member.

A majority of management people indicated that they felt the Iowa Public Employment Relations Board should not assign the third party negotiation members at the time of impasse.

Noncertified were more in agreement with the management side, but

one must note the sizable percentage expressing no opinion.

Item 49 asked the participants to express an opinion as to whether the employer unit and employee should have the right to have a voice in the selection of the third party at time of impasse.

The results of this issue were not significant. The findings were independent of position. Seventy percent of labor and eighty percent of management agreed that the employer and employee units should have a voice in the selection of third party participants.

Table 47. Item 51: The employer and employee unit should have the right by mutual agreement to bypass any of the three impasse steps

Category	Agree	%	Und.	%	Disagree	%
Driver	43		27		8	
Hot lunch	33		38		8	
Secretarial	48		28		7	
Custodial	47		25		6	
	<u>171</u>	53.8	<u>118</u>	37.1	<u>29</u>	9.1
Superintendent	31		1		8	
Board member	28		5		6	
	<u>59</u>	74.7	<u>6</u>	7.6	<u>14</u>	17.7
Total	230		124		43	
Percent	57.9		31.2		10.8	
Chi-square 26.743 (df 2); sig. 0.001						

Results were found to be significant. Three-fourths of the management respondents indicated that they agreed with Item 51 in contrast to only fifty-three percent of the noncertified employees. Based upon the position of the respondent there is a clearer indication from management as to their attitude than from the employee categories. The position of the participants has a relationship to the attitude of the individual.

Table 48. Item 52: The final step in the impasse procedure should be "binding" compulsory arbitration as spelled out in the Iowa law

Category	Agree	%	Und.	%	Disagree	%
Driver	37		31		10	
Hot lunch	25		44		10	
Secretarial	22		45		16	
Custodial	35		35		8	
	<hr/>		<hr/>		<hr/>	
	119	37.4	155	48.7	44	17.8
Superintendent	12		4		24	
Board member	22		4		13	
	<hr/>		<hr/>		<hr/>	
	34	43.0	8	10.1	37	46.8
Total	153		163		13	
Percent	38.5		41.1		20.4	
Chi-square 57.273 (df 2); sig. 0.001						

The position of the participant was found to be dependent for this item. Statistically this item was found to be significant.

Noncertified employees in this survey were unable to express any definite opinion as forty-eight percent indicated they were undecided.

Management people were also inconclusive with forty-three percent in agreement that the final step should require binding compulsory arbitration, while forty-six percent expressed disagreement. One should note that between the management groups, sixty percent of the superintendents disagreed with this form of dealing with impasse. In contrast, fifty-six percent of the board members were in favor of this approach to resolving an impasse situation.

Table 49. Item 53: The final step in the impasse procedure should call for advisory arbitration which would not be mandatory

Category	Agree	%	Und.	%	Disagree	%
Driver	25		31		22	
Hot lunch	31		40		8	
Secretarial	22		40		21	
Custodial	<u>17</u>		<u>45</u>		<u>16</u>	
	95	29.9	156	49.1	67	21.1
Superintendent	23		4		13	
Board member	<u>16</u>		<u>10</u>		<u>13</u>	
	39	49.4	14	17.7	26	32.9
Total	134		170		93	
Percent	33.8		42.8		23.4	
Chi-square 25.421 (df 2); sig. 0.001						

The results were found to be significant. Board members and superintendents basically agreed with this step in the impasse process.

One can note that noncertified employees were primarily uncertain on this issue with forty-nine percent indicating that they were undecided. At the risk of being repetitious, this could be attributed to lack of experience in the bargaining area and an unfamiliarity with the terms and procedures.

Table 50. Item 54: Time limits should be established for each step of the impasse process

Category	Agree	%	Und.	%	Disagree	%
Driver	45		29		4	
Hot lunch	47		23		9	
Secretarial	61		19		3	
Custodial	<u>51</u>		<u>21</u>		<u>6</u>	
	204	64.2	92	28.9	22	6.9
Superintendent	35		2		3	
Board member	<u>32</u>		<u>5</u>		<u>2</u>	
	67	84.8	7	8.9	5	6.3
Total	271		99		27	
Percent	68.3		24.9		6.8	
Chi-square 14.210 (df 2); sig. 0.001						

Item 54 results indicate that there is a relationship between the variables of position of the participant in the survey and the attitude expressed towards establishing time limits for the impasse process. Management respondents indicated such agreement by a high support level. With the background and experience of those in the management area, they are much more conscious of the various budgetary and time restrictions of the educational year.

Table 51. Item 55: During the sessions with an arbitrator, fact-finder, or mediator the sessions should be open to the public

Category	Agree	%	Und.	%	Disagree	%
Driver	21		15		42	
Hot lunch	17		22		40	
Secretarial	21		25		37	
Custodial	23		14		41	
	<u>82</u>	25.8	<u>75</u>	23.9	<u>160</u>	50.3
Superintendent	25		4		11	
Board member	23		5		11	
	<u>48</u>	60.8	<u>9</u>	11.4	<u>22</u>	27.8
Total	130		85		182	
Percent	32.7		21.4		45.8	
Chi-square 35.226 (df 2); sig. 0.001						

The results for Item 55 were found to be significant. One can note the disagreement between the employer and employee categories. Positions of issue 55 correspond closely to those expressed on Items 22 and 23 regarding having open or closed sessions for the entire bargaining process.

Management was in disagreement with the employee groups on those items as well as Item 55. Board members and superintendents feel that there should be an open process for the general bargaining sessions as

well as the sessions held with third party members. Employee participants are also consistent with their attitudes on the three questions and support closed sessions at all times.

One concern of employer units during the bargaining sessions is that they are representing the public and there is a feeling that open meetings would allow the general public to be aware of the process. Employee units have tended to prefer closed bargaining.

The value of open and closed meetings has been a topic of concern by many people. Current law allows for open meetings if all parties are in agreement to conduct them in such a manner. Fact-finding and arbitration sessions are open to the public according to law. Much discussion with either concept has dwelt on the attempted use of such as a bargaining strategy to bring the pressure of the public to bear on either an employer team or employee unit dependent upon the question being negotiated.

Table 52. Item 76: During the impasse process of fact-finder or arbitrator only those items which are specifically at impasse should be open to discussion

Category	Agree	%	Und.	%	Disagree	%
Driver	48		21		9	
Hot lunch	44		24		11	
Secretarial	52		25		6	
Custodial	51		19		8	
	<u>195</u>	61.3	<u>89</u>	28.0	<u>34</u>	10.7
Superintendent	37		2		1	
Board member	33		3		3	
	<u>70</u>	88.6	<u>5</u>	6.3	<u>4</u>	5.1
Total	265		94		38	
Percent	66.8		23.7		9.6	
Chi-square 21.689 (df 2); sig. 0.001						

The findings for Item 76 were found to be significant. This indicates that the responses were dependent upon the position of the participant.

There was general agreement by all categories responding to the questionnaire that only items on which there was any disagreement should be reviewed by any of the third party individuals who might be involved in the impasse procedure. Management people were very much in support of this item with only five percent indicating any disagreement. One can note the position taken by the various noncertified respondents.

Table 53. Item 77: The instigation of the impasse process can be initiated at any time by either the employer representative or the employee unit determined

Category	Agree	%	Und.	%	Disagree	%
Driver	21		29		28	
Hot lunch	32		35		12	
Secretarial	29		47		7	
Custodial	28		38		12	
	<u>110</u>	34.6	<u>149</u>	46.9	<u>59</u>	18.6
Superintendent	24		5		11	
Board member	19		12		8	
	<u>43</u>	54.4	<u>17</u>	21.5	<u>19</u>	24.1
Total	153		166		78	
Percent	38.5		41.8		19.6	
Chi-square 17.150 (df 2); sig. 0.001						

Board members and superintendents basically support the concept expressed in this item. Noncertified employees were unable to reflect any specific attitude with nearly forty-seven percent being undecided. The attitudes were found to be dependent upon the position of the participant. The results were significant.

On examining the results of the study one would assume that the noncertified participants were opposed to Item 77. A close examination of the questionnaire responses finds that forty-six percent of the employee group were undecided on this issue. Again, as often stated the lack of experience and understanding of the aspect of impasse could be a major factor in the outcome of the noncertified decisions.

Throughout the questions dealing with impasse procedures, participants of all categories were fairly undecided on the issues. This area is one which is not as familiar to either management or employee groups. Many bargaining sessions with certified units have not always resulted in the use of third parties and thus schools having bargaining sessions have not had direct contact with the process.

Management people have expressed definite opinions on those areas which posed questions dealing with the sphere of local control or of relinquishing such control to someone outside of the local educational scene.

The purpose of the study was intended to determine the extent of understanding and attitude of the bargaining picture and the aspect of uncertainty on the part of participants would be indicative that non-certified employees are still in the process of formulating decisions. The purpose of the study was to find out the attitudes of management and employee groups concerning bargaining at the present time and place.

Strikes/pickets

Table 54. Item 28: If all available means of settling a dispute are exhausted without a settlement resulting, the noncertified employees should strike even though a strike is illegal

Category	Agree	%	Und.	%	Disagree	%
Driver	18		16		44	
Hot lunch	7		16		56	
Secretarial	2		12		69	
Custodial	4		26		48	
	<u>31</u>	9.7	<u>70</u>	22.0	<u>217</u>	68.2
Superintendent	0		1		39	
Board member	1		3		35	
	<u>1</u>	1.3	<u>4</u>	5.1	<u>74</u>	93.7
Total	32		74		291	
Percent	8.1		18.6		73.3	
Chi-square 20.985 (df 2); sig. 0.001						

The results were found to be significant. Of the total number participating in the study, there was agreement that the use of the strike was not the method to settle a dispute. Management people are in agreement without question on this item. Only nine percent of the noncertified groups expressed agreement on this item.

Table 55. Item 29: If the noncertified employees were to strike, teacher units should support such action

Category	Agree	%	Und.	%	Disagree	%
Driver	23		17		38	
Hot lunch	15		30		34	
Secretarial	7		21		55	
Custodial	19		24		35	
	<u>64</u>	20.1	<u>92</u>	28.9	<u>162</u>	50.9
Superintendent	0		1		39	
Board member	1		2		36	
	<u>1</u>	1.3	<u>3</u>	3.8	<u>75</u>	94.9
Total	65		95	237		
Percent	16.4		23.9		59.7	
Chi-square 50.967 (df 2); sig. 0.001						

One can conclude that there is a relationship between the position held by the participant in this study and the attitudes expressed on Item 29. The results were found to be significant.

Management respondents disagreed that teacher units should give any support to the use of a strike by noncertified employees. Noncertified employees also did not agree that teacher units should lend support. It should be noted that the secretarial category was very much against such support in contrast with the responses of the other noncertified areas.

Table 56. Item 31: It should be expected that if teachers were to strike and establish picket lines, noncertified employees would support such action

Category	Agree	%	Und.	%	Disagree	%
Driver	25		18		35	
Hot lunch	16		28		35	
Secretarial	6		19		58	
Custodial	<u>16</u>		<u>24</u>		<u>38</u>	
	63	19.8	89	28.0	166	52.2
Superintendent	2		1		37	
Board member	<u>1</u>		<u>5</u>		<u>33</u>	
	3	3.8	6	7.6	70	88.6
Total	66		95		23.6	
Percent	16.6		23.9		59.4	
Chi-square 34.867 (df 2); sig. 0.001						

Item 31 was a related question to Item 29 in that it posed the reverse question. Item 31 indicated if teacher units were to strike, noncertified units would support such action.

The results were found to be significant. Again, management was

strongly against support by noncertified units with only seven percent expressing any agreement with the item. The employee participants also were opposed to giving support to a teacher strike, but not to such a degree. Secretaries were consistent in their responses on both Items 29 and 31. As in previous items, the secretarial category figures coincided with management. One could make an assumption that this is often the case due to the working relationship with management people and attitudes could be duly influenced.

The use of a strike as a means of settling disputes is not an acceptable practice. The responses to the questions posed would reflect such attitudes.

Table 57. Item 30: If noncertified employees were to establish picket lines, it should be expected that certified employees would not cross the picket line

Category	Agree	%	Und.	%	Disagree	%
Driver	30		17		31	
Hot lunch	23		26		30	
Secretarial	5		23		55	
Custodial	<u>22</u>		<u>22</u>		<u>34</u>	
	80	25.2	88	27.7	150	47.2
Superintendent	2		1		37	
Board member	<u>2</u>		<u>4</u>		<u>33</u>	
	4	5.1	5	6.3	70	88.6
Total	84		93		220	
Percent	21.2		23.4		55.4	
Chi-square 43.989 (df 2); sig. 0.001						

Item 30 dealt with the use of picket lines by noncertified units and the expectation that certified units would honor the lines. The results were significant and responses consistent with previous items.

Eighty-eight percent of all board members and superintendents opposed the idea of certified units supporting picket lines. Noncertified units followed the same attitude, but not in the degree of management. Of the noncertified categories, the secretarial classification strongly supported management.

All of the four items dealing with the concept of striking and use of picketing were found to be significant. From this, it is concluded that there is a relationship between the position of the individual and attitude.

Most people recognize that the use of the strike is not a legal practice in school districts and in a majority of Iowa communities there has been little experience with such a process.

Management responses reflect some solidarity in their disagreement with such solutions to disputes with employees. Employee participants also are opposed as such to such methods, but on each item there is support given to solving disputes by the means of strikes and/or picketing. Related to this was also the expectation of support by teacher units and also of noncertified employee support to teacher groups. This would indicate a community of interest among a district's employee units as contrasted with the management segment.

Grievance procedures

Table 58. Item 64: A grievance procedure should only be for use when there is an interpretation question of a section of the agreement

Category	Agree	%	Und.	%	Disagree	%
Driver	13		35		30	
Hot lunch	31		36		12	
Secretarial	14		51		18	
Custodial	25		37		16	
	—		—		—	
	83	26.1	159	50.0	76	23.9
Superintendent	34		1		5	
Board member	20		10		9	
	—		—		—	
	54	68.4	11	13.9	14	17.7
Total	137		170		90	
Percent	34.5		42.8		22.7	
Chi-square 53.036 (df 2); sig. 0.001						

This item found that attitudes expressed were dependent upon the position of the respondent. One-half of all the labor groups were undecided. This might be attributed to an unfamiliarity with the grievance process.

Management people tended to support the concept presented in the item. Eighty-five percent of the superintendents expressed agreement and fifty percent of the board members did likewise.

Table 59. Item 65: The grievance process should be a part of the final written agreement

Category	Agree	%	Und.	%	Disagree	%
Driver	52		20		6	
Hot lunch	40		31		8	
Secretarial	40		40		3	
Custodial	48		26		4	
	<hr/>		<hr/>		<hr/>	
	180	56.6	117	36.8	21	6.6
Superintendent	38		0		2	
Board member	31		6		2	
	<hr/>		<hr/>		<hr/>	
	69	87.3	6	7.6	4	5.1
Total	249		123		25	
Percent	62.7		31.0		6.3	
Chi-square 27.182 (df 2); sig. 0.001						

Item 65 raised the issue as to whether the grievance procedures should be a part of the final agreement. The findings were significant.

Although the results reflect that of the total number of responses were agreed that the grievance procedures should be a part of the final agreement, the degree of support was indicative of the position of the participant.

Management people were very supportive of the question. Superintendents, by ninety-five percent, were in favor of the grievance process being included in the agreement. Noncertified respondents agreed, but were somewhat uncertain as a total group on this matter.

Table 60. Item 66: The grievance procedure should carefully lay-out time limitations, parties involved, rights of representation, and means to deal with impasse

Category	Agree	%	Und.	%	Disagree	%
Driver	42		28		8	
Hot lunch	50		28		1	
Secretarial	49		33		1	
Custodial	48		24		6	
	<hr/>		<hr/>		<hr/>	
	189	59.4	113	35.5	16	5.0
Superintendent	38		2		0	
Board member	32		3		4	
	<hr/>		<hr/>		<hr/>	
	70	88.6	5	6.3	4	5.1
Total	259		118		20	
Percent	65.2		29.7		5.0	
Chi-square 26.414 (df 2); sig. 0.001						

The findings on Item 66 were also significant and followed the same pattern of responses as the previous item. The management groups and noncertified categories responded in similar fashion to Item 65. Such results would indicate that there is a relationship between the position held by the participant and the expressed attitude.

Management participants expressed strong sentiment on both items. Eighty-seven percent agreed on Item 65 and eighty-eight percent were in agreement on Item 66.

Table 61. Item 67: If the final step in resolving impasse during a grievance matter is the use of a neutral third party, the cost of the neutral should be shared by the employer and the employee unit

Category	Agree	%	Und.	%	Disagree	%
Driver	43		19		16	
Hot lunch	37		31		11	
Secretarial	48		25		10	
Custodial	39		26		13	
	<u>167</u>	52.8	<u>101</u>	31.8	<u>50</u>	15.7
Superintendent	28		1		11	
Board member	26		4		9	
	<u>54</u>	68.4	<u>5</u>	6.3	<u>20</u>	25.3
Total	221		106		70	
Percent	55.7		26.7		17.6	

Chi-square 21.483 (df 2); sig. 0.001

Of the total responses, there was general agreement that the costs should be shared. As in previous questions, management predominantly supported the item, while the noncertified categories were more uncertain and divided on the matter.

The results of Item 67 were found to be significant. The responses were dependent on the position of the participant.

Table 62. Item 68: If the final step in resolving impasse during a grievance matter is the use of a neutral third party, the cost of the neutral should be borne by the "loser" in the final decision

Category	Agree	%	Und.	%	Disagree	%
Driver	6		23		49	
Hot lunch	5		34		40	
Secretarial	6		27		50	
Custodial	6		25		47	
	<u>23</u>	7.2	<u>109</u>	34.3	<u>186</u>	58.5
Superintendent	13		1		26	
Board member	6		3		30	
	<u>19</u>	24.1	<u>4</u>	5.1	<u>56</u>	70.9
Total	42		113		242	
Percent	10.6		28.5		61.0	

Chi-square 37.466 (df 2); sig. 0.001

The findings were significant statistically. All participants disagreed generally that the "loser" should not have to bear all costs of the impasse procedure.

Noncertified personnel by fifty-eight percent disagreed with the approach that the party losing during impasse should have to pay for the cost of utilizing a neutral third party.

The results of this item are consistent with the findings in Item 67. The sharing of costs for the impasse procedures of the grievance section would seem to be most agreed upon method by management and non-certified employees.

Table 63. Item 69: The board of education should not be a procedural step in the grievance process

Category	Agree	%	Und.	%	Disagree	%
Driver	25		32		21	
Hot lunch	16		38		25	
Secretarial	9		54		20	
Custodial	13		41		24	
	63	19.8	165	51.9	90	28.3
Superintendent	27		5		8	
Board member	13		7		19	
	40	50.6	12	15.2	27	34.2
Total	103		177		117	
Percent	25.9		44.6		29.5	
Chi-square 43.024 (df 2); sig. 0.001						

Item 69 results were significant. No overall conclusion can be made on this issue.

Management participants reflected a majority in agreement with the item. Superintendents were more affirmative than board members with

sixty-seven percent in agreement. Forty-eight percent of the board members did oppose the concept as stated.

Noncertified employees were undecided as to their attitude on this matter.

The responses of board of education members can be attributed to their existing role today on most educational matters as the final hearing board. The board of education has always held this role and by the nature of the purpose of the role of a board of education has always been as an active participant in all segments of the educational scene. The collective bargaining procedures presents at this early stage in Iowa school systems a need for many management participants to take a new look at the role of boards and their involvement.

No specific pattern can be found as grievance procedures are bargained by Iowa school districts as to the role of the board. In most cases, it is a matter which must be resolved by the attitudes of the local district based upon its own experiences.

One must keep in mind that the matter in question deals with the use of the grievance procedure over items found in the agreement which reach impasse. The concern of the role of the board as a final hearing body for all other segments of the educational picture were not in question. The board would continue to reside as the final step in the promoting, reviewing, and resolving of many important aspects of the local educational process.

Table 64. Item 72: The final contract should be agreed upon for a two/three year duration

Category	Agree	%	Und.	%	Disagree	%
Driver	28		24		26	
Hot lunch	26		29		24	
Secretarial	19		27		37	
Custodial	16		31		31	
	89	28.0	111	34.9	108	37.1
Superintendent	20		9		11	
Board member	16		10		13	
	36	45.6	19	24.1	24	30.4
Total	125		130		142	
Percent	31.5		32.7		35.8	
Chi-square 9.290 (df 2); sig. 0.001						

The responses of the participants were related to the positions held as the findings were found to be significant.

Due to the newness of the collective bargaining process in the state, it might be said that a contract over one year is still not a common practice. As more expertise in bargaining by members of the employer and employee units is gained, longer contracts will be made as is now the practice in the private sector.

Management respondents tended to support the idea of two/three-year contracts, while noncertified employees reflected a higher degree of disagreement.

As stated, at this early point in the bargaining process in education there is a hesitancy on both sides, labor and management, to tie the opportunity to negotiate into a two- or three-year contract.

CHAPTER V. CONCLUSIONS, DISCUSSION

Hypotheses

On the basis of the review of the survey items, the following conclusions can be made regarding the hypotheses as stated in Chapter III.

Hypothesis 1

There is no relationship between the position of the respondent (management and labor) and attitude towards the formation of bargaining units. The responses will be independent of the position of the respondent.

Based upon the results of the items found under the subheading "bargaining units" the above hypothesis must be rejected. There is a significant difference in attitudes of the respondents. There is a relationship between the position of the respondent (management and labor) and attitude towards the formation of bargaining units.

This writer would note one area under this subheading which dealt with the relationship of certified units and noncertified groups. Items 4 and 5 dealt with this area and the results were found not to be significant. The participants in all categories generally disagreed with the concept of the certified and noncertified employees being in the same organization for bargaining purposes.

Board members, superintendents, and noncertified employees do not perceive a commonality of interests between teachers and the noncertified units. Past experience in educational systems generally has not

involved such employee groups in any specific common venture.

Teacher units historically have not involved nor catered to employees in noncertified positions. With other factors of unfamiliarity of the bargaining process, this was one area viewed by all participants in a similar manner.

Although this area is only treated on two items, it should be worthy of note at this time regarding the attitude of the noncertified employees not to look towards an already organized teaching group.

Hypothesis 2

There is no relationship between the position of the respondent (management and labor) and attitude towards the right to bargain collectively with the employer. The responses will be independent of the position of the respondent.

The findings were significant and hypothesis two must be rejected.

There is a significant difference in attitudes of the respondents. There is a relationship between the position of the respondent (management and labor) and attitude towards the right to bargain collectively with the employer. (Note Item 1.)

Hypothesis 3

There is no relationship between the position of the respondent (management and labor) and attitude towards a federal collective bargaining law for public employees.

Hypothesis three must be rejected. The statistical results were significant. There is a relationship between the position of the

respondent (management and labor) and attitude towards a federal collective bargaining law. Results indicate that attitude on this item are dependent upon the variable of position of the respondent. (Note Item 80.)

Hypothesis 4

There is no relationship between the position of the respondent (management and labor) and attitude towards membership in bargaining units. The responses will be independent of the position of the respondent.

Items 9, 10, 11, 12, and 75 are found under the subheading "Membership". The results for all items were found to be significant. Hypothesis four must be rejected.

The responses of the participants are dependent on the position held and there is a relationship to attitudes on the matter of membership in bargaining units.

Hypothesis 5

There is no relationship between the position of the respondent (management and labor) and attitude towards representation by a bargaining unit.

Of the items presented under the subheading "Representation", a majority of the results were found to be significant at the 0.05 level. The reactions of the respondents (management and labor) were dependent upon position and attitude towards representation of a bargaining unit. Hypothesis five must be rejected.

Hypothesis 6

There is no relationship between the position of the respondent (management and labor) and attitude towards procedures for bargaining. The responses will be independent of position.

The section dealing with bargaining procedures covered many items relating to bargaining procedures. It was found that a majority of the items resulted in significant findings at the 0.05 level. Hypothesis six must be rejected.

It can be concluded that there is a relationship between the position of the respondent and attitude towards the procedures for bargaining.

Management and labor do not have contrasting attitudes on all items, but there is a significant difference in the degree of attitude and decisiveness of opinion.

Hypothesis 7

There is no relationship between the position of the respondent (management and labor) and attitude towards impasse procedures. The responses will be independent of position.

Hypothesis seven must be rejected. The majority of items dealing with the topic of impasse procedures were found to be significant. It can be stated that the responses of the participants are dependent on the position held and there is a relationship to attitude.

Hypothesis 8

There is no relationship between the position of the respondent (management and labor) and attitude towards the use of strikes, pickets, etc.

All items dealing with the area of use of strikes and pickets were found to be significant. Hypothesis eight must be rejected. One can conclude that the position of the respondents (management and labor) is related to attitude on this topic.

For those participating in this study, the use of strikes and pickets is not an acceptable means of settling a dispute with an employer. There was general acceptance that such means should not be used by all categories of respondents, although there was a variance as to the degree of support. Management respondents were consistent in their strong opposition to such methods.

Hypothesis 9

There is no relationship between the position of the respondent (management and labor) and attitude towards the grievance procedure.

All items under the subheading "Grievance Procedures" were found to be significant. The responses of the participants were dependent on the position held and there is a relationship to attitude towards the grievance procedures. Hypothesis nine must be rejected.

Hypothesis 10

There is no relationship between the position of the respondent (management and labor) and attitude towards what are negotiable items.

The responses will be independent of position.

Hypothesis ten must be rejected as the results determined statistically on Item 61 were found to be significant at the 0.05 level. There is a relationship between the position of the respondent (management and labor) and attitude towards what are considered to be negotiable items.

All hypotheses of this study were found to be rejected based upon the statistical results significance. The positions of management and labor are related to the attitudes expressed on the various aspects of collective bargaining.

Discussion

When the survey instruments were initially sent out to the selected school districts which were asked to participate in the study, there was a degree of hesitancy on the part of some administrators to participate.

However, there was though an overall great response by schoolmen and this is reflected in the number of questionnaires returned. Upon contacting selected administrators the writer found the expression of concern was primarily due to having to deal with a topic which was not presently before the noncertified employees. Even though collective bargaining was in the forefront with the teacher units in a majority of districts, noncertified employees in most cases had not raised the issue of wishing to meet with the board of education to bargain collectively.

Three school districts were directly advised by their negotiators

not to participate in the study. It was felt that it would be similar to waving a red flag before this group of employees and raise undesirable issues within that district.

Some school districts were beginning to hear from their noncertified people and it was felt that it would add impetus to a movement to be recognized by the board of education.

Without question, there has been increasing involvement on the part of various noncertified units across the state of Iowa since this study was originally instigated.

At the time this study was conceived, the collective bargaining issue was just coming to the Iowa Legislature for adoption. School systems in total were completely unfamiliar with the process. Many conceptions were in vogue, but most administrators and teachers were basically unacquainted with bargaining in a formal setting.

One can conclude in reviewing the responses of the survey instrument by board members and administrators that they are much more informed on the topic of collective bargaining. Their opinions stated throughout the study were more specific on all items and seldom did a high percentage indicate a choice of being "undecided" on an item.

This would be natural on the part of management. From the advent of collective bargaining for teacher units, board members and administrators have had available a wealth of information and inservice meetings from which to gain a background. State and national associations of school boards and administrators have from the beginning made it a major thrust to keep its membership well-versed in the collective

bargaining arena.

Board members and administrators have also benefited from the direct experiences of meeting and conferring with teacher units for a number of years. Such first-hand experiences have molded concepts and attitudes towards the process which became formalized into collective bargaining under the law.

Many collective bargaining concepts dealing with procedure, organizations, etc., find common agreement among board members and administrators. Collective bargaining is merely one aspect in the operation of a total educational picture. Following a set pattern of organizational lines, procedures and other criteria is only a natural avenue to pursue in examining collective bargaining for noncertified personnel.

For the noncertified employees participating in the study, this was undoubtedly a new experience. In reviewing the initial survey instrument and responses, it was found that there were very few items which were in a sense conclusive as to an opinion. For many items, the choice of the undecided alternative was generally rather high.

The statements and terms used throughout the study were those commonly used in the collective bargaining process. The knowledge of or lack of it in dealing with the collective bargaining language was recognized as having a direct bearing upon the results of the study.

The participants called upon in the study generally have had no background in the collective bargaining area. A lack of experience in bargaining and an unfamiliarity with the processes were evident.

One would assume that even though teachers within a school district

where the participant was employed might be bargaining, little information was gained or experience to assist the noncertified employee in this survey.

In many Iowa schools today, there is no movement to organize non-certified employees to bargain. The groups involved in the study and as found in most schools do not have much commonality of interests. There is no one overriding area of interest between or among the various units, except that there might be some association of salary schedules. This is not to imply that salary schedules are the same, but that in dealing with the various groups there are some general guidelines that are used in dealing with the total noncertified employee group.

The noncertified employees participating in this study clearly did not have the background, experience, or knowledge of the collective bargaining process.

In general, noncertified employee units on a local, district and state, have not developed programs of informing membership about collective bargaining. There has not as yet been the impetus given to acquainting membership with the process as does the schoolboard, administrator, and teacher associations.

To generalize, most noncertified employees do not belong to district or state-wide organizations. In this respect, the district and state organizations are thus hampered in their efforts, if any, to push for more organization.

Organization of public employees is one of the fastest growing phenomena today. Better than fifty percent of public employees are

organized today compared with only twenty-five percent of the employees in the private sector.

One of the biggest factors to influence school systems is what happens in other school districts and specifically in schools within somewhat of a close proximity. As schools do begin to have noncertified employees organize, often such knowledge travels quickly to neighboring districts. This domino factor generally influences employee concepts, resulting in organizational change.

One noncertified employee group which tended to give responses which sometimes paralleled those of board members and superintendents was the secretarial unit. One could surmise this would be attributed to the fact that this group of employees would most often gain insight from their direct relationship with their immediate supervisor such as a building principal.

The secretarial group would be somewhat influenced by the attitude of administration. This group would be more in position to be aware of the day-to-day operation of a collective bargaining agreement with a teacher's unit within a district than would other noncertified employees. Such employees would also gain insight into the bargaining concept from dealings with staff members in a bargaining unit.

School districts have the opportunity to examine carefully its relationship with its noncertified employees. With the experiences gained through bargaining with certified units, the school can make positive use of such experience.

Schools must not take the attitude that collective bargaining will

not happen for noncertified employees. This was the attitude that prevailed for a long time prior to collective bargaining for teacher units. When school systems finally conceded that collective bargaining was inevitable, it was also too late to have much impact on the type of legislation that would be written and passed.

This situation should not prevail if first-hand experience is utilized. Without question, there will be bargaining at some point in time for the noncertified units.

This study dealt with 40 selected school districts in Iowa. The concepts of bargaining are somewhat more foreign to employees within such districts than might be in the larger districts and more urban settings.

Where one might find unions in the private sector within a community, there might tend to be more natural inclination towards organization for negotiation purposes in the public sector.

Summary

In summary, this writer has reason to believe and conclude that:

1. Noncertified employees generally have not formulated specific opinions concerning the bargaining process.
2. Noncertified employees generally do not have indepth experience nor sufficient background in the area of collective bargaining to make reasoned judgments at this juncture.
3. Noncertified employees and management view a different need for noncertified employees than for teachers, and that they

should not be in a bargaining unit with certified personnel.

4. Board members and superintendents have formulated more specific attitudes relating to the bargaining process.
5. Board members and administrators are generally more knowledgeable and experienced in the bargaining process due to negotiations with certified personnel and through the efforts of related organizations such as the Iowa Association of School Boards and Iowa Association of School Administrators.
6. Bargaining for noncertified personnel will be coming on a more widespread basis in the future. It was assumed that bargaining at one time would not develop for certified units and such an assumption should not be made for the other employees in public education. Utilizing knowledge gained through negotiating with certified units should greatly influence the thrust by the noncertified units.

It is hoped by this investigator the information presented on the preceding pages is of benefit to the reader. Taken within the proper context of time and place, it is desired that it can give some insight and a base from which the reader might develop local directions for working with noncertified employees as bargaining develops in Iowa.

Limitations

For the readers of this study, some caution must be noted in interpretation or application of the findings. One must recognize the time factor involved in this study and the continually evolving aspects of

bargaining in its formative stages.

The size of a school district, the community, and the composition of such community should be carefully examined when analyzing this study's results.

The researcher must caution against the over-generalization of the results of this study. The data present a picture of the evolution of bargaining at a particular time and place and based upon the reactions of respondents then.

Undoubtedly at the conclusion of any specific research there is the opportunity to review the process and the recognition that some areas might have been handled in a different manner.

In doing this, this researcher recognizes some changes would have been advantageous to the total study. One area would have been to involve more respondents for each specific job assignment. This would have benefited the type of statistical process utilized. However, there is no real indication that more would have affected the results in this study.

Suggestions for Further Study

Future studies should be made of Iowa districts in regard to collective bargaining for noncertified units. With a number of units being formed each year, studies of their development would be of benefit to school districts.

A follow-up study after a time of the same districts covered by this study would be informative as to attitude changes on the many items

now covered. Each year will undoubtedly find noncertified employees forming more definite opinions on topics. As a result of added insight, administrators might cope more effectively.

This study did not involve the larger metropolitan districts nor those that already have noncertified units. A study of these systems would be informative and helpful as collective bargaining matures for all employees in the state school systems.

There are many offshoots of this study that could be undertaken. Studies of teacher attitudes towards the noncertified movement, supervisor attitudes, and those of organizations from the private sector would be warranted to gain a broader perspective of the total bargaining arena.

This study only involved two representatives from each selected noncertified employee unit. For a more indepth study, one could do case studies of specific employee units and examine the many facets of the bargaining area as confronted by the selected units.

It would be considered for future research that fewer occupational groups would be contacted in conjunction with more respondents by each group.

This study covered a broad spectrum of the collective bargaining picture. One would possibly be able to gather a more indepth picture from the respondents if a specific aspect of the bargaining process were analyzed.

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APPENDIX A: LETTER OF REQUEST, FOLLOW-UP LETTER, AND LIST
OF PARTICIPANTS

Dear Superintendent:

Collective bargaining has brought a new dimension to the role of public school administrator. Your experience as the chief executive of a school district can be a valuable source of information, and understanding to this dimension.

I wish to ask for your assistance and your time. I am in the process of completing my doctoral work at Iowa State University. This work is being completed under the supervision of Dr. Ross Engel, College of Education.

Enclosed are questionnaires for members of your noncertified staff which it is hoped you will distribute for purposes of this study. The materials are to be given to two members, randomly selected by you, to the following categories: bus drivers; hot lunch; secretaries; and custodians. One questionnaire is also provided for one member of the Board of Education and yourself. A return envelope with postage is enclosed for your use.

School packets are numbered in order to know which districts have responded. Let me assure you that in no way will any district participating be identified within the study.

I know that your time is of utmost importance and thank you for assisting me in this study. Please convey such appreciation also to the members of your district assisting by completing the survey instrument.

Respectfully,

Ronald D. Riekens
Clarke Community Schools
Osceola, Iowa 50213

Dear Superintendent:

A short time ago, I had taken the liberty to send to your office a packet of questionnaires for distribution to members of your district's staff. This material dealt with a study I am completing for my dissertation work at Iowa State University.

Being a school administrator myself, I recognize the busy time schedule and responsibilities of your office. Another packet of material is enclosed and it would be hoped that you would review it and give your consideration to assisting me in this endeavor.

The area of collective bargaining is an important aspect to the educational scene today. The non-certified employee aspect is an entirely new dimension to this picture.

Thank you for your assistance. It is hoped that you will be able to assist me and your district will participate in this doctoral study.

Respectfully,

Ronald D. Riekema
Clarke Community School
Osceola, Iowa 50213

Schools Participating in the Study

Bridgewater-Fontanell	Albia
Britt	Ankeny
Central Decatur, Leon	Carlise
Clay Central, Royal	Centerville
East Union, Afton	Chariton
Garner	Cherokee
East Greene, Grand Junction	Davis County, Bloomfield
Greenfield	Forest City
Lincoln Central,	Hampton
Maxwell	Mumboldt
Mt. Ayr	Iowa Falls
Mormon Trail	Knoxville
Mediapolis	Newton
Meriden-Cleghorn	Oelwein
I-35, New Virginia	Ottumwa
Northwood-Kensett	Pella
Orient-Macksburg	Red Oak
Sidney	Washington
Tri-County, Thornburg	Winterset
Twin Cedars	
WACQ, Wayland	

APPENDIX B: SURVEY INSTRUMENT

PERSONAL DATA

Code No. _____

For the purposes of this study, you are requested to furnish the following information about yourself. Under each of the categories below, place a check mark in the one appropriate blank which best describes you:

AGE (most recent birthday)

- 21-30
 31-40
 41-50
 51-60
 61 and over

SEX

- male
 female

POSITION

- Mechanic
 bus driver
 hot lunch
 secretary
 custodian
 nurse
 engineer
 clerical

 administrator
 board member

ASSIGNMENT

- district level
 elementary building
 jr. high building
 high school building
 other (specify) _____

EDUCATIONAL ATTAINMENT

- less than h.s. diploma
 high school diploma
 BA degree
 MA degree
 Specialist
 Doctor's degree

TOTAL YEARS OF EXPERIENCE

- 1-5
 6-15
 16-25
 26-35
 36 and over

BOARD MEMBERS ONLY

Occupation - the one which best describes the majority of your efforts or best describes your occupation

- housewife
 farmer
 businessman
 salesman
 retired
 professional (dr., lawyer, etc.)
 other (specify) _____

SIZE OF DISTRICT

- 0 - 750
 756 - 1500
 1501 - 2499
 2500 - 3999
 4000 - 4999
 5000 and more

DIRECTIONS

Your opinion is needed regarding collective bargaining for non-certified employees. PLEASE ANSWER THE FOLLOWING STATEMENTS AS FOLLOWS: If a statement is one with which you have agreement make a circle around the A; if the statement is one with which you are undecided make a circle around the U; if the statement is one with which you are in disagreement make a circle around the D.

1. Non-certified employees should have the right to bargain collectively with their employer A U D
2. The most appropriate bargaining unit would be one overall unit which would represent all non-certified employees A U D
3. Each non-certified group of employees should remain a separate unit and bargain separately A U D
4. Non-certified employee groups should be a separate unit from the teachers' unit A U D
5. Non-certified employee groups and teacher units should be joined together A U D
6. Non-certified employee groups should be allowed to join together as their membership determines A U D
7. The Board of Education should determine the appropriate bargaining group for non-certified employees A U D
8. The Superintendent of Schools or other Board designated representative should determine the appropriate bargaining group for non-certified employees A U D
9. There should be restrictions on what employees can be a member of a bargaining unit A U D
10. Supervisors should not be a part of the bargaining unit A U D
11. Parttime employees should not be a part of the bargaining unit A U D
12. Seasonal employees should not be part of the bargaining unit A U D
13. If non-certified employee groups choose to be one overall unit, the spokesman for this unit should be the employee group with the largest membership A U D

- 14. The spokesman unit for the overall non-certified employee bargaining group should be selected through an election process by members of of the different employee groups A U D
- 15. The non-certified employees in one overall unit should be represented by a committee composed of representatives from each non-certified category A U D
- 16. Non-certified groups should meet the same requirements of certified groups in determining if such employees want collective bargaining . A U D
- 17. Non-certified employee units should follow the same procedures for bargaining as do teacher units A U D
- 18. Non-certified units should meet with the Employer before the teacher unit begins bargaining A U D
- 19. Non-certified units should meet with the Employer after the teacher unit completes their bargaining sessions A U D
- 20. Non-certified units should meet with the Employer at the same time the teacher unit is meeting with the Employer A U D
- 21. The first step in the bargaining process should be to establish rules for procedure A U D
- 22. Bargaining sessions should be carried out in closed sessions and the public should not be permitted to observe A U D
- 23. Bargaining sessions should be open to the public A U D
- 24. Non-certified employee units should expect teacher units to support non-certified bargaining demands A U D
- 25. Teacher units should expect the non-certified units to support teacher bargaining demands A U D
- 26. The non-certified bargaining unit or persons representing the employees during bargaining sessions should be guaranteed freedom from discrimination which may result from the bargaining process . . A U D
- 27. Expenses incurred by the non-certified bargaining unit should be borne by all of the non-certified employees represented A U D
- 28. If all available means of settling a dispute are exhausted without a settlement resulting, the non-certified employees should strike, even if a strike is illegal A U D
- 29. If the non-certified employees were to strike, teacher units should support such action A U D

30. If non-certified employees were to establish picket lines, it should be expected that certified employees would not cross the picket line A U D
31. It should be expected that if teachers were to strike and establish picket lines, non-certified employees would support such action A U D
32. Even though one non-certified unit may have received recognition to speak for all non-certified employees, minority units should have the right to "informal recognition" or right to be heard by the Employer A U D
33. Bargaining sessions should be held during non-working hours A U D
34. Bargaining sessions should be conducted during working hours A U D
35. Team members for the non-certified bargaining representatives should be paid during the bargaining sessions A U D
36. When a bargaining agreement is reached with the Employer, all separate non-certified employee groups must approve the agreement before final acceptance A U D
37. When a bargaining agreement is reached with the Employer, only a majority of the separate non-certified employee groups must approve the agreement before final acceptance A U D
38. If each non-certified employee group is bargaining individually, such bargaining should be going on at the same time A U D
39. If each non-certified employee group is bargaining individually, one unit at a time should bargain and arrive at an agreement before the next unit begins A U D
40. If non-certified employee groups are bargaining individually, the group with the largest membership should bargain first A U D
41. If non-certified employee groups are bargaining individually, the groups should draw for position as to who bargains first, second, etc. A U D
42. The non-certified bargaining unit which meets with the Employer should be able to determine how many members they wish to have on the bargaining team A U D
43. The site for the meetings should be chosen by the Employer A U D
44. The site for the meetings should be chosen by the Employees A U D
45. The site for the meetings should be a neutral site agreed upon by both parties involved A U D

46. Bargaining should stop if an impasse develops A U D
47. When impasse develops, Iowa law spells out the process for such by specifying mediation, factfinding, and arbitration and it is an adequate process A U D
48. Costs which are incurred by use of a mediator, factfinder, or arbitrator should be shared equally by Employer and Employee units A U D
49. The Employer and the Employee unit should have a voice in the selection of the individual who will serve as a mediator, a factfinder, or arbitrator in resolving impasse A U D
50. The Iowa Public Employment Relations Board should assign the mediator, factfinder, and arbitrator A U D
51. The Employer and Employee unit should have the right by mutual agreement to bypass any of the three impasse steps of mediation, factfinding, and arbitration. A U D
52. The final step in the impasse procedure should be "binding compulsory arbitration" as spelled out in the Iowa law A U D
53. The final step in the impasse procedure should call for "advisory arbitration" which would not be mandatory A U D
54. Time limits should be established for each step of the impasse process of mediation, factfinding, and arbitration A U D
55. During the sessions with an arbitrator, factfinder, or mediator the sessions should be open to the public A U D
56. During the bargaining process, one person should be designated to keep written records of the proceedings A U D
57. During the bargaining process, the Employer and the Employee units should each keep their own record of the proceedings A U D
58. Agreement should be reached on each item presented during the bargaining process before moving to another item A U D
59. The representatives of the Employer and the Employees should not discuss the bargaining items until final agreement has been reached and ready for final approval A U D
60. Costs incurred throughout the bargaining process should be borne equally by the Employer and the Employee units A U D

61. Please think of each following item in terms of whether or not it should be an allowable bargaining issue: Place a check mark beside those items.

- Wages and salaries _____
- Fringe benefits (such as insurance) _____
- Retirement programs _____
- Vacations _____
- Leave policies (such as sick leave) _____
- Work breaks _____
- Work schedules _____
- Grievance procedures _____
- Seniority _____
- Promotions _____
- Selection/Hiring _____
- Safety _____
- Evaluation _____
- Qualifications _____
- Work rules _____
- Work loads _____
- Working conditions _____
- Lay-offs _____
- Travel expenses _____
- Overtime _____
- Discipline _____
- Dues Check-off _____
- Use of facilities _____
- Transfers _____
- Impasse procedures _____

- 62. If there is collective bargaining for non-certified employees and sessions are in process, an individual employee should still have the right to meet with the Employer and bargain individually A U D
- 63. If non-certified employees desire recognition for bargaining, the employees should be required to produce a petition or other record that non-certified employees are in favor A U D
- 64. A grievance procedure should only be for use when there is an interpretation question of a section of the agreement A U D
- 65. The grievance process should be a part of the final written agreement A U D
- 66. The grievance procedure should carefully lay-out time limitations, parties involved, rights of representation, and means to deal with impasse A U D

67. If the final step in resolving impasse during a grievance matter is the use of a neutral third party, the cost of the neutral should be shared by the Employer and the Employee unit A U D
68. If the final step in resolving impasse during a grievance matter is the use of a neutral third party, the cost of the neutral should be borne by the "loser" in the final decision A U D
69. The Employer (Board of Education) should not be a procedural step in the grievance process A U D
70. If there are competing organizations of non-certified employees seeking to be the spokesman for such employees, an election should be held to determine which organization would meet with the Employer on behalf of non-certified employees A U D
71. The non-certified employee unit selected as spokesman during the bargaining process with the Employer would remain as spokesman until recall asked for by other non-certified employees A U D
72. The final contract should be agreed upon for a two/three year duration A U D
73. The Employer and the Employee unit should have the right to employ outside parties to represent them at the bargaining table A U D
74. The grievance procedure as determined in the agreement should also be available to the Employer to use A U D
75. If a non-certified employee does not choose to join the membership roles of a non-certified employee organization, he/she would still be entitled to the benefits derived from the agreement and the use of the grievance procedures A U D
76. During the impasse process of factfinder or arbitrator only those items which are specifically at impasse should be open to discussion . A U D
77. The instigation of the impasse process can be initiated at any time by either the Employer representative or the Employee representative . A U D
78. The collective bargaining process should be a local issue and be developed to meet the needs of the local district and community . . . A U D
79. Collective bargaining for public employees has been a "positive" step in education A U D
80. A federal collective bargaining law for public employees would be advantageous A U D