

Labor Management Relations 1999

The *Labor Management Relations* surveys were mailed in spring and summer 1999 to the Chief Administrative Officers in municipalities with populations 10,000 and over. Of the 2,881 municipalities that received surveys, 1,401 responded (48.6%).

For more information on the ICMA's *Labor Management Relations* survey, please contact [Survey Research](#).



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Following is the survey text with the aggregate results shown in bold next to each answer. Each answer represents the percentage reporting for that question, except where noted.

1. Are any of your municipal employees currently organized into unions or associations?
74.8 Yes **25.2** No
 - A. If "yes," does your municipality enter into contracts with any public employee unions or associations?
89.9 Yes **10.1** No
 - B. If "yes," does your municipality engage in collective bargaining with any public employee unions or associations?
93.8 Yes **6.2** No
2. When was the first public employee union or association organized in your municipality?
4.1 Less than 5 years ago **8.3** 5-10 years ago **25.4** 11-20 years ago **62.2** More than 20 years ago
3. Do any unions or associations in your municipality *exclusively* represent supervisory employees? (Supervisory employees may include department heads, office managers, etc.)
27.4 Yes **72.6** No
 - A. If "no," are supervisory employees legally prohibited from joining unions or associations? **19.3** Yes **80.7** No
4. What is the *primary* legal basis governing the relationship between your municipality and employee unions/associations?
4.7 a. No legal basis **3.8** c. Municipal law/ordinance **34.1** e. Contracts with employee unions/associations
54.5 b. State law **2.9** d. Council resolution
5. In the table below, please enter for each category the **total number** of employees and the number of employees **covered by contract**. The "all other employees" line should include combined information for as many employee groups (except education personnel) as are applicable for your municipality.

| | Police protection (sworn) | Fire protection (sworn) | Sanitation | Public works (nonsanitation) | All other employees |
|--------------------------------------|---------------------------|-------------------------|------------|------------------------------|---------------------|
| a. Total employees (Average) | 102 | 78 | 24 | 68 | 295 |
| b. No. covered by contract (Average) | 90 | 68 | 22 | 49 | 173 |

6. Please indicate the year in which the **first** contract (or memorandum of agreement) was agreed to by your municipality and the following groups (**Mode**).

| | | | |
|------------------------------|-------------|-------------------------------------|-------------|
| a. Police protection (sworn) | 1970 | d. Public works (nonsanitation) | 1970 |
| b. Fire protection (sworn) | 1970 | e. Other (<i>Please specify.</i>) | 1970 |
| c. Sanitation | 1970 | | |

7. Who serves as the *chief* negotiator for your municipality?

- | | | | | | |
|-------------|-----------------------|-------------|---|------------|--------------------|
| 4.9 | a. Mayor | 1.2 | c. Budget director | 1.8 | f. Department head |
| 32.3 | b. Manager/CAO | 6.2 | d. Full-time labor-relations professional | 4.4 | g. Consultant |
| 24.4 | c. Personnel director | 16.1 | e. Attorney (retained by city) | 8.6 | h. Other |

8. Does your municipality use a team for collective bargaining with employee unions or associations?

- 13.7** a. No
86.3 b. Yes

A. If "yes," please indicate who serves on the team.

- | | | | |
|-------------|-----------------------|-------------|--|
| 8.0 | 1. Mayor | 55.0 | 7. Attorney (retained by city) |
| 12.7 | 2. Manager/CAO | 25.0 | 8. Department head |
| 30.4 | 3. Assistant Manager | 43.5 | 9. Consultant |
| 43.4 | 4. Members of council | 60.1 | 10. Full-time labor-relations professional |
| 23.1 | 5. Personnel director | 7.9 | 11. Other |
| 10.1 | 6. Budget director | | |

9. Are negotiation sessions between your municipality and employee unions or associations open to the public?

- 12.4** Yes **87.6** No

10. To whom do employees submit grievances in your municipality?

- | | | | |
|-------------|-----------------------|-------------|---|
| 7.0 | a. Mayor | 76.5 | e. Department head |
| 49.7 | b. Manager/CAO | .3 | f. Consultant |
| 4.9 | c. Assistant manager | 3.1 | g. Full-time labor-relations professional |
| 27.7 | d. Personnel director | 22.0 | h. Other |

11. On average, how long does it take to resolve grievances?

- | | | | | | |
|-------------|----------------------|-------------|-----------------|------------|-----------------------|
| 11.3 | a. Less than 2 weeks | 38.1 | c. 1 – 3 months | 2.5 | e. More than 6 months |
| 42.1 | b. 2 weeks – 1 month | 6.0 | d. 4 – 6 months | | |

12. What types of grievances are filed most often in your municipality?

- | | | | |
|-------------|--|-------------|---------------------------------|
| 2.7 | a. Reduction in workforce | 71.5 | g. Failure to abide by contract |
| 3.4 | b. Disability | 10.1 | h. Denial of pay increase |
| 1.9 | c. Retirement | 33.1 | i. Termination |
| 21.1 | d. Performance evaluation | 11.3 | j. Health and safety |
| 9.6 | e. Discrimination (racial, sexual, etc.) | 33.7 | k. Other |
| 13.4 | f. Suitability of position | | |

13. Do grievances go to a neutral arbitrator if they cannot be resolved? **79.1** Yes **20.9** No

14. Please estimate the numbers requested in rows "a-i" below for each of the five occupational groups for the last five years.

| | Police protection (sworn) | Fire protection (sworn) | Sanitation | Public works (nonsanitation) | All other employees (except education personnel) |
|--|---------------------------|-------------------------|------------|------------------------------|--|
| Over the last five years: | | | | | |
| a. Total number of grievance arbitration decisions | _____ | _____ | _____ | _____ | _____ |
| b. Total number of unfair labor practice cases | _____ | _____ | _____ | _____ | _____ |
| c. Total days lost due to absenteeism | _____ | _____ | _____ | _____ | _____ |
| d. Total number of mediations | _____ | _____ | _____ | _____ | _____ |
| e. Total number of fact findings | _____ | _____ | _____ | _____ | _____ |
| f. Total number of voluntary arbitrations | _____ | _____ | _____ | _____ | _____ |
| g. Total number of mandatory arbitrations | _____ | _____ | _____ | _____ | _____ |
| h. Total number of final offer binding arbitrations (by issue) | _____ | _____ | _____ | _____ | _____ |
| i. Total number of final offer binding arbitrations (by package) | _____ | _____ | _____ | _____ | _____ |

15. For each of the selected employee groups listed below, please provide the information requested. **If there were no strikes in your municipality, enter "0". If there was more than one strike enter the total for all strikes.**

| | Police protection (sworn) | Fire protection (sworn) | Sanitation | Public works (nonsanitation) | All other employees (except education personnel) |
|---|--|--|--|--|--|
| Strikes | | | | | |
| a. Legal right to strike? | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Number of strikes since 7/1/88 | _____ | _____ | _____ | _____ | _____ |
| c. Total calendar days in which a strike was in progress since 7/1/88 | _____ | _____ | _____ | _____ | _____ |
| Job Actions | | | | | |
| d. Engaged in any job actions? | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| e. Sick outs since 7/1/88 | _____ | _____ | _____ | _____ | _____ |
| f. Work slowdowns since 7/1/88 | _____ | _____ | _____ | _____ | _____ |
| g. Work to the rules since 7/1/88 | _____ | _____ | _____ | _____ | _____ |
| h. Walkout/wildcat strikes since 7/1/88 | _____ | _____ | _____ | _____ | _____ |
| i. Other since 7/1/88 (Please specify.) | _____ | _____ | _____ | _____ | _____ |

16. Have any sanctions been imposed on employees or employee unions or associations for job actions since July 1, 1988?

95.8 No **4.2** Yes

A. If "yes," please specify the types of sanctions used.

| | | | |
|-------------|--|-------------|--|
| 48.6 | 1. Dismissal of employees | 0.0 | 8. Denial of dues checkoff |
| 10.8 | 2. Loss of seniority | 0.0 | 9. Lock out |
| 16.2 | 3. Salary reduction or wage freezes | 0.0 | 10. Loss of union recognition |
| 24.3 | 4. Probationary periods for employees | 2.7 | 11. Replacement of employees during strike |
| 0.0 | 5. Fines on employees | 2.7 | 12. Termination of contract |
| 0.0 | 6. Cancellations of benefits during strike | 32.4 | 13. Other |
| 13.5 | 7. Injunctions | | |

17. Does your municipality have a contingency plan that covers vital services in the event of a work stoppage?

30.9 Yes **69.1** No

18. Is there a legal deadline for the conclusion of collective bargaining procedures prior to budget submission?

9.0 No **91.0** Yes

A. If "yes," how many days prior to budget submission must all contracts be finalized? **61 days (Average)**

B. Is there an automatic impasse if agreement has not been reached prior to the statutory budget timetable?

66.7 Yes **33.3** No

19. Does your municipality have a management rights clause in any contracts?

91.2 No **8.8** Yes

A. If "yes," which of the following management rights below are specified in any contracts?

| | | | |
|-------------|---|-------------|---|
| 84.6 | 1. Set standards and level of service | 74.1 | 6. Determine content of job classifications |
| 77.1 | 2. Determine procedures and standards of selection for employment and promotion | 54.9 | 7. Decide whether to contract or subcontract for services |
| 84.2 | 3. Take disciplinary action | 86.9 | 8. Determine missions, policies, budget, and general operations |
| 78.9 | 4. Relieve employees from duty with cause | 85.0 | 9. Determine size and composition of workforce |
| 74.5 | 5. Establish shifts as necessary | 6.4 | 10. Other |

20. Please indicate whether employee unions/associations have engaged in the following political activities since **July 1, 1988**.

| Employee group | Candidate endorsements | Candidate financial contributions | Time or in-kind campaign contributions | Mismanagement disclosure threats | State level lobbying | Publicity campaigns | Taking issues to referendum |
|---|-------------------------------|--|---|---|-----------------------------|----------------------------|------------------------------------|
| a. Police protection (sworn) | 74.0 | 42.4 | 33.3 | 9.2 | 58.7 | 34.4 | 11.2 |
| b. Fire protection (sworn) | 73.6 | 50.3 | 43.8 | 9.2 | 66.9 | 37.5 | 13.3 |
| c. Sanitation | 56.5 | 56.5 | 47.8 | 5.2 | 53.9 | 23.5 | 2.6 |
| d. Public works (nonsanitation) | 72.9 | 47.9 | 41.1 | 7.6 | 43.2 | 23.7 | 3.4 |
| e. All other employees (except education personnel) | 74.5 | 50.5 | 44.7 | 4.3 | 43.1 | 23.9 | 4.8 |