COLLECTIVE BARGAINING:
PROBLEMS AND PROSPECTS**

I. SOME ANALYTICAL APPROACHES


The author has assembled, summarized, and recast the results of important work on virtually every phase of the topic, introducing original judgment and observation of his own, and incorporating a considerable amount of source material into the text. A basic work for the study of collective bargaining.

Dubin, Robert. “Power and union-management relations.” *Administrative Science Quarterly* (Graduate School of Business and Public Administration, Cornell University, Ithaca, N.Y.), June, 1957. pp. 60-81. $2.00.

A perceptive, clearly-focused discussion of “power.” Dubin sees six basic features of power as it becomes institutionalized in collective bargaining. These are: the evolutionary character of the disputes over ends, the transformation of disputes over ends into disputes over means, the standardization of principal forms of overt conflict, the routinization of continuing relations, the growing self-consciousness about latent functions in industrial power relations, and the self-conscious development of ideologies of public self-justification. Power relations can become systematic without necessarily tending toward complete cooperation, or losing their elements of conflict. As institutionalization takes place, new areas of conflict are opening up.


The first section of this well-known National Planning Association study presents the previously issued *Fundamentals of labor peace, a final report*, consisting of short chapters on the policies and principles followed by the companies studied. These include: "The Collective

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**Items from this list should be ordered directly from the publisher. Addresses are given in connection with each reference.


"The different types of labor-management relationships are explained not so much by the ends sought by the parties as by the means employed to achieve these ends.” The authors employ three models of relationships in mass production industries to further explore this hypothesis. These are termed (1) "armed truce," (2) "working harmony," and (3) "union-management cooperation." The concluding chapters discuss "The Determinants of Union-Management Accommodation" and "A Concept of Constructive Union-Management Relations."


A critique of theoretical weaknesses and gaps in research in the study of collective bargaining. The author holds that a meaningful analytical framework should include "detailed and operational" analyses of the economic and political variables and of the interaction of these variables. Extensive footnotes cite much of the relevant literature.


This book is designed to call to the reader’s attention some of the similarities and differences between collective bargaining in the United States and a number of other Western countries—Great Britain, Norway, the Netherlands, France, Germany, and Italy. The editor contributes "An Essay on Comparative Collective Bargaining."


The twelve chapter-length essays in this volume provide a wide-angle view of wage setting processes. General economic theory serves as the context, but some of the assumptions of pure market analysis are relaxed. Contributors have made a concerted effort to incorporate ele-
ments of an institutional sort—industrial relations practices of employers, the status of unions, the scope and “artistry” of collective bargaining—into the traditional frame. The volume as a whole illuminates the important juncture of the institutional and the economic in collective bargaining.

2. The Setting, the Parties, and the Relationships of Collective Bargaining


Argues that peace in industrial relations—defined as a state of “antagonistic cooperation”—must rest upon a thorough understanding by unions and management of each other’s convictions and essential functions, and upon the adjustment of differences “by methods which will not destroy but rather improve the opportunities of the other.”


A good treatment which gives the authentic “feel” of the union as a going institution. The organizing of unions, their internal administration, collective bargaining, strikes, politics, the use of technicians, and the ambitions and impact of union leadership are described by an author with wide experience in the labor field. Three chapters deal specifically with bargaining: “The Terms of Collective Bargaining—Wages and Related Issues,” “The Terms of Collective Bargaining—Union and Job Security,” and “The Union in the Collective Bargaining Process.”


There is a tendency for the issues and processes of collective bargaining to pull away from the local level as the union becomes professional, hierarchical, and increasingly dominated by the national headquarters, and as government injects itself into union-management relations. The dangers Mr. Brooks sees are these: (1) the average member will no longer be able to understand the technical subject matter of bargaining and will be content to follow passively the instructions of his “vicars” (professionals in unions and national leaders); (2) the settlement of grievances will tend to rise to higher levels of both management and unions, becoming unnecessarily complex and drawn-out; (3) there may be an excessive resort to arbitration by both sides, and the arbitrator may be tempted to substitute a uniform “common law” of precedents for a fresh, critical look at each case on its own merits; (4) cumbersome or inappropriate government regulation may
stall genuine bargaining and cause a further withering of local func-
tions.

Bugas, John S. *Industrial relations*—1957. Dearborn, Mich. Ford Mo-
tor Company. 1957. 27 pp. On request to Charles F. Moore, Jr., Vice
President—Public Relations.

Mr. Bugas detects in the big international unions a trend towards
bureaucratization and compulsive empire-building. Specific “dangers”
the future may hold are these: (1) labor costs will outstrip gains in
productivity, (2) unions will attempt to confuse the issue of automa-
tion and technical change, and (3) unions will acquire undue political
power. Such developments would either lead to increased govern-
mental intervention or tend to make “bargaining in form . . . dictation
in fact.” On the other hand, the author comments, many “excessive
demands” are made by unions for tactical bargaining purposes, and
not out of strong conviction.


A careful evaluation of the state of affairs in the study of company-
union relations which assimilates and organizes much of the more
Bargaining as a Power Process,” and Chapter 7, “Collective Bargain-
ing and Business Operations” are directly concerned with bargaining
goals and tactics.

Dunlop, John T. and James J. Healy. *Collective bargaining, principles
1953. 511 pp. $7.80; text edition, $6.50.

An excellent collection of cases and textual comment based on the
conviction of the authors that “any appraisal of collective bargaining
requires a blending of concern with the specific case and general prin-
ciple.”

Industrial Relations Section, Princeton University. 1955. 49 pp.
$2.00.

A study of the political and administrative arts by means of which the
modern national union attempts to resolve the diverse wishes of its
membership into a coherent, internally supported bargaining position.
France examines: “the preferences of unions for centralization or de-
centralization on these matters and attempts to determine the level
at which unions make decisions concerning contract negotiations and
the application of agreements.”

Harbison, Frederick H. “The politics of collective bargaining: the post-
war record in steel.” *The American Political Science Review* (1726

A history of negotiations in steel from 1945 to 1952, with particular reference to the appropriate role of government, and the way political alignments between management, unions, and the White House influence the strategy and outcome of bargaining.


Mr. Heron views the average collective bargaining agreement mainly as a series of negative prohibitions and restrictions upon the actions of the employer. A more constructive relationship, he feels, would go beyond collective bargaining. "... employers and organized employees will find ways to cooperate, based on a recognition of mutual desires." The book outlines managerial practices which will speed the "stabilizing process."

Kahn, Mark L. *Contemporary structural changes in organized labor.* Reprint Series No. 4. [Reprinted from Proceedings of the 10th annual meeting of the Industrial Relations Research Association.] Ann Arbor and Detroit 2. Institute of Labor and Industrial Relations, University of Michigan—Wayne State University, 1958. 9 pp. On request.

This short paper analyzes some of the forces which may cause the bulk of organized labor to fall within the jurisdiction of a smaller number of national unions which will be multi-industrial in scope and contain a wide range of occupational groups. "The changing distribution of job territory... reflects the continuing search of each union for the kind of structure that would maximize... bargaining power."


"This book aims primarily to give a mountain-peak view of the problems, with a comprehensive analysis of the determining influences and conditions that give rise to conflict and an assessment of efforts at solution." A number of the essays contributed deal specifically with collective bargaining, grievance negotiation, and arbitration.


Describes the transformations in labor unions and their changing place in American society. Collective bargaining has not been an individual mutant, but has shared in the maturation process. Chapter X is closely concerned with long-run trends in bargaining. These include "greater
centralization and professionalization, more businesslike conduct and stress on administration, and less diversification and use of the strike to achieve objectives. In general these trends seem likely to continue ... during the next decade."


A collection of some forty papers, primarily intended as management guides in collective bargaining (e.g. "Blueprint for Your Bargaining Sessions") but including a number of more speculative or analytical articles. Among these are: "Labor's Future Bargaining Proposals," "Trends in Union Demands and Their Setting," "The Negotiating Teams" (a group of three articles), "The Guaranteed Annual Wage and its Modifications" (a group of three articles), "The Campaign for a Shortened Workweek," and "Compulsory Retirement and the Union Contract."


Sharply and clearly rebuts some of the more extreme charges levelled at unions by those who fear that collective bargaining will mean the destruction of managerial authority, resistance to technological progress, the undermining of the enterprise system, and uncontrollable inflation. Ross argues that collective bargaining "provides orderly procedures for testing certain decisions of management in accordance with agreed-upon standards ... facilitates adaptation to [technical] change," and has probably exercised a mildly inflationary pressure in a peacetime economy.


A look at the General Electric formula and some of its offshoots in collective bargaining. "The 'new look' cannot be used in a fit of pique. It requires high-level thinking and a wealth of information. The essence of the technique is the taking of a position from which no force is able to budge you, and it is obvious that such a position is a prepared position and not one taken in response to some attitude of the union which the company may dislike."

3. Scope of Bargaining: Managerial Prerogatives

Chamberlain notes that broad areas of management are increasingly subject to joint policy determination by managers and union officials. What is the implication of this for collective bargaining and managerial rights? As the author sees it “First, [proponents of managerial prerogatives] must explain the grounds—other than legal—on which ‘freedom and authority’ should be restricted to . . . the presently constituted managers. Second, either they must admit that the whole institution of collective bargaining is undesirable since it limits the ‘freedom and authority’ of the constituted managers, or, alternatively, they must explain why collective bargaining may safely be permitted in some areas of business operation but in no others.”


A discussion of the erosion of “free management.” The author presents evidence that inroads have been made through expansion of the compulsory bargaining area, through restrictive contract provisions, through administration of labor contracts, through partisan government intervention, through monopoly power and legal immunities of unions, and through communist and socialist infiltrated unions. He concludes “the question which public opinion, as well as Congress and the courts will eventually have to resolve is whether labor organizations are to retain their traditional fiduciary character as the collective bargaining representatives of workingmen, having no interest adverse to theirs, or ally themselves with employers, and, through codetermination of management functions, defeat the very justification for their existence.”


Based on a survey of fifty-one downstate Illinois communities. The authors find that penetration through collective bargaining into the “management domain” as defined by the management spokesmen at the Labor-Management Conference convened by President Truman in November 1945, has made headway in only four areas over the past dozen years: the number of employees on a job or machine, the determination of job content, the level or quality of work performance, and the assignment of new employees. In other areas management had been “largely successful in stemming any attempted union advances.”

This article deals, among other things, with the long-range strategy and tactics of General Motors in retaining unilateral managerial authority and a strong bargaining position. "While carefully appraising the bargaining situation of the union, it has listened to demands for weeks without committing itself on wage demands. Then, as in 1948 and 1950, it comes forth with a prefabricated proposition—a 'blue-plate special'—which it proceeds to sell the union with as few substitutions as possible. . . . GM in recent years has never let itself say 'No' to union demands, only to back down later in the face of union pressure."


Chapter IV of this volume represents one of the earliest, but still one of the best discussions of managerial authority and collective bargaining. The authors define protection of management rights not solely as a technical legal matter, but as "the freedom and authority management must have if it is to discharge its responsibility of managing the business." The devices used by unions to invade the field of management functions are mutual-consent clauses, delegation of management functions to joint committees of labor and management, restriction of management discretion by seniority limitation, and unlimited compulsory arbitration. Chapter IV considers a number of protective measures available to managers at the bargaining table.


The author notes the failure of labor and management groups to agree on "any definitive area which would be within the exclusive province of management," and cites a number of significant NLRB holdings on the scope of bargainable issues.