COLLECTIVE BARGAINING AND THE HOSPITALS**

I. General Discussions


Both of these papers deal particularly with experience in New York State, especially with the effects of the amendments to the State Labor Relations Act which removed the exemption of non-profit hospitals while at the same time banning strikes and requiring mediation and compulsory arbitration. Their interpretations differ in that Bader takes a more critical view and expresses doubt that unionization is accomplishing more than would otherwise be the case.


An excerpt from a longer paper which gives a report on the current status of collective bargaining in hospitals and a discussion of its future prospects and problems.


These articles discuss the application of the theoretical framework developed by John T. Dunlop in his book, *Industrial Relations Systems* (New York, Holt, 1958) to the conditions peculiar to the hospital industry. The author predicts that “In view of the continuing pressure from labor unions and professional associations to obtain benefits for

* Prepared by Hazel C. Benjamin, Librarian.
** Items from this list should be ordered directly from the publisher. Addresses are given in connection with each reference.
thése they rëpresent, we are sure to see the emergence of a full fledged industrial relations system in the hospital industry in the near future.”


Describes experience with the application of the Michigan Labor Mediation Act to proprietary and non-profit hospitals and of the Hutchinson Act to non-federal government hospitals. The former recognizes and protects the right of employees of such hospitals to organize and to bargain collectively. It also provides for the settlement of labor disputes through mediation followed by fact finding with recommendations and for strike vote procedures. The Hutchinson Act outlaws strikes and provides for non-binding mediation and fact finding.

2. BARGAINING AND THE PROFESSIONAL NURSES


Spells out the reasons why the Association favors the elimination from the Taft-Hartley Act of the exemption of nonprofit hospitals.


A discussion of possible repercussions of the recent repeal by the American Nurses’ Association of its “no strike” policy.


This study employs labor market analysis to examine the relationship between collective bargaining and the supply of nurses in nonfederal general hospitals. In Chapter VII, pp. 130-158, the author uses both her analysis of the pertinent literature and empirical data to evaluate the proposition that “the use of collective bargaining by nurses will have a positive effect upon the supply of nurses in both the short run and long run.”


Deals with the status of nurses under the Taft-Hartley Act and under state laws in Massachusetts, New York, and Oregon as well as with the efforts of the American Nurses’ Association to bring nurses in non-
profit hospitals under collective bargaining legislation at both the federal and state levels. The author also discusses strengths and weaknesses of the ANA Economic Security Program and the contribution which enabling legislation would make to improving the bargaining position of the profession.


Collective bargaining background over a twenty-year period and developments in a dispute characterized by prolonged negotiations, mass resignations, and the use of fact-finding procedures.


A summary of the historical development of the American Nurses' Association's Economic Security Program, together with a discussion of the Association's collective bargaining policies and the manner in which bargaining is carried on. The article includes a brief analysis of the seventy-five agreements which were effective in June, 1960.


A discussion of a dispute between the City of Detroit and the Michigan Nurses Association over the issue of including nursing supervisors with general duty nurses in a single bargaining unit and of relevant precedents from similar cases in other states.


Describes attempts of professional societies in engineering, chemistry, teaching, and nursing to assume collective bargaining functions and discusses the implications of these developments. Pages 151-156 deal especially with the rules for collective bargaining established by the American Nurses' Association in 1946.


A brief account of the way in which the Minnesota Nurses Association functions as a bargaining agent and of the practical results of its activities.
3. Non-Professional Hospital Employees


Covers unionization of, and collective bargaining by, nonprofessional workers with particular reference to experience in New York State and especially in New York City, Rochester, and Buffalo.


The full text of an opinion handed down by the author who is a judge in the Cuyahoga County Court of Common Pleas, Cleveland. The decision denies injunctive relief to Local 47, Building Service and Maintenance Union for alleged strikebreaking and refusal to bargain on the part of Saint Luke's Hospital. In concluding his opinion, Judge Hoover suggested the possibility of remedy through state legislation.


After extensive discussion of legal status under federal and state laws and of the organizational peculiarities of hospitals which make the unionization of non-professionals difficult, the authors consider the pros and cons of extending legislative protection to the organizing and collective bargaining efforts of hospital unions. They conclude that “the burden of proof for making a special exception in the law should be placed on those who desire to make the exception.” While not endorsing hospital unions, they feel that hospital workers should have the right of self-determination extended to workers in other fields. With respect to strikes, however, they find “the argument for prohibiting hospital strikes is most persuasive.”


A study of an organizing drive and subsequent strike at Mount Sinai Hospital in Chicago which also discusses the “characteristics which distinguish the behavior of the nonprofessional workers who faced several important decisions: whether to join the union, whether to strike, and whether to picket.” It develops a methodology for using such characteristics as an analytical device in other similar situations.