SELECTED REFERENCES
INDUSTRIAL RELATIONS SECTION
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PUBLIC EMPLOYEE STRIKES**

1. General Discussions


The author contends that no-strike laws do not deter public employee strikes, are inconsistently applied and encourage irresponsibility by both employees and employers. He argues that the extension of private sector rights, including the strike option, would allow time and energy to be spent in settling basic issues.


The authors examine the argument that strikes by public employees should be prohibited because they distort the political decision-making process and because it is difficult to distinguish between strikes in essential services and those elsewhere. They conclude that public employee strikes should be legalized except for police and fire services.


Theodore Kheel in his article "Strikes and public employment," pp. 931-942, reviews the experience in New York State. He concludes that third party recommendations and legal prohibitions against strikes have not worked. He believes that the solution to the strike problem in the public service lies in improving the bargaining process. In the article "Strikes and impose resolution in public employment," pp. 943-970,

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**Items from this list should be ordered directly from the publisher. Addresses are given in connection with each reference.
Arvid Anderson presents the theoretical and practical arguments for and against the right to strike in the public sector and outlines foreign experience.


The demands of public employees for a more effective means of participating in the determination of their employment terms and compensation must be balanced against community interest, tax rates and the extent and quality of public service. The author rejects compulsory arbitration and the right to strike and suggests alternative procedures.


The Task Force unanimously agreed on the need for legal requirements for mediation and fact-finding when an impasse develops. The Task Force could not agree on whether legal bars against strikes should apply to all public employees in all circumstances.


The authors are concerned with ways to reduce the political power of public employee unions and make cities less vulnerable to strikes. They stress that most public employee strikes are not a danger to public health and safety and do not compel a complete ban on strikes. Post-impasse procedures, mechanisms for strengthening collective bargaining structures and penalties are discussed.

2. ALTERNATIVES TO STRIKES


In the opinion of the author, a ban on strikes by public employees is ineffective and compulsory arbitration is unacceptable to public management, the unions and the electorate. He suggests two alternatives: a non-stoppage strike where operations continue as usual with both the employer and employees paying a specified percentage of wages into a special fund and a graduated strike where employees would work only part of their usual workweek and suffer a commensurate reduction in wages.

This study surveys existing legislation for compulsory arbitration and discusses experience with compulsory arbitration. The author suggests fact-finding as a viable alternative. Selected state statutes on compulsory arbitration are included in the appendix.


A review of the current experience and issues in the use of mediation, fact-finding, and arbitration for resolving impasses in public sector bargaining. The focus is on the state and local levels. The authors recommend reliance on fact-finding with a show-cause hearing before an impartial panel.


The fact-finding process in New York State under the Taylor Law has been viewed by both employees and employers as a generally constructive and effective technique in the resolution of bargaining impasses and the prevention of strikes.

3. Case Studies


F. Ray Marshall and Arvil Van Adams describe the 1968 strike by Public Works employees in Memphis which resulted in violence, a boycott of downtown white businessmen and the assassination of Martin Luther King, Jr. The strike by the Cleveland Water Works employees is analyzed by James E. Blackwell and Marie R. Haug.

The experience of three cities faced by public employee strikes is assessed in terms of what caused the strike, its impact and how the city dealt with the strike. The strike of the Cleveland maintenance workers was settled by an outside mediator. A fact-finding board resolved the salary dispute between the Detroit city administration and the police. The mayor of San Francisco mediated a salary settlement when city employees struck in 1970.


Describes the causes and events of the first major strike against the Federal government and assesses its impact on the future of collective bargaining in the Federal service.


These case studies of strikes by public employees show that strikes can arise from a variety of causes and that the solutions are even more varied. Faulty communications led to the strike by city employees in Carbondale, Illinois. Welfare workers in Sacramento County struck over negotiating procedures as well as economic issues. The strike of workers at four New York mental hospitals was over union recognition, representation and bargaining rights. Despite a long history of good labor relations, city employees in Cincinnati struck over the issues of wages and benefits in 1969. The final case (Pittsburg, California) illustrates the difficulties faced by a city council in negotiating with experienced union representatives.


Despite legal prohibitions, the number of strikes by public employees increased substantially. This survey of the issues, level of government, type of service and geographic distribution, shows that higher wages and fringe benefits were the most frequent cause for striking. A summary of the report appears in the December 1969 issue of the *Monthly Labor Review*, pp. 29-34.