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ABSTRACT

The fourth annual bibliography of retrospective and current searches in the field of collective bargaining in higher education represents an attempt to survey the literature of the field as it relates to faculty in public or private colleges and universities. The scope includes 1975 and pre-1975 references. Relevant information from major journals plus material relevant to arbitration awards, court decisions, NLRB, and FEED rulings are included. The bibliography, arranged alphabetically by subject, includes topics on: academic freedom, administration, collective bargaining in Canada, faculty attitudes, grievance procedures, legislation, retrenchment, strikes, students, tenure, unions, and women. (Author/KE)

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Collective Bargaining in Higher Education

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with Subject, Title and Author Indexes

Compiled by Molly Gartin

April 1976

THE NATIONAL CENTER FOR
THE STUDY OF COLLECTIVE BARGAINING
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Baruch College - CUNY



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**COLLECTIVE BARGAINING IN
HIGHER EDUCATION**

BIBLIOGRAPHY NO. 4

APRIL 1976

Compiled by

Molly Garfin

with assistance of Daniel J. Julius and Joseph M. Egan

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INTRODUCTION


This is the fourth volume of the series of Collective Bargaining in Higher Education bibliographies compiled at the National Center for the Study of Collective Bargaining in Higher Education, Baruch College, City University of New York. These volumes are prepared for distribution at the National Center's Annual Conferences conducted each spring.

An initial grant from the Elias Lieberman Memorial Foundation enabled the Center to establish a contract collection. Better than 220 contracts are now on file at the Center's library. One hundred and twenty-four college contracts were placed in a computer databank with a full-text retrieval capability.

Additional funding from the Ford Foundation was obtained in the fall of 1975. This grant stabilized the library for some eighteen months, and has allowed the Center to retire the original computerized file of 124 contracts, most of which expired by August 31, 1975, and replace it with a current computerized contract file of 136 contracts which expire in 1976, 1977 and 1978.

The library is now regularly used by many visitors.
We encourage use of the Center and continued responses
and reactions to our publications and services.

Thomas Mannix
Acting Director



PREFACE

The Fourth Annual Bibliography, the latest in the series of bibliographies of retrospective and current searches in the field of Collective Bargaining in Higher Education, represents an attempt to survey the literature of the field as it relates to faculty in public or private colleges and universities.

Primarily a source of current references for the year 1975, the scope of this bibliography was enlarged to include pre-1975 references in fields that are of particular interest at this time, but were not included in earlier bibliographies.

Materials covered include books, periodical articles, research reports, unpublished reports, judicial and administrative agency decisions. An attempt has been made to search the major journals in the field, as well as material relevant to Arbitration Awards, Court Decisions, NLRB and PERB rulings. The reader is referred to the sections "Resources and Periodicals" for further information on sources. Many organizations listed in the section "Useful Addresses" kept the Center informed of meetings, speeches and research reports. "Bibliographies" on pages 118-121 lists published bibliographies that were useful in the compilation of this bibliography. In addition, an individually collected computer search of ERIC documents and journals was an important source of information, as were Dissertation Abstracts and the Index to Legal Periodicals.

We have endeavored to cover major sources of material and to publish a selective listing. However, we apologize for omissions and errors and welcome your comments and corrections.

The Bibliography is arranged by Subject - see Table of Contents for major subject divisions - and alphabetically by author or title within each subject. We hope you will find this arrangement, along with the separate Author Index and Title Index (also listing Arbitration Awards, Court Cases, NLRB and PERB Decisions by parties) helpful in using this publication. The Subject Index beginning on page 152 provides access to geographic areas and individual institutions as well as sub-divisions of major subjects.

Information detailing the National Center's publications and services can be found at the end of this Bibliography.

Thomas Mannix, Acting Director of the Center and Ms. Evan Mitchell, Assistant to the Director, helped immeasurably with advice and support. Ms. Ruby Hill and Ms. Patricia Doocey were responsible for the typing, and Joseph Tondi, a Baruch student assistant, lifted morale as deadlines neared. I greatly appreciate their assistance and cooperation.

Molly Garfin
Librarian

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ARBITRATION AWARDS - CANADA

- 150 The Ontario Council of Regents for Colleges of Applied Arts and Technology on Behalf of the Colleges of Applied Arts and Technology and The Civil Service Association of Ontario, Inc. (March 17, 1975).
Board of Arbitration award deals with jurisdictional and substantive issues on community colleges and job security and recognition, working hours, salaries, agreement duration. Also dealt with is the preparation and release of arbitration awards. (On file NCSCBHE, 113 pp.)
- 151 University of Quebec at Montreal and Society of Professors of the University of Quebec. (Province De Quebec, District De Montreal, No. M-71-457, Jan. 25, 1971.)
Proper salaries and pay scales for academic personnel. (On file NCSCBHE, 8 pp.)

ARBITRATION AWARDS - ILLINOIS

- 152 Board of Trustees of Junior College District No. 508, County of Cook, State of Illinois v. The Cook County College Teachers Union, Local 1600 et al. (No. 59727, Sept. 25, 1974.); Labor Relations Reporter, 89: LRRM, 2759-2761.
Arbitrator exceeded his authority when he awarded back pay to certain teachers.

ARBITRATION AWARDS - ILLINOIS (cont'd.)

- 153 Thornton Community College and Thornton Community College Faculty Assn., Chapter of Cook County Teachers Union Local 1600, AFT. 1975 - GERR - 602: C-2.
Coaching functions shall be maintained as part of regular workload.
- 154 Thornton Community College (So. Holland, Ill.) and Thornton Community College Faculty Assn., Cook County College Teachers Union, Local 1600. (61-AIS-61-10.) Arbitration in the Schools, 61:5, March 1, 1975.
Inclusion of College Division Directors in bargaining unit.

ARBITRATION AWARDS - MICHIGAN

- 155 Ferris State College Faculty Assn. and Ferris State College. (AAA Case No. 54-39-0486-74, Nov. 2, 1974.) 1975 - GERR - 593: C-2.
Arbitrator approves policy making it necessary for faculty to receive approval for outside work.
- 156 Ferris State College Faculty Assn. and Ferris State College. (AAA Case No. 54-39-0287-74, July 17, 1974.) 1974 - GERR - 581: C-2.
Arbiter rules that grievant who left work after confrontation, resulting in hypertension, is entitled to half-day of sick leave only.
- 157 Jackson Community College and Jackson Faculty Assn. (61 - AIS - 61-8.) Arbitration in the Schools, 61: 4, March 1, 1975.
Right of supplemental college teacher to change teaching program.

ARBITRATION AWARDS - NEW YORK

- 158 Board of Higher Education and Professional Staff Congress/CUNY. (62 - AIS - 62-14.) Arbitration in the Schools, 62: 5, April 1, 1975.
Adjunct English lecturer entitled to "preferential hiring."

ARBITRATION AWARDS - NEW YORK (cont'd.)

159. CUNY Professional Staff Congress and Board of Higher Education of City of New York. (AAA Case No. 1330-0596-73, July 29, 1974.) 1974 - GERR - 585: C-2.
Arbitrator orders board to reinstate grievant, and to reimburse him for all loss of income.
160. Erie Community College and Faculty Federation of Erie Community College. (AAA Case No. 1539-0170-74, Nov. 6, 1974.) 1975 - GERR - 593: C-4.
Arbitrator finds that college did not violate agreement by assigning grievant to flexible work weeks.
161. Finger Lakes Community College and Faculty Association. (PERB Docket No. M74-548, Oct. 30, 1974.) 1975 - GERR - 593: C-7.
Fact-finder recommends resolution of seven contract impasses.
162. Monroe (N.Y.) Community College and Monroe Community College Faculty Assn. (63-AIS-63-18.) Arbitration in the Schools, 63: 7, May 1, 1975.
Arbitrability, timeliness, and college's authority to make final decisions on promotions.
163. Onondaga Community College Federation of Teachers, AFT, AFL-CIO and Onondaga Community College. (AAA Case No. 15-39-0274-72, July 24, 1973. New York, American Arbitration Assn., 6 pp.
Grievance concerns salary rates for less than full day's work.
164. Onondaga Community College Federation of Teachers, AFT, AFL-CIO and Onondaga Community College. (AAA Case No. 15-39-0061-73, July 25, 1973.) New York, American Arbitration Assn., 16 pp.
College violated agreement with regard to tenure status of six employees.
165. Onondaga Community College Federation of Teachers, AFT, and Onondaga Community College. (AAA Case No. 15-39-0075-73, July 28, 1973.) New York, American Arbitration Assn., 13 pp.
Whether a college president has the right to ignore faculty action with regard to the appointment of a department chairman.

ARBITRATION AWARDS - NEW YORK (cont'd.)

- 166 Onondaga Community College Federation of Teachers and Onondaga Community College. (AAA Case No. 15-39-0151-73, Sept. 14, 1973.) New York, American Arbitration Assn., 10 pp.
College did not violate contract when it failed to approve nineteen applicants for promotion.

ARBITRATION AWARDS - OHIO

- 167 "University Must Pay Salary Increase for Doctorate Granted at Institution it Did Not Recognize." (Youngstown State University and Youngstown State University Chapter of the Ohio Education Assn., Federal Mediation and Conciliation Service, Sept. 11, 1974.) Negotiations Research Digest, 8(7): 11, Mar., 1975.

ARBITRATION AWARDS - PENNSYLVANIA

- 168 Association of Penn. State College and University Faculties/Penn. Association for Higher Education and Commonwealth of Penn. (Kutztown State College.) (July 17, 1973; No. APSCUF-001.)
Whether or not the time spent by a member of the teaching faculty in an administrative position counts toward tenure. (On file NCSCBHE, 18 pp.)
- 169 Commonwealth of Pennsylvania and Association of Penn. State College and University Faculties. (Lock Haven College.) (July 31, 1973; No. APSCUF-002.)
Association contention that NSC administration violated agreement by failing to grant merit increases to faculty members for the 1972/1973 academic year. (On file NCSCBHE, 12 pp.)
- 170 Association of Penn. State College and University Faculties/Penn. Association for Higher Education and Commonwealth of Pennsylvania. (Sept. 7, 1973; Grievance No. 11.)
Proper use of personnel files. (On file NCSCBHE, 5 pp.)

ARBITRATION AWARDS - PENNSYLVANIA (cont'd.)

- 171 Association of Penn. State College and University
Faculties/Penn. Association for Higher Education and
Commonwealth of Pennsylvania. (Sept. 7, 1973;
Grievance No. 13.)
Grievant not given teaching assignment in those
courses scheduled by his department for the 1973
summer session. It is held that grievant is sub-
jected to arbitrary, capricious and discriminatory
treatment in this matter. (On file NCSCBHE, 3 pp.)
- 172 Association of Penn. State College and University
Faculties/Penn. Association for Higher Education and
Commonwealth of Pennsylvania. (Dec. 14, 1973.)
Salary grievance. (On file NCSCBHE.)
- 173 (Westchester State College) Commonwealth of Penn. and
Association of Penn. State College and University
Faculties/Penn. Assn. for Higher Education. (Jan. 4,
1974.)
Association contention that College violated
agreement by retiring associate professor at the end
of the fall semester rather than continuing his teach-
ing services to end of spring semester. (On file
NCSCBHE, 25 pp.)
- 174 Commonwealth of Pennsylvania and Association of Penn.
State College and University Faculties/Penn. Associa-
tion for Higher Education. (Feb. 6, 1974.)
Dispute with respect to denial of promotion.
(On file NCSCBHE, 14 pp.)
- 175 Bucks County (Pa.) Community College and Bucks County
Community College Federation of Teachers, Local No.
2238. (61 - AIS - 61-3). Arbitration in the Schools,
61: 2, Mar. 1, 1975.
College tried to force retirement upon assistant
professor who reached age 65 when existing contract
made no such stipulation.

ARBITRATION AWARDS - WISCONSIN

- 176 Lakeshore Vocational, Technical Institute and Adult Edu-
cation, District II and Lakeshore Education Assn.
(Sept. 17, 1974.) 1975 - GERR - 589: C-3.
Arbitrator rules that board of education did not
violate agreement by unilaterally eliminating one
program.

ARBITRATION AWARDS - WISCONSIN (cont'd.)

- 177 Milwaukee Area Technical College and AFT, Local 212.
(61 - AIS - 61-16.) Arbitration in the Schools,
61: 6, Mar. 1, 1975.
Teacher who accompanied community action group
to state legislature not entitled to receive pay for
the absence.
- 178 Northeast Wisconsin Technical Institute and Faculty
Association. 1974 - GERR - 581: C-4.
Arbitrator rules that teachers not returning in
fall have earned deferred compensation of health and
life insurance premiums during July and August.

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Case No. QR-033-07-74.) Jan. 31, 1975.
Certification of appropriate bargaining unit. (On
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COURT CASES - CONNECTICUT

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Discrimination in employment based upon race.

COURT CASES - DELAWARE

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Professor suing university under Title VII of 1964 Civil Rights Act may not also sue individually named trustees, officers, and employees.
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Black former professor who complained of university's racially discriminatory working conditions and contract termination is proper party to bring class action.
- 406 Trivits v. The Wilmington Institute, et al. (U. S. District Court, District of Delaware, No. 4776, October 4, 1974.); Labor Relations Reporter - Fair Employment Practice, 10: FEP, 1042 - 1408.
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COURT CASES - D. C.

- 407 Apter v. Richardson. (Federal Circuit Court of Appeals, 510 F 2d. 351, 7th. Cir. 1975.); The College Law Digest, 5(4): 89, July 1975.
Students' rights to participate in feminist organizations, and denial of medical training grant by Dept. of HEW.

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409 "HEW and Labor Charged with Endorsing Sex Discrimination." 1974 - GERR - 583: B-22.
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Title VII.
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Nonrenewal of contract of nontenured professor prior to a hearing did not deprive him of a protected property right in the absence of some expectation of reappointment.

COURT CASES - IDAHO

- 418 Loebeck v. The Idaho State Board of Education. (530 P. 2d. 1149, 1975.); The College Law Digest, 5(3): 61, May, 1975.
Nontenured faculty member and right to timely notice of nonreappointment.

COURT CASES - ILLINOIS

- 419 Board of Trustees v. Cook County College Teachers Union. (Ill. App. Ct., 1st Dist., No. 59052, September 25, 1974.); 1974 - GERR - 585: B-15.
The matter of promotions is not subject to arbitration under the contract between the parties.
- 420 Board of Trustees v. Cook County College Teachers Union. (Illinois Appellate Court, First District, No. 59497, September 25, 1974.); Labor Relations Reporter - Decisions of the Courts, 89: LRRM, 2306 - 2308.
Matter of promotions of junior college faculty members is not subject to arbitration under prior or present collective bargaining agreement but remains within discretion of college trustees.
- 421 Board of Trustees v. Cook County College Teachers Union. (Ill. App. Ct., 1st Dist., No. 59727, September 25, 1974.); 1974 - GERR - 585: B-15.
An arbitration award may be reviewed by the courts where the arbitrator exceeded his authority.

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- 422 Cohen v. Illinois Institute of Technology, et al. (U. S. Court of Appeals, Seventh Circuit (Chicago), No. 74-1930, October 28, 1975.); Labor Relations Reporter - Fair Employment Practice Cases, 11: FEP Cases, 659-666.
Complaint alleging that private university, which allegedly discriminated against female assistant professor because of her sex and chartered by state ... Fails to allege state action on part of university.
- 423 Cohen v. Illinois Institute of Technology, et al. (U. S. District Court, Northern District of Illinois, No. 74 C 1374, October 29, 1974.); Labor Relations Reporter - Fair Employment Practice, 11: FEP Cases - 368.
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- 424 Rabinowitz v. Board of Junior College. (U. S. Court of Appeals Seventh Circuit, Dist. No. 508, No. 74-1164, December 23, 1974.); Labor Relations Reporter - Decisions of the Courts, 88: LRRM 2131 - 2134.
Action by tenured faculty at City Colleges of Chicago challenging their transfers to different public colleges.

COURT CASES - INDIANA

- 425 Miller v. Brachen (U. S. District Court, Southern District of Indiana, Indianapolis Division, No. IP 74-490-C; Order on Defendant's Motion to Dismiss, January 11, 1975.); The College Law Digest, 5(4): 81 - 82, July, 1975.
Nontenured faculty at Ball State University and the right to procedural due process before nonrenewal of contract.
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Concerns judicial review of institutional procedures before dismissal at Indiana University.

COURT CASES - IOWA

- 427 Barrett v. Eastern Iowa Community College District. (221 N. W. 2d. 781, 1974.); The College Law Digest, 5:6, January, 1975.
Notice of intent to terminate and automatic renewal.

COURT CASES - IOWA (cont'd.)

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Nontenured faculty member and dismissal due to financial exigency.

COURT CASES - KENTUCKY

- 429 Strunk v. Western Kentucky University, et al. (U. S. District Court, Eastern District of Kentucky, No. 74-95, August 6, 1975.); Labor Relations Reporter - Fair Employment Practice, 11: FEP Cases, 355 - 359, October 4, 1975.
1972 amendment extending coverage of Title VII to state government entities does not apply to alleged discrimination by state university that occurred before effective date of amendment.
- 430 Williams v. University of Kentucky, et al. (U. S. District Court, Eastern District of Kentucky, No. 74-118, April 28, 1975.); Labor Relations Reporter - Fair Employment Practice, 11: FEP Cases - 353 - 355.
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COURT CASES - MAINE

- 431 Wright v. Superintending School Committee. (Maine Supreme Court, 331 A 2d. 640, Me. 1975.); The College Law Digest, 5(3): 62, May, 1975.
Tenured faculty member and what constitutes unfitness to teach.

COURT CASES - MARYLAND

- 432 Cussler v. The University of Maryland. (U. S. District Court, District of Maryland, Civil Action No. 72-372-N, March 14, 1975. The College Law Digest, 5(4): 77-78, July, 1975.
Discrimination in employment based on sex.
- 433 Jolivet v. Elkins. (U. S. District Court, District of Maryland, Civil No. H-74-595.); The College Law Digest, 5(2): 31-32, March, 1975.
Concerns discrimination in awarding of academic credits, based on race at University of Maryland.

COURT CASES - MARYLAND (cont'd.)

434 "Protests by Maryland Professors Unprotected by First Amendment." (Frederick, Maryland Community College.) 1975 - GERR - 610: B-6 to B-8.

435 Steinberg v. Elkins. (U. S. District Court, District of Maryland, Civil Action No. B-75-307, March 12, 1975.); The College Law Digest, 5(4): 79-80, July, 1975.
Untenured faculty at the University of Maryland and the procedure for granting tenure.

COURT CASES - MASSACHUSETTS

436 Adams v. Smith College. (Commonwealth of Mass., MCAD Nos. 72-S-53 and 72-S-54, n.d.); The College Law Digest, 5(5): 93, September, 1975.
Case regards discrimination in employment based upon sex.

437 Adams v. Smith College. (Commonwealth of Mass.: Executive Dept.: Commission Against Discrimination: MCAD Nos. 72-S-53 and 72-S-54.); The College Law Digest, 5(3): 58, May, 1975.
Concerns discrimination in employment based on sex.

438 Brennan v. Morrissey. (U. S. District Court for District of Mass., Civil Action, File No. 74-2311-G, June 24, 1974.); The College Law Digest, 5(2): 34, March, 1975.
Discrimination in employment based on sex. (Boston St. Coll.)

439 Brennan v. Morrissey. (U. S. District Court for Mass., Civil Action, File No. 74-2311-G.); The College Law Digest, 5(3): 57, May, 1975.
Discrimination in employment based on sex at Boston State College. Defendants believe case is first opportunity for federal court to consider the constitutionality of Title IX.

440 Callanan v. Boston State College. (U. S. District Court for District of Mass., Civil Action No. 74-1759-M, August 30, 1974.); The College Law Digest, 5(3): 59-60, May, 1975.
Right to due process before nonrenewal of contract.

441 Equal Employment Opportunity Commission v. Tufts Institution of Learning. (U. S. District Court, District of Massachusetts. Civil Action No. 73-2492-M. July 3, 1975.); The College Law Digest, 5(1): 9-10; Jan. 1975, and 5(6): 115, Nov. 1975.
Discrimination in employment based on sex.

COURT CASES - MASSACHUSETTS (cont'd.)

- 442 NLRB v. Wentworth Institute and Wentworth College of Technology, Inc. (U. S. Court of Appeals, First Circuit (Boston). Case No. 74-1219, March 31, 1975.); Labor Relations Reporter - Decisions of the Courts, 89: LRRM, 2033 - 2038.
NLRB properly extended its jurisdiction to representation dispute in nonprofit higher education institution.

COURT CASES - MICHIGAN

- 443 Lake Michigan College Federation of Teachers v. Lake Michigan Community College. (390 F. Supp. 103, WD Mich. SD 1974.); The College Law Digest, 5(5): 98, September, 1975.
Teachers at state junior college brought an action for reinstatement and damages after they had been discharged for allegedly participating in an illegal strike.
- 444 Lake Michigan Federation of Teachers v. Lake Michigan College. (Michigan Court of Appeals, Division I, No. 19816, April 28, 1975.); Labor Relations Reporter. 90: LRRM - 2100 to 2102.
Finding of Michigan Employment Relations Commission that employer college, while it did engage in hard bargaining, did not violate Michigan Labor Mediation Act by unlawfully refusing to bargain in good faith with teachers federation.
- 445 Lake Michigan College Federation of Teachers and Shaffer, et al. v. Lake Michigan Community College, et al. (U. S. District Ct., Western District of Mich., No. K-49-73, Sept. 27, 1974.); Labor Relations Reporter - Decisions of the Courts, 88: LRRM, 2873 - 2902.
Salary freeze; union-busting tactics.

COURT CASES - MINNESOTA

- 446 Livingston v. Minn. State Junior College Board. (U. S. District Court, District of Minn., Third Division, 3 - 72 Civil 173, December 2, 1974.); The College Law Digest, 5(2): 37, March 1975.
Nontenured faculty and the right of expectation of renewal of contract.
- 447 Minnesota State College Board and Minnesota Department of Personnel v. Public Employment Relations Board. (Ramsey County, District Court, Case No. 397320, November 13, 1974.) 1975 - GERR - 589: B-3 to B-6.
Faculty members at seven state colleges must bargain as one unit.

COURT CASES - MINNESOTA (cont'd.)

- 448 Minnesota State College Board, et al. v PERB et al.
(Minnesota Supreme Court, No. 45587, April 11, 1975.);
Labor Relations Reporter. 89: LRRM - 2833 - 2841.
State court had jurisdiction of appeal from
Minnesota PERB's determination under State Public
Employment Relations Act.
- 449 Minnesota State College Board v. Public Employment Relations
Board. (228 N. W. 2d. 551, 1975.); The College Law
Digest, 5(5): 101, September, 1975.
The judicial review of the actions of a state public
employment relations board.

COURT CASES - MISSOURI

- 450 Saunders v. Reorganized School District No. 2 of Osage
County. (Missouri State Supreme Court, 520 S. W. 2d.
29, 1975.); The College Law Digest, 5(5): 98, September,
1975.
Tenured junior college teacher seeks review of
his discharge. Court finds his right of free speech
had not been violated.

COURT CASES - NEBRASKA

- 451 The Board of Regents of the University of Nebraska v.
A. Neil Dawas, et al. (U. S. Court of Appeals,
Eight Circuit (St. Louis) No. 75-1126, Aug. 26, 1975.);
Labor Relations Reporter - Fair Employment Practice
Cases, 11: FEP Cases, 283 - 287. Sept. 20, 1975.
Equal pay dispute where males are suing for place-
ment on an existing salary schedule for females only.
- 452 Board of Regents of University of Nebraska v. Dawes.
(U. S. District Court, District of Nebraska, No. CV-73-
1-190, December 31, 1974.); Labor Relations Reporter -
Wages and Hours Cases, 22: WH Cases, 111 - 118.
Action by University of Nebraska for declaratory
judgment as to rights of parties under equal pay
provisions of FLSA; wherein male employees filed
counterclaim for unpaid wages.

COURT CASES - NEBRASKA (cont'd.)

- 453 Gene Busboom et al., v. Southeast Nebraska Technical Community College. (Lancaster County District Court, Docket 285, October 4, 1974.); 1975 - GERR - 587: B-12 to B-4.

Technical College told to pay salaries negotiated by Lincoln School District teachers.

- 454 Gene Busboom et al., v. Southeast Nebraska Technical Community College. (Nebraska Supreme Court, N. W. 2d. No. 39835, August 7, 1975.); 1975 - GERR - 625: B-3 to B-4.

Pay raises do not apply to S. E. Nebraska Technical Community College, even though board formally governed college's predecessor, state supreme court holds.

- 455 Mid-Plains Education Association v. Mid-Plains Nebraska Technical College. (Nebraska Court of Industrial Relations, 189-NEB-37, 199 N. W. 2d. 747.); Case No. 33, March 8, 1972.

Refusal to discuss terms of employment and representation of persons seeking to arrange conditions of employment. Dissenting opinions included. (On file NCSCBHE, 42 pp.)

COURT CASES - NEVADA

- 456 Winterberg v. The University of Nevada System. (Supreme Court of Nevada, September 10, 1975.); The College Law Digest, 5(6): 117, November, 1975.

Academic freedom and tenure and the scope of tenure within a university system.

COURT CASES - NEW HAMPSHIRE

- 457 University of New Hampshire Chapter of American Association of University Professors v. Haselton. (Federal District Court, 397 F. Supp. 107, D. N. H. 1975.); The College Law Digest, 5(6): 120 - 121, November, 1975.

Court holds that N. H. statute conferring bargaining rights upon state employees in general, while specifically denying those rights to academic employees of state university doesn't violate the amendment.

- 458 University of New Hampshire Chapter of AAUP v. Edward Haselton, Chairman of State Personnel Commission. (U. S. District Court for Dist. of N. H., Civil Action No. 74-188, June 6, 1975.); 1975 - GERR - 611: B-10 to B-11.

Court decision upholds state law which excludes university professors from collective bargaining.

COURT CASES - NEW JERSEY

- 459 AAUP et al. v. Bloomfield College et al. "The Bloomfield College Case: the Decision of the New Jersey Superior Court." AAUP Bulletin 60 (3): 320-330, September 1974. Dismissals and abolition of tenure.
- 460 Association of New Jersey State College Faculties, Inc. v. New Jersey Board of Higher Education. (NJ Supr. Ct. No. A-25, September Term 1974, November 20, 1974.); 1975 - GERR - 591: B-3 to B-4.
New Jersey Supreme Court rules that state board of education should have negotiated with college faculty representatives re teachers' outside employment. Also in Negotiations Research Digest, 8(9): 5, May, 1975.
- 461 Endress v. Brookdale Community College. (N. J. Superior Court, Chancery Div., Monmouth County., Docket No. C-1808-74, April 30, 1975.); The College Law Digest, 5(4): 81, July, 1975.
Nontenured faculty member and her right to procedural due process before dismissal.

COURT CASES - NEW MEXICO

- 462 Equal Employment Opportunity Commission v. University of New Mexico. (Federal District Court, 504 F. 2d. 1296, 10th Cir. 1974.); The College Law Digest, 5(2): 33-34, March, 1975; 4(3): 56, May, 1974.
Concerns discrimination in employment based on National origin, the confidentiality of personnel files, freedom from unreasonable search and seizure.

COURT CASES - NEW YORK

- 463 Alberti v. Erie County. (Appellate Division, N. Y. State Supreme Court, 360 N. Y. S. 2d. 343, 1974.); The College Law Digest, 5(2): 38, March, 1975.
Concerns nontenured faculty term appointments.
- 464 Goodman v. New York University. (Appellate Division of N. Y. State Supreme Court, 369 N. Y. S. 2d. 501, 1975.); The College Law Digest, 5(6): 117, November, 1975.
Tenure status of a director of research.
- 465 Labat v. Board of Higher Education of the City of New York. (U. S. District Court, Southern District of New York, 74-Civil 4328, July 24, 1975.); The College Law Digest, 5(6): 118, November, 1975.
Nontenured faculty member and procedure for granting tenure.

COURT CASES - NEW YORK (cont'd.)

- 466 Mortenson v. Syracuse University et al. (U. S. District Ct. Northern District of N. Y., No. 73-CV-545, May 13, 1974.); Labor Relations Reporter - Fair Employment Practice Cases, 10: FEP Cases, 1312 - 1315.
Federal district court lacks jurisdiction of action by terminated female assistant professor against university since university is essentially a private organization, i. e., not dependent upon state aid to any significant degree.
- 467 New York Institute of Technology v. Council of Metropolitan and Old Westbury Chapters, AAUP et al. (N. Y. Supreme Court, Appellate Division, Second Dept., Feb. 18, 1975.); Labor Relations Reporter - Decisions of the Courts, 89: LRRM, 2428 - 2429.
Denial by college of tenure to two professors recommended for appointment by the faculty is arbitrable.
- 468 Professional Staff Congress/CUNY v. Board of Higher Education of the City of New York. (N.Y. Supreme Court Special Term, Part I. New York County, No. 14194 - 1975, August 29, 1975.); Labor Relations Reporter - Decisions of the Courts, 90: LRRM, 3042 - 3044, November 24, 1975.
Teachers' union is not entitled to preliminary injunction enjoining city from unilaterally revising working conditions of union members upon expiration of the current contract and during negotiations of new contract.
- 469 Weise v. Syracuse University et al. (U. S. District Court, Northern District of N. Y., No. 73-CV-420, June 10, 1974.); Labor Relations Reporter - Fair Employment Practice, 10: FEP Cases, 1316 - 1318.
Federal district court lacks jurisdiction of action by female individual who first was rejected for lecturer position with Syracuse University and thereafter was hired for position of graduate teaching assistant and terminated after one year, since no state action exists.
- 470 Weise v. Syracuse University et al.; Mortenson v. same. (U. S. Court of Appeals, Second Circuit (New York), Nos. 74-1977 and 74-2092, July 14, 1975.); Labor Relations Reporter - Fair Employment Practice, 10: FEP Cases, 1331 - 1343. See also: "Applicability of 1871 Civil Rights Act to Private University." Labor Relations Reporter - Summary of Developments. 3, July 28, 1975.

COURT CASES - NEW YORK (cont'd.)

- 471 Winsey v. Pace College. (U. S. District Court, Southern District of New York, No. 74 Civ. 2573 (CHT), May 6, 1975.); Labor Relations Reporter - Summary of Developments, 89(9): 12, June 2, 1975.
Concerns individual who alleges that private college denied her employment in retaliation for having filed discrimination complaint.

- 472 Womer v. Trustees of the University of New York. (New York Supreme Court, 362 NYS 2d. 616, 1975.); The College Law Digest, 5(3): 50, May, 1975.
Contract of employment and administrative remedies in case of dismissal.

COURT CASES - NORTH CAROLINA

- 473 Kilcayne v. Morgan. (U. S. District Court, Eastern District of N. Carolina, Washington Division, No. 791 Civil; Memorandum Opinion and Order, February 4, 1975.; The College Law Digest, 5(4): 79, July, 1975.
Nontenured faculty member at East Carolina University and procedure for granting tenure.
- 474 Lewis v. Salem (N. C.) Academy and College. (208 S. E. 2d. 404 (1974)). The College Law Digest, 5:6, January, 1975.
Contract of employment and retirement.

- 475 "North Carolina Teacher Wins \$86,655 in Free Speech Case." (Guilford Technical Institute) 1975 - GERR - 601: B-18 to B-19.

COURT CASES - OHIO

- 476 Brown v. Stopher. (U. S. District Court, Northern District of Ohio, Eastern Division, Civil Action, Case No. C 73-642, December 20, 1974.); The College Law Digest, 5(4): 84, July, 1975.
Faculty rights and freedoms and the right to participate in the selection of departmental chairmen at Kent State University.

- 477 Lake Michigan College Federation of Teachers et al. v. Lake Michigan Community College et al. and Kelly, etc. (U. S. Court of Appeals, Sixth Circuit (Cincinnati), Nos. 74-2323 and 74-2324, July 2, 1975.); Labor Relations Reporter. . 89: LRRM, 2865 - 2870.
College teachers who participated in strike in violation of Michigan Public Employment Relations Act properly were discharged by college board of trustees, notwithstanding teachers' contention that they were denied procedural due process.

COURT CASES - OHIO (cont'd.)

- 478 Rehor v. Case Western Reserve University. (Ohio Supreme Court, No. 74-899. Appeal from the Court of Appeals of Cuyahoga County, No. 33395.); The College Law Digest, 5(3): 58-59, May, 1975; 4(5): 110, Sept. 1975; and 5(6): 116, Nov. 1975.
Tenure and mandatory retirement age.

COURT CASES - OREGON

- 479 "Oregon Court Paves Way for Campus-by-Campus Bargaining."
1975 - GERR - 613: B-24 to B-25.

COURT CASES - PENNSYLVANIA

- 480 MAUR v. Penn. Labor Relations Board. (Pennsylvania Court of Common Pleas, Centre County, No. 14, November 7, 1974.); Labor Relations Reporter - Decisions of the Court, 87: LRRM, 314 - 3116.
Dismissal of unfair labor practice complaint without hearing.

- 481 Badger v. The Penn. State University. (U. S. District Court, Penn Middle District, Civil Action No. 74-237, January 9, 1975.); The College Law Digest, 5(4): 77, July, 1975.
Discrimination in employment based on age.

- 482 Braden v. University of Pittsburgh et al. (U. S. District Court, Western District of Pa., No. 71-646, March 13, 1975.); Labor Relations Reporter - Fair Employment Practice. 10: FEP Cases, 1416 - 1422.
University being sued for alleged sex discrimination in employment will be deemed to have waived whatever state immunity it might have, in view of its stipulation that it is not state agency.

- 483 Community College of Beaver County and Community College of Beaver County Society of the Faculty, NEA. (Commonwealth Court of Pa., No. 631 C.D. 1974, February 4, 1975.); 1975 - GERR - 595: B-2 to B-3.
The college was correct in its interpretation of the contract and arbitrator's decision that full-time teachers dismissed in a retrenchment program were entitled to preferential rehiring for part-time positions overruled.

- 484 Isaacs v. Board of Trustees of Temple University. (U. S. District Court, Eastern District of Penn., November 11, 1974, 43 L. W. 2241.); The College Law Digest, 5(2): 30, March, 1975.
The distinction between private and public institutions of higher education.

COURT CASES - PENNSYLVANIA (cont'd.)

- 485 Kutska v. California State College. (U. S. District Court, Western District of Penn., Civil Action No. 75-114.); The College Law Digest, 5(4): 88, July, 1975.
Public institutions and immunities as agencies of the state.
- 486 Pendrell v. Chatham College et al. (U. S. District Court, Western District of Pennsylvania, No. 74-621, Dec. 5, 1974.); Labor Relations Reporter - Analysis, 88: 6-8, January 13, 1975.
Allegation of conspiracy to discriminate against person because of his advocacy of rights of class-based group is sufficient to state claim.
- 487 Pendrell v. Chatham College. (Penn. Federal District Court, 386 F. Supp. 341, W. D. Pa. 1974.); The College Law Digest, 5(3): 51 - 52, May, 1975.
Alleged discrimination against women.
- 488 Pennsylvania Labor Relations Board v. State College Area School District, the Board of School Directors; Appeal of State College Area Education Assn.; Appeal of AFSCME, AFL-CIO. (Penn. Supreme Court, Eastern District, Nos. 49, 50, and 51 January Term, 1974, April 17, 1975.); Labor Relations Reporter, 90: LRRM, 2081 - 2089.
Subjects for bargaining.
- 489 "PLRB May Withdraw a Complaint Without a Hearing." (American Association of University Professors, University Park Chapter, v. Pennsylvania Labor Relations Board, Centre County of Common Pleas, Nov. 7, 1974.); Negotiations Research Digest, 7(8): 6, April, 1975.
- 490 Rackin v. The University of Pennsylvania et al. (U. S. District Court, Eastern District of Penn., No. 73-1007, December 18, 1974.); Labor Relations Reporter - Fair Employment Practice, 10: FEP Cases, 1318 - 1331.
Alleged sex discrimination by University of Pennsylvania against female professor amounts to "state action," notwithstanding contention that university is a private institution.
- 491 Temple University of the Commonwealth System of Higher Education v. Penn. Labor Relations Board. (Commonwealth Court of Penn., No. 1314 C.D. 1972, November 4, 1972.); The College Law Digest, 5(2): 40, March, 1975.
Interns, residents and clinical fellows are not deemed employees under provisions of PERA.

COURT CASES - PENNSYLVANIA (cont'd.)

492

Albert Einstein Medical Center v. Pa. Labor Relations Board. (Commonwealth Court of Pa., Case Nos. 1265, 1281, and 1314, C. D. 1973, November 14, 1974.); Labor Relations Reporter, 87: LRRM, 2778 - 2782.

Hospital interns, residents, and clinical fellows are not "public employees" within meaning of Pa. Public Employee Relations Act (SLL 48:221).

COURT CASES - PUERTO RICO

493

Martinez v. Carrion. (U.S. District Court, District of Puerto Rico, Civil Nos. 74-535, 602, 706, 790, 775, 717, November 1, 1974.); The College Law Digest, 5(2): 36 - 37, March, 1975.

Nontenured faculty at the University of Puerto Rico and the right of expectation of renewal of contract.

494

Martinez v. Carrion. (U. S. District Court of Puerto Rico, Civil Nos. 74-535, 602, 706, 790, 775, 717, n.d.); The College Law Digest, 5(5): 96, September, 1975.

University of Puerto Rico - nontenured faculty and the right to due process before nonrenewal of the contract of employment.

495

Perez Gonzalez v. Irizarry. (Federal District Court, 387 F. Supp. 942, D. Puerto Rico, 1974.); The College Law Digest, 5(4): 84, July, 1975.

Rights and freedom of a faculty member at a state university in Puerto Rico to serve on the Academic Senate.

COURT CASES - TENNESSEE

496

Brennan, etc. v. Tennessee Technological University, et al. (U. S. District Court, Middle District of Tennessee, No. 75-007-NE-CV, April 2, 1975.); Labor Relations Reporter - Wages and Hours, 22: WH Cases, 244 - 245.

In injunction action against university under FLSA, the statements obtained from individuals who filed complaints about conduct of university need not be disclosed.

497

Soni v. Board of Trustees of The University of Tennessee. (376 F. Supp. 289, affirmed, 513 F. 2d. 347, 6th. Cir. 1975.); The College Law Digest, 5(5): 96 - 97, September, 1975.

Concerns nontenured faculty and the right of expectancy of renewal of the contract of employment.

COURT CASES - TEXAS

- 498 Johnson v. Harvey. (Federal District Court, 382 F. Supp. 1043, D. C. Tex. 1974.); The College Law Digest, 5(2): 36, March, 1975.

Nontenured faculty and the right of expectation of renewal of contract.

- 499 Kaprelian v. Texas Woman's University. (Federal Circuit Court of Appeals, 509 F. 2d., 5th Cir. 1975.): The College Law Digest, 5(4): 81, July, 1975.

Nontenured faculty and the right to procedural due process before dismissal.

COURT CASES - VERMONT

- 500 McRae v. Goddard College. (U. S. District Court, District of Vermont, No. 74 - 120, January 29, 1975.); Labor Relations Reporter, 10: FEP Cases, 143 - 151.

College did not violate Title VII when it refused to renew contract of black college counsellor who had participated in disruptive action at college president's office.

COURT CASES - VIRGINIA

- 501 Longwood College and Virginia Polytechnic Institute (Va.). "Responsibility of Administrators Tested." NACUBO, 8(1): 6, July, 1974.

College administrators are responsible personally, but not in their official capacities, for actions which may have resulted in discrimination based on sex.

COURT CASES - WASHINGTON

- 502 Barnes v. Washington State Community College District. (Washington State Supreme Court, 20, 529 P 2d 1102, Wash. 1975.); The College Law Digest, 5(3): 62-63, May, 1975.

Academic freedom and the tenure status of administrative positions.

- 503 Cathcart v. Anderson. (Wash. State Supreme Court, 530 P. 2d. 313, Wash. 1975.); The College Law Digest, 5(3): 66 - 67, May, 1975.

Public institutions of higher education and authority to conduct administrative affairs in private meetings. (University of Washington.)

- 504 "Community Colleges in Seattle, Tacoma, Sue for Court Rulings." 1975 - GERR - 588: B-18.

Board of Trustees file lawsuit in Superior Court suing State Board of Community College Education for disallowing salary increase negotiated for faculty members.

COURT CASES - WEST VIRGINIA

- 505 Sheppard v. West Virginia Board of Regents. (378 F. Supp. 4 (S. D. W. Virginia, Charleston Div., 1974.)) : The College Law Digest, 5: 15, January, 1975. Non-reappointment at West Virginia Institute of Technology.

COURT CASES - WISCONSIN

- 506 Johnson v. Board of Regents of the University of Wisconsin. 577 F. Supp. 227, W. D. Wisc. 1974; affd., 510 F. 2d. 975, 7th Cir. 1975.; The College Law Digest, 5(5): 94, September, 1975. Dismissal of a faculty member because of financial exigency.
- 507 Wisconsin Federation of Teachers Local 2149 v. Layton School of Art and Design. (WERC Case II, No. 17271 Ce-1519, Decision No. 12231 - B, May 13, 1975.); 1975 - GERR - 611: B-3 to B-5. Wisconsin Employment Relations Commission finds Layton School of Art and Design, Milwaukee committed unfair labor practices in its campaign to undermine and oust teachers union.

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LEGISLATION - COLORADO

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LEGISLATION - INDIANA

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LEGISLATION - MAINE

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Full text of the University of Maine Labor Relations Act extending collective bargaining rights to university employees.

LEGISLATION - MARYLAND

- 719 "Public Employee Bargaining Examined In Maryland." 1974-GERR-586: B-9 to B-13.

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LEGISLATION - NORTH CAROLINA

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LEGISLATION - PENNSYLVANIA

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LEGISLATION - VIRGINIA

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LEGISLATION - WASHINGTON

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NLRB DECISIONS - CANADA

- 746 Carleton University Academic Staff Association and Carleton University. (Ontario Labour Relations Board, File No. 7435-74-R, April 4, 1975). (On file NCSCBHE, 11 pp.).
Determination of appropriate bargaining unit, history of election and status of employer-employee groups.
- 747 Carleton University Academic Staff Association and Carleton University and Employees. (Ontario Labour Relations Board, File No. 7435-74-R, June 18, 1975). (On file NCSCBHE, 21 pp.).
Issue determined is whether department chairmen are properly included within the bargaining unit.
- 748 Notre Dame University of Nelson. (Labour Relations Board of British Columbia, March 27, 1973). (On file NCSCBHE, 1 p.).
Certification of unit for collective bargaining.
- 749 Saint Mary's University and SMU Faculty Union. (Labor Relations Board, Nova Scotia, L. R. B. No. 2056, April 25, 1974. (On file NCSCBHE, 2 pp.).
Board certifies SMU Faculty Union as bargaining agent and identifies appropriate unit.
- 750 University of Manitoba and UM Faculty Association and A Group of Objecting Employees. (Manitoba Labour Board, Certificate No. MLB-2786, File 4U-10-30, November 15, 1974). (On file NCSCBHE, 4 pp.).
Appropriate unit determined.

NLRB DECISIONS - COLORADO

751 Board of Trustees of The Memorial Hospital of Fremont County, Wyoming, doing business as Bishop Randall Hospital, et al. v. NLRB. (U. S. Court of Appeals Tenth Circuit, Denver, No. 75-1585, September 10, 1975.); Labor Relations Reporter. Decisions of The Courts, 90: LRRM, 2337-2339, Sept. 29, 1975.
Federal district court lacks jurisdiction of action by "county memorial hospital" to enjoin NLRB from conducting representation election among hospital employees.

752 Midwest Business College, Inc.: Barnes Business College, Denver Division, Denver, Colo., (27-RC-5072, July 30, 1974), Weekly Summary of NLRB Cases, W-1445, 45, Aug. 13, 1975.
All...teaching personnel shall vote for representation by Colorado Federation of Teachers, AFT, or for no representation.

NLRB DECISIONS - CONNECTICUT

753 Mitchell College and Mitchell College Faculty Federation of Teachers, Conn. State Federation, AFT, AFL-CIO. (Case No. 1-RC-13344, July 15, 1974). (On file NCSCBHE, 3 pp.).
Direction of election, bargaining unit stipulated.

754 Quinnipiac College, Hamden, Conn. (1-RC-13716). Weekly Summary of NLRB Cases, W-1440: 20, April 30, 1975.
Full-time faculty members, including athletic department faculty members, librarians, counselors and clinical coordinators shall vote for representation or for no representation.

755 University of New Haven. (Case No. 1-RC-13967.); Weekly Summary of NLRB Cases, W-1465: 31, October 22, 1975.
All full-time faculty members, including department chairmen, coordinators, associate deans, and the grants officer shall vote for representation by University of New Haven Faculty Federation,....or for no representation.

NLRB DECISIONS - D. C.

- 756 "NLRB to Reconsider Jurisdiction Over Howard."
The Chronicle of Higher Education, 11(13): 2,
December, 1975.

NLRB DECISIONS - FLORIDA

- 757 "NLRB Designates Bargaining Units for Faculty at Uni-
versity of Miami." (University of Miami and Uni-
versity of Miami Chapter, American Association of
University Professors, et al., National Labor
Relations Board, Sept. 27, 1974). Negotiations
Research Digest. 8(8): 12, April, 1975.

- 758 University of Miami and University of Miami Chapter,
AAUP and Law Faculty Association. (Case Nos. 12-
RC-4520 and 4530, September 27, 1974, 213 NLRB
No. 64). Labor Relations Reporter, 87: LRRM,
1634-1642.

University faculty are professional employees
under LMRA and entitled to vote for or against
collective bargaining representation.

NLRB DECISIONS - MASSACHUSETTS

- 759 Boston University. "Union Access to Financial Information."
NACUBO, 8(1): 7, July, 1974.

- 760 Emerson College. (Case No. 1-RC-13784.); Weekly Summary
of NLRB Cases, W-1443: 20, May 21, 1975.

All full-time teaching members, including depart-
ment chairmen shall vote for representation by Emerson
Chapter of AAUP or for no representation.

- 761 Huang v. College of The Holy Cross, (U. S. District
Court, District Court, Dist. of Mass., No. 75-1960-J,
May 29, 1975). Labor Relations Reporter - Fair Employ-
ment Practice Case, 10: FEP Cases, 968-971.

Oriental-American professor, denied tenure and
terminated by college, has failed to show reasonable
probability that he will prevail on merits.

NLRB DECISIONS - MASSACHUSETTS (cont'd.)

- 762 Northeastern University, Boston, Mass. and Northeastern University Faculty Organization, a/w National Education Assn. (Case No. 1-RC-13190, June 5, 1975, 218 NLRB No. 40.); Labor Relations Reporter - Decisions of NLRB 89: LRRM, 1862-1874.
University's faculty senate is not "labor organization" within meaning of LMRA.
- 763 Northeastern University, Boston, Mass. (1-RC-13190; 218 NLRB No. 40). Weekly Summary of NLRB Cases, W-1446, 18-19, June 11, 1975.
Direction of election by Board.
- 764 Semas, Philip W. "NLRB's Jurisdiction Upheld." (Wentworth College). The Chronicle of Higher Education, 10(9): 1, 8, April, 1975.
- 765 Trustees of Boston University. (Case No. 1-RC-13564.); Weekly Summary of NLRB Cases, W-1440: 20, April 30, 1975.
All full-time teaching members at Boston University shall vote for representation by Boston University Chapter, AAUP, or for no representation.

NLRB DECISIONS - MICHIGAN

- 766 Marquette General Hospital, Inc., Marquette, Mich. and Michigan Council 55, AFSCME. (Case No. 30-RC-2517, June 20, 1975, 218 NLRB No. 105.); Labor Relations Reporter. 89: LRRM, 1459-1460.
Hospital's on-call employees are included in unit of regular employees, in view of their substantial community of interest with other unit employees.
- 767 Michigan Education Association. (Case No. 7-RC-13023.); Weekly Summary of NLRB Cases, W-1464: 26, October 15, 1975.
All state group executive directors and staff employees shall vote for representation by Professional Staff Assn., or for no representation.
- 768 University of Detroit and University of Detroit AAUP and University of Detroit Society of Professors, NEA. (Case No. 7-RC-11698, March 7, 1974). (On file NCSCBHE, 3 pp.).
NLRB determines appropriate unit and clarifies briefs filed by NLRB Regional Director, Intervenor and Employer regarding challenged ballots.

NLRB DECISIONS - NEW JERSEY

- 769 Stevens Institute of Technology, The Trustees of The, Hoboken, N. J. (22-RC-6347.); Weekly Summary of NLRB Cases, W-1440: 23, April 30, 1975.
All full-time members of the regular faculty, including professors, associate professors, assistant deans, and regular faculty members presently engaged as visiting faculty members at other institutions of higher learning shall vote for representation by Stevens Chapter, AAUP, or for no representation.

- 770 The Trustees of Princeton University. (Case No. 22-RC-6369.); Weekly Summary of NLRB Cases, W-1449: 43, July 2, 1975.
All library employees, including part-time employees at the campus and the Forrestal Center shall vote for representation by Princeton University Library Assistants' Assn., AFSCME, or for no representation.

NLRB DECISIONS - NEW YORK

- 771 The Cooper Union for The Advancement of Science and Art and Cooper Union Federation of College Teachers, NEA/AFT. (Case No. 2-RC-164, October 24, 1974.); (On file NCSQBHE, 2 pp.).
Bargaining election certified and unit determined.
- 772 Fordham University, Bronx and Local Independent Union. (Case No. N. Y. 02-RC-16383.); NLRB Election Report, ER-159: 25, May 19, 1975.
Local Independent Union (480 eligible in unit) loses election.
- 773 Mercy College, Dobbs Ferry, N. Y. and Mercy College Faculty Council. (Case No. 2-CA-13565, July 11, 1975, 219 NLRB No. 5.); Labor Relations Reporter. Decisions of National Labor Relations Board, 90: LRRM, 1179-1180, Sept. 22, 1975.
Employer violated LMRA by refusing to bargain with newly certified union.
- 774 New York University, New York, N. Y. (2-RC-16788; 221 NLRB No. 176, Dec. 16.); Weekly Summary of NLRB Cases, W-1474, 18-19, Dec. 24, 1975.
Directions of elections by Board.

NLRB DECISIONS - NEW YORK (cont'd.)

775. New York University Medical Center, A Division of New York University. (Case No. 2-RC-16607; 217 NLRB No. 116.); Weekly Summary of NLRB Cases, W-1440: 16, April 30, 1975.
Board dismissed petition of Association of Staff Psychiatrists seeking to represent a unit of psychiatrists at The Bellevue Hospital Center.
776. Niagara University. (Case No. 3-RC-6410.); Weekly Summary of NLRB Cases, W-1465: 31, October 22, 1975.
All full-time lay teaching faculty, including department chairmen, shall vote for representation by Niagara University Lay Teachers Assn., or for no representation.
777. Rensselaer Polytechnic Institute, Troy, N. Y. (3-RC-6221; 218 NLRB No. 220, June 30.); Weekly Summary of NLRB Cases, W-1451: 42-43, July 16, 1975.
Board resolved several unit determination issues.
778. St. John's University Chapter of AAUP. (Case No. 29-CB-1858, February 10, 1975.); (On file NCSCBHE, 2 pp.).
Whether AAUP violated NLRA with respect to scope of bargaining, faculty representation on Board of Trustees, selection of presidents and deans and administrative responsibilities.
779. Trocaire College and Trocaire Staff Association. (Case No. 3-RC-6042, July 18, 1974.); (On file NCSCBHE, 6 pp.).
Direction of election, certification of bargaining unit.
780. Yeshiva University, New York, N. Y. (2-RC-16662; 221 NLRB No. 169, Dec. 5, 1974.); Weekly Summary of NLRB Cases, W-1473, 14-15, Dec. 17, 1975.
Board directed election in a unit of eligible employees, excluding faculty at Albert Einstein College of Medicine, and others.

NLRB DECISIONS - PENNSYLVANIA

- 781 Presseisen v. Swarthmore College et al. (U. S. District Court, Eastern District Pennsylvania, No. 74-1313, December 13, 1974). Labor Relations Reporter, 10: FEP Cases, 1039-1043.
Applicability of Title VII of the Civil Rights Act of 1964.
- 782 Robert Morris College and Robert Morris College Organizing Committee of The Pennsylvania Federation of Teachers, AFT, AFL-CIO. (Case No. 6-UC-101, April 15, 1975.); (On file NCSCBHE, 7 pp.).
Clarification of bargaining unit formerly stipulated in Case No. 6-RC-6787) concerning librarians, design and media specialists.
- 783 St. Francis College and St. Francis College Education Association, PSEA/NEA. (Case No. 6-RC-7000.); Weekly Summary of NLRB Cases, W-1433: 24, March 12, 1975.
All full-time faculty members, including department chairmen, librarians and the Director of The Counseling Center shall vote for representation by St. Francis College Education Assn. or for no representation.

NLRB DECISIONS - SOUTH DAKOTA

- 784 Board of Regents of South Dakota v. Carter. (South Dakota Supreme Court, Nos. 11310, 11312, 11313, 11323, April 25, 1975). Labor Relations Reporter - Decisions of The Courts, 89: LRRM, 2216-2224.
State board of regents has power to hire independent attorney in its action against labor organizations and State Labor Commissioner.

NLRB DECISIONS - VERMONT

- 785 Goddard College, Plainfield, Vt. and AFT, AFL-CIO. (Case No. 1-RC-13261, Feb. 4, 1975, 216 NLRB No. 81.); Labor Relations Reporter - Decisions of NLRB, 88: LRRM, 1228-1231.
Case outlines bargaining unit, mandates separate unit of part-time employees.

NLRB DECISIONS - VERMONT (cont'd.)

- 786 Goddard College, Plainfield, Vt. and Union. (Case No. Ver. 01-RC-13261.); NLRB Election Report, ER-160: 18, June 19, 1975.
Vote for collective bargaining.
- 787 "NLRB Denies U. of Vermont Professors Appeal." Higher Education Daily, 3: 2, Mar. 14, 1975.
- 788 "NLRB Orders Election at Goddard College." Higher Education Daily, 3: 4, Feb. 18, 1975.

NLRB DECISIONS - WISCONSIN

- 789 Northland College, Ashland, Wisconsin. (18-RC-10489, June 2, 1974.); Weekly Summary of NLRB Cases, W-1446, 39, June 11, 1975.
All professional employees....shall vote for representation by Northland College Faculty Senate, or for no representation.

PERB DECISIONS - HAWAII

- 790 "No Per Capita Dues From Hawaii College Service Fees." (Case No. SF-07-29, Feb. 11, 1975). 1975-GERR-599: B-9 to B-10.
University of Hawaii Professional Assembly cannot pass on per capita dues from service fees to its two parent organizations, NEA and AAUP.

PERB DECISIONS - MICHIGAN

- 791 "Faculty Clerks at Michigan Campuses Join AAUP and UAW." 1975-GERR-601: B-19.
- 792 "Inclusion of Part-Time Faculty in Bargaining Unit of Full-Time Faculty Permissible." (Kirtland Community College and Kirtland Community College Faculty Assoc., Michigan Employment Relations Commission, Nov. 15, 1974). Negotiations Research Digest. 8(7): 9, March, 1975.

PERB DECISIONS - MICHIGAN (cont'd.)

- 793 "Representation Petition for Inadequate Showing of Interest." (Gogebic Community College and Michigan Association of Higher Education, Michigan Employment Relations Commission, Oct. 31, 1974). Negotiations Research Digest. 8(10): 7-8, June, 1975.

PERB DECISIONS - MINNESOTA

- 794 University of Minnesota Board of Regents, et al.; Minnesota Bureau of Mediation Services. (Case Nos. 73-PR-571-A, 74-PR-59-A, 74-PR-66-A, and 74-PR-93-A.); 1975-GERR-589: B-3 to B-5.
In decision which reverses order by PERB, state district court judge holds that faculty members at seven state colleges must bargain as one unit.

PERB DECISIONS - NEW HAMPSHIRE

- 795 "New Hampshire Professors Exempt from Public Collective Bargaining." Higher Education Daily, 3: 4, Aug. 11, 1975.

PERB DECISIONS - NEW JERSEY

- 796 Bergen Community College and Bergen Community College Adult Center Faculty Assn. (Docket No. RO-1017, June 20, 1975.); 1975-GERR-616: C-4.
Association is certified as representative of all professional staff including instructors, counselors, curriculum coordinator, and follow-up coordinator employed by adult learning center.
- 797 County College of Morris and Faculty Assn. County College of Morris, affiliated with New Jersey Education Assn. (Docket No. AC-13 to amend RO-857, April 21, 1975).
Commission amends certification to reflect fact that Faculty Association has affiliated with NJEA.

PERB DECISIONS - NEW JERSEY (cont'd.)

- 798 "PERC Issues New Rulings on Bargaining Scope, Timetable, and Unfair Practices." 1975-GERR-595: B-4 to B-6.

PERB DECISIONS - NEW YORK

- 799 Columbia-Greene Community College, AFSCME. (Case No. C-1138, April 22, 1975.); PERB News, 8(5): 5, May, 1975.

Sufficient evidence for certification without election.

- 800 County of Suffolk (Suffolk County Community College) and Faculty Assn. of Suffolk County Community College, NYSUT. (PERB Case No. 74-118, Mar. 31, 1975.); 1975-GERR-619: C-3.

Arbitrator finds employer violated contract between parties when it did not credit grievant with sick leave while on sabbatical leave.

- 801 "Different Working Conditions Unjustifiable for Separate Bargaining Units." (Warren County and Washington County Adirondack Community College and Adirondack Community College Faculty Assoc., Public Employment Relations Board, Sept. 4, 1974). Negotiations Research Digest, 8(7): 10-11, Mar., 1975.

- 802 Faculty Assn. of The Community College of The Finger Lakes and County of Ontario. (Case No. U-1243, July 1, 1975.); 1975-GERR-629: C-4.

PERB upholds decision of Hearing Officer dismissing county's charges that association refused to negotiate in good faith. Officer also dismissed countercharges by association that county insisted upon mediation without first exhausting direct negotiations.

- 803 Genesee Community College and SEIU and Genesee Faculty Association. (Case Nos. C-1014 and C-1048, Jan. 9, 1975.); 1975-GERR-594: C-2.

Board certifies Genesee Faculty Assn. as faculty representative of all full-time teaching faculty, division chairmen, librarians, counselors, and administrative staff.

PERB DECISIONS - NEW YORK (cont'd.)

- 804 Genesee County and Genesee Community College and SEIU Local 227 and Genesee Faculty Association. (Case Nos. C-1014 and C-1048, November 7, 1975.); 1975-GERR-607: C-5.

Board's acting director of representation agrees with position of Genesee Faculty Association that over-all unit of full-time faculty and administrative personnel "is the most appropriate unit for bargaining purposes."

- 805 Schenectady County Community College and Schenectady County Community College Faculty Assn. (Case No. C-1223; May 13, 1975.); 1975-GERR-612: C-5.

Board certifies association as representative of instructor I and II, assistant to director EOC, assistant instructor, assistant counselor, senior counselor, and counselor.

PERB DECISIONS - OREGON

- 806 Oregon State Employees Association v. Oregon College of Education, et al. (Case Nos. C-277, C-619, C-326, C-375, and C-230, December 16, 1974.); 1975-GERR-591: B-7 to B-9. Also in Negotiations Research Digest, 8(8): 10-11, April, 1975.

Faculty members at Oregon's seven colleges and universities, as well as medical and dental schools, should be represented by individual collective bargaining units instead of statewide unit.

PERB DECISIONS - PENNSYLVANIA

- 807 Bucks County Community College (Board of Trustees). (Case No. PERA-R-5814-E, March 14, 1975.); 1975-GERR-603: C-7.

Board denies Pennsylvania Federation of Teachers certification to represent all secretarial and clerical employees, technicians, and custodial employees.

- 808 Temple University of The Commonwealth System of Higher Education (Woodhaven Center). (Case No. PERA-R-6633-E, July 10, 1975.); 1975-GERR-616: C-7.

By vote of 73 to 3, Philadelphia Federation of Teachers Local 3 is certified as representative of all full-time and regular part-time professional employees at center.

PERE DECISIONS - WISCONSIN

- 809 AFT and Western Wisconsin Technical Institute. (Case II, No. 17439 MP-306, Decision No. 12355-B, August 2, 1974.); 1975-GERR-590: C-8.
Sustaining AFT's charge, Commission finds employer did attempt to sway election outcome by sending letters to employees.

PERSONNEL RELATIONS

- 810 Anderson, B. R. "Adjunct Faculty Deserve a Better Deal." Change, 7(7): 8,64, September, 1975.
- 811 Branam, Robert D. "Personnel Policies and Federal Concerns." Journal of The College and University Personnel Association, 26(4): 26-33, Oct./Nov., 1975.
- 812 Groty, C. Keith. "Better Academic Personnel Administration Need Not Wait for Collective Bargaining." Journal of The College and University Personnel Association, 25(2): 90-91, Apr., 1974.
- 813 Schein, E. H. "Changing Role of The Personnel Manager." Journal of The College and University Personnel Association, 26(3): 14-19, July/August, 1975.
- 814 Steiner, Stuart. "The Dean's Participation: Necessity or Lunacy?" New Directions For Community Colleges, 3(11): 51-58, Autumn, 1975.

PROFESSIONALISM

- 815 Bunzel, John H. "The Eclipse of Confidentiality." Change, 7(8): 30-33, October, 1975.
(Response to above: Letters 7(10): 6, Dec. Jan., 1975-76).
- 816 Cohen, Arthur M. "Defining Faculty Responsibility: The Individual and his Profession." Community College Review, Winter, 1974.

PROFESSIONALISM (cont'd.)

- 817 Devries, David L. "The Relationship of Role Expectations to Faculty Behavior." Research in Higher Education, 3(2): 111-129, 1975.
- 818 Fenker, R. M. "The Evaluation of University Faculty and Administrators: A Case Study," The Journal of Higher Education, 46(6): 665-686, Nov./Dec., 1975.
- 819 Rickman, Paul. "Faculty-Board Relations" Community and Junior College Journal. 44(4): 29-30, December/January, 1974-75.
- 820 Simpson, Stephen Thomas. Faculty Professionalism in Academic Collective Bargaining Agreements. Ed.D. Dissertation, Indiana University, Bloomington, Indiana, 1973.
- 821 Taylor, Jean L. and Myron Lieberman. "Who's a Pro?" Phi Delta Kappan, 56(5): 363-365, January, 1975.
- 822 "Thompson Says Education Policy Not A Bargaining Matter." Higher Education Daily, 3: 1, Jan. 28, 1975.
- 823 Wotruba, T. R. and P. L. Wright. "How to Develop a Teacher-Rating Instrument: A Research Approach." The Journal of Higher Education, 46(6): 623-652, Nov./Dec., 1975.
- 824 Zeller, Belle, et al. "Faculty Collective Bargaining: The End of Professionalism--or The Road to Effective Education." Change, 7(2): 48-50, Mar., 1975.

PUBLIC SECTOR LABOR RELATIONS

- 825 Academic Collective Bargaining Information Service. Scope of Public Sector Bargaining in 14 Selected States. Special Report #25. Washington, D. C.: ACBIS, Nov., 1975..
- 826 Bilik, Albert. "Public Employee Unionism is Here to Stay." Journal of The College and University Personnel Association, 25(2): 99-103, Apr., 1974.

PUBLIC SECTOR LABOR RELATIONS (cont'd.)

- 827 Chanin, Robert H. "The Case for a Collective Bargaining Statute for Public Employees." Phi Delta Kappan, 57(2): 97-100, Oct., 1975.
- 828 "Indiana University Gets Grant to Create Information Center." 1975-GERR-588: B-17.
- 829 James, Tom. "The States Struggle to Define Scope of Teacher Bargaining." Phi Delta Kappan, 57(2): 94-96, Oct., 1975.
- 830 Jascourt, Hugh. "Public Sector Labor Relations in 1974." Labor Law Journal, 26(5): 312-, 1975.
- 831 Lieberman, Myron. "Neglected Issues in Federal Public Employee Bargaining Legislation." Phi Delta Kappan, 57(2): 101-105, Oct., 1975.
- 832 U. S. Department of Labor. Understanding Fact-Finding and Arbitration in The Public Sector. Washington, D. C., U. S. Government Printing Office, 1975.
- 833 U. S. Department of Labor. Understanding Grievance, Arbitration in The Public Sector. Washington, D. C., U. S. Government Printing Office, 1975.

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- 834 Academy for Educational Development. Higher Education with Fewer Teachers. New York: Academy for Educational Development, 1972.
- 835 "AFSCME, NEA Form Mass. 'CAPE' to Fight Layoffs." 1975-GERR-5924 B-19.
- 836 "Bayard Rustin on Seniority." Labor Relations Reporter - News and Background Information, 89: LRR, 77-78, May 26, 1975.
- 837 Boulding, Kenneth E. "The Management of Decline." Change, 7(5): 8-9, 64, June, 1975.

RETRENCHMENT (cont'd.)

- 838 "Effects of Layoff Economy on Minority Labor Gains." Labor Relations Reporter-News and Background Information, 89: LRR, 103-106, June 2, 1975.
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Relations
Ithaca, New York 14850

Council for the Advancement
of Small Colleges
One Dupont Circle, N.W.
Washington, D. C. 20036

Council of Governments
Department of Human Resources
1225 Connecticut Avenue, N.W.
Washington, D. C. 20036

Counsellor's Information
Service
1640 Rhode Island Avenue, N.W.
Washington, D. C. 20036

Dalhousie University
Industrial Relations Section
Halifax, Nova Scotia, Canada

ERIC Clearinghouse on Higher
Education
The George Washington
University
Washington, D. C. 20036

ERIC Clearinghouse for Junior
Colleges
University of California
96 Powell Library Building
Los Angeles, California 90024

Harvard University Trade
Union Program
Sherman 2
Harvard Business School
Soldiers Field
Boston, Massachusetts 02163

Harvard University
Manpower and Industrial
Relations Library
Littauer Center
Cambridge, Massachusetts 02138

Institute of Business and
Economic Research
University of California
Berkeley, California 94720

Institute of Continuing Legal
Education
Hutchins Hall
Ann Arbor, Michigan 48104

Instituto Tecnológico y de
Estudios Superiores de
Monterrey
Departamento de Relaciones Ind.
Sucursal de Correos "J"
Monterrey, N. L. Mexico

Iowa State University
Industrial Relations Center
280 East Hall
Ames, Iowa 50010

Laval University
Department of Industrial
Relations
Ste. Foy, Quebec, Canada

Loyola University (of Chicago)
Institute of Industrial
Relations
820 North Michigan Avenue
Chicago, Illinois 60611

Loyola University
(of Los Angeles)
Industrial Relations Center
7101 West 80 Street
Los Angeles, California 90045

McGill University
Industrial Relations Center
1001 Sherbrooke Street, West
Montreal, Quebec, Canada

Massachusetts Institute of
Technology
Alfred P. Sloan School of
Management
Industrial Relations Section
Cambridge, Massachusetts 02139

Michigan State University
School of Labor and Industrial
Relations
East Lansing, Michigan 48823

National Association of College
and University Attorneys
(NACUA)
One Dupont Circle, N.W.
Washington, D. C. 20036

National Association of
College and University
Business Officers (NACUBO)
One Dupont Circle, N.W.
Washington, D. C. 20036

National Education Association
(NEA)
1201 16th Street, N.W.
Washington, D.C. 20036

National Labor Relations Board
(NLRB)
Division of Information
1717 Pennsylvania Avenue, N.W.
Room 710
Washington, D. C. 20570

New York State Public Employ-
ment Relations Board
(NYS/PERB)
50 Wolf Road
Albany, New York 12205

New York University
Institute of Labor Relations
Washington Square
New York, New York 10003

NEXUS - AAHE
One Dupont Circle, N.W.
Washington, D. C. 20036

(The) Pennsylvania State
University
Center for the Study of
Higher Education
101 Rackley Building
University Park, Pa. 16802

Princeton University
Industrial Relations Section
P. O. Box 248
Princeton, New Jersey 08540

Public Personnel Association
1313 East 60 Street
Chicago, Illinois 60637

Purdue University
Industrial Relations Committee
Krannert Graduate School of
Industrial Administration
West Lafayette, Indiana 47907

Queen's University
Industrial Relations Center
Kingston, Ontario, Canada

Research Program on Faculty
Governance
School of Education
University of Michigan
Ann Arbor, Michigan 48104

Research Project on Students
and Collective Bargaining
2000 P Street, N.W.
Washington, D. C. 20036

Rutgers, The State University
of New Jersey
Institute of Management and
Labor Relations
University Extension Division
New Brunswick, New Jersey 08903
(Also: Library Information
Service)

Saint Francis College
Graduate Program in
Industrial Relations
Loretto, Pa. 15940

St. Joseph's College
Institute of Industrial
Relations
18th and Thompson Streets
Philadelphia, Pa. 19121

San Diego State College
Institute of Labor Economics
Department of Economics
San Diego, California 92115

Society for College and
University Planning
State University of New York
at Buffalo
210 Hayes Hall
Buffalo, New York 14214

Society for Personnel
Administration
National Press Building
529 - 14th Street, N.W.
Washington, D. C. 20004

Stanford Project on Academic
Governance
School of Education
Stanford University
Stanford, California 94305

State Historical Society of
Wisconsin
816 State Street
Madison, Wisconsin 53706
(Specializing in Labor History)

Teachers Insurance and Annuity
Association (TIAA)
730 Third Avenue
New York, New York 10017

United States Bureau of Labor
Statistics
400 First Street, N.W.
Washington, D. C. 20427

United States Department of
Health, Education and
Welfare
Education Division
National Center for Education
Statistics
Washington, D. C. 20202

United States Department of
Labor
Labor-Management Services
Administration
Office of Labor-Management
Relations Service
Washington, D. C. 20210

University of Alabama
Graduate School of Business
Manpower and Industrial
Relations Institute
University, Alabama 35486

University of British Columbia
Institute of Industrial
Relations
310 Henry Angus Building
Vancouver, British Columbia
Canada

University of California
(Berkeley)
Institute of Industrial
Relations
2521 Channing Way
Berkeley, California 94720

University of California
(Los Angeles)
Institute of Industrial
Relations
405 Hilgard Avenue
Los Angeles, California 90024

University of Chicago
Industrial Relations Center
1225 East 60 Street
Chicago, Illinois 60637

University of Colorado
Center for Labor Education
and Research
119 Macky
Boulder, Colorado 80302

University of Hawaii
Industrial Relations Center
2404 Maile Way
Honolulu, Hawaii 96822

University of Illinois
Institute of Labor and
Industrial Relations
504 East Armory Avenue
Champaign, Illinois 61820

University of Iowa
College of Business
Administration
Center for Labor and
Management
24 Phillips Hall
Iowa City, Iowa 52240

University of Massachusetts
Labor Relations and Research
Center
125 Draper Hall
Amherst, Massachusetts 01002

(The) University of Michigan
Industrial Relations Library
330 Graduate School of
Business Administration
Ann Arbor, Michigan 48104

(The) University of Michigan -
Wayne State University
Institute of Labor and
Industrial Relations
108 Museums Annex
Ann Arbor, Michigan 48104

University of Minnesota
Industrial Relations Center
537 Business Administration
Building
Minneapolis, Minnesota 55455

University of Montreal
Department of Industrial
Relations
3150 Jean-Brilliant Street
Montreal, Quebec, Canada

University of Notre Dame
Industrial Relations Section
Department of Economics
Notre Dame, Indiana 46556

University of Oregon
Institute of Industrial and
Labor Relations
Eugene, Oregon 97403

University of Pennsylvania
The Wharton School
Industrial Research Unit
3733 Spruce Street
Philadelphia, Pa. 19174
(Also: Charles Patterson
Van Pelt Library)

University of San Francisco
Labor-Management School
San Francisco, California 94117

University of Toronto
Center for Industrial Relations
Toronto, Ontario, Canada

University of Utah
Institute of Industrial
Relations
College of Business
Salt Lake City, Utah 84112

University of Wisconsin
Industrial Relations Research
Institute
4226 Social Science Building
Madison, Wisconsin 53706

Wayne State University
Archives of Labor History and
Urban Affairs
Detroit, Michigan 48202

Western Interstate Commission
for Higher Education
P. O. Drawer P
Boulder, Colorado: 80302

Yale University
Labor and Management Center
New Haven, Connecticut 06520

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GLOSSARY

A:

Academic freedom - A university teacher should be free from institutional censorship or discipline and is entitled to intellectual freedom in research and/or publications. Implicit in the term is that a position imposes special obligations re. introduction of controversial matter which has no relation to the teacher's subject. Limitations of academic freedom because of religious or other aims of the institution should be stated in writing at the time of appointment.

Accountability - In higher education, the term refers to demands that the institutions, and individuals that provide educational services, must be "accountable" to one or more groups in some aspect of their behavior such as validity of objectives, effectiveness of expenditures, day-to-day performance of their functions, or educational results of activities, i.e., must account for their performance.

Across-the-board increase - A general wage increase simultaneously affecting all or most employees in a plant, company, or industry, by way of a uniform cents-per-hour or percentage increase.

Administrative law judge - Official who conducts hearings and makes recommendations to the NLRB or other government agency. (Formerly called a trial or hearing examiner.)

Advance notice - An announcement of an intention to carry out a certain action in sufficient time to prepare for it, such as notifying management of union's intention to modify a collective bargaining agreement, or notifying a worker that he will be laid off.

Affirmative action - Compliance with federal guidelines set down by the Department of Health, Education and Welfare for the purpose of advancing occupational and/or educational interests of specific minorities. Elements of affirmative action include employment practices, testing and validation, and promotion procedures.

A: (Cont'd.)

Affirmative order - Command issued by a labor relations board requiring the persons found to have engaged in unfair labor practices to take such steps as will, so far as possible, undo the effect of such practices.

Agency shop - Provision of a collective bargaining agreement which requires that all employees in the bargaining unit who do not join the employer organization pay a fixed amount, usually the equivalent of union dues, as a condition of employment to help defray the organization's expenses as bargaining representative.

Agent - Person acting for an employer or a union.

Agreement - A written agreement (contract) arrived at as the result of negotiation between an employer or a group of employers and an employee organization or group of organizations. It usually contains such provisions as the conditions of employment (wages, fringes, hours of work, etc.) and the procedures to be used in settling disputes during the term of the contract.

Amendment of certification - see "Clarification of Unit."

Annual improvement factor - Wage increases, granted automatically each contract year, which are based on increased employee productivity.

Annual wages - Sometimes used in a general sense to refer to total earnings received during a year; more particularly used in connection with plans whereby workers are guaranteed a minimum amount of wages or employment each year.

Anti-certification strike - Strike designed to force an employee to cease recognizing a union which has been certified as bargaining agent and to recognize the striking union instead. This is an unfair labor practice under the Taft-Hartley Act.

Anti-Injunction Law (Norris-LaGuardia Act) - A federal law passed in 1932 which restricted the rights of U.S. courts to issue injunctions aimed at restraining activities of labor unions. The Taft-Hartley Act of 1947 restored some injunctive power to the courts.

A: (Cont'd.)

Anti-strikebreaking Act (Byrnes Act) - A federal law passed in 1936 which prohibits the interstate transportation of "any person who is employed or is to be employed for the purpose of obstructing or interfering by force or threats with the peaceful picketing by employees during a labor controversy, or the exercise by employees of any of the rights of self-organization or collective bargaining."

Antitrust laws - Federal and state statutes to protect trade and commerce from unlawful restraints and monopolies. For many years used to restrict union activities such as strikes, picketing, and boycotts, recently their use in labor cases has been limited by statute and judicial interpretation.

Arbitration - The process of referring disputes between employers and employees (or between two rival unions) to the decision of impartial adjudicators. While an arbitrator's decision is legally binding, arbitration differs from judicial process in that the disputants have voluntarily agreed to refer the matter to arbitration and have themselves selected the arbitrator, and hearings are usually much less formal than court proceedings. Also, the arbitrator may make independent investigations. Disputes as to "rights" are adjudicable under the laws or agreements on which the rights are based, whereas disputes as to "interests" involve questions of policy which are not yet contractualized.

Arbitrator - An impartial third party to whom disputing parties submit their differences for decision (award).

Area agreement - An employer-union agreement which covers all or most of the establishments and workers in a given industry within a geographical region, usually more extensive than a city or metropolitan center. Unlike an association agreement it is signed individually by each employer concerned.

Assessments - A monthly, annual, or single charge levied by the union on each of its members for a special purpose not covered by regular dues.

Association agreement - An agreement negotiated and signed by an employers' association on behalf of its members, with a union or a joint board representing several unions. An association agreement may cover all or most of the employers within an industry throughout the country or in a single city or locality.

A: (Cont'd.)

Authorization card - Statement signed by an employee designating an employee organization to act as his representative in collective bargaining. An employee's signature on an authorization card does not necessarily mean that he is a member of the organization.

Automatic wage adjustment - A plan whereby wage rates are raised or lowered according to an established formula in response to other specified changes such as changes in the cost of living prevailing to wages, business profits, or prices.

Automatic wage progression - A plan by which wage rates of workers in jobs with established rate ranges are increased automatically at set time intervals until the maximum rate for the job is reached. Some plans combine automatic progression up to a specified point (for example, the midpoint) within the range, with discretionary increases up to the maximum based on merit or other factors.

Automation - The substitution of machines for human labor and skills.

Avoidance of a forfeiture - If an agreement is susceptible of two constructions, one of which would work a forfeiture and one of which would not, the arbitrator will be inclined to adopt the interpretation that will prevent the forfeiture.

Award - In labor-management arbitration, the final decision of an arbitrator, usually binding on both parties to the dispute.

B:

Back pay - Wages due an employee for past services, usually representing the difference between money already received and a higher amount owed.

Back-to-work movement - A return of strikers to their jobs before their union has declared the strike ended.

Bargainability - see "Scope of Bargaining."

Bargaining agent - see "Agent."

R: (Cont'd.)

Bargaining representative - Any organization, agency, or person authorized or designated by an employer, employee, group of employees, or employee association to act on its behalf and represent it or them.

Bargaining rights - Generally used with reference to workers' rights to bargain collectively with their employers as established by law and judicial interpretations.

Bargaining unit - A group of employees who voluntarily unite, or by decision of a government agency such as the NLRB, are deemed to be an "appropriate" unit for bargaining collectively with their employer (or employers).

Base rate - Under incentive wage systems, the rate for the established task or job standard, production beyond standard bringing extra pay.

Best Evidence Rule - The rule of evidence that the best evidence of which the case is susceptible and which is within the power of the party to produce, or is capable of being produced must be adduced in proof of every disputed fact.

Bidding - System of having vacant jobs posted on bulletin boards or otherwise circularized, with present employees having the privilege of applying on basis of their seniority.

Binding arbitration - see "Arbitration."

Blue-collar workers - Term used to describe manual workers, i.e., production and maintenance workers. In higher education, blue-collar employees are sometimes referred to as "other than faculty" personnel.

Board of inquiry - A board appointed by the President under the Labor Management Relations Act, to examine and report on facts and positions of parties in a "national emergency" dispute. Term also used for any board set up by public agency to investigate a labor dispute. (see also "Fact-Finding.")

Boards of mediation - The various state mediation agencies that perform services in the furtherance and assistance of arbitration.

Bona fide union - A union chosen or organized freely by employees without unlawful influence on the part of their employer.

B; (Cont'd.)

Bonus - Any payment in addition to regular or base wages; may be in the form of a Christmas bonus or other annual allotment or may refer to extra rates paid for nightwork, overtime, hazardous work, etc. Also used in connection with incentive wage systems to designate amounts earned in excess of base or guaranteed rates.

Boycott - A concerted effort to withhold and to induce others to withhold the purchase of goods or services produced in a nonunion plant or by an employer accused of objectionable labor practices.

Bumping - During layoffs, the displacing of junior employees by workers of longer service; sometimes referred to as "backtracking."

Business agent - A person employed by a local union to assist in negotiating agreements with the employer, help settle grievances, and see that both employers and members observe the terms of the agreement. A business agent's duties are similar to those of a union steward but the latter are company employees who continue to work at their regular jobs, while a business agent is a full-time representative of the union. Business agents are most common in the building trades unions.

Business unionism ("bread-and-butter" unionism) - Used to characterize objectives of trade union movement in United States, with emphasis on higher wages and better working conditions rather than political action or radical reform of society.

Byrnes Act - see "Anti-strikebreaking Act."

C:

Card check - Checking union authorization cards signed by employees against employer's payroll to determine whether a union represents a majority of the employer's employees.

Carnegie Commission Reports - In-depth reports by the Carnegie Commission on Higher Education that have served as informational resources for policy-makers in universities, government and business organizations. The Commission's investigations have included Federal funding, expanding educational opportunity, community college development, campus dissent, effective use of resources, financing higher education, etc.

C: (Cont'd.)

Casual workers - Workers employed for short periods of time who attain no seniority status with either the employer or the union.

Cease-and-desist order - Command issued by a labor relations board requiring employer or union to abstain from unfair labor practice.

Certification - Official designation by a labor board of a labor organization entitled to bargain as exclusive representative of employees in a certain unit.

Challenged ballot - A vote questioned by one of the parties to a representation election. Challenged ballots are kept sealed and are opened and counted only if their number is sufficient to affect the outcome of the election.

Charge - Formal allegations against employer or union under labor relations acts on the basis of which, if substantiated, a complaint may be issued by the board or commission.

Check-off - The practice whereby the employer, by agreement with the union, withholds union dues and assessments from the pay of union members and turns the funds over to the union. The 1947 Labor-Management Relations Act and the state laws permit check-off only for those employees who individually authorize the employer to make such withholdings.

Clarification of unit - A procedure where an administrative agency or the employer and union, by stipulation, redefine a bargaining unit.

Classified employees - A term used to designate employees of the federal government who occupy positions established by the Classification Act of 1949. Sometimes used to identify civil service titles in higher education.

Closed shop - An agreement between an employer and a union which specifies that no persons shall be employed who are not members of the union and that all employees must continue to be members in good standing throughout their period of employment. Closed shops were declared illegal by the 1947 Labor-Management Relations Act.

C: (Cont'd.)

Coalition (coordinated) bargaining - Joint or cooperative efforts by a group of unions in negotiating contracts with an employer who deals with a number of unions.

Coercion - Economic or other pressure exerted by an employer to prevent the free exercise by employees of their right to self-organization and collective bargaining; intimidation by union or fellow employees to compel affiliation with union.

Collective agreement - see "Contract."

Collective bargaining (collective negotiations) - A method of bilateral decision making in which representatives of the employees and employer determine the conditions of employment of all workers in a bargaining unit through direct negotiation. The bargaining normally results in a written contract which is mutually binding and sets forth wages, grievance procedures, and other conditions of employment to be observed for a stipulated period. Collective bargaining is to be distinguished from individual bargaining, which applies to negotiations between an individual employee and the employer.

Collegiality - Refers to the concept of shared authority in decision-making characterized by joint faculty-administration committees or deliberation bodies.

Collusion - A conspiracy between an employer and the certified representative of his employees to defraud the employees while providing the semblance of a genuine bargaining relationship.

Community Colleges - Comprehensive public 2-year colleges that offer academic, general, occupational, remedial and continuing adult education.

Community of interest - A factor to be considered in determining whether employees should be grouped together as an appropriate bargaining unit. Community of interest guidelines include similar working conditions, similar job responsibilities, desires of the employees, common, centralized supervision or work site, common skills or educational requirements.

Company union - Organizations of employees of a single employer usually with implication of employer domination.

C: (Cont'd.)

Constructive discharge - Unfavorable treatment of employee marked for discharge so that employee will "voluntarily" resign.

Consultation - The process through which the employer seeks the opinions and suggestions of employees and employee organizations in the formulation and implementation of policies which are likely to affect their working conditions. Consultation provides employees a greater opportunity to participate in the development of policies which are of concern to them, but it is not in the nature of a negotiating session in which two equal parties arrive at a mutually acceptable decision.

Continuous negotiating committees (interim committees) - Established by employers and employee organizations in a collective bargaining relationship to keep an agreement under constant review to discuss possible changes long in advance of its expiration date. (see also "Crisis Bargaining.")

Contract - Formal agreement over wages, hours and conditions of employment entered into between an employer or group of employers and one or more unions representing employees of the employers.

Contract-bar rules - Rules applied by the NLRB in determining when an existing contract between an employer and a union will bar a representation election sought by rival union.

Contracting - A system of having portions of the manufacturing processes sublet to contractors; common in the clothing and automobile industries.

Contributory welfare plan - A retirement pension or other benefit plan whose cost is shared (not necessarily equally) by both the employer and the employees.

Cooling-off period - Period during which employees are forbidden to strike under law which requires a definite period of notice before a walkout.

Cost-of-living adjustment - see "Escalator Clause."

C: (Cont'd.)

Cost-of-living index - A measure of the change in the retail price of goods, rents, and services. The most widely known index, that of the Bureau of Labor Statistics, is issued every month and represents the average change in prices of living essentials in representative large cities. Correctly termed Consumers Price Index or CPI.

Craft employee - Any employee who is engaged with his helpers or apprentices in a manual pursuit requiring the exercise of craft skills which are normally acquired through a long and substantial period of training or a formal apprenticeship and which, in their exercise, call for a high degree of judgment and manual dexterity.

Craft union - A labor organization whose jurisdiction is limited to one or several allied skilled trades.

Crisis bargaining - Collective bargaining taking place under the shadow of an imminent strike deadline. (see also "Continuous Negotiating Committees.")

Cyclical unemployment - Unemployment caused by fluctuations in the economy.

D:

Damage suits - Suits which may be brought in Federal courts, without the usual limitations, to recover damages for breach of collective bargaining contracts and for violation of prohibitions against secondary boycotts and other unlawful strike action under the Taft-Hartley Act.

Deauthorization election - Election held by the NLRB under the Taft-Hartley Act to determine whether employees wish to deprive their union bargaining agent of authority to bind them under a union-shop contract.

D: (Cont'd.)

Decertification - A procedure for removing the designation of an employee organization as the certified bargaining representative. This is done after a petition alleging that the organization no longer represents a majority of the employees if the organization still claims to be the majority representative of said employees.

De minimis rule - In denying grievances, arbitrators sometimes apply the rule of de minimis non curat lex, under which trifling or immaterial matter will not be taken into account. Often in applying this principle the arbitrator concludes that the action complained of is such a slight departure from what is generally required by the agreement that the action must be viewed either as a permissible exception or as not constituting an injury at all.

De novo - A term used to signify an in-depth review of an action which starts at the beginning reconsidering all the evidence as contrasted with a limited or procedural review.

Department chairman(person) - Faculty member responsible for certain administrative and supervisory tasks. The position has been included in some faculty units and excluded in others.

Disability insurance - Insurance plans which cover non-occupational connected sickness and accidents.

Discharge - Involuntary dismissal of an employee for cause. A discharged employee, unlike one laid off, loses his seniority rights to re-employment.

Discrimination - "Discrimination in regard to hire or tenure of employment as a means of encouraging or discouraging membership in a labor organization," also refusal to hire, promote, or admit to union membership because of race, creed, color, sex, age or national origin.

Dismissal wage - Payment by the employer of a sum of money to an employee who is permanently and involuntarily laid off.

Dispute - A controversy between an employer and employees (or union) that is sufficiently serious to be referred to an arbitrator or government agency for settlement or to threaten or cause a work stoppage. Sometimes used as synonymous to strike or lockout but more frequently given the broader connotation to include threatened as well as actual strikes. (see also "Strike.")

D: (Cont'd.)

Domination - Control exercised by an employer over a union of his employees.

Down grading - The reassignment of workers to tasks with lower skill requirements with lower rates of pay. May occur during periods of reduction of work force through the bumping process.

Dual unionism - A charge leveled at a union member or officer who seeks or accepts membership or position in a rival union, or otherwise attempts to undermine a union by helping its rival.

Dues check-off - see "Check-off."

Dues, union - see "Union Dues."

Duty to bargain - see "Good Faith Bargaining."

E:

Earnings - Total remuneration for services rendered or time worked including overtime, bonuses and commissions, and other premium pay. (see also "Incentive Wages," "Real Wages.")

EEOC - The Equal Employment Opportunity Commission, established by Title VII of the Civil Rights Act of 1964, prohibits employers or labor unions with 25 or more employees from discriminating against an individual because of race, color, religion, sex or national origin. Frequently invoked to secure equal rights for female employees.

Ejusdem generis - Under the doctrine of ejusdem generis where general words follow an enumeration of specific terms the general words will be interpreted to include or cover only things of the same general nature or class as those enumerated, unless it is shown that a wider sense was intended. Arbitrators apply this doctrine.

Employee election - Balloting by employees for the purpose of choosing a bargaining agent or unseating one previously recognized.

Employment contract - Agreement entered into between an employer and one or more employees.

E: (Cont'd.)

Equal pay for equal work - A wage plan or legal provision for the payment of the same compensation to all employees within an establishment, or other bargaining unit, who are performing the same kind and amount of work, regardless of race, sex, or other characteristics of the individual workers.

Escalator clause - A provision found in many collective bargaining agreements which is designed to keep the "real income" of the worker reasonably stable during the term of the agreement in the face of price fluctuations. It provides for periodic wage adjustments to reflect changes in the Consumer Price Index or other measures of living costs. Downward as well as upward adjustments are permitted, though there usually is a stated floor below which wages may not be reduced.

Escape period - A period, normally 15 days, during which employees may resign from a union so as not to be bound to continue membership under membership-maintenance agreements.

Exclusive representative - The employee organization certified to represent a majority of the employees in an appropriate bargaining unit and designated as the collective bargaining agent for all employees in the unit, both members and nonmembers.

Exclusivity - The right (usually provided by labor relations statutes) acquired by an employee organization to be the sole representative of the bargaining unit.

Exempt employees - Employees who are not subject to the provisions of the Fair Labor Standards Act.

Exigency - see "Financial Exigency."

Expiration date - Formal termination date established in a collective bargaining agreement, or the earliest date at which the contract may be terminated.

Expressie unius est exclusio alterius - Frequently arbitrators apply the principle that to expressly include one or more of a class in a written instrument must be taken as an exclusion of all others. To expressly state certain exceptions indicates that there are no other exceptions. To expressly include some guarantees in an agreement is to exclude all other guarantees.

E:

Fact-finding - Investigation of an unresolved labor-management negotiation dispute by an impartial individual, board, or panel. Fact-finders are usually appointed by a labor relations agency by the parties themselves, or, at the request of the parties, by the American Arbitration Association. Fact-finders issue reports, which may be made public, and frequently make non-binding recommendations.

Faculty - Those employed by a college or university in a professional capacity. Term can refer to administrative, teaching and non-teaching personnel.

Faculty rights and responsibilities - see "Academic Freedom."

Fair employment practice - Term applied in some statutes to conduct which does not contravene prohibitions against discrimination in employment because of race, color, religion, sex, or national origin.

Featherbedding - Practices, usually by unions, such as demanding payment for work not performed, refusing to allow adoption of labor-saving equipment, and creating non-essential jobs.

Federal Mediation and Conciliation Service - The Federal Mediation and Conciliation Service's (FMCS) basic arbitration function is the maintenance of a roster from which the Service can nominate arbitrators to the parties.

Fiduciary obligation - Obligation of trust imposed by law on union officials, particularly with respect to the union's funds and the fair and disinterested representation of union members in collective bargaining.

Field examiner - An employee of the NLRB whose primary duties are to conduct certification elections and to conduct preliminary investigations of unfair labor practice charges.

Financial exigency - Fiscal situation where employer feels it is necessary to curtail programs and/or lay off employees.

Fiscal dependence - Term showing that a unit of government does not have its own revenue-raising power.

F: (Cont'd.)

Free rider - A union term for a worker who does not belong to a union but nevertheless receives the benefits derived from a union-negotiated contract or other union activity.

Fringe benefits - Term used to encompass items such as vacations, holidays, insurance, medical benefits, pensions, and other similar benefits that are given to an employee under his employment or union contract in addition to direct wages.

Full employment - There is considerable disagreement about the meaning of full employment. Ideally, this term means an employment level at which any person willing and able to work can find employment.

Functus officio - The authority and jurisdiction of arbitrators are entirely terminated by the completion and delivery of an award. After the award has been rendered, the arbitrator should not issue any clarification or interpretation thereof, or comments thereon, except at the request of both parties, unless the agreement provides therefor.

G:

General strike - A widespread sympathetic strike in which workers attached to various industries and unions participate, in contrast to a general industry strike which is confined to one union or one industry even though plants may be widely scattered over the country.

Good-faith bargaining - The type of bargaining an employer and a majority union must engage in to meet their bargaining obligation under the Taft-Hartley Act. The parties are required to meet at reasonable times and to confer in good faith with respect to wages, hours, and other terms and conditions of employment, but neither party is required to agree to a proposal or to make a concession.

Goon - A person hired either by a union or by management during a labor dispute to create violence and thereby to intimidate the other side.

G: (Cont'd.)

Governance - The act of collegial decision-making, peer group evaluation or administrative deliberations made in the context of running a university.

Grievance - A statement of dissatisfaction, usually by an individual, but sometimes by the union or management, concerning interpretation of a collective bargaining agreement or traditional work practices. Method of dealing with individual grievances is usually spelled out in the union contract.

Grievance committee - Committee designated by a union to meet periodically with the management to discuss grievances that have accumulated.

Gross National Product - The total value of all the goods and services produced in the nation as determined by the current prices paid for them; usually computed on a yearly basis.

Guaranteed Annual Wage (GAW) Plan - A plan whereby an employer agrees to provide his employees a guaranteed minimum of employment or income for a year. Not widely practiced, GAW has, nonetheless, been an important bargaining issue in recent years.

Guaranteed employment - A plan established by an employer or through employer-union negotiations, whereby employees are assured a specified number of days' work per week or weeks per year or the equivalent in wages.

Guaranteed wage rate - The base rate or other established minimum which is guaranteed under most incentive wage systems regardless of actual output.

H:

Hearing - A meeting during which argument and testimony are taken for the purpose of developing a factual record relevant to the issue(s) in representation.

Hold-back pay - Any wages withheld by employer; most generally used in connection with the two or three days' wages earned between the end of the pay period and payday.

Illegal strike - Technically, a work stoppage forbidden by law because specified legal procedures have not been followed prior to the stoppage, or because of an injunction forbidding the stoppage. In union parlance, the term does not necessarily relate to a strike prohibited by a law but refers to a stoppage by union members which has not been authorized by the proper union officials or voted upon in accordance with the union's rules.

Immunity clause - Clause in a contract designed to protect a union from suits for contract violation growing out of unauthorized strikes. A typical clause would limit recourse of the parties to the grievance procedure of the contract.

Impartial chairman - An outside person employed jointly by the union and employer (or employers), usually for a definite period of time, to assist in negotiating and administering the collective agreements. After the contract is negotiated, it is the function of the impartial chairman to see that both parties observe the terms of the contract and to make final decisions when questions arise as to interpretation or application.

Impasse - That point in the negotiations at which either party has determined that no further progress in reaching agreement can be made. Technical impasse refers to that point at which agreement is supposed to be reached and has not, but the parties are continuing to bargain in good faith.

Improper practice - Conduct prohibited by the statute or administrative regulation, e.g., bribery by employers and labor relations consultants of union officials and conflicts of interest among union officials. The term is also used in public employment relations as a substitute for unfair labor practice.

Incentive wages - A method of wage payment by which earnings fluctuate more or less in accordance with actual output, thus providing an immediate financial stimulus to increased effort and output.

Independent union - A union that is not affiliated with the AFL-CIO. The United Auto Workers and the Teamsters are examples. There are also smaller independent unions confined to a single plant or company.

I: (Cont'd.)

Individual contract - Agreement of employer with individual employee covering conditions of work.

Industrial relations - General term covering matters of mutual concern to employers and employees; the relationships, formal and informal, between employer and employees.

Industrial union - A labor organization whose jurisdiction includes all or most occupations, skilled and unskilled, within an entire industry.

Initiation fees - Fees required by unions as a condition to the privilege of becoming members. If such fees are excessive or discriminatory, an employer may not be held to the obligation, under a union shop, of discharging employees who do not join the union.

Injunction - Mandatory order by a court to perform or cease a specified activity usually on the ground that otherwise the complaining party will suffer irreparable injury from unlawful actions of the other party.

Interference - Short-cut expression for "interference with the right of employees to self-organization and to bargain collectively."

Internal disputes plan - A method established by constitution of the AFL-CIO for resolving disputes arising between affiliated unions. The plan designed to protect the established relationships of member unions.

International representative - Generally, a full-time employee of a national or international union whose duties include assisting in the formation of local unions, assisting in grievance settlements dealing with affiliated local unions, settling disputes within and between locals.

International union - In this country "International" refers to unions having members in Canada as well as in the United States.

Intervention - After a petition for certification has been filed, other employee organizations are permitted to intervene in the proceeding to resolve a question concerning the representation of employees if it has submitted a showing of interest. If intervention is permitted, the intervenor becomes a party for all purposes and may appear on the ballot.

I: (Cont'd.)

Intimidation - Actual or implied threats to induce employees to refrain from joining or to join a labor organization; threats used in other aspects of labor controversies.

J:

Job classification - The money value (base rate) attached to a job on the basis of a formal method of evaluation.

Job evaluation - The qualitative rating of jobs to determine their position in a job hierarchy according to skill, experience, responsibility, and other special requirements, for purposes of determining relative wage rates.

Joint agreement - An agreement signed by several unions with one employer or several employers with one union, or several unions and several employers. Joint agreements are frequent among allied craft unions and employers within the same industry.

Joint bargaining - Process in which 2 or more unions join forces in negotiating an agreement with a single employer.

Judicial review - Proceedings before courts for enforcement or setting aside of orders of labor relations boards. Review is limited to conclusions of law, excluding findings of fact unless these are unsupported by evidence.

Junior colleges - Public and private 2-year colleges.

Jurisdiction - Right claimed by union to organize class of employees without competition from any other union; province within which any agency or court is authorized to act.

Jurisdictional disputes - A dispute (which may or may not develop into a work stoppage) between two or more unions concerning the right to gain or retain the control of jobs in a particular trade, or the assignment of workers to these jobs. Sometimes confused with a rival union dispute but basically the issue is very different. The latter involves the question as to which one of two or more unions shall represent the workers already employed in a plant or other bargaining unit. In a jurisdictional dispute the issue is which group of workers, that are members of which union, shall have the right to be employed on the jobs in question.

J: (Cont'd.)

Jurisdictional strikes - Some unions engage in jurisdictional strikes. In such strikes, two labor unions compete for control of the same workers.

K:

L:

Labor grade - The category to which a particular job is assigned on the basis of skill, experience, and other requirements, each grade from common labor to those including the highest skilled occupations having progressively higher minimum and maximum wage rates, the purpose being to simplify the wage structure and facilitate transfers of personnel.

Labor laws - Usually applied to Federal or state legislation aimed at improving the conditions of workers or protecting the rights of labor unions; any legislation pertaining to workers and working conditions.

Labor-Management Relations Act (Taft-Hartley Act) - A Federal statute passed in 1947 amending the Wagner Act of 1935. Among the important provisions of the law are: (1) the closed shop is outlawed; (2) the government is authorized to seek an injunction preventing any work stoppage for 80 days in a strike that imperils the nation's health and welfare; (3) unions are prohibited from using union funds in connection with national elections; (4) unions must file financial statements with the Department of Labor and the membership; (5) the states are authorized to pass right-to-work laws.

Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act) - A Federal statute, passed in 1959, designed to rid unions of corruption and to ensure internal union democracy. It contains a "bill of rights" for union members, regulations concerning trusteeships, conditions to be observed in elections of union officers, and a definition of the fiduciary obligations of union officers.

Labor monopoly - In general economic terms, monopoly power is the ability of a seller to influence significantly the supply of a product or service and thereby exercise substantial control over price.

L: (Cont'd.)

Labor movement - General term usually applied to organized labor and its growth, structure, and activities, but may sometimes refer to all concerted economic, political and social activities of organized employees.

Labor relations - A general term used in connection with any or all matters of mutual concern to employers and employees. Sometimes given a more limited meaning to indicate the kind of recognition in effect between an employer and union.

Labor relations board - Quasi-judicial agency set up under national or state labor relations acts, whose duty it is to issue and adjudicate complaints alleging unfair labor practices, to require such practices to be stopped, and to certify bargaining agents for employees.

Labor turnover - Rate at which workers move into and out of employment, usually expressed as the number of accessions and separations during a given period per one hundred employees.

Laches - A doctrine, by which equitable relief is denied to one who has been guilty of unconscionable delay as shown by surrounding facts and circumstances, in seeking that relief.

Landrum-Griffin Act - see "Labor-Management Reporting and Disclosure Act."

Layoff - Most frequently used in connection with dismissal from a job because of lack of work although sometimes used to refer to a temporary suspension for disciplinary reasons in contrast to a permanent discharge. Laid-off employees usually retain seniority rights to re-employment for more or less extended periods of time.

Leave of absence - Allowed time off from a job with the right of reinstatement and without loss of seniority.

Legally required benefits - Term applied to employee-benefit programs to which employers must contribute, or insurance that they must purchase for employees according to law, e.g., social security.

L: (Cont'd.)

Living document - This term, as used by unions, expresses the belief that the terms of an agreement, particularly a long-term agreement, should be subject to review and renegotiation by the parties if conditions change or unforeseen events come about, despite the absence of a reopening clause.

Local - Group of organized employees holding a charter from a national or international/labor organization.

Local union - Although the term could be applied to any labor organization whose membership is confined to a single locality, the term is generally used to refer to local organizations which have been chartered by, and are affiliated with, a national union.

Lockout - Closing down of a business as a form of economic pressure upon employees to enforce acceptance of employer's terms, or to prevent whipsawing where union bargains with an association of employers.

Long-term contract - Generally, a collective bargaining agreement with a duration of 2 or 3 years or longer, as distinguished from a 1-year agreement.

Longevity pay - Wages based on length of service; may be in the form of graduated wage rates or an extra bonus or per cent added to regular or base earnings.

M:

Maintenance of membership - Union-security agreement under which employees who are members of a union on specified date, or thereafter become members, are required to remain members during the term of the contract as a condition of employment.

Majority representation - A determination by an appropriate agency that a certain union shall be the collective bargaining agency for all the employees within the bargaining unit.

Majority rule - Rule that the representative chosen by the majority of employees in an appropriate unit shall be the exclusive bargaining agent for all the employees.

M: (Cont'd.)

Make-up work - Work performed outside regular hours to make up for time lost, for example, work done on Saturday or on employee's usual day off.

Management - Term applied to the employer and his representatives, or to corporation executives who are responsible for the administration and direction of an enterprise.

Management prerogatives - Rights that employers feel are exclusively their own and hence not subject to collective bargaining and negotiations. These rights are often expressly reserved to employers in statute, agreements, or memoranda of understanding. They often include the right to determine the services to be performed to maintain efficiency and order, and to hire and direct the work force.

Management-rights clause - Collective bargaining contract clause that expressly reserves to management certain rights and specifies that the exercise of those rights shall not be subject to the grievance procedure or arbitration.

Marginal worker - A worker who by reason of age, mediocre skill, or other reason, is able to obtain employment only during periods when the labor supply is limited.

Master agreement - A union agreement signed by the dominant employer or several of the largest employers in an industry, or by an employers' association which includes most of the employers in the industry.

Mediation - Offer of good offices to parties to a dispute as an equal friend of each; differs from conciliation in that the mediator makes proposals for settlement of the dispute that have not been made by either party.

Meet and confer negotiations - Meet and confer laws generally extend to public employees the right to organize and to make presentations and recommendations before the appropriate legislative body which will then make a unilateral decision.

M: (Cont'd.)

Merit increase - A wage increase granted to an individual worker because of his improved efficiency or quality of work in contrast to a longevity increase based on length of service, or a promotion increase due to a transfer to a more highly paid job, or an increase resulting from a general rise in wage levels.

Merit rating - A formalized periodic rating of employees' efficiency and other qualifications to be used as a basis for wage increases and promotions and, in some plants, as one factor taken into consideration to determine order of layoff.

Minimum wage - Lowest wage rate allowed by either Federal or state law.

Modified union shop - An agreement between an employer and a union requiring all present members to retain their membership and all new employees to become members, but does not require employees who were not members at the time the agreement was signed to join the union.

Monitorship - Supervision or surveillance of a union by an outside party, usually for a limited time, imposed by order of a court or parent union organization.

Moonlighting - The term applied to the holding of more than one job by a worker, thus suggesting that the extra job is performed "by moonlight."

More favorable terms - An agreement by a union that will not grant more advantageous terms (for example, lower wage rates) to any competitor of the employer signing the agreement.

Multiemployer bargaining - Collective bargaining covering more than one company in a given industry.

N:

National emergency strike - Strikes which are not specifically forbidden by the Labor-Management Relations Act but which may be enjoined for up to 80 days if, in the opinion of the President, they threaten the national health or safety.

N: (Cont'd.)

National Labor Relations Act (Wagner Act) - Federal law passed in 1935 which guaranteed workers the right to organize and join unions, to bargain collectively, and to act in concert in pursuit of their objectives. It provided for secret certification elections, and gave the union the right to be the exclusive bargaining agent for all workers in a bargaining unit and created the National Labor Relations Board to administer the law.

National union - A union having broad regional coverage with numerous affiliated locals.

Negotiating committee - Committee of a union or an employer selected to negotiate a collective bargaining contract.

Negotiation - The process by which representatives of labor and management bargain to set conditions of work, e.g., wages, hours, benefits, working conditions, and the machinery for handling grievances.

Neutrals - General term covering mediators, fact-finders, arbitrators, and other individuals who might assist the parties in their bargaining or contract administration efforts.

NLRB decisions - Administrative decisions made by the National Labor Relations Board, a federal agency governing labor conflicts (unfair labor practices, unit determinations, etc.) in the private sector.

No-agent vote - An option available in collective bargaining elections. If the no-agent box receives a majority of the ballots cast, there can be no collective bargaining and no new election scheduled for at least 12 months.

No-strike clause (and no-lockout clause) - Provision in a collective bargaining agreement in which employee organization agrees not to strike and employer agrees not to lockout employees for the duration of the contract.

Noncontributory welfare plan - A health or pension program for the benefit of employees which is financed entirely by the employer.

Nonproduction bonus - An extra payment to an employee based on a factor other than the output of the worker, such as a Christmas bonus, attendance bonus, or payment in reward for waste elimination.

N: (Cont'd.)

Non-teaching professionals - That group of people who do not teach but who hold professional positions in a college or university. Examples include librarians and admissions counselors.

Norris-LaGuardia Act - see "Anti-Injunction Law."

Noscitur a sociis - Definite meaning may be given to ambiguous or doubtful words by construing them in the light of the entire or surrounding text.

Q:

Open admissions - A term which refers to access to institutions of higher education. Generally, it means anyone possessing a high school diploma must be accepted by a branch of the public higher education system.

Open-end agreement - A collective bargaining agreement which has no fixed termination date but which is in effect indefinitely subject to a specified number of days' notice by either party that it considers the agreement at an end.

Open shop - Theoretically, a shop where both union and non-union members are employed. Before union discrimination became illegal, the so-called "open shop" campaigns conducted by employers were in reality an effort to keep unions and union members out of their plants.

Organizational picketing - Picketing of an employer in an attempt to induce the employees to join the union.

Organizer (union organizer) - Employee of a union or federation (usually paid but sometimes a volunteer) whose duties include recruiting new members for the union, assisting in forming unions in nonunion companies, assisting in campaigns for recognition, etc.

Outlawed strike - Strike forbidden by law.

Overtime - Time worked beyond the standard established by law, employer-union agreements or company regulations, for which "penalty" rates, that is, higher than regular wage rates, are paid. Sometimes used to refer to the wages paid rather than the actual overtime worked, for example, referring to two hours' work at time and one-half rate as being three hours' overtime.

P:

Package increase - A combination of benefits including wage increases.

Parity - The equivalence established between the wage schedules of some categories of employees.

Past Practice - Existing practices in the plant or company, sanctioned by use and acceptance, that are not specifically included in the collective bargaining agreement, except, perhaps, by reference to their continuance.

Pattern wage increase - A uniform increase awarded throughout an industry or industries even though the collective bargaining is done on a company-by-company basis.

Penalty rates - Commonly applied to extra rates paid for overtime and for Sunday and holiday work as well as hazardous or onerous work; also sometimes used to designate higher rates for nightwork, although more commonly these are referred to as shift bonus or shift differential rates.

PERB decisions - Administrative rulings made by state public employment relations boards governing labor conflicts in the public sector.

Performance evaluation - The evaluation of occupational or educational merits. Usually used for decisions regarding promotion, tenure, or non-renewal.

Permissive wage adjustment - Provisions in employer-union contracts allowing either party to re-open the question of wage rates whenever any one or a number of specified changes in conditions have taken place either inside or outside the plant, for example, changes in cost of living or general economic conditions or changes in methods of doing the work.

Permit card - A card issued by the union to a nonmember, which permits him to accept temporary employment with an employer who has a union shop contract.

Permit fee - Money charged by a union to a nonunion applicant, which permits him to accept temporary employment on a "union job."

P: (Cont'd.)

Perquisites - Goods or services furnished by an employer which could be considered as an addition to wages; for example, free meals or lodging, right to buy goods from the employer at a discount, etc.

Picketing - A person or persons posted by a labor organization at the approach of a work place during a labor dispute for the purpose of (a) informing the public and employees that a dispute exists, (b) persuading workers to join or continue the strike or boycott, (c) preventing persons from entering or going to work.

Portable pensions - Pension plans which increase the mobility of employees by allowing them to transfer earned pension credits from one employer to another.

Preferential hiring - Agreed-upon arrangement whereby the employer gives preference in hiring to union members, to applicants with previous training and experience in the industry, to workers displaced from another plant or from another part of a particular plant, or by order of the NLRB to employees found to be discriminatorily discharged.

Preferential shop - An agreement between an employer and union whereby union members are afforded preference over nonmembers in some aspect of employment; for example, the last to be laid off and the first to be rehired.

Premium pay - Various ascribed to extra payments over normal wage rates to which employees are entitled because of work beyond or outside of regular hours, or for output beyond established minimum standards, or for especially hazardous or onerous work.

Preventive mediation - Procedures designed to anticipate and study potential problems of employment relations. These procedures may involve early entry into a resolution of employment disputes before a strike threatens.

Private pension plans - Non-government plans providing for regular payments to employees after retirement.

Probationary employee - A new employee on a trial basis who is usually not covered by seniority or other protective rules and, under most union-shop arrangements, is not required to join the union.

P: (Cont'd.)

Productivity - Amount produced in relation to effort or time expended; a measurement of unit output per worker or per man-hours or days worked.

Professional employee - Any employee whose work is predominantly intellectual and varied in character, involves the consistent exercise of discretion and judgment, and requires knowledge of an advanced nature in the field of physical, biological, or social science, or in the field of learning. (Work is of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time.) Employees qualifying as "professional" under Sec. 2(12) of the Taft-Hartley Act may not be included in a unit containing non-professional employees unless the professional employees so elect.

Professional holiday - A strike by school teachers which is intended to last a short period of time, usually one or two days.

Professional negotiations - A term developed by the NEA referring to a set of procedures, written and officially adopted, which provides an orderly method for the school board and the local association to negotiate on matters of mutual concern.

Profit sharing - A plan by which employees receive a specified proportion of the company's net earnings or of earnings above a specified amount; usually prorated according to employees' service records or other formula and distributed in the form of annual or semi-annual bonuses.

Progression wages - Graduated wages, within specified limits for each job, based on length of service or merit ratings in contrast to increased wages resulting from promotions to higher jobs.

Q:

"Quitkie" strike - A spontaneous stoppage of work by a group of employees without the sanction or approval of the union; also known as a wildcat strike.

Quid pro quo - That which is supplied by one party in consideration of that which is supplied by the other party.

R:

Raiding - An organization's attempt to enroll members belonging to another organization or employees already covered by an agreement negotiated by another organization, with the intent to usurp the latter's bargaining relationship.

Rank and file - Members of a union other than the officers.

Rate range - A range of rates for the same job, with specific rates of individual workers within the range determined by merit, length of service, or a combination of merit and length of service.

Ratification - Formal approval of a newly negotiated agreement by vote of the organization members affected.

Rationalization - Sometimes used as synonymous to "scientific management," that is, techniques for internal shop management which decrease costs and improve efficiency.

Real wages - The purchasing power of a dollar of wages; that is, money wages in relation to cost of living or price levels.

Recall - Process of bringing laid-off employees back to work, usually based on the same principles that governed order of layoff in inverse order (e.g., last worker laid off is first to be rehired). In union affairs, recall is a procedure for removing an officer by means of a membership vote.

Recognition - The acceptance by an employer of an employee organization as the majority representative of employees in an appropriate unit. Recognition is a major step in the establishment of a collective bargaining relationship and usually follows an election in which the majority of employees have selected an organization to represent them. Under certain conditions, employers may also voluntarily recognize an organization without an election or official certification.

Reinstatement - Return to employment of persons unlawfully discharged.

R: (Cont'd.)

Re-opening clause - A provision in a collective bargaining agreement stating the time or the circumstances under which negotiations can be requested prior to the expiration of the contract. Re-openings are usually restricted to specific wage issues and not used for the contract as a whole.

Representation proceeding - A procedure for the purpose of determining the majority representative of employees, if any, in an appropriate collective negotiating unit or a question or controversy concerning the representation of employees for the purpose of negotiations.

Res judicata - The principle that an existing final judgment rendered upon the merits, without fraud or collusion, by a court of competent jurisdiction, is conclusive of rights, questions and facts in issue, as to the parties and their privies, in all other actions in the same or any other judicial tribunal of concurrent jurisdiction.

Restraint and coercion - Term used in Sec. 8(b) (1) of Taft-Hartley Act making it an unfair labor practice for a union to restrain or coerce employees in the exercise of their rights to join unions or to engage in union activities or in the exercise of their rights to refrain from joining unions or engaging in such activities.

Retrenchment - Refers to the layoff of academic personnel or the curtailment of academic programs due to the loss of enrollment or financial exigencies.

Retroactive pay - A delayed wage payment for work done previously at a lower rate. Income due workers when a new contract provides for a wage increase for work completed prior to the time the contract goes into effect.

Right-to-work - A term used to describe laws which ban union-security agreements by forbidding contracts making employment conditional on membership or non-membership in labor organizations.

Right-to-work laws - State laws which make it illegal for a collective agreement to contain union shop, maintenance of membership, preferential hiring, or any other clauses calling for compulsory union membership. State legislatures were authorized to pass such laws by the Taft-Hartley Act of 1947.

R (Cont'd.)

Rival union dispute - A dispute between two or more unions over the issue of which one shall represent a particular group of workers as their collective bargaining agent. A rival union dispute differs from a jurisdictional dispute in that the latter is concerned with claims to jobs or kinds of work, whereas in a rival union dispute the unions acknowledge no jurisdictional boundaries between them but each is contending for the right to represent the workers on the jobs.

Run-off election - Second election directed by a labor board when the first fails to show more than half the votes recorded for any one choice presented.

S

Sabbatical leave - A leave of absence granted a faculty member after a period of service, usually seven years.

Scab - An employee who continues to work during a strike; also a person who accepts employment in a nonunion shop or under nonunion conditions at a time when the union is trying to organize the industry.

Scientific management - A term used by Frederick Taylor and his successors to refer to those carefully worked out job techniques (by an engineer) designed to decrease costs and improve efficiency, such as plant layout, work scheduling, time and motion study, job analysis and incentive wage systems.

Scope of bargaining - The actual subject matter which management and employee organizations bring within the area of the collective bargaining agreement. Is generally defined in whatever law is applicable.

Secondary strike - A strike against an employer who uses or sells materials from a struck plant; differs from a sympathetic strike in that there is a business connection between the employers involved in the initial and the secondary strikes.

Seniority - Length of service with an employer or in one branch of business; preference accorded employees on the basis of length of service.

S: (Cont'd.)

Separability clause - A stipulation in an employer-union agreement which protects the validity of the remainder of the contract should any particular provision be declared illegal or void for any reason.

Settlement agreement - Terms agreed upon in the settlement of charges before the NLRB without a full-dress hearing, decision, and order. To be binding, such agreements must have the consent of the NLRB.

Shift - A work period in a working schedule which includes more than one set of workers, for example, day and night shifts; term also applied to the workers employed on the shifts, for example, "shift workers." In some industries the term "tour" is more commonly used than shift.

Shop chairman - A union steward usually chosen by the department stewards from among their own number, although he may be elected by the members within the plant, to serve as chairman over all the stewards in the plant and to deal with top management officials in adjusting matters not settled satisfactorily by the department stewards and foremen.

Showing of interest - Support union must show among employees in bargaining unit before NLRB will process union's election petition. The Board requires a union that is seeking a representation election to make a showing of interest among 30 percent of the employees in the bargaining unit.

Sit-down strike - A protest stoppage in which the workers involved remain at their work-place in contrast to a strike where workers leave the plant and establish picket lines.

Sliding scale - Wage rates which are automatically adjusted to changes in the selling price of the commodity produced in accordance with a fixed formula.

Slowdown - A deliberate lessening of work effort for a definite purpose and time. In motive a slowdown is similar to a strike and differs from the latter only in a degree of stoppage involved.

S; (Cont'd.)

Standard agreement - A collective agreement prepared by the national union for use by its locals. The purpose of a standard agreement is not only to relieve the locals of the task of drafting their own agreements but also to promote the standardization of working conditions throughout the industry.

Stare decisis - The doctrine or principle that decisions should stand as precedents for guidance in cases arising in the future.

State arbitration statutes - Are of three general types: (1) general statutes designed primarily for commercial disputes, but some of which may be used for labor disputes; (2) special labor arbitration statutes, which contain some detail as to procedure; and (3) statutes which merely "promote" arbitration by charging a state agency to encourage its use.

Statute of limitations - As applied to unfair labor practices, a provision of the Taft-Hartley Act under which charges are outlawed if based on events more than six months old.

Stretch-out - A union term describing a situation in which workers are required to assume additional work duties without additional compensation.

Strike - Concerted cessation of work as a form of economic pressure by employees, usually organized, to enforce acceptance of their terms. (see also "General Strike," "Illegal Strike," "Sympathetic Strike.")

Strike benefits - Union payments, usually a small proportion of regular income, to workers during a strike.

Strike-breakers - The employer hires other workers, known as strike-breakers or scabs, to fill the jobs of striking workers.

Strike deadline - Time set by the union for beginning a strike if a satisfactory settlement is not reached.

Strike fund - Funds held by international or local unions for allocation during a strike to cover costs of strike benefits, legal fees, publicity, and the like.

S: (Cont'd.)

Strike insurance - Payment by companies in an association to a fund, or for the purchase of insurance, to reimburse a struck member company for lost business.

Strike vote - Balloting or canvass on question of calling a strike.

Structural unemployment - Unemployment resulting from major changes or shifts in a nation's economy.

Student employment - For the purposes of this bibliography, refers to that part of graduate student employment that might have a collective bargaining relationship, such as in the capacity of teaching assistants and research assistants.

Submission - A submission (sometimes called a "stipulation" or an "agreement to arbitrate") is used where there is no previous agreement to arbitrate. The submission, signed by both parties, describes an existing dispute, and often also names the arbitrator.

Superannuated rate - A rate of pay below the prevailing level or union rate for a worker above a certain age. Some union agreements require the employer to employ a specified ratio of older workers, allowing them to be paid less than the going union rates.

Supervisor - Any individual having authority in the interest of the employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing of the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. Supervisors enjoy no protection of bargaining rights under the NLRA.

Supplemental Unemployment Benefit (SUB) Plans - Private plans providing compensation for wage loss to laid off workers, usually in addition to public unemployment insurance payments.

Sweetheart contract - A collective bargaining agreement, usually between a racketeer head of a paper local (but sometimes a legitimate union) and a corrupt employer.

S: (Cont'd.)

Sympathetic strike - A strike of workers who are not directly concerned with the matter in dispute but have participated in order to demonstrate worker solidarity and thus broaden the group pressure upon the employer against whom there is a strike for a specific cause.

I:

Taft-Hartley Act - The Labor-Management Relations Act of 1947, commonly known as the Taft-Hartley Act, reaffirmed the Wagner Act by guaranteeing the right of workers to form unions and to engage in collective bargaining. Under Section 14(b) (of the Taft-Hartley Act [1947]) states are allowed to pass laws banning the union shop and other union-management agreements that make union membership a condition for keeping a job. Nineteen states had such laws in 1967. (see also "Labor-Management Relations Act.")

Take-home pay - The amount of pay the worker actually receives in his check. Gross earning minus federal and state income taxes, social security taxes, health insurance premiums, etc.

"Tandem" wage increase - An increase automatically given a group of employees as the result of an increase negotiated with another group. For example, a pay increase to office workers similar to that negotiated with production workers.

Technological unemployment - Unemployment that results from the introduction of labor-saving machinery.

Temporary employee - One who is employed for a short period of time and who therefore does not have seniority rights or other privileges incident to permanent status. Under union-shop agreements, may be given a working permit in lieu of union membership.

Tenure - Long-term job security and salary rights given to a faculty member upon his completion of a probationary period.

Terminal jobs - Jobs which have no promotion possibilities; "blind alley" jobs.

I: (Cont'd.)

"Trilogy" (1960) - The United States Supreme Court decided three cases dealing with rights arbitrations which have become known as the Trilogy. The cases are: (1) United Steelworkers of America v. American Manufacturing Co., 80 S.Ct. 1343, 34 LA 559 (1960); (2) United Steelworkers of America v. Warrior and Gulf Navigation Co., 80 S.Ct. 1347, 34 LA 561 (1960); and (3) United Steelworkers of America v. Enterprise Wheel and Car Corp., 80 S.Ct. 1358, 34 LA 569 (1960).

Some of the significant teachings of these cases may be summarized as follows:

As to compelling arbitration, unless the parties expressly provide that the arbitrator is to determine arbitrability, the determination rests with the courts (if such issue is presented for judicial determination). The courts must compel arbitration where the party seeking it is making a claim which, on its face, is governed by the contract, even though the court might feel that the grievance is frivolous or baseless. Doubts over arbitrability should be resolved in the affirmative; arbitration should be compelled unless it may be said with "positive assurance" that the arbitration clause is not susceptible to an interpretation that covers the dispute.

As to review and enforcement of awards: The question of interpretation of the agreement is for the arbitrator, and the courts "have no business overruling him because their interpretation of the contract is different from his." A court should not reject an award unless it is clear that the arbitrator has exceeded his authority--the Supreme Court is unwilling to "assume" that an arbitrator has "abused the trust the parties confided in him" or that he "has not stayed within the areas marked out for his consideration."

As to the merits of disputes: Courts should not delve into the merits of grievances. The merits are not a subject for court inquiry in actions either to compel arbitration or to enforce awards.

As to modification of awards: The Supreme Court upheld the Court of Appeals' rejection of the early common-law rule that a court action to enforce an award must be dismissed in its entirety if any deficiency exists in the award. The Supreme Court held that an award need not be set aside for

I: (Cont'd.)

Trilogy (cont'd.) - incompleteness merely because the arbitrator neglected to calculate the amount of back pay due grievant; the award was returned to the parties for determination of back pay by arbitration.

Because of the presumption favoring the arbitrability of labor disputes, courts have continued to compel arbitration in most cases where the arbitrability of the dispute has been challenged.

Tripartite arbitration board - The tripartite arbitration board, which may be either temporary or permanent, is made up of one or more members selected by management, an equal number selected by labor, and a neutral member who serves as chairman. The labor and management members generally are partisans and act as advocates for their respective sides. The Code of Ethics for Arbitration does not impose an obligation of strict neutrality upon the party members of tripartite boards.

Trustees - Individuals in which legal authority for governing the university is invested.

Trusteeship, union - Describes a situation in which a national or international union suspends the normal governmental process of a local union and takes over control of the local's assets and the administration of its internal affairs. The constitutions of many international unions authorize international officers to establish trusteeships over local unions in order to prevent corruption, mismanagement, and other abuses. The Landrum-Griffin Act of 1959 established controls over the establishment and administration of trusteeships.

U:

Umpire - An outside person employed jointly by the union and the employer, usually for a definite period of time, to whom are referred for final decision disputes over the interpretation or application of provisions of the agreement. Although arbitrator, impartial chairman, referee, and umpire are sometimes used indiscriminately, the latter three are more commonly applied when such persons serve in a permanent capacity as distinguished from an arbitrator who is appointed to settle a particular dispute.

U: (Cont'd.)

Unauthorized strike - A strike by employees contrary to the advice or without the consent of their union.

Unemployment insurance - A special payroll tax to finance unemployment insurance was levied by the Federal government on employers only. Ninety percent of the money collected within each state was offered to that state on condition that a satisfactory state unemployment insurance system be established.

Unfair employment practice - Discrimination in employment based on race, color, religion, sex, or national origin. Forbidden by Federal and some state laws.

Unfair labor practice - Practice forbidden by the National and several State Labor Relations Acts.

Union - Labor organization.

Union dues - Monthly sums paid by union members to their local unions. The amount of the dues is sometimes set by the international union, but more often by the local.

Union jurisdiction - The types of work, or entire industry, which a union claims, or which its federated body (A.F.L.-C.I.O.) has assigned to it as a basis for its membership. (see "Jurisdictional Disputes.")

Union label - A special label placed upon a product signifies that it has been made by union labor. Unions appeal to their members and the general public to purchase only products bearing union labels.

Union-management cooperation - In its broadest sense, refers to any peaceful management-union negotiations including bargaining over terms of employment. More commonly the term is given a limited meaning to refer to those jointly sponsored activities which are directed to the improvement and expansion of the business, such as cost savings, improvement in production procedures and quality of output, sales promotion, etc.

Union organizer - Member of a staff of a local or international union whose function, among others, is to recruit new members.

U: (Cont'd.)

Union security clauses - Provisions in a collective bargaining agreement designed to secure the status of the employee organization against employers, non-union employees, and/or raids by competing organizations.

Union shop - Arrangement with a union by which employer may hire any employee, union or non-union, but the new employee must join the union within a specified time and remain a member in good standing.

Unit - Shortened form of "unit appropriate for collective bargaining." It consists of all employees entitled to select a single agent to represent them in bargaining collectively.

V:

Vertical union - A union whose claimed jurisdiction covers all occupations from the production of raw materials to fabricated products. There is no clear line of distinction between a vertical and an industrial union.

Vesting rights (vested rights) - Applicable to many pension or retirement plans. Refers to the pension rights which permit employees to terminate employment before attaining retirement age, but without forfeiting accrued pension financed through employer contributions.

Voluntary recognition - see "Recognition."

W:

Wage award - The specified wage rates determined by an arbitrator or government agency.

Wage and Hours Act (1938) - This act, also known as the Fair Labor Standards Act, established a minimum wage of 40¢ per hour and a standard work-week of 40 hours for workers in interstate industry. Overtime (work beyond 40 hours) must be paid for at the rate of time and a half. The act also prohibited, with certain exceptions, children under 16 years of age from working in interstate industry. (Congress has since increased the hourly minimum wage.)

W: (Cont'd.)

Wage stabilization - Any plan to keep wages in an area or industry at established levels. Used particularly with reference to government plans for preventing inflation during war periods.

Wagner Act - see "National Labor Relations Act."

Walkout - Often a synonym for a strike; sometimes a synonym for a wildcat or quickie strike.

Welfare funds (union welfare funds) - Funds created through collective bargaining to provide welfare benefits for the employees of a number of employers. (see "Multiemployer Bargaining.") Under the terms of the Taft-Hartley Act, such funds usually are administered by trustees representing both employers and unions, respectively. Typically, welfare funds provide health and death benefits similar to those provided by welfare plans; a growing number provide pension benefits.

Welfare and Pension Plans Disclosure Act (Teller Act) - A federal statute passed in 1958 covering all non-governmental welfare and pension plans affecting more than 25 employees. Administrators of the funds must make annual reports to the Secretary of Labor, describing the plan and submitting financial statements. Several states have enacted similar laws.

Welfare plans - Benefit plans for the employees of a single employer, providing for disability insurance, hospital, medical and surgical protection, and life insurance. Welfare plans originally were financed almost entirely by joint employer-employee contributions. In recent years, the trend has been toward employer-financed plans. (see "Welfare Funds.")

Whipsawing - Term applied to a union tactic of negotiating with one employer at a time, using each negotiated gain as a lever against the next employer.

White-collar workers - Term used to describe non-manual workers; supervisory, professional, etc.

Wildcat strike - A work stoppage, usually spontaneous, by a group of organized employees without the authorization or approval of the employee organization.

W: (Cont'd.)

Work jurisdiction - Right claimed by union under its charter to have its members and no others engaged in certain work. (see "Jurisdictional Dispute.")

Work load - The quantitative measure of an hour's or a day's performance on a job. The term is usually applied to a standard of output which is supposed to represent reasonably efficient production without risk to health or safety.

Work permit - Card issued by union having closed shop to show permission that holder, though not a full-fledged union member, may be employed under contract.

Work restriction - A tacit understanding or planned movement among a group of employees to limit output below the standard of efficiency which could be maintained without risk to health and safety. Restriction of output may be (1) a temporary act to gain an immediate definite concession from the employer, in which case it takes on the nature of a slowdown strike; (2) an effort to prolong a job and prevent unemployment.

Work Rules - Rules regulating on-the-job conditions of work, usually incorporated in or referred to by the collective agreement.

Work stoppage - A temporary halt to work, initiated by workers or employer, in the form of a strike or lockout.

Workmen's compensation - Insurance systems established by law providing weekly cash benefits and medical services to workers who suffer physical injury during the course of their employment, irrespective of carelessness of worker or negligence of employer.

Y:

Yellow-dog contract - An oral or written agreement whereby an employee pledges not to become or to remain a union member under penalty of discharge. Banned in 1932 by the Norris-LaGuardia Act.

Z:

Zipper clause - Clause that seeks to close all employment terms for the duration of the labor contract by stating that the agreement is "complete in itself" and "sets forth all terms and conditions" of the agreement.

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ACRONYMS - ABBREVIATIONS

AAA	-	American Arbitration Association
AAHE	-	American Association for Higher Education
AAJC	-	American Association of Junior Colleges
AASA	-	American Association of School Administrators
AAUP	-	American Association of University Professors
ACBIS	-	American Collective Bargaining Information Service
ACCF	-	Associated Community College Faculties
ACE	-	American Council on Education
ACRL	-	Association of College & Research Libraries
AGE	-	American Federation of Government Employees
AFL	-	American Federation of Labor
AFL-CIO	-	American Federation of Labor - Congress of Industrial Organizations
AFSCME	-	American Federation of State, County and Municipal Employees
AFT	-	American Federation of Teachers
AHA	-	American Hospital Association
AMA	-	American Management Association
AUT	-	Association of University Teachers
BLS	-	Bureau of Labor Statistics
BNA	-	Bureau of National Affairs
BSEU	-	Building Service Employees Union
CAPE	-	Coalition of American Public Employees
CAUT	-	Canadian Association of University Teachers
CCHE	-	Carnegie Commission on Higher Education
CLC	-	Cost-of-Living Council
CPI	-	Consumer Price Index
CSC	-	Civil Service Commission
CSEA	-	Civil Service Employees Association
EEOC	-	Equal Employment Opportunity Commission
ENS	-	Educators Negotiation Service
EOC	-	Equal Opportunity Commission
ERIC	-	Educational Resources Information Service

FEP	-	Fair Employment Practices
FEPC	-	Fair Employment Practices Commission
FLRC	-	Federal Labor Relations Council
FMCS	-	Federal Mediation and Conciliation Service
GERR	-	Government Employee Relations Report (BNA)
IBEW	-	International Brotherhood of Electrical Workers
IBTU	-	International Building Trades Unions
IBUE	-	International Brotherhood of University Employees
IUOE	-	International Union of Operating Engineers
LA	-	Labor Arbitration and Dispute Settlements (BNA)
LAIRS	-	Labor Agreement Information Retrieval System (Civil Service Commission)
LIU	-	Laborers' International Union
LMRS	-	Labor - Management Relations Service
LRB	-	Labor Relations Board
LRR	-	Labor Relations Reporter (BNA)
LRRM	-	Labor Relations Reporter - Decisions of the Courts, NLRB (BNA)
MERC	-	Michigan Employment Relations Commission
NAA	-	National Academy of Arbitrators
NACUA	-	National Association of College and University Attorneys
NACUBO	-	National Association of College and University Business Officers
NAGE	-	National Association of Government Employees
NCSCBHE	-	National Center for the Study of Collective Bargaining in Higher Education
NEA	-	National Education Association
NLRB	-	National Labor Relations Board
NUHCE	-	National Union of Hospital and Health Care Employees
NUSOG	-	National Union of Security Officers and Guards
NYSLRB	-	New York State Labor Relations Board
NYSUT	-	New York State United Teachers
OER	-	Office of Employee Relations
OFCC	-	Office of Federal Contract Compliance
OPEIU	-	Office and Professional Employees International Union

PERB
PERC
RDTEU
SCMEU
SEIU
SFLRP
SPIDR
UFCT
UFT

-
-
Public Employment Relations Board
Public Employment Relations Commission

-
Research, Development and Technical
Employees Union

-
State, County and Municipal Employees
Union

-
Service Employees International Union
Society of Federal Labor Relations
Professionals

-
Society of Professionals in Dispute
Resolution

-
United Federation of College Teachers
United Federation of Teachers

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