BIBLIOGRAPHY ON

GRIEVANCE PROCEDURE & ARBITRATION

IN HIGHER EDUCATION

Includes References to:

Arbitration Awards
Court Cases
Fact-Finding Awards
NLRB Decisions
PERB Decisions
etc.

Compiled by John C. Allen

October, 1973

These References update Bibliography No. 1, "Collective Bargaining in Higher Education 1971-73" and will become part of the April, 1974 compilation. Bibliography No. 1 has some 80 additional references on the same topics of this update.

The National Center for the Study of Collective Bargaining in Higher Education. Baruch College, 17 Lexington Ave. New York, New York 10010.

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ARBITRATION

Mintz, B. et al. "In the Defense of Academic Judgment: Settling Faculty Collective Bargaining through Arbitration." Buffalo Law Review, 22(2): 523-544, Winter, 1973.

Benewitz, M. Reply to the above. To be published by Buffalo Law Review. 11p. Copies available from this Center.

"St. John's Offers to Arbitrate ; AAUP State Acceptable Conditions." Academe, 1(2): 2, March, 1967.

Sproule, A. "Teachers Reject Arbitration." Times Educ. Sup., 2915:3, April 2, 1971.

"Voluntary Arbitration Under Taylor Law Seen as Road to Economic Peace." 1973-GERR- 502: B-16.

In original bibliography No. 1, "Collective Bargaining in Higher Education - 1971-73," see reference # 8,38.

See also keyword index to same bibliography for 80-odd references related to arbitration, arbitration cases, grievances, etc.

ARBITRATION AWARDS-CONNECTICUT

Yale University-Hill, J. "Discharge of Employee/Alumnus/SDS Member Arbitration Award, Yale University." J. of College & Univ. Personnel Assoc., 22:10-17, March, 1971.

ARBITRATION AWARDS-ILLINOIS*

City Colleges of Chicago-Board of the Junior College and AFT.

Right of dean to disregard advice of department members on appointment of department chairman. Decision of dean was not based on anti-administration attitude, nor on union activities. (July 9, 1968).
Arbitration in the Schools, 2:8, April 1, 1970. AAA Case No. 2-M-37, 10 p.

City Colleges of Chicago-Board of Junior College and Cook County College Teachers Union.

Involuntary transfer of faculty members for disciplinary reasons. (June 5, 1970).
Arbitration in the Schools, 7:6, September 1, 1970. AAA Case No. 7-T-16, 23 p.

---

*Full text of awards is available from the American Arbitration Association, 140 West 51st St., New York, N.Y. 10020 at 30¢ per page.

ARBITRATION AWARDS-ILLINOIS cont.

City Colleges of Chicago-Board of Junior College and Cook County College Teachers Union/AFT.

College obligated to provide union with information on rank and salary of new faculty, and provide information on teaching personnel prior to action by Board or public release. (March 6, 1973).
Arbitration in the Schools, 43:4, September 1, 1973. AAA Case No. 43-U-6, 13 p.

City Colleges of Chicago-Board of Junior College and Cook County College Teachers Union/AFT.

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Arbitration in the Schools, 42:6, August 1, 1973. AAA Case No. 42-U-14, 25 p.

ARBITRATION AWARDS-MARYLAND

Community College of Baltimore-AFT and Board of Trustees.

S. H. Jaffee recommends teachers receive retroactive salary payments in accordance with federal pay board regulations. (November 27, 1972). Total quote from 1973-GERR-519:C-1.

ARBITRATION AWARDS-MICHIGAN

Macomb County Community College and Faculty Organization.

Failure to give reasons for not placing female teacher on promotion list as violation of contract, but was later promoted and not, therefore, entitled to damages. (November 10, 1970).
Arbitration in the Schools, 13:4, March 1, 1971. AAA Case No. 13-M-10, 19 p.

Macomb County Community College Faculty Organization and College.

President of Faculty Organization must be allowed to speak for "reasonable" time at meetings of the Board of Trustees if proper advance notice is given. (November 30 1972). 1973-GERR-519:C-1.

ARBITRATIONS AWARDS-MICHIGAN cont.

Oakland Community College Faculty Association and Board of Trustees.

Abitrator G. T. Roumell, Jr. orders reinstatement of continuing contract faculty member discharged without "reasonable or just cause"-total quote. (October 2, 1972). Cited in 1973-GERR-511:C-2.

ARBITRATION AWARDS-NEW JERSEY

Essex County College Board and Faculty Association.

College required to bargain over spring-summer salary for 10-month academic faculty. (April 19, 1973). Arbitration in the Schools, 43:7, September 1, 1973. AAA Case No. 43-RU-16, 13 p.

Mercer County Community College Faculty Association and Board of Trustees.

Orders college to reappoint assistant professor after finding procedural irregularities in his evaluations. (AAA Case #1839-0185-72D, July 25, 1972).1973-GERR-485:C-3

Middlesex County College Board and AFT.

Grievants to be paid for overload hours due to failure to notify and negotiate on cancellation of assignment. (June 20, 1972). Arbitration in the Schools, 35:6, January 1, 1973. AAA Case No. 35-W-14, 10 p.

ARBITRATION AWARDS-NEW YORK

CUNY and UFCT

Arbitrability of charge of racial discrimination against black female lecturer in denial of appointment. Arbitrato retains jurisdiction in case that university and union do not resolve the grievance. (June 17, 1970). Arbitration in the Schools, 7:7, September 1, 1970. AAA Case No. 7-AE-22, 23 p.

CUNY-Board of Higher Education and Individual Grievant

College did not act arbitrarily in requiring Associate Professor to receive a new waiver of the Assoc. Prof. qualifications for a Ph. D. before promotion to a full Professor. (October 26, 1972). Arbitration in the Schools, 39:3, May 1, 1973. AAA Case No. 39-KM-4

ARBITRATION AWARDS-NEW YORK cont.

CUNY-Board of Higher Education and Legislative Conference/UFCT.

Graduate students given preference over reappointment of outside adjunct lecturers when college faced with financial cutbacks. (January 13, 1973).
Arbitration in the Schools, 42:3, August 1, 1973. AAA Case No. 42-K-3, 12 p.

Erie Community College and Faculty Federation.

Arbitrability-college charged with failure to make every effort to reach goal for distribution of faculty rank. Arbitrator does not make any determination on "every effort." (February 26, 1973).
Arbitration in the Schools, 41:3, July 1, 1973. AAA Case No. 41-AX-4, 9 p.

Orange County Community College-County and Faculty Association.

College did not act unfairly in denying tenured associate professor his salary increment for 1972-3 since teacher refused to have a second evaluation after his first unfavorable report. (January 16, 1973).1973-GERR-519:C-3. AAA Case No. 1339-1007-72.

Rockland Community College and Federation of Teachers for Mr. T. Miller.

Written performance evaluation should be prepared and submitted to Board for a decision. (Reappointment). (June, 1973).
NYS/PERB (not published) 18 p.*

SUNY-Binghamton and Senate Professional Association for Mr. E. Kedar.

Non-renewal grievance denied on an expired term appointment of two years. (January, 1973).
NYS/PERB 12 p.
Also: Arbitration in the Schools, 40:8, June 1, 1973. AAA Case No. 40-D-19. 12 p.

SUNY-Binghamton and Senate Professional Association for Mr. E. Kedar.

The application to vacate the above award is denied. (March, 1973).
NYS/PERB (not published) 4 p.*

*Copies available from this Center at 10¢ per page for duplication cost and postage.

ARBITRATION AWARDS-NEW YORK cont.

SUNY-Plattsburgh and Wm. J. Bruce.

Reappointment-Tenure denied. Grievance was "untimely" filed. (May, 1973). Copies available from this Center. NYS/PERB (not published) 9 p.

ARBITRATION AWARDS-PENNSYLVANIA

Community College of Allegheny County and AFT.

College violated contract by failure to appoint department head in nursing department. (May 18, 1973). Arbitration in the Schools, 44:6, October 1, 1973. AAA Case No. 44-K-15, 11 p.

ARBITRATION AWARDS-WASHINGTON

Seattle Community College and Federation of Teachers.

Advisory award that counselor was not treated unfairly while in administration position outside the bargaining unit. Suggested grievant's personnel file be started anew. If desired final decision will be made. (February 20, 1970). Arbitration in the Schools, 3:6, May 1, 1970. AAA Case No. 3-X-22, 15 p.

ARBITRATION AWARDS-WISCONSIN

Eau Claire Technical Institute-Area Board and Teachers' Federation/AFT.

Less than minimum enrollment in summer course results in senior teacher losing full teaching load. Layoff grievance turned down. (December 22, 1972). Arbitration in the Schools, 39:6, May 1, 1973. AAA Case No. 39-W-12, 7 p.

Madison Area Technical College and Teachers Union.

Grievance denied on sick pay for maternity leave. (March 1, 1971). 56-LA-316-319
Also: Arbitration in the Schools, 15:3, May 1, 1971. AAA Case No. 15-F1-3, 6 p.

ARBITRATION AWARDS-WISCONSIN cont.

Milwaukee Area Technical College and AFT.

H. Herman Rauch, Arbitrator, determines "no overtime due employee since workweek for apprenticeship programs does not exceed contract terms." Total quote. (August 22, 1972). 1973-GERR-485:C-5.

Milwaukee Area Technical College and AFT.

Maternity Leave complaint denied by arbitrator for teacher. (February 5, 1973).1973-GERR-494:B-6.
Also: Arbitration in the Schools, 40:5, June 1, 1973.
AAA No. 40-L-8, 12 p.

ARBITRATION/FACT-FINDING AWARDS-CALIFORNIA

State Center Community College-Certified Employee Council and Board of Trustees (Arthur B. Jacobs, Chairman).

"Three-member fact-finding committee issues report covering wages, transfer policy and study committees." Total quote.(June 9, 1972) 1973-GERR-491:C-1.

ARBITRATION/FACT-FINDING AWARDS-NEW YORK

Broome Technical Community College and Faculty Association.

Covers Sabbatical leave, methods of pay, salary, exclusion of chairmen, sick leave, management rights, merit pay, health insurance. (June 8, 1971).
NYS/PERB 31 p.
Also: American Arbitration Association Case No. 20-C-38. 30 p.

Broome County Community College and Faculty Association.

Covers salary, health insurance, sick leave, sabbatical leave, no-strike, code of ethics. (June, 1972).
NYS/PERB (not published) 9 p.*

CUNY-PSC Statement accepting the fact-finding recommendation in an effort at conciliation.

Covers salary increases, scope of bargaining, governance, past practices, counselors, workload, tenure, etc. (May 25, 1973).
NYS/PERB (not published) 21 p.*

*Copies available from this Center.

ARBITRATION/FACT -FINDING AWARDS NEW YORK cont.

Columbia-Greene Community College and Federation of Teachers.

Covers no-strike commitment, end of academic year adoption o job title Coordinator, non instructional faculty, vacation, sick leave, tenure, promotion, (September, 1971).
NYS/PERB (not published) 15 p.*

Dutchess Community College and Faculty Confederation.

Covers salary & fringe benefits. (July, 1970).
NYS/PERB (not published) 4 p.*

Fulton-Montgomery Community College Board of Trustees and Fulmont Association of College Educators.

Covers salary, coaching salaries (expanded workload), insurance. (June, 1970)
NYS/PERB (not published) 30 p.*

Fulton-Montgomery Community College and Fulmont Association of College Educators.

Covers salary & increment, promotions & evaluations, sabbatical leave, health insurance, secretarial staffing, health services, lay-off. (August, 1971).
NYS/PERB (not published) 36 p.*

Fulton-Montgomery Community College and Fulmont Association of College Educators.

Supplement to the above covering faculty responsibility clause and role of faculty advisors. (August, 1971).
NYS/PERB (not published) 6 p.*

Genesee Community College and Faculty Association

Covers grievance procedure & binding arbitration, agency shop clause (association & members' rights), past practices, duties of faculty, workload, sabbatical leave, salaries. (September, 1972).
NYS/PERB (not published) 7 p.*

North Country Community College and Faculty Association.

Covers salary, insurance (dental), professional improvement leave (summer sabbatical), binding arbitration. (June, 1972). NYS/PERB (not published) 12p.*

*Copies available from this Center.

ARBITRATION/FACT-FINDING AWARDS-NEW YORK cont.

Rockland County Community College and Federation of Teachers.

Covers salary, academic calendar, evaluation, re-appointment(tenure), sabbatical leave, workload (August, 1971). NYS/PERB(not published) 19 p.*

Rockland Community College and Federation of Teachers.

Covers governance, academic calendar, tenure, lay-off, promotion, workload, maternity/sick leave, salary. (September, 1972). NYS/PERB(not published). 10 p.*

Schenectady County Community College and Faculty Association.

Covers grievance procedures, sabbatical leave, professional obligations(i.e., end of calendar year), tenure, salary, promotion, health insurance. (November, 1971). NYS/PERB (not published) 44 p.*

SUNY-In the Matter of the Fact-Finding Proceeding Between the State of New York and the Senate Professional Association (SPA).

Concerning amendments to contract on Direct Compensation, including charts on salary comparisons of SUNY and 36-other 4-year colleges, and percentage of salary for fringe benefits, both derived from the AAUP: 1972-3 Annual Report on the Economic Status of the Profession, April, 1973. (May, 1973). N.Y.S.-Office of Employee Relations, 67 p. Also: Arbitration in the Schools, 42:8, August 1, 1973. AAA Case No. 42-C.22. 8 p.

SUNY-In the Matter of the Legislative Hearing Concerning the Negotiations Impasse Between the State of New York and the Senate Professional Association(SPA).

Covers fact-finding report, Governor's message, SPA position basic salary/merit salary data, Consumer Price Index, and fringe benefits. Fact-finding recommended 6.5% salary increase. Includes all the information in the above reference as well as additional information. (July, 1973). N.Y.S.-Office of Employee Relations (not published) 79 p.*

Ulster County Community College and Faculty Association.

Covers salary, workload, insurance, evaluation, grievance, tenure. (August, 1972). NYS/PERB(not published) 12 p.*

ARBITRATION/FACT-FINDING AWARDS-WISCONSIN

Fox Valley Technical Institute-Board and Faculty Association.

Recommended salary increments, (April 28, 1972). Arbitration in the Schools, 34:8, December 1, 1972. AAA Case No. 34-C-19, 13 p.

* Copies available from this Center.

ARBITRATION PROCEDURES

Arbitration-Contract Clause Finder. GERR-Reference File, Binder 2, Section 85:501.

Includes college contract clauses.

ARBITRATION PROCEDURES-RELATED REFERENCES

Abodeely, P. A. Compulsory Arbitration and the NLRB: A Study of Congressional Intent and Administrative Policy. University of Pennsylvania, Wharton School of Finance & Commerce, 1968.

American Arbitration Association. Labor Arbitration Procedures and Techniques. N.Y., McGraw-Hill, 1965.

Anderson. "Compulsory Arbitration Under State Statutes." N.Y.U. Conference on Labor, 22:259-284, 1969.

"Arbitration: Decisions and Developments." See issues of Labor Law Journal.

Chappell. "Arbitrate...and Avoid Stomach Ulcers." Arbitration Magazine, 2(11-12): 6,7. Quoted in Elkouri, How Arbitration Works, Rev. Ed., 1960, pp. 1-2.

Comments. "An Experiment in Compulsory Arbitration: Section 716 of the New York State Labor Relations Act." St. John's L. Rev., 44:237-272, October, 1969.

"Deferral to Arbitration." 84-LRR-72to 74. Panels at Federal Bar Association convention discuss Collyer doctrine on arbitration-where a contract contains a grievance-arbitration procedure for settling disputes, the NLRB will defer to the contractual procedure.

Elkouri F. and E.A. How Arbitration Works. Third Edition. Washington, D.C. BNA Books, 1973, 845p. $17.50.

Facts About Fact-Finding, Labor-Management Relations Service. Washington, D.C., BNA, Inc., 1971.

Fleming, R. W. Labor Arbitration. Urbana, Ill., Univ. of Illinois Press, 1965, Chapter 2.

Fleming, R. W. The Labor Arbitration Process. Urbana, Ill., Univ. of Illinois Press, 1966.

Glass. "Arbitration in Federal Collective Bargaining." Mon. Labor Rev., 93:55-57, April, 1970.

ARBITRATION PROCEDURES-RELATED REFERENCES cont.

Gould. "Public Employment: Mediation, Fact-Finding and Arbitration." Amer. Bar Association J. 55:835-841, September, 1969.

Grodin, J. "Either-or Arbitration for Public Employee Disputes." Industrial Relations, 11:260-6, May, 1972.

Hays, P.R. Labor Arbitration, A Dissenting View. New Haven, Conn., Yale Univ. Press, 1966.

Kagel, S. Anatomy of a Labor Arbitration. Washington, D.C., BNA, Inc., 1961, Chapter 4.

Loewenberg, J. J. "Compulsory Arbitration and The Arbitrator." Arbitration J., 25(4):248-61, 1970.

Macpherson, H. "No Arbitration Without Assurances, say NUT." Times Ed. Sup. (London), 2912:3, March 12, 1971.

"Major Collective Bargaining Agreements: Arbitration Procedure." U.S. Bureau of Labor Statistics Bulletin. 125-6:5, 1966.

McKelvy. "Fact-Finding in Public Employment Disputes: Promise or Illusion?" Ind. and Labor Rel. Rev., 22:528-543, July, 1969.

Menard, A.P. "The National Labor Relations Board-No Longer a Threat to the Arbitral Process?" Labor Law Journal, March, 1972, pp. 140-152.

"NLRB Attitude toward Arbitration Awards."LRR-Labor Relations Expediter, LRX 31-35.

"NLRB-Jurisdiction-Standards for Deferral to Arbitration Where No Award Has Issued." Fordham Law Review, 41:175-188, October, 1972. October, 1972.

The Proceedings of the National Academy of Arbitrators are published annually in book form by the Bureau of National Affairs. The following volumes are now available from the publisher:

Problems of Proof in Arbitration: Proceedings of the Nineteenth Annual Meeting. (1966).

The Arbitrator, the NLRB, and the Courts: Proceedings of the Twentieth Annual Meeting. (1967).

Developments in American and Foreign Arbitration: Proceedings of the Twenty-First Annual Meeting. (1968).

ARBITRATION PROCEDURES-RELATED REFERENCES cont.

Arbitration and Social Change: Proceedings of the Twenty-Second Annual Meeting. (1969).

Arbitration and the Expanding Role of Neutrals: Proceedings of the Twenty-Third Annual Meeting. (1970).

Arbitration and the Public Interest: Proceedings of the Twenty-Fourth Annual Meeting. (1971).

Labor Arbitration at the Quarter-Century Mark: Proceedings of the Twenty-Fifth Annual Meeting. (1972).

Earlier proceedings also available.

Ross, D. "Arbitration of Public Employee Wage Disuptes." Industrial & Labor Relations Review, 23:3-14, October, 1969.

Summers, C. W. "Individual Rights in Collective Agreements and Arbitration." N.Y.U. Law Review 37:361.403, 1962.

Teele. "Characteristics of Public Employment Arbitration Under a Massachusetts Law." Arbitration J., 24:239-248, No. 4, 1969.

Updegraff, C. M. Arbitration and Labor Relations, Washington, D.C., BNA, Inc., 1970.

Word, W. R. "Factfinding in Public Employee Negotiations." Monthly Labor Rev., 95:60-64, February, 1972.

Zack, A. "Improving Mediation and Fact-Finding in the Public Sector." Labor Law J., 21:259-73, May, 1970.

BIBLIOGRAPHIES

American Arbitration Association. Arbitration in the Schools. N.Y., N.Y.

Summary of awards and fact-finding recommendations published monthly since 1971. All higher education references included in bibliographies from this Center.

American Arbitration Association. Labor Arbitration in Government.

Monthly publication since 1971.

BIBLIOGRAPHIES cont.

Gillis, J. W. "Academic Collective Bargaining." Liberal Education, 56:594-604, 1970.

Comment and an Annotated Bibliography.

Gillis, J. W. "The Continuing Development of Academic Collective Bargaining" an annotated bibliography. Liberal Education, 57:529-540, 1971.

Index to Government Employee Relations Report and GERR-Reference File Master Index. BNA., Inc.

Major references indexed in this bibliography. Additional references related to "Public Sector Labor Relations" can be located under the "Arbitration" and "Grievances" keywords in the GERR index.

Markus, F. W. Negotiations Bibliography. Write Dean, MSSG School of Education, University of Missouri, Kansas City, Missouri 64110. 50¢.

Mortimer, K.P.,et al. Collective Bargaining: Implications for Governance. Pennsylvania State University, Center for the Study of Higher Education, June, 1972. 69 p. ERIC-ED 067-059. (Bibliography pp. 55-67.)

N.E.A., Research Division. Negotiation Research Digest.

Monthly publication. Higher education references included in bibliographies from this Center.
See related references under such headings as Arbitration, Grievance Procedures in the index to NRD publication.

Nolte, M. C.,Comp. Bibliography of School Law Dissertations, 1952-1968. Bibliography Series, No. 13. Oregon Univ. Eugene, Oregon.
ERIC, ED 027-646. 1969. 43 p.

Includes higher education and collective bargaining dissertations.

Pegnetter, R. Public Employment Bibliography. N.Y.S. School of ILR, Cornell University, 1971.

On literature published December, 1966-January, 1970.

Pezdek, R. V., ed. Public Employment Bibliography, N.Y.S. School of IIR, Cornell University. Bibliography Series No. 11, 1973. 196 p., $3.00 (Hard Cover, $4.25.)

Pezdek, R. V.,ed. "Selective Bibliography of Materials in Labor Relations of Interest to Colleges and Universities." J. of the College & Univ. Personnel Assoc., 23(4):74-82, August, 1972. ERIC, EJ 063-137.

BIBLIOGRAPHIES cont.

Piele, P. Number and Subject Index of Selected Documents on Educational Administration. Oregon Univ., Eugene. ERIC, ED 014-148. 1967. 92 p.

Covers collective bargaining, higher education.

Piele, P. Collective Negotiations in Education (a literature review). Oregon Univ., Eugene. ERIC, Ed 025-032. 1968. 3 p

Includes collective bargaining, grievance procedures, higher education.

Shulman, C. H. Collective Bargaining on Campus. AAHE, 1972. 45 p ERIC, ED 058-466.

An annotated bibliography.

COLLECTIVE BARGAINING

Faculty Bargaining in the Seventies. Institute of Continuing Legal Education, University of Michigan-Law School, 432 Hutchins Hall , Ann Arbor, Mich. 48104. November, 1973, approx. 500 pp, $17.50.

Covers recent NLRB decisions, impasses in bargaining, mediation, fact-finding, grievance and arbitration procedures.

"How to Live With Faculty Power" College & Univ. Business, 53(6): 33-44, December, 1972. ERIC, EJ 067-070.

Michigan administrators discuss their experiences in living with the process of negotiations, including arbitration.

Howe, R. A. "Bargaining: Evolution, Not Revolution." College & Univ. Business, 53(6): 25-28, December, 1972. ERIC, EJ 066-311.

Views bargaining as a conciliatory mechanism, covering arbitration.

Nelson, J. H. "Collective Bargaining: An Instrument for Staff Development." Community & Junior College J., 43(2):27, October, 1972. ERIC, EJ 064-660.

"Professional Educators Hold First National Convention." 1973-GERR-510:2, B-12 to 13.

Opposes exclusive agents, strikes, binding arbitration.

COLLECTIVE BARGAINING cont.

Tice. T. N. ed. Faculty Power: Collective Bargaining on Campus. Institute of Continuing Legal Education, University of Michigan-Law School, 432 Hutchins Hall, Ann Arbor, Mich. 48104. 1972, 368 p. $17.50.

Covers public sector bargaining, impasse resolution, arbitration, student involvement in bargaining, grievance procedures.

COLLECTIVE BARGAINING-RELATED REFERENCES

Newman, H. "Some Reflections on Negotiation and Conciliation." NYS/PERB-News, 6(8):2-3, September, 1973.

Primer of Labor Relations. Nineteenth Edition. Washington, D.C., BNA, Inc., 1973. 116 pp., $2.00.

Covers who is covered by the laws, employee organizing rights, choosing an agent, duty to bargain, union-security clauses, strikes, settlement of disputes, regulation of unions, how to use the Taft-Hartley Act. etc.

Smith, R., et al. Collective Bargaining and Labor Arbitration: Materials on the Negotiation, Enforcement and Content of the Labor Agreements. Indianapolis, Bobbs-Merrill. 1970, 919 p.

CONFERENCES

"Employee Discipline & Grievance Handling," sponsored by Univ. of Michigan, Div. of Mgmt. Educ., 1735 Washtenaw, Ann Arbor, Mich. 48104, on October 29-30, 1973.

"Institute on Labor Law," sponsored by Southwestern Legal Foundation, Continuing Legal Educ. Center, 3315 Daniels Ave, P.O. Box 8017, Dallas, Texas 75205, on November 1-2 1973.

Covers public employees, arbitration, etc.

Intergovernmental Management Programs.
Institute of Industrial Relations, UCLA, Los Angeles, Calif. 90024.

Training of Trainers-Grievance Handling on October 31, 1973 Grievance Admin. & Arbitration Workshop on November 14-15, 1973. Unit Determination, Recognition & Representation Elections on November 29-30, 1973.

CONFERENCES cont.

"Midwest Labor Law Conference" sponsored by Ohio Legal Center Institute, P.O. Box 8220, Columbus, Ohio 43201, on November 1-3, 1973.

Covers deferral to arbitration, winning NLRB Elections, public bargaining in education.

CONTRACTS

Marceau, L. Drafting a Union Contract. Boston, Little, Brown. 1965, 321 p.

Detailed advice on every aspect of drafting, with special attention to step by step procedures and to meanings of terms.

CONTRACTS, CONTENTS OF

Gianopulos, J. W. A Descriptive Analysis of Collective Negotiation Agreements in Ten Selected Illinois and Michigan Public Community Colleges. ERIC ED 035-387. 1969. 256 p. Doctoral Dissertation. Available also from Univ. Microfilms, 300 North Zeeb Rd., Ann Arbor, Mich. 48106.

Covers arbitration, grievance procedures, strikes, tenure.

COURT CASES

Chambers, M.M. The Colleges and the Courts: Faculty and Staff before the Bench. Interstate Printers & Publishers, 19-27 North Jackson St., Danville, Ill. 61832. $18.75.

Discussion of some 200 federal & state court decisions since 1968 covering various campus issues from contracts to loyalty oaths.

O'Neil, R. H. "Court and Campus-Striking A New Balance." NACUBO Professional File, 4(7):1-6, August, 1973.

COURT CASES-CALIFORNIA

San Francisco State College-Injunction against 1969 faculty strike affirmed. Negotiation Research Digest, May, 1971, p. 3.

Stanford University vs. H.B. Franklin

California Superior Court denies university motion for summary judgment against former professor seeking reinstatement. Quote from Chronicle of Higher Educ., 7(35):6. June 4, 1973. 15 p. ruling.

COURT CASES-FLORIDA

Florida State University-Teachers(AFT) vs. Florida Regents.

U.S. District Court, Florida.Faculty union has right to meet on campus and use campus mail service. (March 13, 1973). 82-LRRM-3010-3012.
Also: 1973-GERR-499:1, B-1 to 2.

COURT CASES-HAWAII

University of Hawaii-Frank Nelson vs. Paul Miwa.

Third Circuit Court-Hawaii.
Tenured professor, aged 65, in excellent health is allowed to continue in job. (June 6, 1973). Copy available from this Center, 14 pp.

COURT CASES-ILLINOIS

City Colleges of Chicago-Cook County College Teachers vs. Byrd.

Supreme Court denies Certiorarion class action suit charging non-renewal of contract by probationary teachers. (October 10, 1972). 82-LRR-16 Summary, no additional information in 81-LRRM-2390.

COURT CASES-MICHIGAN

Eastern Michigan University Board of Regents vs. AAUP.

Michigan Court of Appeals
Lecturers, advisors, and counselors cannot be included in teaching faculty unit. (April 25, 1973).84-LRRM- 2079-80.
Also: 1973-GERR-516: 1, B-1 to 2.

Lake Michigan College

"Court Upholds College in Firings." Chronicle of Higher Educ., 8(2):3, October 1, 1973.

U.S. Circuit Court of Appeals reverses federal district judge's ruling that ordered college to reinstate striking faculty members.

University of Michigan and Student Government Council.

Michigan Court of Appeals
Dismissed suit to make public the names, salaries, age, sex, race, job classification & qualifications of all university employees. Full quote from Chronicle of Higher Educ., 7(35):6, June 4, 1973.

COURT CASES-MINNESOTA

University of Minnesota, University Fed. of Teachers vs.

District Court.
University must offer rival faculty unions equal treatment. (May 16, 1973). 83-LRRM-2677-9.
Also: Chronicle of Higher Educ., 7(37):5, July 2, 1973.
1973-GERR-508:B-14.

COURT CASES-NEBRASKA

"Nebraska Supreme Court Overturns NCIR Bargaining Order."
1973-GERR 503: 1, B-10 to 19.

Directive that state education department should negotiate in good faith with education professionals.

COURT CASES-NEW JERSEY

"New Jersey Courts Uphold Supervisor's; Workers' Rights."
1973-GERR- 517:1, B-6 to 7.

Covers public sector employees. Supervisors and non-supervisors may belong to same union and have dues checked off.

Rider College- "Libel Suit Against A.A.U.P. Is Dismissed."
Chronicle of Higher Educ., 7(34):4, May 29, 1973.

Report in A.A.U.P. Bull. on academic freedom case at Rider College was cause for suit.

COURT CASES-NEW YORK

CUNY-Pauk v. Professional Staff Congress.

N.Y. Supreme Court, N.Y. County.
Motion by union member for preliminary injunction enjoining union from conducting an election denied due to failure to use arbitration procedures.
(June, 1973). 83-LRRM-2981-82

CUNY-Queens College-C. Antonopoulou vs. A. Beame.

N.Y. Court of Appeals.
Holds a grievance award to be a contractual obligation of a public employer, court finds an award of back salary to a female full-time lecturer for a period during which no services were performed is not an unconstitutional gift of public funds. (March 23, 1973).
Official Decisions-NYS/PERB 6-7504, 4 pp.
Also: 1973-GERR- 505: B-1.

COURT CASES-NEW YORK cont.

New York University vs. NLRB.
U.S. District Court,
N.Y.
Court refuses to block N.Y.U. faculty representation election.Claims it lacks jurisdiction. (September 30, 1973). 84-LRRM- 2322-6.
Also: Chronicle of Higher Educ., 8(2): 4, October 1, 1973 - "Court Refuses to Block N.Y.U. Faculty Vote."

COURT CASES-OHIO

Youngstown State University, Poddar vs.

U.S. Court of Appeals.
Court affirms college's right to terminate professor due to change in his conduct following refusal to promote him. (June 14, 1973). 6Fep Cases- 456-9.

COURT CASES-OKLAHOMA

Oklahoma State University-"Court Blocks Termination of Assistant Professors." Chronicle of Higher Educ., 7(38):2, July 16, 1973.

Charge of female discrimination by L.C. Morales wins injunction...salary & promotion.

COURT CASES-PENNSYLVANIA

Univ. of Pittsburgh, Johnson vs.

Preliminary injunction is issued forbidding discharge of female professor until claim of sex discrimination is fully litigated (May 31, 1973). 5-FEP Cases- 1182-1190
Also: "Woman Wins Injunction ..."Chronicle of Higher Educ., 7(36):2, June 18, 1973. "University Sex-Bias Suit." Chronicle of Higher Educ., 7(31):2, May 7, 1973.

COURT CASES-TEXAS

Texas Tech. University-Green vs. Board of Regents.

U.S. District Court Texas.
Refusal to promote female associate professor who claimed sex discrimination. (December 21, 1971).4-FEP Cases-126, 2 pp.

COURT CASES-TEXAS cont.

Texas Tech. University-Green vs. Board of Regents.

U.S. Court of Appeals, New Orleans.
Upholds lower court decision indicated above. (February 13, 1973).
LRR-Summary of Developments, 82(21):7, March 12, 1973.
5-FEP Cases-677-679.

DIRECTORIES

A Directory of Public Employment Relations Boards and Agencies. U.S. Dept. of Labor, Public Sector Labor Relations Information Exchange, Stock Number 2900-0151. November, 1971 with Addendum.

DISPUTES/IMPASSE RESOLUTION

Belasco, J.A. "The American Association of University Professors: a Private Dispute Settlement Agency." Industrial and Labor Relations Review, 18: 535-553, July, 1965.

Creal, R.C. "A Study of the Factors which Influence the course of Collective Negotiations Toward Resolution or Impasse in Selected Michigan Community Colleges." Ph. D. Thesis, University of Michigan, 1969.

Hobbs, W.C. "Academic Dispute-Settlement Commission: A Proposal." Educ. Rec., 52:181-5, Spring, 1971.

DISPUTES/IMPASSE RESOLUTION-RELATED REFERENCES

"Annual Alma Conference Studies Mechanics of Dispute Settlement: section discusses public sector collective bargaining. 1973 GERR 515:1, B-6 to 16.

Domments. "The Civil Service-Collective Bargaining Conflict in the Public Sector: Attempts at Reconciliation." Univ. of Chicago L. Rev., 38:826-849, Summer, 1971.

Davey, H. W. Dispute Settlement in Public Employment. Working paper 72-01. Ames, Iowa: Iowa State University, 1972.

Drotning, J. E., et al. "Outcome of Impasse Procedures in New York Schools under the Taylor Law." Arbitration Journal, 26: 87-102, 1971.

DISPUTES/IMPASSE RESOLUTION-RELATED REFERENCES cont.

Leddy, J. H. "Arbitration: An Answer to the Impasse Dilemma." Nat. Assn. Sec. Sch. Princ. Bull., 55:16-25, December, 1971.

"Mechanics of Dispute Resolution: Report on 22nd Annual Conference of the Association of Labor Mediation Agencies." Labor Relations Reporter, News and Background Information Part II 83(27): 340-350, August 6, 1973.

"New England Public Sector Impasse Resolution Seminar Features Addresses, Demonstration Workshops, and Bargaining Simulation." 1973-GERR- 504:2, B-9 to 13.

"Pros and Cons of Referendums to Solve Bargaining Disputes." 1973-GERR- 517:B-17, 518:B-18.

Rains, H. H. "Dispute Settlement in the Public Sector." Buffalo Law Review, 19(2):279-287, Winter, 1970.

Ringer. "Legality and Propriety of Agreements to Arbitrate Major and Minor Disputes in Public Employment." Cornell L. Rev., 54:129-144, November, 1968.

Roberts, H. S., et al, eds. Collective Bargaining and Dispute Settlement in the Public and Private Sectors, A Review and Evaluation. Honolulu, Hawaii: Industrial Relations Center, College of Business Administration, University of Hawaii, 1969.

Papers and discussions from a conference that concentrated on adapting lessons from the private to the public sector are presented.

GRIEVANCE PROCEDURES

Ashmore, H. Hypocrisy in Academia? A Case History of an AAUP Investigation (Armstrong State College, Georgia). Vantage Press, $5.95.

Buchalter, S. S., et al. "The California State Colleges: Systemwide Adoption of a Grievance Procedure." AAUP Bulletin, 54(3): 365-70, Autumn, 1968.

Grievances-Contract Clause Finder. GERR-Reference File, Binder 2, Section 85: 501.

Includes college contract clauses.

GRIEVANCE PROCEDURES cont.

Krislov, J. "Academic Violations: Study of One University's Appeals Procedure." NASPA J., 9:215-18, January, 1972.

Morin, O. R. "Conflict and Compromise: A Survey of University Grievances." Journal of the College and University Personnel Association, 22:64-85, May, 1971.

Involving nonacademic personnel, but same framework can apply to faculty.

GRIEVANCE PROCEDURES-RELATED REFERENCES

Begin, J. P. "The Private Grievance Model in The Public Sector. Industrial Relations, 10: 21-35, February, 1971.

Fischbach, C. P. "Grievance Arbitration in Public Employee Disciplinary Cases." Labor L. J., 22:78-87, December, 1971.

Glime, R. "How to Write a Grievance Clause that Gives Your Board a Fighting Chance." Am. Sch. Bd. J., 160:27-30. July, 1972.

"Grievance Arbitration Legal in Public Sector." Negotiation Research Digest, 3(5):5, January, 1970.

Grievance Guide-Fourth Edition. Washington, D. C., BNA, Inc., 1973, 265 p. $5.00.

Koerner, T. F. "Grievance Clause and How to Write it Right." American School Board Journal, 157:22-4, July, 1969.

Krislov, J. et al. "The Arbitration of Grievances in Educational Units in The Late 1960's." Labor L. J., 23:25-31, January, 1972.

Krislov, J. et al. "Grievance Arbitration in State and Local Government: A Survey." Arbitration J., 25(3):196-205, 1970.

Kuhn, J. W. Bargaining in Grievance Settlement: The Power of Industrial Work Groups. Columbia Univ. Press, 1961.

Law, K. "Real Heart of a Negotiated Agreement." Todays Education, 59:36-8, February, 1970.

GRIEVANCE PROCEDURES-RELATED REFERENCES cont.

Lieberman, M. "Will Tenure Decisions be Subject to Grievance Procedures?" Sch. Mgt., 15:8-9, September, 1971.

Lutz, F. W., et al. Grievances and Their Resolution: Problems in School Personnel Administration. Danville, Ill., Interstate Printers & Publishers, 1967.

N.E.A., Research Division. Formal Grievance Procedures for Teachers, 1965-66. Research Report 1967-R10.

N.E.A., Research Division. Grievance Procedures for Teachers in Negotiation Agreements. Research Report 1969-R8.

Public and School Employees' Grievance Procedure Study Commission. Final Report to the Governor and the Legislature. New Jersey, 1968. Also: Negotiation Research Digest, 1(8):E-1 to E-6, April, 1968.

Recent Developments. "Right of Public Employees to be Represented at Grievance Hearings." Columbia L. Rev., 66:806-11, April, 1966.

Robbins, I. "Guidelines for Grievances." Nations Schools, 85:89-90, April, 1970.

Shannon, T. "Principal's Management Role in Collective Negotiations, Grievances and Strikes." J. of Secondary Education, 45:51-6, February, 1970.

Shapiro, A., et al. "Are You Game to Play Grievances? Special Simulation Kit for School Administrators." Nations Schools, 83:50-60, June, 1969.

U. S. Dept. of Labor. Grievance Procedures. Bureau of Labor Statistics, 1964.

Van Delinder R., Jr., et al. "Model Four Stage Grievance Procedure." Todays Education, 59:38-40, February, 1970.

Wollett, D. H., et al. The Law and Practice of Teacher Negotiations. Washington, D.C., BNA, Inc., 1970.

Includes illustrative grievance procedures.

Zweiback, R. "Questions & Answers About Good Faith and Grievances." Nations Sch., 91:24, May, 1973.

LEGISLATION-FEDERAL

"Cape Introduces National Public Sector Bargaining Law." 1973-GERR-509:1, B-2 to 4.

"Internal Revenue Employees, Fire Fighters (and NEA) Sponsor New Collective Bargaining Measure." 1973-GERR-516:A-9 to 11.

"Labor Relations Act for Federal Employees Urged by AFGE." 1973-GERR-506:1, A-7 to 9.

"Labor Relations Leaders Favor Federal Statute on Public Employee Bargaining." 1973-GERR-507:B-17 to 18.

"National Public Employment Relations Act" introduced June, 1973. 1973-GERR-Reference,File 51:181-197.

LEGISLATION-CALIFORNIA

"California Body Recommends Single Public Employee Bargaining Law." 1973-GERR-500:1, B-1 to 4, Text F-1 to 4.

LEGISLATION-FLORIDA

"Florida Attorney General Urges Bargaining Guides" stating that guidelines, not a law, should be enacted. 1973-GERR-498: B-15.

LEGISLATION-ILLINOIS

"Illinois Court Holds State's Anti-Injunction Act Applies to Public Workers, Tells Legislature to Pass Bargaining Law." 1973-GERR-519:1, B-4 to 6.

LEGISLATION-INDIANA

"First Indiana Public Employee Bargaining Law Covers Teachers." 1973-GERR-502:1, B-1 to 4.

LEGISLATION-MAINE

"Maine Bargaining Law Amended to Improve Mediation Aid." 1973-GERR-518:2, B-15 to 17.

"Public Employee Labor Laws Amended in Rhode Island, Maine." 1973-GERR-513: 1, B-4 to 7.

Maine employees may grieve under a new & more sophisticated grievance procedure. Rhode Island may negotiate agency shop contracts.

LEGISLATION-MICHIGAN

"Exemptions for Religious Dissenters Urged by Michigan Senate Resolution," relating to agency shop clauses in public employee contracts. 1973-GERR-516: B-17.

"Michigan Law Amended to Permit Agency Shop for Public Employees." 1973-GERR-512: B-1 to 2.

Requires appointment of mediator to renewal bargaining impasses, adds improper practice section for labor organizations.

LEGISLATION-MONTANA

"Montana Enacts Public Sector Bargaining Law Allowing Agency Shop, Checkoff, Binding Grievance Arbitration." 1973-GERR-503:1, B-4 to 7.

LEGISLATION-NEW YORK

Rains. "New York Public Employee Relations Laws; Pros and Cons on Proposed Amendments" Stalemate Procedures, Strikes and Penalties." Labor Law Journal, 20:264-288, May, 1969.

LEGISLATION-PENNSYLVANIA

"Pennsylvania's Right-To-Strike Law Defended by Union Officials.' 1973-GERR-505: B-9.

"PLRB Chairman Finds No Need Now for Substantive Changes in PERA." 1973-GERR-506- B-16.

LEGISLATION-RHODE ISLAND

"Rhode Island Study Recommends One Public Employee Law" to replace the 5 current laws, with the right to strike." 1973-GERR-498:1, B-8 to 9, Text E-1 to 5.

See also reference under Legislation-Maine "Public Employee...."

LEGISLATION-SOUTH DAKOTA

"South Dakota Bargaining Law Amended to Add Unfair Practices, Spell out Bargaining Obligations, and Omit Strike Penalties." 1973-GERR-504:1, B-1 to 2.

LEGISLATION-WASHINGTON

Correction to 1973-GERR-500: B-7. Proposed law permits classified employees to negotiate union shop, not agency shop as was reported. 1973-GERR- 503:2.

MEDIATION

Kaye, P. E. "Resolving Conflict through Mediation." Curr. Issues Higher Educ., 26:163-71, 1971.

MEDIATION-RELATED REFERENCES

Johnson, D. F.,et al. "Preintervention Effects of Mediation Versus Arbitration." J. App. Psychol., 56:1-10, February, 1972.

Mediation and the Dynamics of Collective Bargaining. Washington, D.C., BNA, Inc., 1971.

Odewahn, C. "Mediator in the Public Sector-New Breed?" Labor Law J., 23:643-8, October, 1972.

NEGOTIATION

Gardner, J. "Short Course on Labor Law and Union Negotiations." Am. Sch. & Univ., 53:58-91, January, 1973.

McPeake, J. D.,et al. Collective Negotiations and the Community College System in Massachusetts: A Case Study. ERIC, ED 046-377. October, 1970. 19 p.

Includes grievance procedures, negotiation impasses. Serves as a model of collective negotiations and community college system. Gives collective bargaining history at Massasoit Community College.

Schmidt, C. T., Jr., et al. A Guide to Collective Negotiations in Education. East Lansing, Michigan: Social Science Research Bureau, Michigan State University, 1967.

Stambler, M. "A Model Course in Professional Negotiations." Improving College & Univ. Teaching,20(3):172-4, Summer, 1972. ERIC, EJ 064-657.

How to develop proficiency in negotiations for administrators, teachers and the board.

NEGOTIATION cont.

"What You Need for Bargaining and How to Get It." College & Univ. Business, 53(6):28-32, December, 1972. ERIC, EJ 066-312.

Discusses the process of negotiations including arbitration.

"Workshops on Organizing and Bargaining Techniques" related to smaller AFT locals. 1973-GERR-518:2, B-13 to 15, Text E-1 to 11.

NEGOTIATION-RELATED REFERENCES

Heisel, W. D. Questions and Answers on Public Employee Negotiation. Chicag,; Public Personnel Association, 1967.

A book arranged in a question and answer format to provide management personnel with public sector collective bargaining information.

Nierenberg, G. L. The Art of Negotiating; Psychological Strategies for Gaining Advantageous Bargains. New York, Hawthorn Books, 1968.

Stevens, C. M. Strategy and Collective Bargaining Negotiation. New York; McGraw-Hill, 1963.

NEUTRALS

"Crookston, B. B., et al. "Third Party Mediation in Campus Disputes." J. Col. Stud. Personnel, 12:410-16, November, 1971.

Davey, H. "Use of Neutrals in the Public Sector." Labor Law J., 20:529-38, August, 1969.

"UCLA Graduates 22 New Neutrals." 1973-GERR-511: B-13.

Cources provided education and experiences needed for mediation, fact-finding and arbitration. Brochures provide biographical information on graduates. Write P. Tamoush, Institute of Industrial Relations, UCLA, Los Angeles, California 90024.

NLRB

"Is the NLRB Still Alive?" Labor Relations Reporter, 83-LRR-(19):217, News and Background Information Section.

Speech by NLRB Chairman. Describes guidelines of Board regarding bargaining units in colleges on pp. 218-9.

NLRB DECISIONS

Catholic University (D.C.) and Law Faculty Bargaining Committee

Law school faculty-part-time members voter eligibility. Election directed. (1973) 82-LRRM-1613-1614.

Challenge to ballot of part-time faculty sustained, full-time faculty vote counted. (July 31, 1973). 83-LRRM-1548.

Endicott Junior College (Beverly, Mass.)

Election directed for faculty, librarians, guidance counselors for representation by MEA.

Weekly Summary of NLRB Cases, W-1357: 23, September 26, 1973.

Fordham University(N.Y.) and AAUP.

NLRB includes part-time faculty and chairmen in full-time faculty union at Fordham U. in N.Y. Negotiation Research Digest, December , 1971. p 11.

Reference 269 in Bibliography No. 1.

Long Island University-Southarton College(N.Y.).

Election directed for full and regular part-time faculty. (April 30, 1973).
Weekly Summary of NLRB Cases, W-1338, p. 32, May 16, 1973.

Loretto Heights College(Colo.)and Faculty Education Association.

Certification of unit is clarified by deleting from the exclusionary portion the words "Divisional Chairman" and substituting. "Full-time and Part-time Program Directors." (September 7, 1973). 83-LRRM-1163 to 65.
Also: Weekly Summary of NLRB Cases, 1356:17, September 19, 1973.

Monmouth College(N.J.) and A.S. Weinberg.

Dismisses complaint of discrimination for union activity and support of two dismissed faculty members. (June 27, 1973). 83-LRRM-1392-3.

New York University(N.Y.)-

"Majority of NLRB Decides Part-time Faculty Different." Higher Educ. and National Affairs, 22(28):3-4, July 27, 1973.

Part-time Faculty must form separate bargaining unit from full-time faculty.

NLRB DECISIONS cont.

Rosary Hill College (N.Y.) and Faculty Association.

All full-time, regular part-time and concentration chairmen are part of the unit. Election directed. (April 17, 1973). 82-LRRM-1768-1770.

Syracuse University(N.Y.) and AAUP.

Board directs a self-determination election of the Law School faculty to determine if they will be represented in a University wide unit, a spearate unit, or be unrepresented. (June 29, 1973). LRR-Summary of Developments, July 16, 1973. p. 3. 83-LRRM-1373-79.

University of Detroit(Mich.) and AAUP.

NLRB includes part-time faculty and chairman in full-time faculty unit at Univ. of Detroit. Negotiation Research Digest, December, 1971, p. 11.

Reference 270 in Bibliography No. 1.

PERB

"PERB Reports Greater Participation in On-Site Than Mail Vote," but mail voting procedures used to conduct professional-technical unit election was 63.9% participation. 1973-GERR-514:2, D-1 to D-5.

PERB-DECISIONS-CONNECTICUT

New Haven College.
State labor board asserts jurisdiction over New Haven College. Negotiation Research Digest, May, 1971, p. 7.

PERB-DECISIONS-HAWAII

"HERB(Hawaii) Approves Agency Shop Fees in 10 Units." including Hawaii Federation of College Teachers. 1973-GERR-497:1, B-8 to 12.

In the matter of Hawaii Federation of College Teachers (March 19, 1973).HERB Case No. SF-07-9, Decision No. 31.

Relationg to Agency Shop fees.

PERB DECISIONS-MICHIGAN

Oakland Community College and Faculty Association.

Rules that athletic coaches qualify as members of teaching faculty bargaining unit. (September 20, 1972). 1973-GERR-488:C-2 to 3.

PERB DECISIONS-NEW YORK

Adirondack Community College.
Upon the application for designation of persons as managerial or confidential. (February 17, 1972). Official Decisions, Opinions and Related Matters-Public Employment Relations Board of the State of New York. Secretary of State, State of New York. (Cited hereafter as Official Decisions-NYS/PERB. 5-4006,* 2 pp.

CUNY-The Board of Higher Education and the Legislative Conference/UFCT.

Separates the permanent instructional staff of the Board of Higher Education from the nonannual (temporary) instructional staff, except those positions carrying tenure. Election directed. (May 7, 1968). Official Decisions-NYS/PERB. 1-407, 7 pp.

CUNY-The Board of Higher Education.

Opinion of Counsel-The Board may choose to be governed by NYC Collective Bargaining Law, establish its own procedures, or remain under the provisions of the Civil Service Law. (October 27, 1967). Official Decisions-NYS/PERB. 1-500, 1 p.

CUNY-The Board of Higher Education and The Legislative Conference/UFCT.

UFCT was certified as the negotiating representative of the temporary instructional staff. The Legislative Conference was certified for collective negotiations and the settlement of grievances for certain employees. (January 3, 1969).
Official Decisions-NYS/PERB. 2-3000, 2pp.

Above order revoked, annulled and reissued.
Official Decisions-NYS/PERB. 2-3026, 2 pp.

Determination of two bargaining units for faculty members. Election directed. (August 9, 1968).
Official Decisions-NYS/PERB. 2-3056, 6 pp.

CUNY-The Board of Higher Education and UFCT/Dr. Oscar Gottlieb (Brooklyn College).

Dismissial of charge of failure to implement arbitrator's

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*5-4006-Volume 5, Decision 4006.

PERB DECISIONS-NEW YORK cont.

award to reinstate lecturer-did not state cause of action as improper practice by employer. (December 14, 1970). Official Decisions-NYS/PERB. 3-4513, 2 pp.

CUNY-The Board of Higher Education and UFCT.

Petition dismissed on motion to vacate arbitrator's award-reappointment of part-time lecturers at Brooklyn College. Arbitrator determined that grievants should be reappointed. (not-dated). Official Decisions-NYS/PERB. 4-8002, 1 p.

Cited as reference 285 in "Coll. Barg. in Higher Educ.-1971-73" Bibliography. 75-LRRM-2655.

CUNY-The Legislative Conference and The Board of Higher Education.

Reluctantly, motion for an order to compel granting of sabbatical leaves is denied, and cross motion is granted on the grounds that complaint fails to state cause of Officials Decision-NYS/PERB. 4-8022, 2pp.

Cited as reference 288 in "Coll. Barg. in Higher Educ.-1971-73" Bibliography. 78-LRRM-2848.

CUNY-The Legislative Conference and The Board of Higher Education.

Applies to the above. (December 9, 1971). Official Decisions-NYS/PERB. 4-8054, 1 p.

Cited as references 288 in "Coll. Barg. in Higher Educ.-1971-73" Bibliography. 79-LRRM-2608.

CUNY-The Board of Higher Education and Professional Staff Congress.

Professional Staff Congress becomes the exclusive negotiating representative. (June 12, 1972). Official Decisions-NYS/PERB. 5-3031, 1 p.

CUNY-Professional Staff Congress and Board of Higher Education.

Absent showing of special circumstances, hearing officer's ruling on materiality of evidence will not be renewed by PERB until record is complete. (October 2, 1972). Official Decisions-NYS/PERB. 5-3053, 1 p.

PERB-DECISIONS-NEW YORK cont.

Considering its timing with a uniting dispute, an employer's resolution freezing salaries until completion of negotiations was held an unlawful interference with employees' rights of organization. (February 20, 1973). Official Decisions-NYS/PERB. 6-4527, 6 pp.

CUNY-The Legislative Conference and The Board of Higher Education.

Court reverses arbitration award on retroactive reappointment at Brooklyn College for Z. Perlin. (April 11, 1972).
Official Decisions-NYS/PERB. 5-7508, 5 pp.
Cited as reference 289 in "Coll. Barg. in Higher Educ.-1971-73" Bibliography. 80-LRRM-234

Court Appeals affirms above. Reappointment of employee for one year without tenure was held a viable solution for grievant Z. Perlin. (December 29, 1972).
Official Decisions-NYS/PERB. 6-7505, 2 pp.

Erie Community College, Administrators Association of

Dismissial on procedural grounds on petition claiming that Erie County PERB violated the Civil Service Law, by not naming administrators as a separate unit. (January 26, 1970).
Official Decisions-NYS/PERB. 3-3026, 3 pp.

Fashion Institute of Technology and UFCT.

Improper practice charge alleging discrimination against employee because of union activities dismissed for lack of proof. (December 27, 1971).
Official Decisions-NYS/PERB. 4-4525, 5 pp.

Board reverses the above determination, and orders reinstatement with backpay for female part-time lecturer. (April 28, 1972).
Official Decisions-NYS/PERB. 5-3018, 7 pp.

Hudson Valley Community College-Board of Supervisors, Rensselaer County and Faculty Association/Civil Service Employees Association.

Faculty Association certified as negotiating representative. (October 25, 1968).
Official Decisions-NYS/PERB. 1-399.74, 1 p.

PERB-DECISIONS-NEW YORK cont.

Hudson Valley Community College-County of Rensselaer/Board of Trustees and Faculty Association.

Faculty Association certified as exclusive representative of department chairman, administrative assistants and curriculum coordinators, who were excluded in above decision. (November 10, 1972).
Official Decisions-NYS/PERB. 5-3067, 2 pp.

Dues deduction authorization cards of unit are sufficient evidence for certification without election-relating to the above unit of department chairmen, etc. (October 12, 1972).
Official Decisions-NYS/PERB. 5-4033, 2 pp.

Jefferson Community College-County of Jefferson and N.Y.S. Nurses Association/Faculty Association(intervenor).

Improper practice charge dismissed against employer who, during open period, unilaterally abolished negotiating unit, placing nurses in unit with other professional employees. (July 29, 1971).
Official Decisions-NYS/PERB. 4-3057, 2 pp.

Relating to the above. (April 29, 1971).
Official Decisons-NYS/PERB. 4-4508, 3 pp.

Certification petition dismissed since majority of nurses voted against representation (July 11, 1972).
Official Decisions-NYS/PERB. 5-3033, 1 p.

Separate nurses unit determined to be appropriate. Certain college administrative employees placed in the faculty negotiating unit. (March 16, 1972).
Official Decisions-NYS/PERB. 5-4012, 5 pp.

Jefferson Community College-Board of Supervisors and Faculty Association/NYS-PERB.

Court dismissed motion to prohibit PERB hearing in improper practice case on county's refusal to approve merit increases in salary (November 3, 1972).
Official Decisions-NYS/PERB. 5-7020, 2 pp.
(Not reported by N.Y.S. Supreme Court, Jefferson County.)

Employer's refusal to pay contractual merit salary increases is an improper unilateral change in term of employment violating its duty to negotiate in good faith. (March 16, 1973).
Official Decisions-NYS/PERB. 6-4509, 5 pp.

PERB DECISIONS-NEW YORK cont.

County Board of Supervisors' Unilateral limitation of number of faculty members to receive merit increments held a violation of duty to negotiate. (May 24, 1973). Official Decisions-NYS/PERB. 6-3031, 3 pp.

Monroe Community College-Judith J. Toler and Board of Trustees/President/College on Charge of Reprisal.

Recommended that female assistant professor be promoted to associate professor as a remedy in that the reprisal for union activity was engaged in as part of the official conduct of authorized faculty members. (September, 1968?) Official Decisions-NYS/PERB. 1-811, 7 pp.

Employer was ordered to reconsider Miss Toler's qualifications for promotion de novo, since objections of the college were sustained in part. (April 7, 1969). Official Decisions-NYS/PERB. 2-3025, 3 pp.

Nassau Community College.

The Faculty Senate does not qualify as an employee organization for the purposes of the Taylor Law. (December 17, 1967). Official Decisions-NYS/PERB. 1-510, 2 pp.

Nassau Community College-Bernard Katz/Faculty Senate and PERB (Nassau County)/ County of Nassau/College/UFCT.

NYS Supreme Court, Nassau County for a judgment on dismissal of petition seeking certification as exclusive representative for full-time faculty, non-faculty staff and unrepresented employees. (August 3, 1971). Official Decisions-NYS/PERB. 4-8036, 4 pp.

Nassau Community College-Ralph G. Caso/Nassau County and Bernard Katz/Faculty Senate.

N.Y.S. Supreme Court, Nassau County, enjoined teachers from engaging in strike over increased teaching hours. Teachers who refused to work the additional hours were on strike. (September 30, 1971). Official Decisions-NYS/PERB. 4-8052, 3 pp.

N.Y.S. Supreme Court, Appellate Division, affirms the above order. (December 6, 1971). Official Decisions-NYS/PERB. 5-7506, 1 p.

Orange County Community College and AAUP/Faculty Association.

Faculty association was certified as negotiating representative. (January 3, 1969). Official Decisions-NYS/PERB. 2-3002, 2 pp.

PERB DECISIONS-NEW YORK cont.

Rockland Community College-County Board of Supervisors and College Federation of Teachers and Associated Faculty.

College Federation of Teachers was certified as negotiating representative. (January 17, 1969). Official Decisions-NYS/PERB. 2-3003, 2 pp.

Schenectady Community College-County and Faculty Association.

College Faculty Association became exclusive negotiating agent and unit determined. (June 14, 1971). Official Decisions-NYS/PERB 4-3042.2 1 p.

Designation and authorization forms constituted sufficient evidence for certification of employee organization as negotiating representative. (May 17, 1971) Officials Decisions-NYS/PERB. 4-4008, 2 pp.

Reopening of issues previously settled during negotiations, use of grievance procedure to accomplish negotiations objectives, raising issues at fact-finding not discussed during negotiations & unilateral imposition of professional development procedures for teaching faculty, held improper (February 2, 1973). Official Decisions-NYS/PERB. 6-4503, 10 pp.

Failure by employer to negotiate establishment of professional development plan held not improper-no request for negotiation made. Refusal to negotiate impact of such plan was improper. (May 14, 1973). Official Decisions-NYS/PERB. 6-3027, 3 pp.

SUNY-CORTLAND-Donald E. Leon and Kenneth E. Young, President/College.

Recommended that assistant professor be given an additional two-year appointment in determining tenure. Non-renewal of contract based on union activity. (September, 1968?). Official Decisions-NYS/PERB. 1-800, 10 pp.

SUNY and Federation of Teachers/Delhi Tech/Faculty Senate.

Charges of improper practices should be handled separately from a representative proceeding. A single state unit is the most appropriate unit. Supervisory exclusion determinations cannot be based solely on job titles. Election directed. (October 6, 1969). Official Decisions-NYS/PERB. 2-3070, 4 pp.

PERB DECISIONS-NEW YORK cont.

SUNY-The Faculty Senate and Civil Service Employees Association will be certified jointly if successful in any y election. Unit defined. Election directed. (August 12, 1969).
Official Decisions-NYS/PERB. 2-4010, 16 pp.

Senate Professional Association is the exclusive negotiating representative. (January 28, 1971).
Official Decisions-NYS/PERB. 4-3000.5, 2 pp.

SUNY-Samuel Wakshull/Federation of Teachers and Robert D. Helsby/PERB.

PERB's statewide unit upheld. Deans continued as part of the unit. N.Y.S. Supreme Court, Appellate Division. (November 10, 1970).
Official Decisions-NYS/PERB. 3-7013, 2 pp.
Cited as reference 286 in "Coll. Barg. in Higher Educ.-1971-73" Bibliography. 75-LRRM-2657.

Ulster County Community College-Board of Trustees/County Legislative and College Faculty Association.

Employer to cease & desisit from a) refusing to explain its negotiations posture b) refusing to meet to negotiate c) withdrawing concessions made. (December 13, 1971).
Official Decisons-NYS/PERB. 4-3088, 5 pp.

Hearings on the above in relation to a faculty strike, which was provoked. (September 23, 1971).
Official Decisions-NYS/PERB. 4-4518, 12 pp.

PERB DECISIONS-PENNSYLVANIA

Beaver County Community College-PLRB vs. Board of Trustees.

Sustains charge by Society of Faculty(NEA) that Board must bargain with faculty society regardless of individual employee contracts signed prior to certification of the society (August 11, 1972). 1973-GERR-488: C-4.

Pennsylvania State University-"PLRB Rejects Bid for Multicampus Faculty Unit." 1973-GERR-515:1, B-1 to 2.

In the Matter of the Employees of Pennsylvania State University, PERA-R-801-C(June, 1973). PLRB rejects both single multi-campus unit and separate units for each of the 18 campuses.

PERB DECISIONS-VERMONT

Vermont Technical College-"Vermont Board Rejects Single-College Faculty Unit." 1973-GERR-498:2, B-9 to 11.

State-wide unit favored over faculty position at one college. Petition for certification of Faculty at Vermont Technical College, VSELRB No. 72-9, February, 1973.

PERB DECISIONS-WISCONSIN . Vocational Teachers Union Loc

Milwaukee Vocational Teachers Union Local 212. Decision No 6343 (1963).

Cited in Lieberman and Moskow, Collective Negotiations for Teachers, Appendix D-6 (1966).

Decision on permanent vs. part-time (temporary or non-annual) lecturers.

Waukesha County Technical Educators Association and Area Board.

Directs election in unit of all regular full-time and part-time certified teaching personnel including chairmen, guidance counselor, excluding librarians.(June 21, 1972). 1973-GERR-493: C-4.

PERB RULES

"New Jersey PERC Revises Regulations on Posting, Intervention, and Timeliness." 1973-GERR-508:1, B-5 to 6, Text E-1 to 12.

"Oklahoma PERB Adopts Rules." 1973-GERR-511:1, B-9 to 11, Text E-1 to 4.

Lawsuits challenge law, adopt rules for conducting elections, filing unfair labor practice charges.

PUBLIC SECTOR LABOR RELATIONS

Aksen, G., et al. "Public Employees and Collective Bargaining." Symposium in Conference on Labor, New York University, Proceedings, 21st (1968), 447-575.

Includes discussion on comparison of state and local experience, unit determination, arbitration, factfinding, and how to prevent strikes.

Comments."Collective Bargaining For Public Employees and the Prevention of Strikes in the Public Sector." Mich. L. Rev., 68:260-302, December, 1969,

Dole, R. F., Jr. "State and Local Public Employee Collective Bargaining in the Absence of Explicit Legislative

PUBLIC SECTOR LABOR RELATIONS cont.

Authorization." Iowa Law Review, 54(4): 539-559, February, 1969.

A thoroughgoing study of the problems, amply footnoted--with special reference to Iowa, which lacks a comprehensive collective bargaining statute.

"Growth of Public Sector Compulsory Unionism Privileges Denounces." 1973-GERR-513: 2, B-3 to 4. Text F-1 to 3.

Mentions NEA role as a militant union.

Labor Law Developments 1973. The Southwestern Legal Foundation. Proceedings of Nineteenth Annual Institute on Labor Law. Matthew Bender & Co., Inc., New York, 1973.

Included Chapter: The Emerging Duty to Bargain in the Public Sector. Public Sect

Love, T., et al. "Political Implications of Public Employee Bargaining." Industrial Relations, 11(1):18:33, February, 1972.

Managing Governments' Labor Relations. Consortium Press, 821 Fifteenth St., N.W., Washington, D.C. 20005, $7.50.

A collection of papers on public sector labor relations in federal, state and local jurisdictions.

"The role of the legislature in the bargaining process is conceptually ambiguous...." Labor Law Developments 1973, Southwestern Legal Foundation, Proceedings of Nineteeth Annual Institute on Labor Law. Published by Matthew Bender, 235 E. 45 St., N.Y., N.Y. 10017, pp. 26-7.

Shinn, J. C., et al. "Collective Bargaining in the Public Sector." Symposium in Conference on Labor, New York University, Proceedings, 23rd (1970), 359-426.

Includes discussion of Executive Order No. 11491, bargaining units, grievance arbitration, and ability to pay.

Smith, R. A. "State and Local Advisory Reports on Public Employment Labor Legislation: A Comparative Analysis." Michigan Law Review, 67(5): 891-918, March, 1969.

Includes sections by:
Anderson, A., "Strikes and Impasse Resolution in Public Employment," 934-70.
Brown, R. S. "Collective Bargaining in Higher Education." 1067-82.

PUBLIC SECTOR LABOR RELATIONS cont.

Ullman, J. "Structure & Scope of Appeals Procedures for Public Employees." Industrial & Labor Relations Review, 23:323-34, April, 1970.