PROFESSIONAL RELATIONS

BULLETIN

Division of Professional Relations Box 286, Rahway, N.J. 07065

DENNIS CHAMOT, Editor
No. 14
November, 1976



FROM THE EDITOR ...

Questionnaire

As you may recall, the last issue of the *Bulletin* contained a questionnaire to help us guage your views on several matters related to DPR, ACS and professionalism. The replies received thus far are quite interesting, but as of this writing, not enough time has passed to allow for a reasonable return. We will plan a full report of the results for the next issue.

By the way, because of the terrible delivery service being provided these days by the post office, your receipt of this publication may be rather erratic. I know of cases where the same issue was received by different people as much as a month apart. The situation has been getting worse, and not just for us.

In any case, if you have not yet mailed in your completed questionnaire, we would appreciate your doing so now.

Report from San Francisco

The national meeting in San Francisco was hectic, as usual. Most of the members of the DPR Executive Committee were there, and were active.

Major items of interest to this division were the meetings of the Council Committee on Professional Relations (CPR) and of the Council itself. CPR spent a great deal of time on the question of Board review of layoff articles prepared for C&EN. The procedure that had been followed in the past included investigation of the layoff by a subcommittee of CPR; report to, and discussion by, the full committee; report to the Council (usually without major discussion); and submission of a report of the findings to C&EN. These reports have been factual, and have usually appeared long after the event because of the effort involved in gathering the information and studying it.

Well, some people still object. Herman Bloch, Chairman of the Board of the ACS, addressed CPR to discuss why the Board has delayed still further a couple

of pending layoff reports. Basically, Dr. Bloch expressed concern about specific wording that he felt was not warranted, especially when the report gave information received from terminees but not confirmed by the company. He was supported by fellow Board member Ray Mariella. Other Board members that were present who disagreed with them were Warren Niederhauser, Henry Hill and Gardner Stacy. Most of the committee members and associates (including the DPR councilors, Dennis Chamot and Norman Pinkowski) agreed with the latter group of directors that no Board review was necessary.

This issue was one of the livelier ones at San Francisco, and was also discussed at the Council meeting. After much debate ranging over several issues, the following motion was offered and passed, "Reports which the Council Committee on Professional Relations wishes to publish in *Chemical and Engineering News* shall require only editorial review by the Board of Directors prior to submission for publication."

Now, I consider this a very interesting move by the Council. Under the old, informal system, the Board was delaying publication for considerable periods of time. Under this motion, the Council in effect told CPR to permit the Board to make only editorial (not substantive) changes in its layoff reports, and then to publish them. Furthermore, editorial review is not a process that should take a long period of time, certainly nothing comparable to the time it takes to prepare the original report. Hence, it would seem to me that if the Board holds up a report too long (more than a month or two, say), then CPR should assume that no changes are required, and should go ahead and publish. Otherwise, the burden of proof is on the Board to prove that simple editorial review must take a lot of time, or else admit that they are trying to prevent timely publication of the report.

By the way, you might be interested in the kinds of changes we are talking about. A layoff article discussed at the CPR meeting contained the following sentence:

"The primary role of the Committee on Professional Relations, through its Subcommittee on Professional Standards, is to try to ensure that chemists and chemical engineers in layoff situations are accorded treatment consistent with their professional status and with contemporary practices."

This was changed by the Board to:

"The primary purpose of the Committee on Professional Relations, through its Subcommittee on Professional Standards, is to determine whether chemists and chemical engineers in layoff situations were accorded treatment consistent with the ACS professional employment guidelines."

Another change, from:

"Six of the twelve companies also terminated longer service employees."

To: "Six of the twelve companies are reported to have terminated longer service employees."

One more, from:

"Five of the companies included in this report did not meet the guideline pension vesting standard..."

To: "Five of the companies reportedly did not meet the guideline. . ."

Interesting?

Another battle at the Council meeting raged over the so-called "Fair Election Procedures" amendments to the Constitution and Bylaws. It is interesting that, perhaps in recognition of the highly objectionable nature of most of this petition, the Committee on Constitution and Bylaws divided the petition into five parts, with the plan being that all but the first part would be recommitted. Part I passed after much heated debate. It essentially prohibits the use of ACS

funds or facilities (or those of a local section or division) to support a candidate for any ACS office; further, it requires that advertising or editorial space in a Society publication be used equally for all candidates (or at least that the space be offered simultaneously to each candidate); and finally, it provides that, for the purposes of mailing campaign material, all candidates shall have the right to use the membership list of those members eligible to vote in that election.

All well and good, on the surface, but let's dig a little deeper. Intent. What was behind this petition? Let's look first at what didn't pass. Even in Part I, the following provision was dropped: "All materials issued in support of, or in opposition to, a candidate must be clearly identified as to source, including the name and address of the Society member responsible for its issuance."

Part II was a beauty. It required that reports be filed within 30 days of an election by "every member or group of members who has spent \$25 or more or its equivalent in goods and/or services in connection with any candidate. . . Furthermore, every contributor of \$25 or more or the equivalent in goods and/or services must be individually identified. Even if one were to disregard the obvious intimidation, the provisions are utterly unenforceable. How much do you charge to a telephone call? If you drive some friends to an ACS meeting, and talk about a candidate, do you have to list the value of the ride? And so on.

Part III is a nasty one. It provides that violation of these election procedures bylaws would be "considered conduct which tends to injure the Society." In case you don't understand the magnitude of that phrase, it means that those are grounds for kicking you out of the Society. In other words, you make a \$25 contribution to the candidate of your choice and don't report it, poof, you're out.

Part IV would give the Council Committee on Nominations and Elections the power to *overturn local section or division elections*, serving also as an elections appeal board. How do you feel about giving that kind of power to a small group of Councilors?

Part V is similar to Part IV, except that it deals with national and regional elections. In these cases, Nominations and Elections reports to Council, which then can vote to overturn disputed elections.

Well, that's most of it. Now let's put it in perspective. One would think that with such strong amendments being proposed, that election irregularities were the rule in ACS elections, and that evil and dirty tricks were commonplace. Clearly, this is not the case. The vast bulk of ACS elections, for local section or division Councilors and officers (several hundred each year), never involve a single dispute. Even so, all now have additional rules to follow.

The real target, as became clear during the Council debates (especially through comments by Chairman of the Board, Herman Bloch, and by David Young, Midland Section) was the organization GRASSROOTS. I imagine many of you know about this group, but for those who don't, let me describe it.

Dr. Bloch referred to it as a political party. In reality, it consists of a tiny group of active individuals (mostly Attila Pavlath, a Councilor from the California Section) who put out a short newsletter once or twice a year. The newsletter discusses subjects like the need for more democracy in the ACS, and also endorses candidates for President-elect and Regional Director. Here's the rub - even though some of the candidates GRASS-ROOTS endorsed were petition candidates, most (if not all) of the candidates supported by this group actually had the gall to win! This seems to really upset some people, that a democratic election actually resulted in the election of some candidates that were not the choice of the Establishment!

Now, as one who, along with thousands of others, is on the GRASSROOTS mailing list, I am offended by the suggestion that I must be told how to vote. No one tells me how to vote, and I'm sure the same is true for you. The key to GRASSROOTS' success is not that they have absolute control over the hearts and minds of thousands of ACS members. but that what they say and what they believe is a reflection of the thoughts and beliefs of many of their colleagues. Clearly, given the very loose structure of the organization and the minimal contact with those on its mailing list, GRASSROOTS would have very little influence, indeed, if it did not have a sympathetic ear to begin with.

GRASSROOTS has been using the mailing permit of the California Section, with approval and prior clearance of the executive committee of that section. The new rules would require that this practice be stopped, or that the same privilege be extended to all the opponents of each candidate endorsed in material mailed for GRASSROOTS, and presumably, that

the GRASSROOTS newsletter itself would have to offer space to the other candidates. But here's the real irony. The target is GRASSROOTS, which is not an official unit of the Society. The new restrictions might apply to the California Section, but all GRASSROOTS need do is obtain its own mailing permit (as a non-profit organization) and do whatever it pleases' The only effect of the new rules would be to place new burdens on official units of the Society, but except for some preliminary inconvenience, it affects GRASSROOTS not at all. So much for shortsighted narrowmindedness.

In any case, you should be aware of what's happening in your Society.

Before we leave the Council meeting. I would like to report on one more item. A petition calling for a direct referendum procedure for overturning decisions by Council was defeated once again, by a vote of 117-211. This was a record vote; the list was printed in *C&EN*, September 27. See how your section Councilors voted (both of your division Councilors, Dennis Chamot and Norm Pinkowski, voted *for* the motion).

Symposium

Our major presentation at San Francisco was a symposium, "Professionals in Unions: Yes or No?" I am very pleased that we are now able to reprint those talks. All but one of the six papers presented that day make up the bulk of this issue of the *Bulletin*. Unfortunately, those of you who were not able to attend missed a very interesting final hour of questions and discussions, but if you have any comments, please send them in.

Invitation

I am looking for qualified authors for papers on the following topics: age, sex and/or race discrimination experienced by chemists; salary trends for chemists and other professionals and non-professionals; job security of chemists; developments in licensing or registration of chemists; "free speech in the laboratory" (some of these were suggested on your questionnaires). If you know anyone who is able and willing to write any of these, please contact me.

Commercial

Your division is healthy, and dues are not being increased. They remain for next year at the extremely modest level of \$4. Most of you can renew on your annual ACS dues bill, which should be going around shortly.

And how about signing up some friends?

— Dennis Chamot

SYMPOSIUM ON PROFESSIONALS IN UNIONS: YES OR NO?

Dennis Chamot, Presiding Councilor Division of Professional Relations, ACS

This may surprise many of our readers, but there are today about three million members of unions that are classified by the U.S. Bureau of Labor Statistics as professional and technical. Roughly half are school teachers and college professors. Other professions that are strongly represented include actors and musicians, journalists, nurses, even several thousand doctors (mostly interns and residents). Within this context, scientists and engineers are relatively unorganized, with no more than five or ten per cent in unions.¹

Even so, there appears to have been a strong interest demonstrated, in the past few years especially, in the whole area of professional relations. This has been true not only in the American Chemical Society, but in many other scientific and engineering societies. Clearly, unionization is a viable option, *Not* to unionize

is another option, provided some mechanism is available for helping scientists and engineers with their employment problems, such as an active professional relations program carried out by a professional society like the ACS.

The following papers are based upon five of the six talks presented at DPR's symposium, *Professionals in Unions: Yes or No?*, held on August 30, 1976, in San Francisco. Three of the speakers have been, and still are, very active in the ACS, most recently through the Council Committee on Professional Relations, and the Committee on Economic Status.

The other papers are written by two of the three union speakers (the third speaker, Edward Weston of Actors Equity, did not provide a written version of his interesting remarks). One is president of a national union for scientists, engineers and technicians, and the other is head

of the colleges and universities department of the American Federation of Teachers.

The program was designed to present a broad discussion of an important subject, but not necessarily to come to any definitive conclusions. That is for individuals to decide for themselves. However, there was complete agreement on one thing — no one took the view that the ACS should, or could, become a union. Rather, the discussion involved two types of organizations, very different in structure and activities, and what each could, or could not, do for chemists. Indeed, the two are not mutually exclusive.

Here, then, is our symposium.

¹ For additional background, see D. Chamot, "Professional Employees Turn to Unions," Harvard Business Review, May-June, 1976.

THE AMERICAN CHEMICAL SOCIETY'S COUNCIL COMMITTEE ON PROFESSIONAL RELATIONS

Ilmari F. Salminen,* Chairman Council Committee on Professional Relations American Chemical Society

The American Chemical Society's West Coast Centennial Meeting offered you 2828 papers during 428 half-day sessions. It's the largest technical program in the Society's history! Do you need any more convincing evidence that the American Chemical Society is scientific and educational?

But the ACS is more than that, It's a professional society. As such it's a society concerned with your economic well-being in the practice of chemistry as a livelihood. The degree of concern is controversial. The need is unquestionable. Let me support this last statement by reaching back 30 years and quoting from the illustrious Hancock Report: "And the peculiar detachment the chemist frequently experiences from being allied to neither management nor labor conspire to develop professional needs which either this Society or some other must supply."

And on the subject of professionalism the same report notes: "...a substantial section of ... membership opinion ... insists that the Society should adhere strictly to its scientific moorings ... Others hold with equal firmness that ... professional yearnings cannot be

ignored even though this results somewhat in a gradual weakening of the ...traditional devotion to science... Whether these two convictions are diametrically opposed is perhaps... somewhat beside the point. The Society is not confronted with an abstract theory but the solid fact that these two ideas are hopelessly intertwined in the sentiments of its members. It cannot return even if it would to an exclusively impersonal interest in science. Nor can it suddenly completely change its scientific traditions in response to a rising tide of professional awareness."

This assessment would serve as well in the 1970s, perhaps, as it did three decades earlier, notwithstanding the substantial expansion of the Society's professional programs since then.

The Council Committee on Professional Relations is one tangible evidence of ACS efforts to meet some of the needs. It is my purpose to describe some areas of past and present activities of this Committee, Before I do so in some detail let me indulge in one more quotation, this one offered in 1968 by Robert W. Cairns, then ACS president, on the subject of professional relations.

"'Professional relations' are deemed by some to be more dignified words than 'pay' and 'prestige,' yet in the proper context, 'pay' and 'prestige' may be more apt labels to describe our human goals...Collectively, we

must seek to enhance that [public] image... knowing that if we thereby attain broader responsibilities...a more satisfactory sharing of pay and prestige will likely result."

O.K.: Let's enumerate what the Committee on Professional Relations is charged to do:

- Initiate investigations and make recommendations to the Council concerning matters bearing on the professional relations and status of the membership.
- Receive, consider, and make recommendations to the Council concerning proposals made by members for SOCIETY activities in this sphere.
- 3. Serve as an advisor body to groups of members seeking guidance on matters of a professional nature.
- 4. Assist in the development and implementation of the SOCIETY's programs for the advancement of the profession of chemistry and chemical engineering and for the advancement of the professional status of all those who practice the profession.
- Cooperate with other SOCIETY groups in advancing public recognition of the professional status of chemists and chemical engineers.

Bear in mind that these are also actions of the entire Society. In most instances results

^{*}The author is a Senior Research Associate, Eastman Kodak Co.

are obtained through persistent, cooperative participation by several committees and other units of the Society. So, what I'm really describing are either individual or joint programs, all of them being sanctioned by the Society.

Annual Salary Survey

The annual salary survey is an example of service initiated early (1941) by CPR. The survey has become so valuable to ACS members that it is now carried out and completed by staff of the Office of Manpower Studies in the Department of Professional Relations and Manpower Studies of the ACS under Robert Neuman's direction. The work is done under the auspices of the ACS Council Committee on Economic Status chaired by Dr. Madeleine Joullie and that Committee's Subcommittee on Surveys headed by Dr. Alan McClelland.

Professional Employment Guidelines

How many of you are acquainted with the booklet entitled Professional Employment Guidelines (PEG)? I regard this booklet as a tremendous contribution by CPR. Formerly entitled Guidelines for Employers, it has resulted from ACS concern about employer treatment of professional chemists and chemical engineers. Uncertainties in the employment market in the late 1960's and 1970's resulting in major layoffs of professionals underscored the need for such a guide. The Subcommittee on Professional Standards, currently headed by Dr. James Bennett, has forged the current edition by hammering, shaving and shaping numerous proposals into a living succinct document. The current edition recognizes that responsible action calls for codes touching all parties: employers and employees. It contains parallel guidelines, standards of responsibility for employers and chemists.

I won't take the time to discuss details of content. The main headings are:

- I. Terms of Employment
- II. Employment Environment
- III. Professional Development
- IV. Termination Conditions

As I mentioned earlier PEG spells out responsibilities of the Chemist and the Employer in parallel fashion. Copies of PEG are distributed widely among employers of chemists, local sections, and students. Copies are to be included in kits for distribution to students specializing in the study of chemistry, for use as they are about to enter the labor market.

Investigation of Layoffs

Continuing layoffs are an ugly reality of today's economy. Layoffs include chemists as casualties. Whenever and wherever this happens the ACS is concerned and investigates. The investigations are carried out by the Committee on Professional Relations through its Subcommittee on Professional Standards. Great help is given by the staff of the ACS Office of Professional Relations under Earl Kinefelter's direction. The procedure entails several steps but I believe this is an occasion when the details are worth sharing.

ACS Procedure in Investigating Layoffs

(1) When the American Chemical Society is informed that a layoff is in progress or has occurred, (2) the Office of Professional Relations personnel contacts the person in the firm involved most knowledgeable of the layoff and (3) asks him to complete a form which asks

detailed questions on the termination conditions. (4) We inform the employer that upon receipt of the information we will publish it in Chemical and Engineering News similar to the format used in the last articles on layoffs (copies of which we enclose). (5) Upon receipt of the information from the employer, (6) a copy of the data is forwarded to the Chairman of the Professional Relations Committee of the local section in the area of the layoff. (7) The section Professional Relations Chairman is asked to assist the terminees in any way that they can and (8) also to survey the terminees relative to the termination conditions they receive (a sample terminee and employer questionnaire are enclosed). (9) The CPR section chairman is also urged to notify the Society if he believes an employment seminar by ACS staff at the site of the layoff would be of value to the terminees. (10) If, in comparing the data from the employer and that from the terminee, there are major discrepancies, both sets of data may be published in the layoff article in C and E News. (11) The local section involved is asked to prepare a summary of the information from the terminee which is published, along with the data from the employer. (12) The manager of the Office of Professional Relations will attempt to resolve any major discrepancies in the data, if necessary.

(13) In the event the employer indicates that company policy precludes their providing us with information, (14) a letter is written (and signed by the Chairman of the Committee on Professional Relations) to the President of the firm involved, and copies to the Chairman of the Society's Board and to the Executive Director. We attempt to relay the importance of cooperation with the Society and suggest that they reconsider and, (15) if necessary, contact the chairman directly. (16) If we do not hear from them by a specific date, we inform them that we will publish that a layoff occurred at that particular location, at a particular time, involving so many chemists and chemical engineers, (17) We also indicate that every employer was given the opportunity to provide us with information but that this particular company's policy does not permit them to do so. (18) In addition, we inform the president that we will survey the terminees and, as our usual practice, publish any information we obtain from the terminee in the layoff article in C and E News. (19) Before being published, each article on layoffs is reviewed by legal counsel.

How do employers generally measure up to the ACS guidelines in their layoff practice? A few companies and many government agencies fulfill them to the letter. The specific guidelines causing most trouble are the amount of severance pay in lieu of notice, and length of employee service, especially the latter. I believe that most managers resent this one as an invasion of the prerogatives in the selection of terminees. They feel that long service cannot be an absolute shield to termination vulnerability.

A few additional comments are in order. Both terminees and company representatives are often reluctant to supply information. For example, the individual is trying to find employment anew in his profession and fears that providing the requested information may identify him as a malcontent, thus decreasing his chances of finding a suitable job. The employer declines cooperation because he insists that one or more of the terminees was really a technician or otherwise less than a professional. Sometimes he has doubts about the intended use of

information he provides; or company policy requires silence in its efforts to avoid publicity.

The facts supplied by the terminee and employer may differ and cannot be resolved. These cases are handled by proper identification of source when published. These are just a few complications that face the committee.

Member Assistance

CPR through its Member Assistance Subcommittee, currently chaired by Dr. Albert Zettlemoyer, is a fact-finding body trying to provide relief to individual members of the Society.

1) A member complains by phone or writing that he has been treated by his employer in a way that compromises his professional status. 2) He is asked to sign a member assistance request form and is assured of confidentiality. 3) He provides particulars on his case. 4) The subcommittee on Member Assistance reads the particulars for initial determination of action. 5) If the case falls within the purview of Member Assistance rules, it is referred to one of three regional consultants or handled further by staff. 6) The employer is notified and asked for his version. 7) Persistent fact finding is continued. 8) Other aid possibilities to the member are weighed. 9) The convened subcommittee reviews the status through available reports and recommendations of the consultant. 10) The case is reviewed by the full CPR committee. 11) Specific action recommended by the subcommittee is accepted. 12) The employee and employer are notified of intent. 13) Citation may result.

Two years ago I reported in C and E News that the case load was growing. It's gratifying to report now that the trend has reversed. More than 20 action cases was commonplace. This session, we had 10 to review.

Members are calling directly to the ACS Office of Professional Relations and receiving direct assistance. Moreover, members are turning for help to other agencies, such as the Commissions of Human Rights or Office of Equal Employment Opportunities. Often regional or local officers of these agencies are located within or close to the member's area. Furthermore, these agencies operate according to specific statutes and wield effective power; that is clout. For example, they can subpoena records; ACS cannot.

The story I have recounted is incomplete. I have neglected to tell you how CPR is extending its investigations into governmental and civil service areas. We are working on academic guidelines. We are concerned on a continuing basis with certification, licensing and registration of chemists, especially in areas of environmental pollution and public health. All this is fine, but what about the future?

One year ago Albert Zettlemoyer was your chairman of the Council Committee on Professional Relations. Al was concerned about goals and objectives of CPR. What more accurate way to gauge this concern than by asking local section chairmen and Division Councilors a few questions: DOES THE ACS HELP YOU TOWARD YOUR PROFESSIONAL GOALS??

The number of responses were gratifying, both geographically and in content. The responses themselves ranged from "no comment" to essays. I've selected a few in order to indicate their variety. Let's review some comments by subject

1) Layoffs

Be factual.

Strive for greater awareness, i.e., publicize. I've been favorably impressed by the progress of this program.

Study a few in depth: causes, effects, performance of the company during layoffs, new rehiring or expansion of scientific staff after layoff.

Publish your data sooner.

Make your reports more extensive.

Establish a layoff memory bank good for fifteen years.

Investigate only those layoffs where violations have occurred.

This is your most significant program. Expand it. It's a good program. Companies do not want to appear to show less favorable treatment to employees during layoffs than other companies.

2) Professional Employment Guidelines

PEG is a moving target. Change it less often. PEG, like motherhood, sobriety and hardwork fails to send chills up and down my spine.

PEG is a first rate achievement of your committee and is sure to place the individual chemist in a better bargaining position vis-a-vis

his employer. Perhaps your committee should now push the idea of using the ACS's "stockholder voice" to bring the Guidelines to the favorable attention of management.

Seek cooperation of other technical societies for a common draft.

3) Member Assistance and Legal Aid Programs

I question the appropriateness of these activities for the ACS.

I don't know much about this phase of the program and doubt if many of the other ACS members do either.

Disseminate your findings but do not bargain in behalf of the member.

It affects so few!

Give legal aid only if its not available elsewhere.

Push member assistance more vigorously.

4) Continue and/or Expand Programs

Go slow; don't try to be all things to all members.

Any information and awareness activities. Publish salary surveys regularly.

Encourage and continue the Division of Professional Relations.

Determine the extent to which economic factors are a basis for layoffs.

New Programs

Do better with your present programs; not poorly with many.

None.

Promote a portable pension.

Set up a mechanism for arbitration between scientists and industry or government, or for inquiry into areas of scientific responsibility towards the public ("whistle-blowing" is the extreme situation).

Develop a program to prepare members in advance for layoffs or termination. The horror of layoff or termination is not the event, but the lack of preparation for it.

These responses are appreciated. They are being sorted and summarized as a basis for continuing action. ACS staff is spearheading the sorting. Needless to say, much needs to be done. Hopefully everything significant can be accompalished within the boundaries of the ACS charter. Judging from the lively CPR meetings we've had here in San Francisco, I get the distinct impression we may at times be straining those boundaries. But isn't that the nature of innovation and progress?

ACS AND THE ECONOMIC STATUS OF CHEMISTS

Alan L. McClelland Personnel Administrator Central Research Department E. I. duPont de Nemours & Co. Wilmington, Del. 19898

The economic status of chemists has long been a concern of the American Chemical Society (and obviously a concern of chemists for as long as there have been chemists). The first American Chemical Society salary survey was carried out 25 years ago. Economic status, however, is just one aspect of the whole subject of professional relations, as demonstrated by the fact that the present Economic Status Committee of the Society started as a subcommittee of the Professional Relations Committee and later was given independent status of its own by the Council. Therefore, consideration of this specific element is appropriately included in the larger question of the role of an organization like the American Chemical Society in the broad area of professional relations.

In any consideration of the role of an organization like the American Chemical Society vis-a-vis the activities of unions as organizations serving the same group of people, it is important to start by recognizing what the American Chemical Society is and is not. It is an organization of people directly involved with the science of chemistry working together to ensure the effective development of the science and its useful application in all its aspects. A number of separate elements can be identified in these broad goals, as, for example:

- Dissemination of chemical knowledge (accomplished through meetings and publications).
- Systematic organization of some elements of the science to improve the effectiveness of chemists (as, for example, establishing nomenclature rules, developing safety rules, etc.).
- 3. Limited direct support of research (administration of the Petroleum Research Fund).
- 4. Creation of a climate conducive to effective performance by chemists (promulgation of Professional Employment Guidelines, operation of employment clearing house, conduct of salary surveys, administration of scientific awards).

The most important of these functions is clearly the first (providing a forum for dissemination of chemical knowledge). Second in importance is the last (helping provide an environment in which chemists can operate effectively). It is this last function with which we are primarily concerned today.

Though there are obviously other scientific and technical societies with similar functions, there are a number of other "professional" societies which one might be tempted to group with the American Chemical Society but which are really rather different; for example, the American Association of University Professors. This is an organization of people with educational backgrounds and interests quite similar to members of our Society. However, a major difference is that an organization such as the AAUP has no particular field of knowledge or central discipline about which the association is built. This does lead to a quite different nature and purpose for such an organization. Thus, if the superior choose union representation, it has relatively little purpose left. Conversely, if the organization becomes a bargaining agent, it drastically changes its character.

Similarly, a union inherently serves a different function and has a different central purpose. It can be a useful organization for a chemist to belong to under certain circumstances, and it is not inherently incompatible with membership in the American Chemical Society. A union is inherently designed and legally designated to deal with a narrower role than an organization like the American Chemical Society, i.e., the relationship of a specific group of employees with their employers. Because of this narrower role, it normally deals much more intensively with this function and therefore has a much more specific and rigid impact on its individual members. Whether

this is advantageous or deleterious for a particular individual depends on that individual's needs and objectives.

These inherent differences in nature and function of an organization like the American Chemical Society on the one hand and a union organized for collective bargaining on the other hand can be delineated as follows:

 ACS – operates by influencing the total climate of the profession and not by taking direct responsibility for the relationship between specific employees and a specific employer.

Union – given specific legal responsibility for the relationship between an exactly defined group of employees and their employer.

 ACS — provides a forum for an expression of opinion but does not have any function in establishing binding, enforceable rules; has no authority over any aspect of the employment of any individual member.

Union – because the individual has delegated the control of specific aspects of his employment situation to the union, the organization does have much enforceable authority to act for the individual.

 ACS - in employment situations, units of the Society (committees or staff) have considerable flexibility in responding to requests or suggestions from individual members to evaluate a situation; since such Society evaluation cannot result in binding action, a reasonable degree of cooperation from employers usually is obtained.

Union — if an individual member of the American Chemical Society is a member of a collective bargaining unit, the American Chemical Society is normally precluded by law from any direct contact with the employer; in becoming a member of a collective bargaining unit, the individual has delegated the responsibility for his relationship with his employer to the union.

 ACS - because of the nature of the Society, it normally can serve to bring together parties on all sides of an issue-employer and employee, student and faculty, industry and academia, government and industry.

Union — as an organization with a specific legal responsibility to represent one side of a particular relationship, the employer-employee relationship, and operating under an extensive body of law, it is inherently committed to an adversary approach, the underlying principle of our legal system.

A question which is, and probably will be, endlessly debated is whether an organization like the American Chemical Society, with its broad general approach rather than a specific representation of individuals, can really accomplish anything worthwhile for the individual member in the professional relations field. I would suggest that the Society has been effective in the professional relations area and that its activities have been broadly beneficial to the membership of the Society. A number of specific activities have been quite valuable. For example:

(1) Collection of salary and employment statistics. Through surveys of the membership, of new graduates, and other groups, the American Chemical Society has provided a large body of reasonably reliable data on a variety of parameters of the employment situation, e.g., salary distributions, unemployment rates, distribution between types of employment and job availability. As a member of the Eeconomic Status Committee, I will put in a little plug for our group here. I think our committee has been useful in building on and expanding the work of the Professional Relations Committee and in aiding the staff of the Department on Professional Relations and Manpower Studies in continuing to improve the availability of hard data about chemists, who they are, what they are paid, where they work, etc. As I hope you are aware, we are now publishing annually "Professionals in Chemistry," an extensive compilation of all such data we gather. While this type of statistical information does not specifically change the situation of any member of the Society, it does provide a sound basis to each member for evaluating his own circumstances. The first step in any program of action which the individual might want to undertake certainly has to depend on a reasonably factual understanding of where he is. A specific example of the importance of statistical information in providing a basis for developing American Chemical Society programs is the situation with regard to postdoctoral positions. Because the Society has been surveying new graduates in chemistry at all degree levels for almost 20 years, we can document the fact that the number of new PhDs going to postdoctoral positions directly after receiving the degree has risen from 16% in 1960 to 47% in 1975. The exact significance of this change is a worthy subject for debate - does it indicate a healthy desire for broadened professional experience or does it represent a steadily declining market for regular employment for PhDs? but the debate will certainly be more meaningful because it can start with some hard facts. Similarly, the statistics show that the average postdoctoral salary has increased only 65% from 1960 to 1975, while the BLS cost of living index increased 79% and ACS members median salary increased 110%.

- (2) Publicize problem areas. Though publicizing a problem can sometimes be a frustratingly slow approach to alleviating it, it can also sometimes be surprisingly effective. One example of the American Chemical Society activitiy which I think seems to have had an effect genuinely useful to the membership of the Society is the program of publicizing layoff problems carried out by the Committee on Professional Relations. There is factual data showing a substantially smaller number of layoffs in the most recent recession period than in the 1969-71 recession period and a lower percentage of unemployed chemists. The reasons behind the difference can be debated but certainly one legitimate hypothesis is that the reduction in the number of layoffs and the lower unemployment rate among chemists can be-attributed in part to the effectiveness of the American Chemical Society in bringing to employer's attention the undesirability and serious consequences of using layoffs of research people as a way of reducing expenditures in a recession.
- (3) Provide a forum for discussion. Because the American Chemical Society does encompass all those interested in the discipline of

chemistry, it can effectively provide a forum for discussion by people with a variety of points of view. An example of such a forum was the Symposium on the Compensation of Employed Inventors jointly sponsored by the Committee on Patent Matters and the Economic Status Committee of the American Chemical Society in Chicago at the 1973 fall meeting.

(4) Influence legislation. Since activities of government at all levels can have a major impact on many aspects of the careers of chemists, involvement of the American Chemical Society in counseling legislative and other government bodies can have important effects. A specific example from my own experience in Delaware: Several years ago, the national office of the American Chemical Society made our Delaware Section aware of the fact that the Delaware State Legislature was considering a bill which would have required that each clinical laboratory in the state be headed by a pathologist. By bringing together members of the Legislature with local section members knowledgeable in the field of clinimembers knowledgeable in the field of clinical chemistry, we were able to convince them that this bill would not be in the best interests of the public, and it was not passed. On a much broader national level, the American Chemical Society can certainly take some small measure of credit for helping promote the passage of ERISA, the Federal legislation governing private pension plans.

In summary, then, we see that the American Chemical Society can make and does make effective contributions to improving the professional situation of chemists, including a number of facets of their relationships as employees to their employers, but that the professional relations activities will never be the major activity of the Society because of its primary emphasis on the science of chemistry. Because of its nature, the Society will almost never be able to provide more than a consultative role in any problems between an individual employee and employer, but for the broad range of the members, the Society is contributing to improvements in the professional employment climate.

Any group of members in a particular employment situation who conclude their problems in dealing with their employer are so serious they need collective bargaining can follow this route, but they should recognize that this brings with it all the arbitrariness and rigidity of any procedure based on enforcement via the courts. Recourse to the law is often a useful and necessary process, but anyone who has had experience with patents, been involved in a lawsuit, or served on a jury has encounteered situations where "common sense" seems to have been entirely ruled out of order. While union negotiations don't have to reach that stage, it is inherently lurking beneath the surface because the whole collective bargaining process is based on the legal system. On the whole, experience seems to suggest that professionals are not wise to give up the flexibility and freedom of action typified by the American Chemical Society approach, unless their difficulties become so extreme that the collective bargaining approach as a last resort seems the only alternative.

THE UNIONIZED PROFESSIONAL IN INDUSTRY AND GOVERNMENT

Rodney A. Bower President, International Federation of Professional and Technical Engineers, AFL-CIO 1126 16th Street, N.W. Washington, D.C. 20036

Dramatic changes have been occurring in the make-up of the American work force over the past several years. The most prominent change has been the increasing ratio of professional and technical employees to the number of "blue-collar" workers. White-collar workers currently constitute nearly one-half of the total job market. The professional and technical segment, which presently accounts for one-seventh of the work force is expected to increase by thirty percent during the next ten years and account for one-sixth of the total working population.

Coinciding with this increase in whitecollar employment has been a spectacular increase in white-collar union membership. Some 40 percent of all professionals (excluding self-employed and managers) are now covered by collective bargaining agents.²

In contrast, however, unionization of engineers and scientists has not kept pace with that of other professionals, although it seems clear that an awakening is now taking place.

Until recent times, there probably were several legitimate reasons for the reluctance of this segment of professionals to adopt collective bargaining as a way of life. These reasons included: the relatively high pay and opportunities for advancement they enjoyed in addition to a high rate of job security; a strong professional-client relationship; a sense of being a vital part of the decision making process; and, of course, the inherent trait of individuality which may have led the engineer or scientist to choose his particular field in the first place.

Today, though, most of those advantages have evaporated. Certainly, the relative pay status of employed engineers and scientists has diminished sharply when compared to the gains of blue-collar workers. For example, the median salary gain for chemists (in current dollars) between 1971 and 1976 has been 33% while production workers' average pay has increased 49% over the same period. Opportunities for advancement into management and administrative positions, the long-held goal of many professional engineers and scientists, have been drastically curtailed. Indeed, the notion that any degree of job security exists anymore is, for most, a false assumption.

And what about the professional-client relationship that once prevailed? For most engineers and scientists, the ability to deliver one's service to the client without the interference of others is almost extinct. Decisions affecting these services are very often made by those who control the corporate or agency structure and, in many instances, by persons with little or no knowledge of the particular science.

Perhaps the most frustrating experience

encountered nowadays by the employed professional in the sciences is the inability to exercise the individuality that is so necessary to the development of new ideas and concepts. Regimentation has taken a firm hold where it should thrive the least — in the laboratory and the engineering office. Corporate policy too often has thwarted the efforts of these highly talented individuals. And yes, government at all levels has been a culprit in this process, too.

Another blow to individuality occurring more frequently every day in the workplace is underemployment. Chemists may be among the most directly affected in this situation. Forcasts by the National Science Foundation and the Bureau of Labor Statistics indicate that Ph.D's are taking jobs away from M.S. degree holders, who in turn are pushing B.S. graduates right out of the job market. A maximum of only 10% to 15% of B.S. recipients may be able to obtain professional jobs by 1980.

There can be no denying that motivation suffers under these conditions. The very ingredients that have been responsible for America's astronomical advancement could be destroyed unless solutions are found to counteract this plunge toward mediocrity.

When the Russians first launched Sputnik some fifteen years ago, there was a liue and cry in America to not only get into the act, but to be the *first* to reach the moon. Funding to engage in this ambitious project became readily available. In a very short, compressed, ten-year period, we indeed did succeed in our objective. The talents and dedication of thousands of engineers and scientists were hurriedly assembled and, almost overnight it seemed, America was far out in front in this frantic race. No other event since the advent of television has drawn the audience that watched Neil Armstrong first set foot on the moon. It was an exhilirating experience for one and all.

The tragedy of it all, though, was that before that space ship and crew had returned safely to earth, the public's interest in such endeavors had already begun to wane. The politicians reacted promptly by beginning to curtail funding of further projects. Almost immediately, many of those who were most responsible for the success of the venture began to feel the pinch. Engineers and scientists were among the first to be adversely affected. Although most of them had been lured by government or industry engaged in the space race from jobs they previously held, nobody seemed to really care what happened to them when the moon fever cooled.

The irony of it all is that, in the process of succeeding in this once-important mission, the medical, chemical and engineering sciences learned much that could have a great impact on our ability to cope with the severe environmental and other problems that are expected to reach the crisis stage before the turn of the twenty-first century. Yet, much of data collected is now gathering dust somewhere and a large number of those persons who contributed so much have been left in limbo forgotten, if you will.

If I sound bitter about all of this, it is for good reason. It is my considered judgement that were it not for the fact that, among all the professions, engineers and scientists have been the most fragmented in terms of unity of purpose, much of this waste of effort could have been avoided.

While many of the professional societies, and the American Chemical Society in particular, can be commended for their somewhat recent efforts in meeting the social and economic concerns of their employed members, I strongly suggest that they have not, as yet, fully realized that the well-being of these dedicated servants will continue to suffer unless they are encouraged to bargain collectively on such matters.

ACS efforts to induce employers to accept guidelines aimed at minimizing personnel problems and generating greater mutual respect for the fundamental needs of both the chemist and his employer should not be discredited. Your society has gone further than most by imposing sanctions against some employers for grossly neglecting these guidelines.

We would be less than candid, though, if we did not recognize the narrow limits within which such noble guidelines can be enforced without the presence of a collective bargaining agreement. When management's policies are controlled by phantom conglomerates as they often are, or when non-scientific oriented administrators exercise strong influence in the decision making process in the corporation or agency, as often happens, it becomes increasingly difficult to implement in a meaningful way any kind of "voluntary" employment guidelines. Our technical societies simply do not have any effective means of enforcing these guidelines.

Professionalism can survive only in a realistic and equitable economic environment. It can not be sustained for very long in an atmosphere of financial insecurity and inadequancy. Yet, the ACS and other technical societies continue to promote the idea that they can effectively serve the socio-economic needs of their employed members and to discourage the collective bargaining approach.

There is nothing "unprofessional" in engaging in the collective bargaining process. Certainly, there are differences in negotiating a contract for professionals as opposed to

production employees. The application of seniority in promotions and reductions-inforce obviously have to be on a different basis where professional jobs are concerned. Monies available for salary adjustment must be applied differently. Some matters, such as pension plans and working conditions may affect professionals in a vastly different manner than others in the work force. Legislative goals may also vary. While production workers may consider occupational safety and health regulations or minimum wage standards of vital concern, professional employees may very well have as a primary objective the creation of research and development funds.

Other factors applicable mainly to professionals contribute to union organization, too. More than 3000 engineers and scientists employed by the National Aeronautics and Space Administration are now represented by the International Federation of Professional and Technical Engineers, AFL-CIO. One of the chief reasons these highly skilled professionals chose to be represented by a union was the manner in which NASA management selected individuals for layoff or transfer during periods of reduction-inforce or reorganization. For instance, Marshall

Space Flight Center (Huntsville, Ala.) management had created more than 1400 separate "competitive levels" among some 1600 professional employees. Prior to the formation of the union, employees had virtually no effective means of challenging this unfair and discriminatory system.

Employer abuses of patent rights and the excessive use of free overtime by professionals as a result of their exemption from the maximum hours provisions of the Fair Labor Standards Act have caused other professionals to seek union representation.

While there may be many differences in the approach to collective bargaining, employed professionals should not be misguided by distortions of these differences. Backed by a properly drawn union contract, the truly professional engineer or scientist is more apt to function to his fullest capacity than he might when no enforcable procedure exists to guarantee fair and equitable treatment.

Our technical societies and unions for professionals can and should work together to foster the economic and professional climate that will not only protect the interests of those already working in the profession, but will encourage the many talented young people in our schools to pursue careers in the sciences.

The employed professional engineers and scientists are at a cross-roads. They can elect to continue following the road which deadends in obsurity a short distance ahead or to follow the one which leads to the fulfilment and enrichment that will not only benefit themselves but all of mankind.

But, time is running out, I, for one, believe wholeheartedly that a genuine collective bargaining relationship between employed professionals and their employers is the best insurance for *preserving* the professional ethic

¹Chester Levine, Div. of Manpower and Occupational Outlook, Bureau of Labor Statistics, U.S. Dept. of Labor, 1975

²Unionization of Professional Societies, The The Conference Board, Report No. 690, by Eileen B. Hottman

³1976 Report of Chemists' Salaries and Employment Status American Chemical Society

⁴Professionals in Chemistry 1975, Office of Manpower Studies, American Chemical Society

COLLECTIVE BARGAINING IN POST-SECONDARY EDUCATION

E. Gerald Meyer Vice President for Research The University of Wyoming Laramie, Wyoming 82071

Collective bargaining new involves some 95,000 faculty members and exists at 289 institutions with 482 campuses. Of these, 81 institutions involving 125 campuses are four-year, 43 are public and 38 are private.

It is interesting to note that while several major institutions (Kent State University and the nine campus Florida University system) adopted collective bargaining in 1975-76, ten four-year institutions rejected bargaining in 1975-76. The latter group includes Antioch College, Manhattan College, Oberlin College, University of Colorado, University of Miami, University of Toledo, Fordham University, Michigan State University, Seattle University, and Villanova University. One previously unionized college, New England College (N.H.), abandoned its AFT affiliation in 1975-76.

Collective bargaining at academic institutions, as with all such societal institutions and agencies, involves both external and internal factors. The feature that distinguishes academy from the others is the nature of these factors.

The principal external items are enabling legislation, union characteristics, and job characteristics; the principal internal items are academic professionalism and the universities' multicomponent governance system. Let us

consider these matters individually.

Academic institutions are either public or private (although recently the University of Vermont was ruled by the National Labor Relations Board, NLRB, to be a private university for the purposes of collective bargaining, and hence under the jurisdiction of the Board). The National Labor Relations Act addresses the private sector (employees of the governmental divisions and subdivisions are specifically excluded) and hence could include private academic institutions. The NLRB has vacillated on this matter, and not until the Cornell University petition in 1970 did it decide to accept jurisdiction and then later that year limited consideration to academic institutions having a gross annual income of over \$1 million. On 20 April 1971 the Board asserted jurisdiction of faculty in the matter of the C. W. Post College of Long Island University and the United Federation of Teachers (later to merge with the American Federation of Teachers. AFT, an AFL-CIO union). Last year the Boston U. S. Court of Appeals upheld the NLRB's jurisdiction over private colleges in the Wentworth College case. Thus private universities and colleges are now subject to the NLRB for collective bargaining matters.

Public universities and colleges are another matter. There is no national legislation governing collective bargaining in this sector although a number of bills have been introduced into the House and Senate. These are of two general types. One would simply include public emplovees under the NLRB while the other would establish a separate National Public Impliyees Board and define its scope of action Thas public employee lab it matters are the subject of state by state legislation, and to date 24 states have enacted laws enabling faculty collective bargaining in post-secondary education. Here is a summary of the provisions of these statutes (fr. m. Academic Collective Bargaining Information Service, Special Report =17 May 1976 -

- Iwenty-one of the 24 laws were either passed or amended within the last three years.
- 2 Only seven have explicitly identify college faculty as being covered under the law.
- 3 Only four state laws expand the definition of bargaining unit beyond "appropriate unit" noting the differences between professional and nonprofessional employees.

- 4. Five states have no provision for run-off elections in their laws, while only one state (Delaware) in effect, prohibits runoff elections by requiring a one year waiting period before a second election when the original election does not result in one choice receiving a majority of votes.
- All states provide for exclusive representation by the elected agent.
- 6. Fourteen state laws, in defining scope of bargaining, go beyond "wages, hours and terms and conditions of employment" by including and/or excluding bargaining subjects.
- 7. In one state (Kansas) the employer is obligated by law to meet and confer only; in two other states (Nebraska and Washington) no specific provision is made for bargaining, Most states (21) require that the employer bargain in "good faith."
- Four state laws (Alaska, Hawaii, Oregon, Pennsylvania) permit strikes, but only after fulfillment of impasse or grievance procedures. In one state (Montana) strike is permitted by court interpretation.
- 9. Fifteen laws require, and five laws permit, the negotiation of a grievance procedure thereby recognizing the need for an agreed-upon dispute resolving process.
- 10. Only twelve state laws narrow the scope of bargaining by defining "management
- 11. Nineteen state laws require legislative approval of agreements, ranging from approval of the entire agreement to monetary provisions only.
- 12. Only three of twenty-four state laws permit any student involvement in the CB
- 13. In at least four jurisdictions without legislation (Illinois, Nevada, Ohio and District of Columbia) governing boards have enacted policies enabling CB at their institutions.

In terms of unions that have sought to represent university faculties there are three (although at one time the Teamsters forced an election at a Michigan university): American Association of University Professors, American Federation of Teachers, AFL-CIO, and the National Education Association. They have quite different philosophies and approaches to unionization, [For a summarization of history, negotiating objectives, strategies, and politics for the three national faculty associations, see, for example, "Faculty Bargaining, Change and Conflict," by Joseph W. Garbarino with Bill Aussieker, McGraw-Hill Book Company, 1975; also, Academic Collective Bargaining Information Service, Special Report #12, February 1976.

Projected Time Pariod Maw Ph D 'e

Time Period	New Ph.D.'s	Teachers Required	Positions to People
1970-75	157,600	47,700	.37
1975-80	104,100	44,200	.22
1980-85	258,000	27,100	.11

Table 2.

New Ph.D.

Faculty perceptions of these three faculty unions are quite interesting and were the subject of a Ladd-Lipset Sruvey (The Chronicle of Higher Education, Feb. 9, 1976). A summation of results indicates that:

- 1. The AAUP is clearly identified as the most professional and least militant organiza-
- 2. The AFT and NEA are more likely to be seen as organizations for school teachers.
- The AFT is perceived as the most militant. radical, and politicized of the three, with the NEA falling between it and the AAUP.
- 4. More than 60 percent of those who support the AFT identify the AAUP and the NEA as conservative organizations.
- 5. Thirty-nine percent of the AAUP supporters and 47 percent of the NEA supporters describe the AFT as "radical," an image that 75 percent of the AFT supporters reject.
- 6. Over two-thirds of the supporters of each group describe the AFT as "militant," while relatively few describe either the AAUP or the NEA that way.
- 7. Ninety percent of the AAUP supporters and 75 percent of the NEA supporters describe their groups as professional societies, while two-thirds of the AFT supporters reject that description of their organization.
- 8. Fifty-three percent of the NEA supporters and 67 percent of the AFT supporters say the AAUP is "elitist."

In reviewing the kinds of faculty members who support each organization "AAUP" and "no agent" have the similar patterns while NEA and AFT are generally paired. For example, faculty members deeply involved in research support "no agent" (40%) or AAUP (37%), as compared with NEA plus AFT (7%). Also those teaching 4 hours or less per week would support AAUP or "no agent" (44%) against NEA or AFT (16%). However faculty teaching 13 hours or more per week show stronger support for NEA or AFT than for AAUP, and few are disposed toward "no agent.

Thus in general the choice in major research universities is between "no agent" and AAUP while in two-year colleges it is between NEA and AFT. Within these different groups ideo-

Table 1. Faculty Images of the Three Bargaining Agents

(Images)	AAUP	AFT	NEA
Professional society	87%	24%	59%
Militant group	9%	67%	19%
School teachers organization	47%	79%	89%
Too heavily politicized	15%	56%	38%
Unprofessional	5%	39%	17%
Elitist	48%	6%	10%
Radical	6%	40%	9%
Conservative	49%	9%	40%
Undemocratic	49%	23%	17%

logical position (liberal, middle, or conservative) plays a major role in affecting choices (see Table 1).

Ratio of

Job characteristics are very important in collective bargaining matters. The academic market place is not large and it is not increasing. On the other hand the number of Ph.D.'s earned is increasing, and the fraction of Ph.D.'s interested in academic positions is at least constant. Thus there is mounting pressure on the academic market place and this sharpens both the pros and the cons of unionizations. One projection of the market place situation has been made by A. M. Cartter (from Science, 1971, see Table 2).

The internal considerations which can be grouped under the general topics of professionalism and campus governance involve individual and group dynamics. Consequently, these internal factors are extremely complicated.

Under the heading of professionalism one must consider an individual's self-perception of his status and role. The academic professional is usually characterized as a person with specialized training and a teaching and research responsibility that is highly individualistic. A Ladd-Lipset Survey (The Chronicle of Higher Education, January 26, 1976) indicated that:

- 1. Faculty members at universities are from 11 to 14 percent less pro-union than those at four-year colleges. The latter faculty members in turn are somewhat less enthusiastic about bargaining than those at two-year institutions.
- 2. Professors at the universities with the most prestige are 9 to 15 percent less positive about bargaining than are those at institutions with the least prestige.
- 3. Professors who teach four hours or less per week are from 14 to 21 percent more opposed to bargaining than those who spend nine hours or more in the classroom.
- 4. Those who have published five or more items in the past two years are 10 percent less positive than those who have not published anything in that time.

In many respects then, the collectivism required by unionization is anithetical to professional concepts. Thus, when faced with the prospect of becoming organized the individual faculty member is forced to weigh the tradeoffs between the possible advantages resulting from collective actions to the possible disadvantages resulting from encroachment on professionalism.

The matter of university governance is likewise quite complex. For one thing it has many facets; for another it has wide variability of form from one campus to another. In general governance involves six constituencies: a governing board, faculty, students, administration, alumni, and the public. These are assembled in what may best be described as a delicate, precarious, mobile system. The disadvantage of such an arrangement is its unwieldliness and lack of structure. But its advantages are its

responsiveness and provision for all to be heard. Typically the university governance system centers around the Senate and its array of committees established to interact with the other constituencies, principally students and administration.

Unionism creates a much more structured organization with accompanying operational advantages. However, in so doing, the collegiality of decision-making involving the various constituencies is lost and is replaced by a system that is likely to be adversary in nature. Certainly, the manner in which the constituencies perceive academic governance to be functioning is of major importance in determining the tendency to adopt collective bargaining. Unquestionably, collective bargaining results in a high degree of specificity and definition in the matter of governance. This is often advantageous. At the same time however, lost are flexibility and resiliency and this is often disadvantageous.

Finally, a retrospective view of the opinions of faculty who have unionized and persons who are students of bargaining is quite revealing. A Ladd-Lipset Survey (*The Chronicle of Higher Education*, Feb. 23, 1976) showed the following. Among the former:

1. Seventy-eight percent believe that "collec-

- tive bargaining is likely to bring higher salaries and improved benefits."
- 2. Fifty-four percent agree that "individual salary bargaining for merit increases is bad for college faculty as a group."
- 3. Nonetheless, 78 percent reject the statement that "the only basis for salary differentiation among faculty in the same rank at a given institution should be age or seniority."
- 4. That 55 percent of all professors disagree that "non-tenured faculty need the assurance of fair treatment at the point where the tenure decision is made, and only an employee organization can provide this."
- 5. The same percentage believe that "collective bargaining tends to substitute seniority for merit and lower the standards for tenure appointments."
- Sixty-two percent agree that "collective bargaining results in over-emphasis on rules and regulations."
- And 69 percent agree that "collective bargaining reduces collegiality between administrators and faculty."

Among persons who are "students of bargaining":

1. Salaries. Unionized faculties have gained higher increases.

- Equalization of salaries. Generally, both scholars and respondents agree that lowerpaid faculty ranks have benefited most.
- 3. Tenure. Unions have sought to limit the power of those who award tenure. It is difficult to evaluate whether collective bargaining has made it easier to get tenure, since unionization has occurred during a period of sharply declining job opportunities. But unions have increased the attention given to due process in the procedures for granting tenure, and they have made the whole process more time-consuming.
- 4. Governance. There has been an inherent shift in power from self-governing academic units, such as faculty senates, to unions. This has resulted in an increase in the influence of the faculty in low-tier colleges where, before unionization, power generally was concentrated at the administrative level.
- 5. Adversary relationships. Observers argue that faculty unionization has increased the sense of an adversary relationship between faculty members and administrators, as well as between faculty unions and students. It seems clear that the advent of collective bargaining does change the role and image of groups within the academic community.

UNIONIZATION OF COLLEGE AND UNIVERSITY FACULTY

Robert Nielsen Director, Colleges and Universities Department American Federation of Teachers 11 Dupont Circle Washington, D.C. 20036

With all the rhetoric and emotionalism surrounding the topic of academic collective bargaining, there is a need to demythologize the process. Collective bargaining is not a panacea, a magical herb or witch hazel, nor is it snake oil. Quite simply, it is a reasonable and rational problem-solving device which provides an equitable method of arriving at mutually agreed-upon solutions to a variety of complex problems.

Now, there isn't anything new about college professors belonging to labor unions. *In 1922*, Upton Sinclair wrote *The Goosestep*. In it he states

"A humble beginning has been made. The AFT, which is a labor union, affiliated with the AFL, has a local #120, at the University of Montana. This union was a result of the Levine case, and it comprises practically the entire faculty . . . The all important fact is this: Anytime the college professors of America get ready to take control of their destinies, and the intellectual life of their institutions, they can do it. There is not a college or university in the United States today which could resist the demands of its faculty a hundred percent organized and meaning business."

We should also be aware that the list of "prounion" academics contains some distinguished public figures, among them, Professors Albert Einstein (charter member of the AFT local at Princeton), John Dewey (carried AFT card no. 1), Jerome Davis and George Counts of Columbia and Yale, respectively, (past presidents of the AFT). United States Senators George McGovern, Hubert Humphrey, Mike Mansfield, and Paul Douglas were all members of AFT campus locals. It is of interest to note that before the end of the 12th Century, the masters at the University of Paris won the right to strike from Louis VII. This at the level of higher education-was the first legalization in history of the right of teachers to strike.

In the interest of honesty and candor, the college contingent of the AFT was never very large and probably never exceeded 4,000 from 1915 until 1965.

What is new, and I think exciting, on the campus is the fact that our college unions have matured and grown out of the stage of being small political clubs and into the role of collective bargaining agents. The successful use of the collective bargaining process has been attended by spectacular and unprecedented growth in membership. AFT college member-

ship doubled in the past three years (26,000 to 52,000) and NFA growth has been similar. Membership in the American Association of University Professors has declined during this period, probably as a result of organizational schizophrenia brought on in making the adjustment from professional association to professional union but it will increase as more chapters opt for bargaining.

In reporting the state of campus collective bargaining, that is, where it's happening and to what extent, we must be a little careful with the "facts." There are three advocate groups involved and each will give you figures which east their own organization in the best light. For example, the AAUP often reports that it is the bargaining agent at more four-year institutions than the NEA and AFT put together. True! if you count the thirty-two campuses of SUNY, eighteen campuses of CUNY, the eight state colleges of New Jersey, the nine campuses of the State University of Florida, etc., as single institutions. Thus, I prefer to report the number of campuses involved in bargaining (AFT, 190; NEA, 200; AAUP 37). Actually, the number of campuses which have elected or rejected collective bargaining is also a very crude and inaccurate measure of the degree of faculty unionism, because it gives the same weight to a college with 20 faculty members as it does to one with 1,000. For example, New England College (New Hampshire), faculty size, 46, and New York University, faculty size 1,100, rejected collective bargaining during this past year, while FSU, faculty size 5,500, opted for collective bargaining (AFT as the agent).

The little mathematician that remains in me, compells me to say that the only "honest numbers" to look at are higher education membership in the national organizations (and there is some difficulty in interpreting these). These numbers are approximately, as of June 1976, AFT, 50,000; NLA, 50,000; and AAUP, 70,000. Not all of these members are bargaining collectively and not all of the faculty who are bargaining collectively are reported in these membership (figures cone need not be a union member to be represented by a union).

The only other valid number to look at is the number of faculty represented by the various organizations for the purpose of collective bargaining. Azain, very approximately, there are about 135,000 college faculty covered by collective bargaining agreements (out of a total population of slightly over 600,000). These are split roughly as follows: AFT, 60,000; NEA, 50,000; ACP, 25,000.

Even though collective bargaining in higher education has a very brief history (eight years), one can identify a few trends. First, while it originally was a two-year public college phenomenon, it has become firmly rooted in the public four-year institutions. It is not wide-spread among the private colleges, as only 63 private schools bargain out of a total of more than 500, and most of the rejections of collective bargaining have occurred in private institutions. And, it is not a "major university" phenomenon. The only major universities that

are bargaining probably are doing so as the result of being a part of a multi-university system, e.g., SUNY, CUNY, FSU.

Two additional questions remain: Why do faculty seek collective bargaining? and What have they gained or lost through the process?

With respect to the why, it is my belief that faculties are joining the unions for basically the same set of reasons as any other group of employees ever did so. In many areas of higher education, the faculty and institutions are facing some very difficult economic problems. These problems, in turn, have caused university "administration" to take on the characteristics of university "management." As university management attempted to solve the institutional problems, they frequently alienated the faculty by making arbitrary and unilateral "hard decisions." While most of these hard decisions were made for reasons of institutional survival (from management's perspective), they did clarify the employee/employer relationship on many campuses. Once this relationship is recognized (it is fundamentally adversarial and noncollegial), the move to a collective bargaining arrangement is inevitable. Contrary to popular management mythology, when the conditions are right for unionization, it will occur and faculty will organize with or without assistance from the international unions. Unionization and collective bargaining result from a ground swell and need within the institution, not by imposition by a fictitious group of "outside labor agitators."

Finally, what do faculties gain or lose through the collective bargaining process? Basically, this question addresses itself to the topic of what do you bargain for and what the trade-offs are,

Simplistically, everything is negotiable, independent of what the collective bargaining law states about the "scope of bargaining."

The classic example is that of class size. Several states prohibit public school teachers from negotiating class size, claiming that is a school board prerogative and limiting collective bargaining to purely economic items. We, in fact, negotiate class size in these states by making it an economic issue. (Union proposal: "For every student in excess of 25, the teacher will receive \$50 a month in bonus salary." Management response: "Let's talk about class size."). The law frequently defines those areas in which good faith negotiations are mandatory, e.g., wages, hours, other terms and conditions of employment. How the next college president will be selected probably is not a mandatory item of negotiation; however, by mutual consent both parties faculty and administration can negotiate the ground rules for this selection process.

I put in the phrase "what can you lose" because it is the most frequently asked question in any campus discussion of unionization and collective bargaining. Usually, the fear expressed is equated with an anxiety about some vague "loss of individuality," as a result of participating in a "collective" process. I'm sorry, Right-to-Work Committee, but neither George Meany nor Al Shanker have the time, energy, or desire to interfere with life on your campus or the content of your next lecture. You are as much an individual union member as you are an individual faculty member.

Now there are trade-offs. There have been cases where faculty jobs have been saved at the expense of faculty salaries and where library funds have been increased to the detriment of a cost-of-living bonus, to name only two. But these "trade-offs" are usually in areas that require the *collective* response of the institution as a *whole*—faculty and administration—as representatives of the public trust, for they involve decisions that affect the future of the institution and generations of future consumers.

LETTERS

Dear Sir:

The article by attorney Kolojeski of the EPA in the July Bulletin was quite interesting, and he raises some perplexing questions. It seems to me, though, that he takes a rather one-sided view which is rather surprising for an attorney—except, perhaps, for one in a regulatory agency.

Let me raise the other side: does not the professional also have a responsibility to employer or client? If and when there is a conflict in responsibilities, must it always be resolved in favor of the regulatory agency? Is the position of the agency to be presumed always identical to the public interest?

I find Mr. Kolojeski's argument particularly disturbing in view of practice among attorneys, where the client always comes first, regardless of the public interest.

Sincerely.

Denzel L. Dver

APPLICATION FORM - DPR-ACS

Lam a member of the American Chemical Society. Please enroll me as a member of the Division of Professional Relations. Enclosed is \$4.00* to cover dues through December 31, 197

*Make checks payable to DPR-ACS.

Mail to: Division of Professional Relations ACS, P. O. Box 286 Rahway, N. J. 07065

If you are a member of the Division -

SUPPORT YOUR DIVISION, SIGN UP A FRIEND.

POSTMASTER: IF UNDELIVERABLE AS ADDRESSED, PLEASE RETURN TO: DIVISION OF PROFESSIONAL RELATIONS AMERICAN CHEMICAL SOCIETY 1155 SIXTEENTH ST., N.W. WASHINGTON, D.C. 20036

Published by the Division of Professional Relations American Chemical Society Nonprofit Organization U.S. POSTAGE

PAID

Permit No. 23 Beltsville, Md.

SYMPOSIUM ON PROFESSIONALS IN UNIONS: YES OR NO?

THE AMERICAN CHEMICAL SOCIETY'S COUNCIL COMMITTEE ON PROFESSIONAL RELATIONS	page	3
ACS AND THE ECONOMIC STATUS OF CHEMISTS	page	5
THE UNIONIZED PROFESSIONAL IN INDUSTRY AND GOVERNMENT	page	7
COLLECTIVE BARGAINING IN POST-SECONDARY EDUCATION	page	8
UNIONIZATION OF COLLEGE AND UNIVERSITY FACULTY	page	10