

Public sector unions may have overreached

By Jim Nowlan

As in a conflict-laden marriage, management and labor have coexisted uneasily, sometimes violently, since the early days of American labor organizing in the 1800s. Today, however, most private sector unions are hollow shells of their former selves, while public sector unions, especially state government and teacher unions, have become leading forces in the American labor movement.

But the public unions may have over-reached in recent years.

Since the 1970s, when they first were able to bargain legally and exclusively, state government and teacher unions in Illinois have grown in power, to the extent that their contracts include protections that should be the prerogatives of management.

I am not a union basher. In the 20th Century, labor unions were central to the development of a broad middle class. In recent years, however, manufacturing jobs have declined sharply, and low-skill labor has become a global commodity, which has forced organized labor to accept some humiliating contracts.

In contrast, government unions have developed political muscle in the Illinois state legislature. Dues from the 97 percent of state employees who belong to unions and from teachers across the state have given the unions millions of dollars every two years to lobby effectively for their objectives and to campaign forcefully for and against legislators and gubernatorial candidates.

I recall that in his successful 1976 campaign for his first term as governor, Republican Jim Thompson received \$80,000 from the Illinois Education Association, one of the state's two big teacher unions. This was by far his largest contribution, and that to the candidate of the party that usually supports management. Later, Thompson approved collective bargaining for teachers.

With their power, the unions included protections in their contracts far beyond wages and benefits. For example, on page 5 of the present 174-page master contract between the state and the American Federation of State, County and Municipal Employees (AFSCME), the union is given the right to reject "the abolition or merger of job classifications." If there is no agreement, the issue goes to binding arbitration.

To me, this is clearly and solely a management prerogative, especially in times of fiscal constraint when staffing charts need to be reorganized.

Other union principles on which public sector unions have been successful include strict seniority preferences and the right to bump less senior employees, which also limit management in selecting the best candidates for particular jobs.

Management has not been blameless over the years. For example, state administrations have in years past abused job reclassification as a way of ridding agencies of employees from previous administrations. Management simply eliminated one classification, which eliminated those in the position, and wrote a new, similar classification.

And so, the tussle between labor and management will continue in legislatures and in bargaining negotiations.

In recent years, however, the public unions have been put on the defensive. This past year, Wisconsin famously limited collective bargaining rights (which a lower court has just reversed). Earlier, Indiana governor Mitch Daniels eliminated collective bargaining for state

employees by executive order (which cannot be done in Illinois; it would take legislation); he also stimulated successful legislation that limited teacher bargaining to wages and benefits.

In Illinois, a legislature dominated by Democrats (the party of labor) trimmed pension benefits for new employees and is contemplating trimming those of current employees.

Further, Democratic lawmakers who are spearheading education reforms achieved enactment of a bill that requires test scores to be a part of teacher evaluations, a policy long opposed by teacher unions.

Because Democratic leaders have already stuck a stick in the eye of labor with these changes, I don't expect the present Democratic Illinois legislature to go further and join Wisconsin and Indiana, which have Republican-led legislatures, in limiting collective bargaining rights on the issues I think should be management prerogatives.

There is one area where the legislature might act.

During the administrations of ex-governor Rod Blagojevich and Pat Quinn, state government unions were awarded large pay increases in their contracts, something like 34 percent in the past decade. Many outside observers feel the generous pay provisions were awarded as a way to generate enthusiastic support from union members in the governors' re-election campaigns. In other words, the governors were on the same side of the bargaining table as the unions.

I do think the legislature might be willing to join Connecticut in requiring the legislature to approve collective bargaining contracts arrived at between unions and possibly politically motivated governors. This could provide a check on excessively generous contracts.