



The American Assembly, *Columbia University*

**PUBLIC WORKERS
AND PUBLIC UNIONS**

Prentice-Hall, Inc., *Englewood Cliffs, N.J.*



Preface

This book is intended to acquaint Americans with the realities of collective bargaining in federal, state, and local government.

In 1948 Henry M. Wriston, then president of Brown University, delivered an address in New York on the occasion of one of the first teachers' strikes in the nation, in Pawtucket, Rhode Island. He called the speech "Fire Bell in the Night!" In 1971 one of the writers of this volume discusses "our tolerance of civil disobedience . . . and our ability to adapt to various forms of disruption."

Whatever one's attitude toward these two views, the fact remains that the growth of public unions in recent years has been spectacular. Twenty-five percent of our governmental workers are now unionized. There exists therefore an urgent need for Americans to work creatively together to find ways of avoiding the pain and controversy which marked the progress of unionization in the private business and industrial sector.

As the report of the Fortieth American Assembly, *Collective Bargaining in American Government* (see below), points out, the effect of broad, rapid growth of unions in government has been unsettling. Many public employers and public managers have been poorly prepared to understand or to deal with the new relationships. Many state and local governments are beginning to develop ground rules to help bring order out of the varied approaches to representation of employees; others have done nothing. Legislators have found some guidance from business and industry but have also discovered basic differences between public and private employment and have reflected this in their law-making.

A variety of approaches is emerging, some modified by the tests of time, others frankly enacted as hopeful experiments. Labor-management doctrine in private enterprise is being examined and challenged. So are prohibitions and practices in the public sector that existed before unions surfaced. Recognizing the mounting complexities of present and potential problems, editor Sam Zagoria designed this American Assembly volume to provide guidelines for strengthening the bargaining process and assuring its responsiveness to the public interest rather than wringing hands over strikes, slowdowns, and sick-outs and yearning for yesteryear. We expect that it will help.

Before appearing in public print the chapters which follow were used as background reading for participants at the Fortieth American Assembly, at Arden House, in the fall of 1971. The report of policy recommendations of

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Printed in the United States of America.

Current printing (last number):

10 9 8 7 6 5 4 3 2 1

PRENTICE-HALL INTERNATIONAL, INC. (London)
PRENTICE-HALL OF AUSTRALIA, PTY. LTD. (Sydney)
PRENTICE-HALL OF CANADA, LTD. (Toronto)
PRENTICE-HALL OF INDIA PRIVATE LIMITED (New Delhi)
PRENTICE-HALL OF JAPAN, INC. (Tokyo)

that meeting may be had in pamphlet form from The American Assembly.

We are pleased that The Ford Foundation shared our sense of the importance of this public employment problem and contributed generous support for the entire national program, including the Arden House Assembly and a series of Assemblies around the nation. The Foundation, however, has nothing to do with the views expressed herein; those are the authors' own. And, of course, The American Assembly, as a nonprofit educational organization, takes no stand on matters it presents to the public.

Clifford C. Nelson
President
The American Assembly



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Gotbaum had been at pains beforehand to stress that the strike's sole aim was to harass wealthy suburbanites, the bedrock of the political constituency represented by Governor Rockefeller and the GOP legislative leaders. But no such tidy rationing of political punishment resulted. The bridge tieup caused more hardship for truck drivers and ribbon clerks than for the owners of chauffeur-driven limousines. And everything after that as the noose was tightened—the incipient pollution of metropolitan beaches with untreated sewage, the withholding of school lunches—pinched the windpipe of the poor.

The clear need in New York—as in all cities with advanced bargaining systems—is for the development of collective relationships that will take the bulldozing out of labor relations. Whatever appropriateness such methods still have in private industry, they have none where all the people are the employer and the viability of the community is so much in doubt. Public employees will not be supplicants at the community table, but they cannot be dictators either.

William B. Gould



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Labor Relations and Race Relations

Public Unions' Opportunity

Collective bargaining is relatively new to public employment and so are the public unions. Perhaps the foremost problem of these new unions in race relations will be to avoid the racially discriminatory practices which have been committed by private sector unions over these many years. It is my opinion that these emerging public unions have a fresh opportunity in the race relations field which they should not let slip away.

This assumption is buttressed by the fact that the American Federation of State, County and Municipal Employees (AFSCME) represents a substantial number of the disproportionately high percentage of black employees in public employment. As Professor Ewart Guinier, chairman of the Harvard University Afro-American Studies Department, has said: ". . . in 1935 (during the CIO drive) . . . a new union of municipal workers, the State, County and Municipal Workers [AFSCME], evinced an interest in black workers, appointed blacks as organizers, elected blacks to leadership positions, and took up the special grievances of blacks with municipal administrations throughout the country."

Today AFSCME is not the only employee union with a relatively progressive record in the race area. In part, this phenomenon is

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attributable to the fact that blacks appear to be more significant, both politically and statistically, in the public sector than in private employment. Traditionally, government has been a job market where minorities could obtain access more easily than in private industry. Accordingly, as Bayard Rustin has noted, a large number of black government workers "such as hospital workers, sanitation workers, farm workers, and paraprofessionals in educational and social welfare institutions" have recently joined public unions.

UNION RESPONSIBILITY TO FIGHT DISCRIMINATION

But there remain very serious obstacles to racial equality in public employment—especially higher level positions, where the number of blacks is small—and there are departments of local government, such as police and fire, with few blacks employed on any basis and an even smaller number in high paying positions of responsibility. The labor movement cannot avoid some responsibility for this pattern. Victor Gotbaum, the AFSCME District 37 director, has said: "Let's not kid ourselves. . . . They don't like us in the black community. We have to make a determined analysis why this is so and do something about it. Labor may be doing as much as other groups, but that isn't enough. We're supposed to be the friend of the underdog."

What is the responsibility of public employee unions in racial discrimination in government? There is a broad range of response. Some unions bristle at the notion that they have any. Their attitude is that they represent the employees and have no responsibility for the hiring policies of the public employer with which they bargain. They reflect the composition of the work force rather than seek to revise it. Yet the duty of fair representation cases in the private sector seems to say that a labor organization has an obligation to act affirmatively on behalf of employees who are not presently employed within the bargaining unit (see United States Supreme Court, *Brotherhood of Railway Trainmen v. Howard*, 1952, and *Phelps Dodge Corp. v. NLRB*, 1941; and NLRB, *Tanner Motor Livery, Ltd.*, 1967). It is quite possible that the courts will impose an obligation upon unions in both the public and private sector to negotiate and police affirmative action hiring policies. Unions recognize that national labor policy and the courts already require that they represent members fairly and not discriminate in the representation as between black and white members. This is significant in pursuing grievances over working conditions, promotions, and the like. Some of the public unions, such as AFSCME, recognize that both as a matter of principle and of winning the loyal support of union members from minority groups, it is necessary to press for affirmative action to hire more minority employees and to encourage promotions from this part of the work force.

Whatever the attitude of the union, change in the municipal, state

or federal work force is not easy, for one of the great attractions of public service traditionally has been job security, job tenure, and seniority as a major consideration in promotion. Present government employees, and their union spokesmen, are not inclined to narrow these employment protections.

PUBLIC EMPLOYERS' ATTITUDES

Public employers, too, vary in their attitudes. Some chief executives of larger, older cities recognize that recent population shifts have changed the racial composition of their communities and that some affirmative action is necessary to revise the makeup of the city work force. They have adopted some of the procedures of the industrial world in recruiting, qualifying, training, and promoting minority representatives. While none speak of a quota system, they are becoming increasingly aware of the disparity between the percentage of blacks in the big cities and their representation in municipal employment. Some effort has been made in staffing police departments—an activity where blacks on the force bring an extra qualification to law enforcement and an activity where expansion permits additions without tossing incumbents out.

But even with this effort, it is clear that there is yet much to be done. An August 1971 tabulation showed:

	Black Population	Police		Black Population	Police
Atlanta	51.3%	10%	Minneapolis	4%	1%
Chicago	33%	16.2%	Newark	80%	14%
Cleveland	40%	7%	New York	31%	8.5%
Dallas	25%	2%	Oakland	40%	6.5%
Detroit	45%	13%	Phoenix	5%	2%
Los Angeles	17.9%	5%	St. Louis	41%	14.8%
Miami	22.7%	11%	Washington	70%	37%

In one major city the public employer has found both allies and enemies in various unions as he set out to put more blacks in publicly visible posts. The problem of changing the work force is not simple. Progressive public employers accept the principle of collective bargaining; they deal with the chosen representatives of their employees. If the vast majority of these are white, their representatives are likely to be, too, and unlikely to welcome any policies or actions detrimental to their constituency. How to break this cycle is a real challenge.

Discrimination in Promotions

In the industrial world, racial discrimination has a long and sordid history. This is less clear in government hiring—as distinguished

from promotion—because blacks have been employed in government in large numbers due to both political pressure and the fact that whites have often preferred jobs in private industry, from which blacks were traditionally excluded. The most virulent forms of discrimination in the public sector arise in the promotion context. This has often been effectuated through the wide use of written examinations as a basis for determining who is to be promoted as well as hired.

In Detroit and San Francisco, for instance, entry into any job outside the laborer classification in municipal government necessitates a written examination. While such tests may or may not actually determine who can perform the job, they appear to screen out blacks disproportionately to whites. Moreover, if, as often proves to be the case, the public employer selects the first person on the list of applicants who have taken a test—or the individual with the highest test score—this may have an adverse impact upon blacks or other minorities who are able to meet the basic standards relevant to adequate performance, but are not skilled in taking tests. Often passing scores, which are not the very best, are nullified through the scrapping of waiting lists consisting of those who passed the tests, but had not been placed on jobs.

LEGAL DEVELOPMENTS

The evolving law against racial discrimination in employment means that a substantial attack upon testing in public employment is just beginning. And even those unions like AFSCME are uncertain about how to respond to the challenge, whether to support the status quo or attack it.

The leading case in this area is *Griggs v. Duke Power Company*, where a unanimous Supreme Court held that a standardized general intelligence test used as a condition of employment and for job transfer violates Title VII of the Civil Rights Act of 1964 when blacks have been discriminated against in the past, and the test is not "significantly" related to successful job performance. Said Chief Justice Burger, speaking for the Court: "If an employment practice which operates to exclude Negroes cannot be shown to be related to job performance, the practice is prohibited. . . . Good intent or absence of discriminatory intent does not redeem employment procedures or testing mechanisms that operate 'built-in headwinds' for minority groups and are unrelated to measuring job capability."

Title VII, as it is presently written, does not apply to public employment. But the lower courts have already begun to apply much of the same kind of analysis to the public employer's obligations under the Equal Protection Clause of the Fourteenth Amendment. In New York City a recent federal court ruling invalidating examinations for school

principals, and the defense of such procedures provided by both the Council of Supervisors and Administrators and the United Federation of Teachers (UFT), make it clear that some public employee unions, like the crafts, support culturally devised and nonjob-related tests in the name of preserving "standards."

COMMUNITY INTERESTS AND UNION LEADERSHIP

Also of paramount importance in any consideration of the relationship between public employee unions and minority groups is the relationship between the service performed and the community. The black community often has a dual complaint against the unions. On the one hand unions have been a party to exclusion of minorities for police, fire, and teaching jobs; and on the other hand, white union members have been heavy-handed and insensitive in delivering municipal services to low-income blacks. That the unions can be caught up in this kind of conflict was visibly demonstrated by the 1968 Ocean Hill-Brownsville strike in New York City and the unpopularity accorded the United Federation of Teachers because of its role in that dispute. While arbitrary transfer procedures established by the local governing board triggered this dispute, it had its genesis in smoldering black resentment against what was viewed as insensitivity by white teachers who were union members. This led to the view that black principals and black teachers, for the most part, were necessary to provide effective service.

Finally, the fact that some unions in the public sector with an increasingly large black membership retain lily-white leadership at the national levels is irritating. An example of this situation is the Amalgamated Transit Union (ATU) which includes drivers and mechanics for public transit. Some of the tensions between that organization's leadership and the rank and file are undoubtedly attributable to the absence of black representation for the union's black members. Both AFSCME and the American Federation of Teachers (AFT) have done considerably better in integrating their leadership positions.

Indeed, the performance of these two unions may be superior to any labor organization that represents employees in the private sector as well as the public. In seeming contrast, one finds the American Federation of Government Employees (AFGE), the dominant labor organization in federal government, which represents both blue and white collar workers and has a membership in excess of 20 percent minority. The union has only one black executive board member.

BLACK CAUCUSES

It is situations such as this and a growing feeling by black union members that their interests and concerns are not being adequately dealt with that have brought about a growing number of racially sepa-

rate groups or racial caucuses within national and local unions or employee associations. In Detroit, for example, black police officers organized The Guardians, which proposed to the leadership of the Detroit Police Officers Association that key posts be apportioned so that all races were represented. The reasoning behind this proposal is that blacks are not able to get elected to association office by votes of the predominantly white membership in the Detroit Police Department and that only positive support for blacks by white leaders will alter this. They argue that the absence of blacks from leadership positions reflects the same bias which is presumed where minorities have token or no representation in the work force. Accordingly, they continue, as the courts have imposed affirmative action obligations upon unions and employers, the public unions, if they are serious about dealing with racial discord, ought to affirmatively recruit black leadership.

Finally, the racial problem in public employment cannot be completely understood without reference to the United States Postal Service and the existence of the National Alliance of Postal Employees, a predominantly black organization formed in 1913 to protect black employees against racial discrimination in that department as well as exclusion then from membership by white postal unions. The Alliance purportedly has a membership of 45,000—but most of the members also have cards now in other unions. Existing unit determinations have squeezed the Alliance out of the coalition of unions bargaining with the Postal Service under the Postal Reorganization Act. Under that statute, the National Labor Relations Board (NLRB) will have to decide whether the Alliance can gain bargaining rights for some of its members. This issue foreshadows future tensions between predominantly white labor organizations and black employee organizations which speak for minority employees concerning some aspects of the employment relationship.

Experience in Several Employment Sectors

One day when men and women of all races have achieved equal access to jobs and equal opportunity for promotion and policy-making and can work for government in harmony, the need for union structures separated by the color line will no longer be clear. Until that time, we must recognize that workers will feel they have to join together within unions to advance their group cause. To understand the strong feelings of black city workers, a look at several unions with substantial black membership is useful.

TRANSIT WORKERS

Most of the big city transit systems are in the public sector. In 1970, Equal Employment Opportunity Commission statistics collected for Atlanta, Chicago, Detroit, Los Angeles, Philadelphia, and Washing-

ton, D.C., indicated that 33.6 percent of all employees and 37.6 percent of the blue collar workers in the urban transit industry were black.

Because whites do not seek transit employment in large numbers—urban crime being a factor in this—blacks have gained substantial employment even without affirmative action recruiting policies. In Detroit a majority of the transit work force is black. Similarly, in New York City a majority of the workers are black or Puerto Rican, with approximately 40 percent of the employees being black. It is estimated that of approximately 1,500 new employees hired by the New York City Transit Authority during the past two years, between 1,100 and 1,200 were black. In Houston and Washington the percentage of Negro employees is in excess of 40 percent. In Chicago and Los Angeles, it is in excess of 30 percent and in Philadelphia the percentage is approximately 25 percent.

As of 1970 approximately 22 percent of the transit industry's craftsmen were Negroes—a figure that compares most favorably with other industries. As is the case with minority employees in transit generally, the figures have moved upward quite recently. Black craftsmen were "scarce" in the transit industry as of 1966. One of the reasons was the absence of company apprenticeship programs and the recruitment of the craftsmen from other industries rather than upgrading of lower level transit employees. But then the shortage of craftsmen forced the transit companies to train and upgrade Negroes.

Despite the substantial black participation in big city transit operations, the General Executive Board of the Amalgamated Transit Union, AFL-CIO, is lily-white. While there are discussions being undertaken relating to the feasibility of electing a black board member and while union officials express some concern about the racial composition of leadership, there are no clear signs that the status quo will be altered in this regard.

At the same time, there are a small number of local union officials who are black: Cleveland (president); Detroit (secretary-treasurer); Washington (president of Local 1528, the Airport Transport Local); Baltimore (secretary-treasurer); Chicago (Local 308, Rapid Transit, president, and Local 241, buses, secretary-treasurer).

Black caucuses are forming in Amalgamated locals such as Washington, Richmond, and Norfolk. According to ATU officials, representatives of the Washington black caucus refused to run for office even though the leadership desired a more racially balanced executive board.

In Chicago, until 1968 there were only four Negro members on a 28-man executive board and no black amongst the full-time leadership. Blacks comprise the majority of the membership, but the union permits retirees to vote in elections and almost all such retirees are white.

The Concerned Transit Workers (CTW), an organization of black

workers formed primarily to achieve more black leadership in Division 241 of ATU in Chicago, engaged in two wildcat stoppages in July and August of that year. The CTW's preoccupation with the issue of leadership was triggered by the announcement of Division President James Hill that he was resigning his position as president to become financial secretary of the international union. The stoppages appeared to be aimed primarily at the elimination of the white retirees' vote which was, according to the CTW's officials, excluding blacks from union office. Subsequent to the second walkout, approximately 100 black workers were discharged by the Chicago Transit Authority (CTA), and this seems to have demolished the CTW's organizational effort.

However, in the wake of the wildcat stoppages in 1968, one full-time black official, James Pate, was elected financial secretary-treasurer of Division 241. It is arguable that the tensions caused by the CTW's efforts in Chicago contributed to this. On the other hand, it should also be noted that the president of Chicago Division 308, which has jurisdiction over the rapid transit workers, is black and was recently elected without any turmoil. Four of the seven members of Division 308's executive board are now black. But prior to the 1969 elections, the only black union leader was an assistant board member.

Detroit is substantially different from Chicago—probably because of its larger black membership and also because the public employer was hiring blacks into bus driver jobs as early as 1941 and 1942. For the past decade there has been a majority of black drivers and black union leadership in Division 26, which represents black transit workers in Detroit.

The first black officer in a full-time position in Detroit—and, for that matter, in any ATU local—was Lee Halley, financial secretary-treasurer, who was elected in 1958 when the black membership was approximately a third of the total. He has won reelection ever since that time. Today, four out of five major offices are held by blacks and only the president is white.

According to Halley, the union has pressed hard for promotion of blacks into supervisory positions outside the bargaining unit. While there appears to be less tension inside the union than in Chicago, Detroit blacks have linked with full-time Negro officers in ATU locals in Chicago, Cleveland, and Washington to put pressure upon the national union to support a black candidate for executive board member.

The Transport Workers Unions of America (TWU), ATU's principal rival, was affiliated with the CIO before the latter's merger with the AF of L. This union has established civil rights machinery, but some charge that segregation and discrimination have existed in TWU locals. Nonetheless, there appears to be more black representation in TWU than ATU. On the international level, there are two elected

black vice-presidents, Charles Faulding and Roosevelt Watts. The executive board of the international has eight blacks out of 27 elected members. However, there is black caucus activity in the locals of San Francisco and New York City.

I am of the view that black participation in union decision making is an integral part of the establishment of fair employment patterns. Even in the absence of appreciable changes in hiring and promotions, the presence of blacks among union leaders helps assure fairness to minorities.

TEACHERS

The American Federation of Teachers expelled those locals which insisted upon segregation shortly after the Supreme Court's decision in *Brown v. Board of Education*. The leadership continues to speak out in support of recent desegregation decisions of the Court. The AFT has one of the most racially balanced leaderships in the labor movement. Approximately four of the 22-member Executive Board of the American Federation of Teachers are black although the black membership is substantially smaller than the ATU, which has not elected any Negroes at the national level. Locally AFT has not fared well in New York City, Newark, and Chicago black-white disputes, and there is dissatisfaction with the national leadership of AFT as well as of some locals on the part of black AFT members.

In the New York City strike involving the dispute at Ocean Hill Brownsville, which pitted the New York City UFT leadership against that district's advocates of community control, black community leaders as well as some Negro members of the UFT attacked the Federation's position as unresponsive to the black community. In part, this conflict now centers upon the AFT's support of tests for teacher applicants which others agree are not job related. It is to be noted that this position seems contrary to the one taken by the Federation's rival, the National Education Association (NEA).

In Chicago, the Federation's seniority provisions in its collective bargaining agreement with the Chicago Board of Education are linked to efforts to desegregate the public school system. In both Chicago and New York the effect of seniority provisions negotiated by the Federation is to permit experienced and well paid teachers to transfer to districts which they regard as less troublesome and which, more often than not, are not those in which blacks reside. This seniority is also related to the implementation of Federal Judge Skelly Wright's decision ordering equalization of school expenditures between rich and poor, white and black neighborhoods in Washington, D.C.

New York City, Chicago, and Washington, D.C., appear to have much of the same problem. But in Detroit the seniority system is not so rigid. Assignments are made on the basis of a number of factors

such as seniority, racial composition of the faculty and school, and the experience that a particular teacher has accumulated.

POLICE

The percentage of black policemen in large urban areas with a substantial Negro population has been a subject of much discussion. While gains have been made, more may be indicated where cities are beset by tensions between the police and black populations and where a disproportionate percentage of crime occurs in the inner city or ghetto. Washington, with the largest percentage of blacks in any major city, has made the most progress in recruiting black police.

As Paul Delaney of *The New York Times* stated in 1971:

Four years ago, blacks made up only 17 percent of the Capital's 4,300 men. In September, 1968, the percentage was up to 24.4 percent, or 786 blacks of 3,207 men. By last August 1,000 more blacks have been added for a total of 1,797 of 4,994 or 35.9.

Washington did it by setting up recruitmobiles in black sections where written examinations were given; recruiting on military basis; changing physical standards, such as lowering the height requirement and modifying the eye requirement and changing the requirements of certain illnesses such as asthma and hay fever; conducting a "recruit-in-movieathon" where applicants and their dates attended free showings of Jim Brown and John Wayne movies, and a "radiothon" in which applicants were solicited over the radio and taxicabs were sent to pick them up and bring them to the station to take their test.

The tensions between black police and their white colleagues—particularly the unions or associations which represent them—are many. One source of conflict is to be found in the use of the written examination and the view of black police that such procedures are an obstacle to the recruitment of new black policemen. For instance, in Detroit in 1967, 50 percent of the Negroes and 17 percent of the whites taking the written examination failed it.

A number of black police organizations have been formed. There are so-called Guardian organizations in Detroit, New York, and Philadelphia. In Chicago, an extremely militant group calls itself the Afro-American Patrolmen's League (AAPL) and in Washington there is a National Black Caucus. There are very few black policemen in leadership positions in the police officers associations in these cities. However, in Newark and Philadelphia there are black second vice-presidents in the fraternal police organizations. And in Washington the president of the Police Association of Washington is black.

As of this time, there appears to be no effort by any of these black police organizations to represent blacks in the grievance machinery. Nor does there appear to be any attempt to supplant the machinery with separate procedures for blacks. But in Newark, since the election

of Mayor Kenneth A. Gibson a year ago, black police have tended to bypass the Patrolmen's Benevolent Association (PBA) inasmuch as the mayor has an "open door" policy. The Chicago AAPL maintains a two-man legal staff which challenges suspensions and represents members at hearings.

FIRE FIGHTERS

According to the United States Commission on Civil Rights, discrimination in fire departments in many cities is ". . . similar to, and in many ways worse, than those in police departments." Here also, promotion for minority group members and written and oral examinations pose a major barrier. The Commission said in 1969:

There are three ways in which the situation in the fire department study were significantly different from those of the police departments. First, most fire departments are not understaffed, have a small turnover, and have no trouble getting applicants. Second, the relationship between the fire department and the minority community is not as tense and hostile as in the case of the police. Third, the unusual working arrangement of firemen has given rise to many forms of prejudiced attitudes and treatment.

The tensions between the black community and fire fighters have increased since the commission's report. It is estimated that throughout the United States approximately 97 to 98 percent of all fire fighters are whites. And some of the most antisocial elements in the ghetto have heaped substantial physical and verbal abuse upon the fire fighters who are called into the Negro community quite often.

Although the percentage of black fire fighters is smaller than black police, here also blacks have begun to form their own organization outside of the International Association of Fire Fighters, AFL-CIO. Among the most prominent is the Detroit Phoenix Organization, formed after the 1967 riots. Phoenix, unlike the Detroit Guardians police group, has apparently excluded whites from membership. On issues which it regards as having racial implications, Phoenix encourages its black fire fighter members to go directly to the chief executive of the department, City Hall, or the Common Council. As with police, the focus of attack seems to be what are regarded as discriminatory hiring qualifications, such as the requiring of a high school diploma and passing a written examination. However, the personal interview requirement has now been dropped and Phoenix has been instrumental in getting the maximum height requirement as well as the driver's license requirement eliminated.

FEDERAL EMPLOYEES

Most blacks and other minorities hold the lower level positions in the federal government, as in state and local counterparts. The United

States Civil Service Commission has ultimate authority over equal employment opportunity matters but it rarely reverses the decisions of department heads concerning disputes in this area. Accordingly, recent legislative proposals have, as one of their objectives, the granting of jurisdiction over federal equal employment opportunity to the United States Equal Employment Opportunity Commission rather than the Civil Service Commission. This has the sensible objective of making certain that an independent agency which is exclusively committed to the goals of civil rights legislation will have final authority (along with the federal courts) to adjudicate complaints of discrimination.

What is the attitude of the unions in the federal sector? The most important and largest union, representing both blue and white collar workers, the American Federation of Government Employees (AFGE), has recently established a civil rights department which is concerned with affirmative action. But it is clear that the activity of the national union to date involves mostly seminars and discussions with local union people. All of this, of course, is important. But AFGE does not appear to involve itself in any substantive issues concerning discrimination or lack of affirmative action at the union local level. Accordingly, there appears to be some dissatisfaction with AFGE and other federal unions on the part of the blacks.

Quite recently, approximately 100 blacks voted to quit General Accounting Office Local 8 of AFGE, charging racism on the part of the union because the local did not act on 80 membership applications filed by the blacks until after the local union elections. Only one executive board member of AFGE is black. Further, groups of federal employees in the Departments of Housing and Urban Development and Health, Education and Welfare were formed to protest racial discrimination in employment. One result is an organization called Government Employees United Against Racial Discrimination (GUARD) which has engaged in a number of demonstrations. Such activity has perplexed federal officials who are uncertain about the extent to which they may consult and negotiate with such groups in the face of a collective bargaining relationship.

The Postal Service is now outside Executive Order 11491 and its collective bargaining is regulated by the NLRB under the Postal Reorganization Act. One of the prominent issues here is bound to be the status of the National Alliance of Postal Employees which, incidentally, is now attempting to organize other governmental employees and to operate as a pressure group to end discrimination throughout the federal government.

The Alliance's competitors are many. One of the most formidable is the National Post Office Mail Handlers affiliated with the Laborer's Union. Forty-eight percent of its 55,000 membership is black and two of the three national officers are black. One of the other major unions,

the United Federation of Postal Clerks, has a membership of approximately 170,000, but only one of its fifteen vice-presidents is black. Shortly, the United Federation of Postal Clerks will merge with several other postal unions.

Conclusion

The public employee unions have a better chance to deal with the problems of racial discrimination because their growth is so recent. Yet, on the federal level, one can predict that large unions like AFGE and the United Postal Clerks may be the objects of considerable criticism on the part of blacks because of their past inactivity and overt discrimination against blacks. Many municipal police and fire organizations may have even more difficulty than the craft unions because they are not only tainted with the brush of a predominantly white work force, but are in continuing conflict with the black community as well.

Yet, because of the comparatively large employment of blacks in many governmental units, the rapid growth of public employees' unions may be an important vehicle for providing blacks a voice in the house of labor. One can see this trend in its beginning stages in connection with the American Federation of State, County and Municipal Employees which is now the seventh largest AFL-CIO union and, indeed, at some point in the future could be the largest. Accordingly, while there is undoubtedly much conflict between the unions and racial minorities around the corner, the public sector may well present the most immediate opportunity for black power in the unions. Indeed where public unions have sought to represent black workers, the black community has rallied to its side. Atlanta, Memphis, Washington, and Detroit helped AFSCME in its collective bargaining struggle.