



EMPLOYEE RELATIONS IN THE CONTEXT OF A LABOR AGREEMENT

In 1968, the first public sector bargaining law was enacted in New Jersey. This statute changed the entire employment relationship between school boards, their administration and teaching staff. Before then, an informal, almost “familial,” relationship existed. Boards retained almost complete control over wages and benefits; school administrators had a great deal of flexibility in employee relations; individual employees’ personal circumstances were strong considerations in employment decisions.

The advent of collective bargaining forced many boards to negotiate with their employees, who were now organized into bargaining units, over terms and conditions of employment. These included items like: wages, hours, benefits, evaluation procedures, work load, grievance procedures, and other items considered negotiable. Regardless of the definition of scope of negotiations or of local bargaining outcomes, collectively bargained agreements changed the employment relationship in New Jersey’s school districts: terms and conditions of employment were determined bilaterally and the agreement imposed uniform, consistent procedures which governed management’s interactions with all employees.

Collective bargaining thus eliminated, or at least reduced, the potential for arbitrary, capricious and discriminatory employment decisions. However, uniform application of rules and procedures also reduced the potential for recognition of individual needs and circumstances. Administrators and local boards became bound by negotiated contractual procedures and rules governing eligibility for benefits; they lost the flexibility to respond to individual considerations and to reward individuals’ outstanding professional performance.

Collective bargaining has formalized the employment relationship; it has also caused many school boards and administrators to view their staff as adversaries. Teachers are no longer looked at as individuals and professionals, but simply as employees and members of a group.

There is little doubt that collective bargaining and professionalism can frequently be at odds, but rather than accepting collective negotiations as the only district policy that can govern employee relations, boards should consider the development and implementation of a good personnel relations program, within the collective bargaining environment. A personnel relations program

can accommodate collective bargaining, professionalism and individual needs. The goals of such programs are to: treat employees as individuals, improve employee morale and job satisfaction, and promote good performance. In addition, it can be argued that good personnel relations undertaken in the context of collective bargaining can improve your district’s labor relations program.

Personnel Relations Programs

Social scientists have conducted a multitude of studies to identify and develop good employee relations programs. Results indicate that programs that recognize the needs of employees and provide job satisfaction result in high employee morale and improved performance. Successful employee relations programs include a variety of approaches to job satisfaction that recognize the differing needs of individuals. Three major methods of providing job satisfaction, based on sources of individual satisfaction, have been identified:

Job Enrichment This method attempts to make job duties intrinsically rewarding and stimulating. Job enrichment is accomplished by changing or rearranging job responsibilities and duties and may be accompanied by changes in the organizational structure. It is geared to individuals who derive satisfaction from their job and their own sense of a “job well done.” The rewards associated with this method are known as “job rewards.”

Positive Reinforcement This method is based on providing rewards, economic or noneconomic, for performance. It is geared to those individuals who receive satisfaction from others’ recognition of their achievements. The rewards of this method have been called “performance rewards.”

Organizational Development This method focuses on creating a supportive work environment or organizational climate. It is geared to those individuals who derive satisfaction from their social work relationships: colleagues’ acceptance, friendships, and influence on the work group. These rewards are known as “membership rewards.”

These three methods, and their affiliated rewards, are not independent but are generally used together to create a complete, effective employee relations program which fosters improved job satisfaction. Indeed, all

three approaches are necessary to a complete personnel relations program to accommodate the various sources of employees' job satisfaction. Research has consistently shown that increased job satisfaction results in concurrent improved employee morale and improved performance.

A good employee relations program recognizes the variety of individual needs and methods to meet those needs by providing job satisfaction or "rewards." Clearly, job enrichment or membership rewards need not be economic. Indeed, in the context of a collective bargaining environment, economic rewards must be accomplished through negotiations. Negotiations results in rewards of benefits and compensation; all employees in a given unit, meeting the negotiated eligibility or conditions, will receive the same rewards.

The rewards available through an employee relations program, although noneconomic, also compensate employees by providing recognition of their individual needs and methods to satisfy those needs within the work environment. Employee relations programs can thus provide a recognition of the individual which may have been lost in the collective bargaining process.

Employee Relations Programs In Public Schools

Developing and implementing a sound employee relations program in public schools involves applying the theories of job satisfaction and job rewards to the school environment. Boards will need to recognize the importance of noneconomic rewards and to analyze the possibilities of job, performance and membership rewards within their districts.

Job Rewards

For the most part, job rewards come from the structure of the job. Some of the problems that teachers may have with their jobs can be solved, in some part, by school boards. Obviously, some things cannot be done: changing the clientele (students), drastically altering work hours, and automation. But there are ways of improving the quality and desirability of a typical teaching position.

Teachers are well educated professional employees—use that professionalism. Just because you bargain over terms and conditions of employment does not mean that your interaction ends at the bargaining table. Consultation should be utilized more often and more effectively. The perfect solution to some of the boredom of teaching may be to broaden the teacher's responsibilities.

Committee assignments (staff-staff, staff-administrators, staff-board) could be utilized to improve employee morale and the quality of education. Many teachers' contracts contain provisions for staff committees and most boards do utilize curriculum committees, textbook selection committees and others, but they may not be getting the most out of this tool. For example, teacher committees on personnel issues may provide your staff's

professional insight into assessing recruitment needs, in-service needs, contents of job descriptions, and staffing patterns or problems.

But committees can become a counterproductive, negative force if their authority and jurisdiction is misunderstood. This must be and can be avoided by setting clear and unambiguous direction for the committee, including a precise definition of their advisory nature. Similarly, committee recommendations should not be ignored but should receive thorough consideration and response by the board of education. That is the only way to ensure that your staff will know that its efforts and its professionalism is recognized and appreciated.

Some teachers may not be challenged by their responsibilities, some may be overwhelmed. Work flow analysis—class size and scheduling studies—can be used to improve some problems. The use of teacher aides, where economically possible, could be considered. Changing a classroom teaching period to a small conference or tutorial period might alleviate some problems. Or better arrangement of classes and distribution of groups of students might be studied; for example, a prep period might be more effective after third period than after first period. Boards should keep in mind, however, that scheduling changes must occur within the confines of the negotiated agreement; the contractual provisions, or a binding past practice, concerning the workday, duty free periods, and student contact time cannot be unilaterally changed to provide job enrichment.

Supervision is also part of organizational design and job enrichment. Is there too much supervision or not enough? Are nontenured staff members oversupervised and tenured teachers ignored? Good supervision, both as to quality and quantity, can be the basis of job rewards.

Good supervision cannot, and should not, be underestimated. The role of principals and supervisors in contract administration and as first line managers can be developed to improve an employee relations program. Grievances are sometimes more than an allegation that the contract has been violated. They are often attempts by employees to get their supervisors to listen to them. Many administrators are so busy that there is very little time left for individual problem-solving; therefore, a problem results when really a small complaint exists.

Principals and supervisors should be trained in human resource skills — in how to listen to employees' problems and how to help solve them. Sometimes listening is the solution. Principals and supervisors should also be "professional" about grievance handling; grievances should not be taken personally. Reacting emotionally is a poor management practice and it can intimidate employees.

Organizational procedures can also be developed that can improve teacher perception of their job and morale. One good method is the use of a board handbook on personnel relations or personnel policies. While the Association probably gives all bargaining unit employees copies of the collective bargaining agreement, not all boards are as generous with a personnel handbook.

If more school districts had well-written and complete school board policy manuals, school boards would have fewer and less severe problems in negotiations with their employees, as well as in day-to-day personnel relations. A good policy manual provides for fair and consistent treatment of issues; this can help head off grievances. A policy manual helps keep administrators aware of what their authority is regarding issues, and a policy manual provides a needed orientation for teachers. Employee morale is assisted in that all employees operate under known policies, rules and regulations. There is less chance of employee dissatisfaction if all of the employee rules are known to employees and their application is uniform and consistent.

A formal complaint procedure may be included in the handbook, indicating the channels of appeal for problems that are not properly grievances under the contract's definition.

Performance Rewards

Common performance rewards include the opportunity for advancement, personal status, recognition and praise, and ego awards. How do these fit in with the employee relations program in your district? School managers have the right to hire, to assign and to promote. These rights should be utilized to motivate employees and reward good performance.

Policies favoring promotion from within are ones which improve morale by rewarding good performance. Knowing that there is opportunity for advancement can improve job performance. Assigning a well-respected, high performer to chair a district committee or to present his/her program to the faculty, the board or to the PTA can also be a performance reward. Participating in the state's Teacher Recognition Program and/or patterning a local program on the state's approach also represent external recognition of excellent performance.

Status and prestige are performance rewards that need not be accompanied by extra compensation. Consulting and heeding the advice of a "master teacher" can be rewarding. Having a senior teacher chair an important committee on a critical issue can be beneficial to both the board and the employee.

The evaluation process is another method of recognizing performance. The setting of goals, which is part of tenured teaching staff evaluation, brings employees into the process. This kind of "management by objectives" turns evaluation into an ego fulfilling event, not an intimidating, one-sided process.

Praise and recognition are simple and basic methods of rewarding employees for good performance that are often times overlooked. Most people appreciate a pat on the back for a job well done, for giving a "little extra." This kind of positive reinforcement of good behavior is not time consuming, it is free, and requires little training.

Membership Rewards

A relatively easy method of improving employee relations in your district is through the use of membership rewards: benefits the employee receives from working in your district. These tend to be social in nature and result from the interaction of teachers on a professional level, as union members, and as people.

Methods of improving and utilizing membership rewards are numerous. Overall, making the district a safe and pleasant place to work is an important goal. Secure lockers, safe hallways and clean facilities are a fine place to begin. Although "teacher facilities" is a negotiable matter which should be determined at the bargaining table, maintaining the level of all the district's facilities is an expression of board policy.

Effective use of faculty meetings, teacher orientation and in-service days can improve the organizational climate of your district. Inviting outside speakers to consult at an in-service day may improve a teacher's perception of the school district.

Besides teacher interaction with each other, the board can interact with staff through at least two methods: a district newsletter and a Personalized Benefit Statement. The district newsletter should not just be a discussion of new legislation in special education or cap problems. It should also spend time talking about personnel policies and people. Who received a sabbatical this year? Who earned an MA? Any new staff members or retirees?

A Personalized Benefit Statement (see example below) describes all of the economic benefits the teacher receives from being employed in your district. Very few districts provide such a letter to employees, although it can be, when properly used, a valuable tool in good personnel relations.

Personnel Relations Programs and Collective Bargaining: A Word of Caution

Developing and implementing a sound personnel relations program in public schools involves an awareness of the school's collective bargaining environment. The existing contract, the union and the tone of the labor relationship must be recognized and considered.

The impact of job enrichment on the contractual work load, discussed above, is only one of the many considerations of a labor relationship. Boards must not only consider and honor the terms of the existing agreement but they must also recognize that their action can create a potentially binding past practice. For example, a board attempt to provide "membership rewards" can take the form of providing, without negotiations, a separate staff dining room; if, after a number of years, the board finds that it can no longer afford the noninstructional use of that space, it may need to find an alternate site for the

staff dining room which has become an expected benefit of employment. Similarly, a consistent scheduling pattern, designed to improve job satisfaction, which involves limited instructional assignments may in future years be found to be a past practice which limits the administration's ability to increase the number of class assignments.¹ These potential implications should not, in and of themselves, deter boards from developing an employee relations program; however, an awareness and assessment of the implications should become part of a board's process for the program's development.

In developing and implementing a personnel relations program, boards must also consider and recognize the status of their employee unions. If the role of the local association is ignored, the implementation of a personnel program could be detrimental to the district's ongoing labor relationship. The union is the representative of the bargaining unit and, as such, can perceive itself as solely responsible for the employees' welfare; any attempt by the board to unilaterally provide benefits of employment could be seen as an unintentional but nevertheless unwarranted intrusion into the union's exclusive domain or, in the worst light, as an intentional and illegal attempt to undermine the status of the majority representative. Boards can avoid this negative and counterproductive union reaction by involving the union leadership in the development of the personnel relations program. An advisory committee consisting of representatives of the leadership, and of the staff, can be established to provide input and consultation during all stages of development and implementation of the district's personnel policies and practices.

Boards must also consider the cycle of their labor relationship when they are planning the implementation of their personnel relations program. Initiating a new board-staff newsletter or a Personalized Benefit Statement in the midst of ongoing negotiations is generally ill-advised. The

benefits of the new communications may be completely overshadowed by the impression that the material is designed to improve the board's position and to bypass the employees' duly elected majority representative. The same communications, initiated when the contract is settled and in the absence of labor controversy, has a far better chance of being received positively.

Experience and research support the concept that a good personnel relations program improves and complements an existing labor relationship. However, not all parties to a relationship will necessarily welcome a board's attempts to improve employee satisfaction. A contentious union may suspiciously resist the board's initiative or a board, faced with an unanticipated negative union reaction or with contractual complications of its efforts, may retreat in anger from its personnel goal. An awareness of the need to balance the specifics of a personnel relations program with the realities of collective bargaining can, however, enhance the program's success and effectiveness.

Summary

Recognizing that employees have needs other than money and financial security is the first step in developing an effective personnel relations program. All of us have a hierarchy of needs that must be fulfilled. Some of those needs can be found in the employment relationship.

Attention must be paid to these needs in order to improve employee relations. Listen to employees, consult with employees. Reward employees for good performance. Make their job interesting and challenging within your collective bargaining environment. Make your district a good place to work. Why? Because good employee relations complement your labor relations program and because good employee relations can improve job satisfaction and performance.

¹For a discussion of past practice, please see the article "The Meaning and Relevance of Past Practice" in the Selected Contract Clauses section of *The Negotiations Advisor*.

PERSONALIZED BENEFIT STATEMENT

Dear _____ :

As a teacher in Ideal School District, you receive a comprehensive compensation package that includes your salary, current employment benefits as well as prospective retirement benefits. This document has been prepared to inform you of your total compensation for the _____ school year.

Your salary for this school year is \$_____ for your performance and service on BA Step _____ as a _____ teacher. Along with your salary as a regular teacher, you receive \$_____ as a _____ (extra-curricular activities and any other additional stipends).

As a teacher in Ideal School District, you receive many benefits:

- You currently receive _____ days sick leave for use while you are ill, each worth _____ which is worth a total of \$_____. In addition, you have _____ days accumulated sick leave.
- You are eligible for _____ personal days providing application is made according to the contract and past practice. This benefit is worth \$_____.
- You are eligible for sabbatical leave since you have been in the district 7 years. Should you desire this benefit, please make application to the Superintendent.
- You are currently enrolled in the Master's program at _____ College studying _____ . Last year you received \$ _____ in tuition reimbursement and \$_____ in reimbursement for books. You may take up to _____ credits this year with a maximum of \$ _____ of tuition reimbursement.
- You and your family receive health insurance coverage under _____. To provide this benefit, the Board's payment for you and your family is \$_____ for this school year.
- You and your family also receive dental care insurance coverage with the _____. The Board's payment for this benefit for this school year is \$_____.
- A prescription drug plan is also provided for you and your family with the _____. The Board's cost for this \$_____ copay plan is \$ _____ for this school year.

These benefits were worth a total of \$_____ or _____ % of your salary for this school year.

In addition to your employment compensation, you are earning retirement benefits:

- Upon retirement from the school district, you will be eligible for Payment for Unused Sick Leave and Unused Personal Days. Given your current accumulation of days (_____) at the current rate of reimbursement (\$_____ per day to a maximum of \$_____), this benefit would have been worth \$_____ had you been eligible for retirement at the end of this school year.
- By virtue of your employment in this school district, you are enrolled in the Teachers' Pension and Annuity Fund. This year, approximately \$_____ was contributed on your behalf towards your pension and \$_____ towards your social security benefits.

As a member of this pension system, you will receive a guaranteed retirement income, in addition to your Federal Social Security coverage, based on your total years of service credit at the time of your retirement and your final average salary. Your retirement benefit will also include a Cost of Living Adjustment.

Your benefits under TPAF include disability insurance and life insurance benefits for your family.

- In addition, should you retire with 25 years of service, you and your dependents may enroll in the State Health Benefits Plan to receive state-paid health insurance coverage.

We appreciate the service you have given to the district and hope that you will continue to contribute to the successful education of children in Ideal School District.