Learning Objectives

Upon completion of this unit, students should be able to:

1. Examine the evolution of public sector collective bargaining.
2. Explain the legal regulation of public sector unionism.
3. Explain the differences in the bargaining process between the public and private sectors.
4. Discuss the negotiation process in the face of multilateral bargaining.
5. Discuss the effects of public sector bargaining on outcomes.
6. Explain the use of interest arbitration.
7. Examine participatory programs and work restructuring in public schools.
8. Define normative premises.

Written Lecture

Collective bargaining has spread rapidly in the public sector since the early 1960s, to the point that, today, 36.2 percent of federal, state, and local government employees are represented by a union. This alone makes the public sector experience worthy of a separate unit in this course—especially at a time when, each year, a smaller fraction of private sector employees have union representatives.

This unit applies the general framework developed in the previous units to examine industrial relations in the public sector. It is important to recognize at the outset, however, that the public sector is a special case of bargaining and employment practice. Government is not just an employer and a provider of services, but a provider of public services, and as such the public sector bargaining system must be particularly responsive to the demands of the public. There has been much debate about the appropriate legal regulation of public sector collective bargaining. Some analysts have argued that the unique nature of government as an employer makes collective bargaining, as traditionally practiced in the private sector, inappropriate for the public sector. Other observers would allow the traditional type of collective bargaining, but in a shape and form adapted to meet the special circumstances of the public sector.

The first section of this unit examines the historical phases through which public sector bargaining has passed. The following sections review the practice and outcomes of public sector bargaining and consider how bargaining in the public sector actually compares with bargaining in the private sector. The unit then considers on normative grounds whether the legal regulation of public sector unions should be different from that of private sector bargaining.