

## **Police Unionism and Collective Bargaining**

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### **Abstract**

The concept of police unions has been controversial from its inception. Historically, police unions have taken the form of fraternal organizations, beneficence associations, or epitomical labor groups. Unlike other similar organizations from the private sector, police unions have largely been curtailed in terms of the tools for collective bargaining at their disposal. Nevertheless, police unions have developed other tools and means of achieving collective bargaining ends. This paper explores such tools and their effect on such variables as police officer satisfaction, the nature of management/union relations, public opinion, and, of course, police salary. Because of the breadth of police union history, this paper discusses both seminal and contemporary research exploring this phenomenon.

### **Introduction**

Collective bargaining takes place when a union negotiates directly with management for anything which the union deems important for its members. It includes many tools, such as the threat and action of the strike. However, laws have historically, and continually, curtailed many of the tools, particularly the strike. The police have found some ingenious ways of overcoming these obstacles to 'effective' collective bargaining. These include the so-called 'blue flu', as well as engaging in multilateral, collaborative collective bargaining (a precariously political answer), use of the judicial system, and by appealing to the option, if not the actual application, of arbitration services. Despite their innovations, collective bargaining remains a rather weak tool available to police unions in bettering patrol officers' standings vis-à-vis the police organization. This paper will discuss police unions' use of collective bargaining, as well as its various correlates and tools, including striking, arbitration, and multilateral bargaining, in light of the various stages of policing history in the United States. This is done in order to capture a picture of its use and effectiveness, and in order to speculate as to its future.

### **Policing Eras in the United States**

Police scholars divide the history of American policing into three quasi-distinct eras: the political, the professional, and the community era (the following two paragraphs rely on Roberg,

Novak, and Cordner, 2005, and Goldstein, 1990). Generally, these eras are arbitrarily assigned start and end dates: the political era lasted from the mid-1800s to the 1920s, followed by the professional era which began to decline in the 1960s and 1970s. We are currently in the community era. Despite these time frames, there is much spill over between the eras, such that no one era is ever wholly complete or wholly begun. Nevertheless, there are significant differences between the eras. For example, the political era was characterized by political corruption within police administration: police chiefs were connected to political machines. Due to the patronage system of that era, if one supported certain political elites, one could expect to be awarded with a job, and this included jobs on police forces. This motivated police chiefs and officers to maintain the status quo, often through violent and abusive means.

The political era was also characterized by inefficiency, laziness, and dishonesty, in government generally but also in policing specifically. Progressive reformers wanted to change government, and by extension policing, into an honest and efficient organization. Borrowing heavily from classical management and organizational theorists (such as Taylor), reformers such as O.W. Wilson and August Vollmer created a policing model focused on bureaucratic, efficient crime fighting. This focus on efficiency, as well as an over-implementation of technology, resulted in a police culture based on distrust of citizens. This resulted in a deterioration of police/citizen relations. It was because of these poor police/community relations that, according to the Kerner Commission at least, minority riots in inner cities broke out exponentially during the 1960s. The need for improved police/community relations heralded the advent of a new era, the so-called community era. Although still in swing, it is apparent that this era is characterized by police/public collaboration in problem-solving.

It is within the framework of these three eras that the bulk of this paper will explore police unionism and collective bargaining. For the purposes of this paper, the cut-off between the professional and community eras is set at around the mid-1970s. Using the eras as a framework is useful because the development of police unions somewhat coincided with these eras, as well.

### **The Role of Policing Unions in the United States**

While police attempted during each era to create unions, they finally ‘succeeded’ (in the broadest sense of that term) in the professional era. During the political era, Boston police attempted to strike. This was actually a step backward for the police unionization movement, and was a failure that would haunt police unions during the professional era at the time of the Second World War, where police unions failed mostly due to unfavorable court opinions and vigorous opposition from chiefs of police. However, according to Roberg, Kuykendall, and Novak (2002) during the 1960s, at the height of the professional era and when we begin to see glimmers of the community era, unions became popular, due to six developments: low salaries and poor benefits, improper police management, social and political alienation of law enforcement agencies, younger officers, the law-and-order paradigm of crime control, and the due process revolution. These developments lead to police officers being willing to form unions, take action, and fight back against critics of police unions, including upper level management. Indeed, the very nature of the command-staff/line-staff relationship presaged the animosity between police unions and management suggested by much the literature. By the community era, police unions and other quasi-union organizations were alive and well; however, their true

effectiveness and impact were yet to be understood or even distinguished (Roberg, Kuykendall, & Novak, 2002; these developments and their impact on the rise of unions is discussed in more detail below). In 1997, of state law enforcement agencies, only 24 permitted collective bargaining, and only 16 agencies allowed officers to belong to unions (compared to 45 agencies which allowed membership in non-union associations) (Reaves & Goldberg, 1999). By 2000, 25 agencies allowed collective bargaining (no data was available on similar reports for the number of agencies allowing membership in police unions) (Reaves & Hickman, 2004). With a census of 50, even a positive increment of one suggests that collective bargaining is far from receding.

Juris (1971), expert in the field of police unions and coiner of the phrase ‘militant police union actions’, writing at the crest of the professional period of policing, wrote that the effects of police unions, through collective bargaining, may be manifold. He suggested that the police unions may impact the extent a department is professionalized, in the classical sense of the term. Unions may also impact the operation of a police agency, as well as its policies and regulations. Juris (1971) also contends that police unions may impact politics, particularly local politics. Written almost forty years ago, it is not clear whether or not police unions have had, or ever had, the impact that Juris (1971) assigned to them. Although it is certain that in certain situations police unions have had such an impact, the research has not borne his conclusions out for the majority of police unions. These spikes in the distribution curve have all eventually regressed to the mean. It is Juris's (1971) assessment, in tandem with the preceding assertion, that are explored in depth throughout this paper.

## Literature Review

### *Meyer's Four Stages of the Police Strike*

Before exploring unions in light of the various eras of policing, it is illustrative to first consider Meyer's (1976) four stages of the police strike, because his ordinal categorization spans both the political and the professional eras of policing. Meyer (1976) utilized content analysis of major national and international magazines, newspapers, and other print media, as well as several interviews with targeted police management and unions leaders in order to acquire his data. Ultimately, Meyer (1976) was able to study 26 police strikes in eight countries, with a range of 99 years from the first explored strike (London in 1872) to the last explored strikes (Nassau County, New York, New York City, and Milwaukee, all in 1971). He further categorized these strikes according to issues, of which there were three: recognition rights, wages and benefits, and policy matters. The modal category, overwhelmingly, was wages and benefits. Further, not all agencies actually engaged in strikes; rather, several merely threatened to strike, and others came down with the ‘blue flu’, a *de facto*, but not *de jure*, strike.

Meyer (1976) argues that police strikes, as social phenomena, have a natural history. This means that every police strike exists as a unique event that moves and changes according to outside and inside forces. The police strike natural history, according to Meyer (1976) at least, is comprised of four stages: the decision to strike, the breakdown of formal and informal social control, the replacement of the police, and the resolution of the strike. The first stage, the decision to strike, can come from within or without the organization. However, in general, there are three issues which presage the decision to strike, alluded to above: recognition of rights as a union, wages and benefits, and policy matters. Meyer (1976) also notes that the make-up of the

police force will affect a decision on whether or not to strike. Specifically, that having younger patrol officers increases the probability of a union striking. The second stage is the breakdown of formal and informal social control. Clearly, a police strike represents a breakdown in formal social control. However, a police strike is only effective if there is an equal breakdown of informal social control. What this means is that there has to be a presumption that if the police do not do their job, then neither will those agents, such as families, churches, and schools, do their job in terms of enforcing social control, and crime will run rampant. Otherwise, a threatened police strike is impotent in its implications. The third stage is the replacement of the police. In this stage, a municipality affected by a police strike either chooses to temporarily or permanently replace the striking officers. From his research, Meyer (1976) was able to ascertain four common means of temporary replacements: the military, special constables, other police officers, or using superior command-staff officers. (It is interesting to note that not one of these options were particularly effective in any scenario according to his research.) The final stage is, of course, the strike resolution. There are four patterns that Meyer (1976) uncovered. There may be mutual agreement between the union and the command staff prior to the implementation of the strike. Or, after the strike occurs, the command staff may capitulate to the union and line officer demands. A third option is that management encourages or coerces the union into accepting a deal. Or, lastly, striking officers may be permanently replaced.

From these four stages, Meyer (1976) further points out that police strikes begin with a generation, followed by perpetuation of the strike and the problems which caused it, and ending with a resolution. From this article, one can deduce that collective bargaining may be effective in any of these three points in time. It is clear that the generation to at least threaten a strike is effective enough for management to agree to certain union demands through the collective bargaining process. Also, when a department capitulates to the demands of a union it is in essence validating the strike as an effective collective bargaining tool. However, collective bargaining through striking may not always work. As Meyer (1976) demonstrates, officers may 'sell out', and allow themselves to be co-opted by management. Or whole patrol forces may be replaced through the extreme action of management and municipal administrators. As explained throughout articles discussed in this paper, collective bargaining, including the tool of striking, is often more of a specter than a serious threat.

### *Unions in the Political Era of Policing*

Much of what we know about police union action during the political era of policing is anecdotal. For example, although we know that the police, as tools of the political machines, were used to suppress the working 'dangerous' class, line-level officers nevertheless subverted the commands of their managers in support of the blue collared strikers. This largely was due to the fact that most police officers at this time either came from this same working class mold or had family and friends in similar situations. In other words, they supported labor strikes because they felt a certain degree of empathy with the union organizers (Roberg, Novak, & Corder, 2005). It seems natural, then, that we would see the beginnings of police unions and police strikes during this period. In particular, police fraternities and benevolence societies popped up around the northeast at this time. It is important to note the region of these new unions, because this is the same region where factories and much union activity were prevalent. Indeed, many of these fraternal orders were more concerned with fringe benefits and providing for their own members outside of the police system than having any impact on police departments. As these

organizations, and police generally, desired to be more organized, many petitioned for entry into the American Federation of Labor. Although the AFL did not initially accede to their petitions, they nevertheless recapitulated in the early 1900s. Later, police unions would be affiliated with the American Federation of State, County, and Municipal Employees, as well as the Fraternal Order of Police and the National Conference of Police Associations, all nation-wide organizations (Juris and Feuille, 1973).

Juris and Feuille (1973) outline the first serious attempt at collective bargaining and its consequences on the part of a police union, the Boston patrol officers, who were affiliated with the AFL. Desiring the right of recognition as a collective bargaining body, the Boston police union's requests were rebuffed by the municipal government. Two thirds of patrol officers then began to strike. Eventually, those striking were fired and replaced, but not before significant violence and property damage had taken place Boston-wide. Juris and Feuille (1973) attribute this event to the beginning of poor command-staff/union relations. It affected the public's view of the police union so much that the AFL retracted all of the police chapter affiliations nationwide. Clearly, this first effort at even achieving the option of collective bargaining was a failure, and foreshadowed its usefulness and impact throughout the remaining police eras.

### *Unions in the Professional Era of Policing*

Staufenberger (1977) points out that police unions did not proliferate until the latter end of the professional era of policing. Before this time, there were not many unions, and those unions which did exist did not draw the attention of most police and city managers and administrators, the Boston experience notwithstanding. During the political era, police organizations, such as the International Association of Chiefs and Police and the American Academy for Professional Law Enforcement, seemed to be more important in determining future situations of police organizations and their members. However, according to Staufenberger (1977), unions expanded exponentially at the end of the professional era, and became more noticeable to city and police administrators. Because of their expansion and their apparently growing role in police policy and salary decisions, Staufenberger (1977, among others, such as Juris and Feuille, 1973) predicted that police unions would have the most impact on the future of police professionalism than any other entity. In a sense, he was correct: as the literature will bare out, police unions did solidify police professionalism by augmenting an already pervasive *esprit de corps*, and by demanding standards which coincided with those set out by the term 'professional'. However, as the literature will also demonstrate, police unions were far from a significant 'threat' to city and police managers. Although significant in their contributions, the literature on unions during the professional, and to a similar extent the community, era will demonstrate that these contributions are somewhat negligible.

Juris and Feuille (1973) also assert that police unions proliferated during the height of the professional era of policing (1960s). The authors attribute this to several environmental factors, both external and internal to police departments. For example, during this time, police perceived (and were often correct in their perception) that the public was less than satisfied with their performance and attitudes. Indeed, police felt palpable hostility towards them. This judgment was felt concurrently with the psychological impact of the due process revolution of the Warren court. This revolution resulted in many court decisions and consequential procedural laws which the police felt inhibited their ability to efficiently fight crime, rendering them 'hand-cuffed'. Internally, the para-military, hierarchical structure of the majority of mid- to large-sized police

departments resulted in divisive feelings and practices between line-level and upper echelon command staff. All of these things colluded to create an overwhelming sense of dissatisfaction among patrol officers. This dissatisfaction served to imbue patrol officers with a strong cohesive *esprit de corps*. This sense of dissatisfaction and strong *esprit de corps* was especially felt by younger police officers, more willing to take chances. Ultimately, it was these variables combined that resulted in an increase in the number of unions formed during this period, as well as their willingness to take on “militant action” (Juris & Feuille, 1973, pp. 23, 177), including collective bargaining.

Related to Juris & Feuille’s (1973) position, Kooken and Ayres (1954) assert that the rise of unions at the start of the professional era was largely a result of the professionalization movement in general. Belonging to professional associations, and even unions, was seen as part of being professional in the sense of having an organized body specific to one’s labor, where one’s labor was the sole possessor of a specific skill. In the case of police officers, this specific skill was considered crime fighting. Kooken and Ayres (1954) anticipated many of the concerns of Juris and Feuille (1973, as especially discussed in the conclusions section of this paper). Like Juris and Feuille (1973), Kooken and Ayres (1954) were concerned with the implications of having a public entity endowed with the authority and responsibility to enforce the law go on strike, the most potent tool of unions in their collective bargaining efforts. They bolster their concern with the fact that, heretofore, laws and judicial statutes had not yet regulated the police union/collective bargaining relationship. Kooken and Ayres (1954) also made allusion to the fact that politicians and public citizens in general were uneasy with the ideas of having a police union. Despite their concerns, the research presented below suggests that police unions have simply not had the impact foretold. Although some authors have found evidence for benefits accruing to police officers by virtue of the collective bargaining action of unions, most have not.

Among the few authors who support the contention that police unionism and collective bargaining result in higher salaries and wages for patrol officers during the professional era are Bartel and Lewin (1981). In their study, they sampled 215 municipal police departments, using data from a 1973 survey. They were able to ascertain that those police unions which had a collective bargaining contract with the city had higher wages and salaries than those that did not. Their results also indicated that police unions were in higher demand in low-wage cities than in high-wage cities, suggesting that police unions were expected to be more than fraternal orders or beneficence associations when the need for better wages or benefits was present. Interestingly, their analyses revealed that police unions had a higher impact on benefits than on wages. This was particularly true for retirement benefits. The authors concluded that the effects of police unionism on wages and benefits were larger than previously thought. They went so far as to say that the effects were larger than any other public sector union (such as teachers’ unions).

Methe and Perry (1980) seem to agree with Bartel and Lewin (1981) in that their research suggested that police have received better wages/salaries because of the collective bargaining undertaken by police unions during the professional period. They considered a host of possible effects and consequences of collective bargaining engaged in by local government workers, including the police. They observed twenty studies with a range starting in 1914 to 1977. (This article is included in this section despite the fact that it does discuss one study that covers a time period marginally in the political era. It is included here because this represents only one study covered by the authors, while the remaining 19 are wholly in the professional era.) Methe and Perry (1980) found that the police received marginal success due to collective bargaining. They connect this success, marginal though it may be, with increased municipal

expenditures. Interestingly, they found that, overall, collective bargaining had no relation with the effectiveness of city government services, including that of police officers. Perhaps this is not truly surprising, given that police during this period were not really concerned with effectiveness. Rather, as discussed above, the professional period could be epitomized by the word 'efficiency'. According to Goldstein (1990), it was this *uber*-focus on efficiency which lead professional era police departments to be ineffective. That is, they were too concerned with *how* to accomplish the job at hand, rather than looking at the end results of that job. In a sense the means became the ends. As it relates to collective bargaining, it suggests that police efficiency may be correlated with collective bargaining (although this research question has never been undertaken), but police effectiveness would be outside the realm of the police ethos during this time period.

Although some authors, such as Bartel and Lewin (1981), have suggested that bargaining was a powerful tool available to police officers during the professional era of policing, Hall and Vanderporten (1977) contend that it was marginally impactful. According to the authors, the police are endowed with the authority to coerce others to do things which they would not otherwise choose to do. Further, the services that the police provide is one that is perceived to have a high level of immediacy and universal need. Specifically: the perception that crime can and does happen to anyone at any time. Because of these factors, Hall and Vanderporten (1977) argue that police salaries are determined along a supply-and-demand spectrum: more crime means that police salaries will increase. They further hypothesized that police salaries are impacted by a number of other factors, such as median income of blue-collar occupations, city size, and, pertinent to this paper's topic, formal collective bargaining. To test their hypotheses, based largely on free market theory, Hall and Vanderporten (1977) sampled 143 cities. They found that the supply-and-demand spectrum did apply to police salaries: the higher the crime rate, the higher the police salary. However, they found little statistical support for formal collective bargaining techniques being associated with salaries. That is, although formal negotiations did result in higher salaries, the increases were modest. They concluded that this awesome power of collective bargaining was either under-exploited by police agencies during the professional era, or its potency was negligible.

Finally, Schachter (1981) describes the implications of a case study in police union collective bargaining: New York City's Patrolmen's Benevolent Association (PBA). Schachter's (1981) article details events that occurred between 1974 and 1977. Because this is located at the tail end of the police professional era and the beginnings of the community era, it is discussed at the end of the professional era section of this paper, as it takes into account events that occurred within both eras. Most of the data were gathered using content analyses of court documents, meeting notes, and newspaper articles. However, qualitative interviews of both union and police management leaders and members were conducted. The issues raised by collective bargaining during this period included parity with firefighters and a change in patrol officer shifts. This was all compounded by a fiscal crisis that overcame New York City leading up to and including the years under observation, which resulted in a wage freeze. Collective bargaining had no impact, and it took the courts to enforce a wage increase for the police officers. Schachter (1981) therefore argues that collective bargaining on the part of the police union alone is insufficient during times of fiscal austerity. Rather, in such circumstances, 'bargaining' can only be attained through multilateral approaches. Schachter (1981) describes such approaches as those that go outside of the police union in order to find allies to engage in 'bargaining' on behalf of the patrol officers. For example, multilateral bargaining may include

firefighters, legislatures, the public, other (blue-collared) unions, and, in the case of New York City, the courts. Ultimately, the courts were the requisite allies, as, during a time of fiscal crisis, very few municipal/state allies were willing to argue for more expenditure.

This was not the first time that the New York City PBA had appealed to the courts to resolve their disputes with management and city government. In an earlier paper, Schachter (1980) describes an effort by the city to increase minority representation in the police department by administering differential entry tests based on ethnicity. This change met with complete opposition by the PBA, and was eventually repealed via the actions of a state supreme court in 1972. Schachter (1980) observes that when the PBA utilized the court, two elements were present, which she generalizes to other unions' uses of the court system. The first of these elements is that there must be numerous 'enemies' against whom the union must fight. In this case, there was the municipal government as well as the police commissioner. Second, if federal monies are involved, as in this case, unions are more likely to appeal to the courts. This is because the acquisition of federal funds preempts unions' involvement in policy decisions. The effects of unions appealing to courts are manifold. For example, it reduces the opportunity for collegial compromise. Secondly, using the courts largely circumvents and therefore ignores political problems, offering apolitical solutions which may only serve to exacerbate underlying political issues. This is apparent in the New York City PBA case because the argument was really over increasing minority representation in the New York City police force. By going through the courts and invalidating the new tests, the PBA precluded any meaningful conversation about the inclusion of minorities in their force. Therefore, utilizing the judicial system may be one form of 'multilateral collective bargaining', but according to Schachter (1980) at least, it is far from the most beneficial form, for either the police or the municipality which it serves.

However, most of the articles heretofore reviewed fail to take into account important variables which may impact the effectiveness of collective bargaining. In a heroic effort to do just this, Ichniowski, Freeman, and Lauer (1989) collected data between 1965 and 1978 for about 800 police departments serving populations of at least 100,000, and about 200 departments for populations between 25,000 and 100,000. They controlled specifically for the type of state laws governing collective bargaining practices. Not surprisingly, they found that those states with laws amenable to collective bargaining resulted in a higher positive correlation between the use of collective bargaining and patrol officer salaries. They also found that nonunion members disproportionately reaped the benefit of union collective bargaining. Clearly, depending on the labor-political climate of a state, local municipal police unions may or may not have a significant impact. Ichniowski and colleagues' (1989) research draws into question the conclusion reached by other academics and posited by this paper: that police unions and their collective bargaining actions have very little substantial impact on police policy and officer wages/salaries.

### *Unions in the Community Era of Policing*

According to Kadleck (2003), most police unions/organizations in existence today were founded in the 1960s, at the climax of the professional era. Most organizations, according to Kadleck (2003) are local in nature, with a significant proportion nevertheless being affiliated with a state-wide group. It is not apparent, however, that many, let alone most, of these organizations require membership. But, limiting membership to patrol officers or sworn officers

is fairly common. According to Kadleck (2003), most of the literature on police unions is replete with examples and evidence of strongly adversarial relationships between unions and management. Kadleck's (2003) own research, based on a national sample of police chiefs and union leaders, found that few union leaders actually sought to limit the power of managers. In his research, less than half of union leaders thought that management could be trusted to make good decisions. And, although every leader felt that union input was important to consider in terms of policy decisions, barely over half of the union leaders surveyed felt that their input was ever considered. Importantly, a large majority (70%, p. 346) engaged in collective bargaining. Kadleck (2003) found that collective bargaining practices were related to region. For example, most bargaining relationships took place outside of the south, where only 34.5% of police organizations participated in collective bargaining (p. 346). What is not clear from Kadleck's (2003) research, however, is an exploration of the current status of police organizations, and any research into the end result of the use of collective bargaining.

This question was taken up by Wilson, Zhao, Ren, and Briggs (2006). They asked three questions for their study: does collective bargaining result in higher pay for police officers? does collective bargaining impact a chief's pay? and what kind of role do local economic conditions play in the police salary levels? To explore these questions, the authors used data from the Law Enforcement Management and Administrative Statistics between 1990 and 2000, the UCR, and census data. Although comprehensive in form, the use of so many data sets naturally restricted their overall sample to 347 large police agencies. From this data, they were able to first ascertain that the use of collective bargaining in large police departments diminished throughout the decade of the 1990s (from 74% to 70%, p. 29). Despite this drop, salaries (as well as personnel levels) increased throughout this same decade. Further, despite the drop in the use of collective bargaining, its use was nevertheless responsible for increased, entry-level officer wages. Further, better economic conditions were similarly related to higher salaries. However, the former's influence, though significant, was limited. Like many authors, these researchers found that collective bargaining was not the powerhouse force behind salary negotiations that one might have expected it to be. Lastly, they found little correlation between chief salaries and the use of collective bargaining, reaffirming suspicions that unions do little to support management. Though barely noticeable, the fact that collective bargaining does impact police officers' entry salary is nevertheless meaningful (Wilson, et al., 2006).

Although different in a number of ways from collective bargaining, arbitration is yet another tool available to police agencies, largely supported by unions, in many states. It is a particularly useful tool because, as stated throughout this paper, collective bargaining is a hit-or-miss tactic largely restricted by strike laws and other labor issues relative to public safety agencies such as the police. Therefore, because of its utility and similarity to collective bargaining, arbitration merits this paper's attention. Feuille, Delaney, and Hendricks (1985) discussed the effectiveness of arbitration in terms of it being an option and its actual use. They sampled 1,631 police union contracts between 1975 and 1981 – at the cusp of the professional era, but well enough into the community era to necessitate its discussion within this section. They found that it was the presence of arbitration as an option, rather than its actual implementation, that had a positive effect on police salaries and bargaining. They reasoned that this was due mainly to the nature of arbitration and the limited tools available to police officers in salary negotiations. That is, arbitration, by its nature, is independent of both parties. This neutral position of arbitration becomes a boon to police unions and agencies, who are limited by laws in what tools they can utilize in negotiations. For example, they may not be able to strike.

The threat of utilizing arbitration is the threat of having more tools at one's disposal – vicariously. However, it is only this perception that is a 'real' threat. As Feuille, et al. (1985) found, the actual use of arbitration is hardly related to success for police agencies and unions. This goes back to the fact that arbiters are, by their nature, neutral. In other words, their judgments do take into account all factors, and their decisions are generally beneficial and detrimental to some degree to both parties.

LaVan, Katz, and Carley (1993) analyzed 259 police and firefighter arbitration cases. They found that the majority of arbitration cases dealt with work assignments, rather than with wages and benefits. In fact, wages and benefits were sixth out of seven on their list. The authors suggest that this outcome is perhaps not so surprising, given the discretion allotted to patrol officers. They also found that the public was more likely to support union activity which involved hiring standards, and less likely to support union activity which involved wages and benefits. These numbers, of course, reflect an aggregate of police and firefighters. Given LeVan and colleagues' (1993) article and data exploration, it is impossible to distinguish between the two – and there is good reason to believe that there are important differences which may effect collective bargaining/arbitration outcome. For example, Juris and Feuille (1973) point out that most firefighter unions at the start of the political era, at least, were more organized than police unions, and continued to grow and organize themselves to an extent beyond that of the police. Although limited in this sense, their research does demonstrate to us some of the special challenges facing public safety organizations as a whole: specifically, the desire on the part of the public to have well-qualified applicants, yet a resistance to pay them commensurate funds. This reflects the very need for police unions and their engagement in collective bargaining for the betterment of patrol officer salaries. It also alludes to the great challenge and ambiguity involved in being a police officer in a democracy (see Goldstein, 1990).

Despite LeVan and colleagues' (1993) findings that police arbitration can be met with little public support, Magenau and Hunt (1996) found that citizens were more satisfied with their interactions with union affiliated officers than with non-union affiliated officers. The authors explored other research questions, as well. For example, they, among 830 randomly selected patrol officers from 15 urban police departments, analyzed in light of their membership in a union, their police practices, and their levels of satisfaction, they found that union officers were more geared towards a law enforcement role. This seems reasonable, given that unions blossomed at the height of the professional era, with its focus on specialized crime fighters (Juris & Feuille, 1973). According to Wilson (1968), citizens preferred law enforcement focused officers (which he coined professional officers) as opposed to those officers who focused solely on order maintenance of citizen satisfaction. It seems normal that the law enforcement focus should carry over between the professional and community eras by way of police unions.

In terms of collective bargaining, the authors (Magenau & Hunt, 1996) found that patrol officers who worked for a department or municipality friendly to collective bargaining practices were more likely to be satisfied than those who worked in an adversarial environment with their department. They also found that this outcome held true regardless of the state of unionization within a department. This implies that it may be merely the environmental friendliness/adversarialness vis-à-vis collective bargaining that forms a patrol officers' feelings towards her department, suggesting a spill-over effect independent of the state of unionization.

Feuille and Delaney (1986) explored both arbitration and collective bargaining and their effect on police salaries for an impressive range of 10 years (1971-1980). (Obviously, this range spans both the professional and the community era. For the sake of organizational clarity, it will

be presented here as if applying to the community era. However, as stressed throughout this paper, these eras, though hardly arbitrary, are nevertheless continuous and overlapping.) On top of the impressive range of years under study, the authors scrutinized over 900 cities during this time period. They were particularly interested in the effect of the presence of arbitration in a state more so than the effect of using such arbitration or collective bargaining. Because of this focus, their hypothesis was that in those states with interest arbitration, the salaries of police patrol officers would be similar regardless of whether or not police unions utilized this option. They also explored whether or not the use of collective bargaining would have a positive effect on salaries. Overall, their hypotheses were supported. They found that both collective bargaining and the availability of arbitration as an option were positively related with an increase in patrol officer salaries. They also found that in those states where arbitration was an option, salaries did not vary widely between departments. They further found that using arbitration did not give such departments any long-term benefits not experienced by those unions which used collective bargaining. Finally, they found that positive effects associated with the use of arbitration and collective bargaining (or the positive effects accrued by their existence as an option) may be negligible when taking into account other environmental and market factors, particularly the economic state of a region, and the tax base of a city. This does not mean that collective bargaining or arbitration (or their presence as a threat) are useless; only that, again, they are less of a threat as one might suppose.

Previous to this study, Delaney and Feuille (1984) explored various aspects of arbitration as applied to police unions. Unlike previous (and even later research projects), in this one, Delaney and Feuille (1984) differentiated between arbitration procedures. Specifically, they delineated 'conventional' from 'final offer with package selection' from 'final offer with issue selection'. Conventional arbitration gave wide discretion to the arbiters. 'Final offer with package selection' arbitration gave arbiters the least amount of discretion. 'Final offer with issue selection' was in the middle of the convention and final offer with package selection arbitration in terms of the restrictions imposed on the arbiter. In their study of 1015 cities with populations larger than 25,000, they observed 343 arbitration awards from 16 states. 'Conventional' arbitration represented the overwhelming majority (207) of these awards. Further, most dealt with salaries or other economic-centered issues (such as benefits). Lastly, unions were involved in proposing changes in arbitration significantly more than other entities, such as management. Delaney and Feuille (1984) concluded with four observations. First, for the most part, arbiters have wide-latitude in terms of what it is that they decide to do. Second, there is a lot of issues that arbiters deal with – too much, according to the authors. This may put an undue strain on their profession beyond what was originally expected. Third, most of the issues considered money. And lastly, most arbiters do not like to engage in policy rewrites. Rather, they try to limit the impact of their decisions. From this research, it can be deduced that unions may utilize arbiters effectively, as a viable alternative to collective bargaining, but only so far.

This was demonstrated by the New Jersey police department in the 1970s, as reported by Bloom (1981). Bloom (1981) conducted a case study on the New Jersey police department and observed its active use of final offer arbitration and its effects on police officer salaries. Ultimately, he concluded that those awards acquired through the use of arbitration are no less nor more than those acquired through conventional arbitration, or even those settlements which did not utilize arbitration. This suggests that unions are less of a threat, regardless of their chosen venue, than one might have feared, given the awesome potential for chaos which they wield.

Collective bargaining and arbitration are not the only tools available to police unions and organizations. As already discussed, so-called multilateral bargaining occurs when police unions involve themselves in the political process through lobbying and other efforts. Chandler and Gely (1995) explored whether or not such political activity was actually effective in raising the salaries for police patrol officers. To do this, they utilized a national sample of 614 cities of 25,000 or more, and observed the political actions and results of both police unions and firefighter unions between 1978 and 1988. They theorized that if these unions could politically raise the demand for their services, than they could succeed in raising their wages. Ultimately, this held out. Further, they found that unions could use this multilateral bargaining technique to increase the amount of employees in their workforce. As previously discussed, the presence of laws favorable to collective bargaining were a strong determining factor in its effectiveness, including on a multilateral basis. This means that in those states where laws were amenable to collective bargaining, the police (and firefighter) salaries and employment numbers were fairly high. While collective bargaining on the part of the police union solely may not be an actualizable threat, it is possible that this multilateral collective bargaining through political lobbying may indeed give police unions a voice in policy and money issues.

Finally, this relationship between laws and the effectiveness of bargaining was explored by Schwochau, Feuille, and Delaney (1988). Using data collected from 1071 cities with populations of 25,000 or more for the years 1970 and 1981 (giving us a healthy cross-section of both the end of the professional era and the beginning of the community era), they reaffirmed what others had asserted: that bargaining laws had a direct impact on the effectiveness of bargaining actions. What these authors added to the literature was the statistically significant observation that even in times of economic scarcity, those cities with collective bargaining laws amenable to collective bargaining had police units who had proportionately higher salaries than those cities without such amenable collective bargaining laws. These observations about the relationship between law and effectiveness in terms of collective bargaining go a long way in explaining the continued use of collective bargaining among police unions, despite literature contradicting its usefulness.

## Conclusions

According to Juris and Feuille (1973), actions from police unions in the 1960s posed a significant challenge and even danger to the future of police/government relations. They were particularly concerned not only with collective bargaining, but the potential threats that accompanied collective bargaining, such as strikes and multilateral approaches (for example, lobbying and using political allies, such as that described by Schachter [1980]). This fear is pronounced in the repeated phrase utilized by Juris and Feuille (1973) in referring to police union action: *police militancy*. This specter has not materialized. Rather, collective bargaining remains at once a viable, if negligible, option for police unions wanting to increase wages, affect policy, or receive recognition as meaningful organizations in the eyes of management and command staff. Also, a community may not have a local police union, limiting any diffuse effects from the collective bargaining activities of other police unions. It may be that the political climate as it relates to police unions and collective bargaining, in tandem with economic stability, are more predictive of a union successfully reaching its goals through whatever venue, than the actions of the union itself. Nevertheless, unions remain an important part of policing in fostering an identity and unified purpose, regardless of their policy goals and political actions.

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