



# Improving Government Through Labor-Management Collaboration and Employee Ingenuity

By Erin Johansson

# Foreword

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**The key to success is management and labor leaders who empower frontline workers and supervisors to discover ways to work smarter and eliminate inefficiencies.**

**A**t a time when public service workers and their unions are under attack from some state and local government officials, it is encouraging to see an alternative approach taking hold. Increasingly, progressive labor unions and government agencies are putting state-of-the-art collaborative tools and processes to work to improve both productivity and quality of services. In doing so, they are also reducing staff turnover and bettering the working experiences of public employees. Together, they are demonstrating the power of partnerships that, if adopted by comparable agencies and unions, will help transform antagonistic, outmoded and inefficient labor relations models.

The examples of collaborative efforts described in this report span federal, state and local government units located across the country. The range of problems addressed is extensive, from reducing health-care costs to efforts to implement new technologies in order to reduce waiting times for clients. Unions are also increasingly working in coalitions to tackle issues that cut across bargaining units such as improving health and wellness. The key to success in these endeavors is determined by management and labor leaders who are willing to empower frontline workers and supervisors to discover ways to work smarter and eliminate inefficiencies.

We see this happening firsthand across school districts in Massachusetts that are participating in the state-wide Massachusetts Education Partnership as well as similar joint initiatives across the country. The student achievement gains generated when all stakeholders—school committee members, superintendents, union leaders, teachers, parents and other community representatives—focus together on improving student achievement are exceptional and ripe for modeling.

All of these cases give us hope that we are entering a new era in which labor-management relations lead the way to both improved public services and improved work-life experiences for public servants. The status quo is no longer sustainable for workers, employers and taxpayers. We urge all government officials and union leaders to read these cases and catch the wave.

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***By Thomas Kochan, Professor of Management, MIT, and Barry Bluestone, Founding Dean, School of Public Policy and Urban Affairs, Northeastern University***

# Introduction

This report profiles a wide range of public employees and their unions working collaboratively with management to improve the way government runs. At all levels of government—from federal agencies, to public universities, to municipalities—public managers are turning to employees for innovative solutions to vexing problems. How does a public library maintain its critical services in an economic downturn? How can naval shipyard mechanics improve their productivity? What are the training needs of school employees who work with developmentally disabled schoolchildren? How do multiple stakeholders prepare for major changes to the provision of mental health care? As examples highlighted in this report demonstrate, these questions are often best addressed when management, employees and their unions tackle them together.

The successes, and difficulties, of labor-management collaboration have long been the subject of scholarly research. In the mid-1990s, then U.S. Secretary of Labor Robert Reich created a task force that examined public sector collaboration. In the task force’s report, he concluded that “employee participation and cooperation between labor and management offers state and local government an unparalleled opportunity to improve delivery and quality of services.”<sup>1</sup> Subsequent reports have captured the ways in which cooperative relationships improve how government functions.<sup>2</sup> More recently, scholars have examined labor relations in public schools, documenting how partnerships between teachers unions and school administrators have led to improved school performance.<sup>3</sup>

There are numerous examples of labor-management collaboration in the private sector as well. Scholars have documented the many positive outcomes, as well as the challenges and complexities, in recent research on the airline and health-care sectors.<sup>4</sup> There is also a long history of labor and management working together to reorganize manufacturing processes and make U.S. companies



Photo credit: U.S. Navy photo by Richard Chaffee/Released

globally competitive.<sup>5</sup> As documented on pages four and five, the United Auto Workers is even working with public managers to apply the lessons learned from the auto sector to the provision of government services.

While the topic of labor-management collaboration in the public sector is well-trodden territory for research, many of the examples of such efforts are now outdated and fail to capture the experiences of government agencies that have been under extreme pressure to cut costs in the wake of the Great Recession. I’ve captured this recent public sector experience through interviews with 25 representatives from management, unions and employees. Based on these interviews, I’ve focused this report on five areas of collaboration or employee involvement:

- Finding efficiencies;
- Improving or maintaining customer service in the face of fiscal woes;
- Reducing health-care costs;
- Training a quality workforce; and
- Proactively addressing major policy shifts.

The report concludes with some broader lessons that can be applied to a range of public and private organizations.



# Finding Efficiencies

*When public managers tap the firsthand knowledge of their employees, they can find ways to improve the way government runs, with obvious benefits to taxpayers, as well as to employees themselves.*



Photo credit: Mass Communication Specialist 3rd Class Will Tyndall/Released

*Naval officials tour the Puget Sound Naval Shipyard.*

## Naval Sea Systems Command & Metal Trades Department, AFL-CIO

The Naval Sea Systems Command (NAVSEA) is a division of the Navy whose mission is to “design, build, deliver and maintain ships and systems on time and on cost for the U.S. Navy.”<sup>6</sup> Soon after retired Vice Admiral Kevin McCoy began as commander of NAVSEA in 2008, he worked with Ron Ault, president of the Metal Trades Department, AFL-CIO,<sup>7</sup> to organize a Labor-Management Council, including top NAVSEA officials and leaders of the many unions that represent NAVSEA employees. Upon the launch of the Council in April 2010, McCoy offered, “This council is not lip service just to make critical changes happen in our work processes. We embark on this endeavor in the spirit of trust and collaboration to work together and find mutual ground to accomplish building a more efficient and cost-effective Fleet.”<sup>8</sup>

After the council began meeting, Ault and his fellow union leaders proposed the Hour-a-Day initiative, where employees would work with management to find an extra hour a day of productivity for tens of thousands of people who work on the shipyard decks. The proposal was intended to save billions for taxpayers with improved

productivity. Yet as Ault noted, employees would also benefit with a sense of ownership over their work: “You have the ability to contribute more than just your hands. You can use your brains. And you have the satisfaction of knowing you’ve done a better job because of your own input.”<sup>9</sup> In July 2011, the council adopted the program, and by that fall, labor-management teams began discussing how to approach the initiative. They decided to develop pre-packaged kits for mechanics, tailored to include the very specialized set of materials and tools needed for a given job. These kits both reduced the time that mechanics spent running back-and-forth to find the right tools to do their jobs and ensured that the jobs didn’t require reworking because they weren’t performed with the precise equipment needed.

Rebecca Tittle, NAVSEA’s labor and employee relations director, recalled how the development of these kits and other ideas inspired an expansion of the program: “People became so excited because they saw their ideas being vetted, then adopted. Investment was made to implement them. We told the workforce that we wanted to institute a culture where ‘you can fix it—you can change it.’ We went to tour facilities, and it was so rewarding to hear the workers. They were so excited, which made us more excited. They wanted to do more, now we wanted to do more. It really took off in the past couple of years.”<sup>10</sup>

NAVSEA was so impressed with the pilot effort that it expanded Hour-a-Day to cover 8,000 employees on the four shipyards. Tittle is part of the effort to ensure that the employee engagement through the process of making pre-packaged kits is replicated at all levels of NAVSEA. She attended a ribbon cutting to open a trailer at a shipyard where employees can bring their ideas for improving their work to union officers. Two years into the program, Ault notes that “we’re just now scratching the surface. As this is implemented deeper and deeper ... [it] has huge implications. The quality of work now is much, much higher. Reworks are happening much less. Ship schedules are now being planned for improved productivity.”

## U.S. Patent and Trademark Office and the Patent Office Professional Association

Peggy Focarino, the commissioner for Patents for the U.S. Patent and Trademark Office (USPTO), recalls the point in 2009 when labor and management decided to move away from a long contentious relationship and start working together: "USPTO was an agency in crisis. If you looked at our backlog and criticism of the long wait times applicants have for their patents to be examined, it was difficult to see the trend going downward. It was clear to both sides that we needed to try new ways of doing things."<sup>11</sup> According to Robert Budens, president of the Patent Office Professional Association (POPA), a key frustration among the patent examiners they represent was that they needed more time to review patent applications.<sup>12</sup> The last time the USPTO adjusted review times was 1976, and as Budens notes, advances in technology and complexity of applications required lengthier analysis.

When David Kappos took over as head of the agency in the summer of 2009, he directed Focarino, Budens and other representatives of management and labor to hole themselves up in a room they called the "bunker" in order to develop a new system for patent application reviews. The Count System Initiative they developed, which measures the productivity and output of patent examiners, involved several new elements:

- Examiners were encouraged to conduct early outreach to patent applicants to reduce rework of the application;
- More time was provided for examiners to review applications;
- Changes were made in how examiners were credited for the work they did; and
- New incentives were created to reward examiners who performed quality work or a higher output.

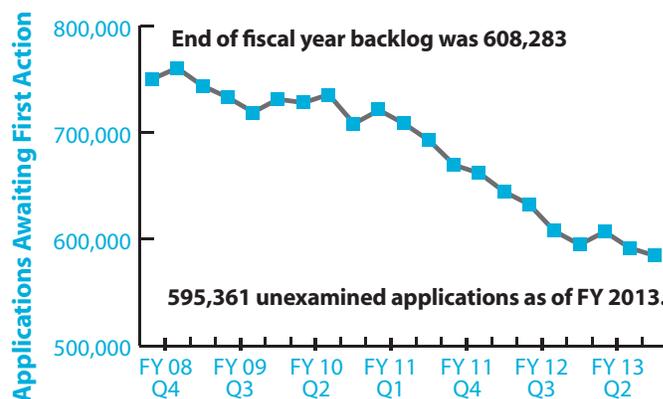
Regarding the backlog of patent applications, Focarino noted, "Giving more time is counterintuitive. But what happened because of incentives and the shifting of work credit is that [examiners] produced more work."

The impact of the new Count System Initiative is clear from the chart on the right. Despite a steady increase in unex-

amined applications every year since 2009, examiners reduced the backlog of applications by 20 percent between 2009 and 2013.<sup>13</sup> While these results are clearly beneficial to patent applicants, Focarino and Budens both assert that collaborative labor-management relations and the resulting Count System have improved morale at the agency. Between 2007 and 2012, USPTO climbed in the rankings from 172 up to five in the Partnership for Public Service "Best Places to Work in the Federal Government" survey. Focarino has also seen a huge decrease in employee turnover, which she noted was approximately 3.8 percent in 2012, down from what had been double-digit attrition rates 10 years ago. Given the extensive amount of training the USPTO invests in its patent examiners—with Budens estimating a minimum four-year learning curve for a new examiner to become a primary examiner able to work independently—reducing turnover is clearly a cost-saving outcome.

Since the success of the Count System Initiatives, labor and management continue to collaborate on other issues. This collaboration, according to Focarino, has enabled the agency to become more nimble and respond to rapid changes, such as provisions in the America Invents Act that encouraged the streamlining of patents for technologies that could improve the economy. "Having that relationship [with the union] has allowed the agency to be creative and try a lot of different things. And the union and examiners know if something is tried and is not working well, that we will redirect and refine and even stop [pilot programs]."

### Unexamined Patent Application Backlog FY 2009–2013



Source: USPTO data available upon request.

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## Federal Aviation Administration and the National Air Traffic Controllers Association

In 2006, the Federal Aviation Administration (FAA) and the National Air Traffic Controllers Association (NATCA) launched the En Route Automation Modernization (ERAM) initiative to replace the 40-year-old operating systems used by the 20 Air Route Traffic Control Centers. ERAM is part of the NextGen program to modernize the national airspace. According to Jim Ullmann, National Air Traffic Controllers Association (NATCA)'s Northwest Mountain regional vice president, the initial launch was a “disaster ... they didn't get accurate information from the people who put their hands on the equipment day in and day out.”<sup>14</sup> In 2009, leadership from NATCA and the FAA decided to tackle the ERAM initiative with an approach that allowed frontline employees to have more input.

The FAA and NATCA developed a national team of 40 people—one union and one management representative from each of the 20 facilities—to seek feedback from all of the facilities regarding operational procedures. Because ERAM is a national program, the team then had to develop adaptations or fixes that would work for all 20 facilities. Employee input also surfaced issues in the implementation of the software changes. According to Jim Linney, deputy director of Air Traffic Systems of the FAA, “As we were deploying software changes, our discussions with NATCA showed that we needed to decide on a national level which changes should go in which packages. This avoided conflicts that may arise from different sites needing different things.”<sup>15</sup>

Since the FAA relaunched the ERAM program in 2011 with the help of NATCA and its members, the agency has been able to roll out the new ERAM technology at 17 of the 20 Control Centers. Linney credits the collaborative process: “None of this would've been possible without an improved relationship with our union partners ... the [joint team's] efforts have saved millions in software development and countless hours that might have otherwise been lost if we had implemented changes without these processes.” Ullmann felt they were able to acquire the buy-in needed from frontline employees through the collaborative process: “You can't have second-guessing when the people in the room are making those decisions.”

The Overland Resource Group, which consults with teams of labor and management, describes how the national collaborative relationship between the FAA and its major unions, NATCA and Professional Aviation Safety Specialists (PASS), has filtered down into more regional initiatives. In Charlotte, N.C., the FAA, NATCA, PASS and several airlines are working together to improve air traffic control. Cathy Wright of Overland commented that, “The FAA estimates the more efficient routes created through this collaborative partnership will equate to 6.6 million fewer gallons of fuel, and a reduction of 65,000 metric tons of carbon emissions each year.”<sup>16</sup>

## Michigan Department of Human Services and the United Auto Workers

The United Auto Workers (UAW) union and its members have long partnered with automakers to develop “lean manufacturing” techniques that would help boost the competitiveness of North American plants. The union has sought to apply these lessons towards the other sectors it represents. In 2011, UAW Local 6000, which represents employees of the State of Michigan, approached the state to try using lean techniques as a way to improve government services. The state decided to proceed with a pilot project that would attempt to decrease lobby wait time at the Department of Human Services (DHS). RTD Solutions, a lean consulting firm, was hired to work with an initial group of managers, employees and union representatives to develop the pilot. Kalamazoo and Warren/Connor in Detroit were chosen for the pilot because they had staff and management that demonstrated the strongest commitment to work together to solve problems.

The pilot program involved an initial joint training for a full week with selected staff and managers. The lean team observed what happened in the lobbies to understand sources of delay, and frontline employees offered their perspectives from firsthand experience. Wayman Neal, a longtime DHS employee, noted that he and other veteran employees who volunteered for the project were skeptical that management would listen to them and implement their ideas.<sup>17</sup> Yet after many productive discussions with the team of managers and consultants, he and others put their concerns aside and were ready to commit to the project.



The lean team found that work was often duplicated among administrative support and human services staff. As a result, they created a new role for caseworkers to rotate as lobby greeters, directing clients to where they needed to go, as well as guiding them to the kiosks when they didn't need to meet with a caseworker to fulfill their needs. Once the Lobby Management Project recommendations were implemented, the results were dramatic:<sup>18</sup>

- Prior to the project, lobby wait time averaged three hours and nine minutes at the Kalamazoo office, and three hours and five minutes at the Warren/Connor office. At the end of the project, wait time was under 30 minutes for Warren/Connor and just over 30 minutes for Kalamazoo;
- The average time that clients were in the building (in and out of the door) was reduced from 90 to 45 minutes; and
- Caseworkers could more effectively use recouped time to work on back-end processing of applications.

Ultimately, DHS decided against utilizing the joint lean techniques that led to the success of the pilot projects. According to the UAW, DHS instead continued the roll-out unilaterally, with orders coming from management informing workers what they would do to incorporate the Lobby Management Project in their offices.<sup>19</sup> However, in the pilot offices, union members and management continue to use the techniques they were taught to further improve on the initial plan they developed. Through negotiations with the state of Michigan, the union continues to seek the commitment necessary to deliver more efficient and quality services to the residents of Michigan.

## Cross-Training and Other Innovations

Tapping the expertise of employees to improve how government works doesn't have to be a federal or state undertaking. Kent Korman, business agent for the International Union of Operating Engineers, Local 49, works with 15 labor-management committees for different cities within the Twin Cities region.<sup>20</sup> One committee recommended that the collective bargaining agreement be revised to move all of the operating engineers into the same classification. Managers were running into problems on a work-site during weekends or off hours when the work couldn't

proceed without certain classifications of workers present. Once these changes were agreed upon through bargaining, employees were all given raises and were cross-trained to perform all of the types of work needed. This enabled the work to go more smoothly, as managers didn't have to ensure that every classification of operator was present on the site in order to get the job done. Additionally, it led to fewer grievances by union members, charging that they were performing work that was out of their classification.

In Washington County, Utah, Doug Drake of the American Federation of Teachers Local 6032 approached the Washington County School Board and asked if he could administer a survey of drivers in order to understand their concerns and hear their ideas for improvement.<sup>21</sup> The drivers raised a number of issues: inconsistent policies with children boarding buses without passes; communications from the district didn't reach all of the drivers; buses weren't cleaned often enough; and buses broke down frequently because mechanics were often used to fill in as drivers. The Washington County School District reviewed and responded to the results of the survey by changing their management structure to give the transportation operation more focus. Three years after the survey, according to Drake, the drivers and the district have now developed a more trusting relationship: "Anytime there's a problem, I contact HR and go from there. [The survey] was a positive thing—even the board felt it was."

Launi Harden, transportation administrator with the Washington County School District, appreciates what she calls an "open line of communication" she has with Drake and the drivers he represents.<sup>22</sup> Earlier this year, the district approved a new policy guiding school field trips. With the support of the district, Harden met with Drake and several drivers over the course of 18 months in order to hammer out the policy. According to Harden, "I couldn't have made it through the changes without AFT's suggestions and time." The new policy, which Drake called a "win-win" for both drivers and the district, eliminated inconsistencies in how drivers were paid for their time and avoided situations where drivers worked excessive hours without proper breaks. The policy also eliminated situations where a new driver was required to drive students back because the original driver reached his or her hours limit for the week.

# Maintaining Critical Government Services in the Face of Fiscal Woes

*The Great Recession devastated state and local budgets across the country. Many government agencies laid off employees to address budget gaps, which led to reductions in critical services provided to the public. Yet labor and management have also worked out solutions to address budget gaps without layoffs and substantive reductions in services.*

## Cleveland Public Library and Service Employees International Union

Debbie Hajzak, a Cleveland Public Library (CPL) assistant and Executive Board member of the Service Employees International Union (SEIU) District 1199, recalled that the labor-management relationship at the library had been quite dysfunctional, leading employees to engage in a one-day strike on National Library Workers Day in 2004.<sup>23</sup> Shortly after that, both sides agreed to seek help from the Federal Mediation and Conciliation Service (FMCS), the federal agency that handles labor-management disputes and helps facilitate cooperative relations. The FMCS worked with them to address the constant strife, grievances and pending unfair labor practices. By the time Cleveland's budget was hit by the 2008 economic downturn, labor and management were in a place to approach the crisis collaboratively and avoid layoffs.

Through 2009 negotiations, CPL and the union established a system for transferring employees across libraries and implemented a wage freeze and furloughs. According to Hajzak, "We did what we needed to do to regroup and ride out worst of financial situation without layoffs." Since the changes implemented in 2009, there have been nearly 50 transfers that have "happened without a hitch." Cindy Lombardo, CPL's deputy director and chief operations officer, felt that the "silver lining of the economic downturn [is that it] has forced the organization to stop and take stock and start to put our energies on things that are really, really important. ... When we're not investing energy in fighting one another, we can take that energy to improve public services."<sup>24</sup>

Public libraries across the country have responded to recent fiscal woes by cutting staff, trimming hours and closing locations. By avoiding layoffs, CPL only needed to cut Sunday hours. As Hajzak notes, maintaining public access to libraries was even more critical during the economic downturn: "People out of work need computer access and

information on how to go back to school. Our services were more in demand as our budget was cut."

## City of Phoenix and Coalition of Phoenix Unions

The Coalition of Phoenix Unions is a group of representatives from unions representing firefighters, police, professional staff, maintenance employees and others who work for the City of Phoenix. According to Ron Ramirez, chairman of the coalition, the group approached the city a couple of years ago to come up with a solution to address the severe budget gap, including wage cuts and furloughs, in order to avoid layoffs.<sup>25</sup> The city agreed to the coalition's approach, and with the budget gap significantly smaller, furloughs are being phased out now.

With a constructive relationship established between the city and its employees' unions, the city created an Innovation and Efficiency Task Force, which Ramirez serves on as a union representative, alongside citizens and city managers. The idea behind the task force, according to Ramirez, is to bring more stakeholders into the process of improving the way the city is run. According to a 2012 report of the Phoenix city manager to the city council, the task force has generated \$59.7 million in annual savings since it was formed at the end of 2009.<sup>26</sup> In one example, city water employees figured out a way for the city to comply with an Environmental Protection Agency rule by only spending \$15,000, as opposed to the \$340 million solution posed by consultants. City of Phoenix Budget and Research Director Mario Paniagua writes in the report, "This innovative thinking by city employees not only provides great service to the community but also saves money that helps keep the City of Phoenix water and sewer rates among the lowest of large cities nationwide."<sup>27</sup> The city plans to continue the task force, with a goal of finding \$100 million in savings by 2015. As Paniagua notes, "The changes have helped reduce costs substantially while maintaining or enhancing the city's delivery of services."

# Tackling Rising Health-Care Costs

*Rising costs in health care are causing public employers to scramble to find ways to trim an increasingly large percentage of budgets. Yet cutting costs often means employees shoulder the burden of reduced coverage, unaffordable premiums and higher co-payments. In the following examples, by working in collaboration, labor and management are developing ways to bring down costs without undue burden on employees.*

## Ohio State University and the Communications Workers of America

An increasingly common way for employers to control rising health-care costs is to implement wellness programs, with the notion that encouraging employees to improve their health and reduce chronic ailments related to obesity, high blood pressure or diabetes leads to reduced health-care costs for employers and reduced premiums for participating employees. Ohio State University (OSU) initiated a voluntary wellness program several years ago and decided to approach its longstanding labor-management committee with the Communications Workers of America (CWA) to think through implementation. David Simpson, manager of labor relations at OSU, asserts by collaborating with CWA, “union employees identified barriers to participation” in the wellness program.<sup>28</sup> In the past four years, he notes that union participation in the wellness program quadrupled, while the rest of the university population saw increases that were not as dramatic.

CWA Local 4501 President Rich Murray recalls that he and other union members had some initial concerns with the program, but after the labor-management committee initiated a series of information sessions with nurses and benefits departments, “[CWA members] became the biggest champions across campus. I think some of our leaders were known to be against it, but they converted quite organically.”<sup>29</sup>

## City of Independence, Ohio, and Multiple Employee Unions

In 2011, FMCS worked with the newly formed Health Care and Benefits committee formed between the City of Independence and the three unions representing employees (International Association of Fire Fighters, American Federation of State, County and Municipal Employees (AFSCME), and the Fraternal Order of Police Ohio Labor Council). The committee reviewed options for decreasing health-care costs without compromising employees’ health-care coverage. Joe Lubin, the city’s human resources director, recalls how he “shared as much info as we had on finances and where we were going. We said we can’t sustain these numbers going forward. Was it warm and fuzzy and met with open arms? No, but at the end of the day we determined we’re all in this together.”<sup>30</sup>

In early 2012, the city implemented some of the reforms recommended by the committee, including changes to the plan design and the introduction of a wellness program. Employees who participate in the wellness program take a physical, they have their biometrics collected, and they fill out a contract pledging to improve their health, fitness and other indicators of wellness. Health providers have been brought in to educate employees on their health. In exchange for their participation, employees had their health care premiums reduced. To date, 149 out of 166 people eligible have opted to participate.<sup>31</sup>

According to AFSCME representative Chuck Wolf: “Most of our employees have bought into it. ... I think this is a trend. Wellness has to be part of the equation. You get insurance, you’re involved in accidents, you pay more.”<sup>32</sup>





Photo credit: Cleveland Public Library Feeling Incredible Together (FIT)

*Cleveland Public Library employees engage in wellness activities.*

Since the health-care changes are still newly implemented, the City of Independence doesn't have information on savings yet, though Lubin estimates that they have saved two to three percent in health-care premiums from changes to the plan design. But members of the committee have already undergone changes from the wellness program—some losing 40 to 50 pounds. According to Lubin, "What's most exciting is that people have taken ownership of certain pieces of it. Members of the police department are...researching motion bracelets. From an HR perspective, it makes my life so much easier to have advocates out there speaking the same language."

### **Charlotte County, Fla., Public Schools and Charlotte County Support Personnel Association**

Several years ago, in response to rising health-care costs, the Charlotte County Public Schools held multiple meetings with the unions representing teachers and other school employees to review their options. They decided to become self-insured, with a high deductible plan and their own health clinic, which would service school employees and their families. Barbara Melanson, assistant superintendent, describes how getting to that point "took a lot of meetings and a leap of faith for unions. We changed our plans, went to high deductible plans, and they were willing to stand with us to get [costs] under control... We decided to jump in with both feet. We became self-funded."<sup>33</sup>

The health clinic is free for employees and their families. It's open six days a week, with hours that adjust to accommodate varying work schedules. According to Bonnie Bistarkey, president of the Charlotte County Support Personnel Association, "[The clinic] gets positive feedback now. When it first opened, we had a hard time getting the right schedule. It took time to iron it out, but now it runs smoothly... There's never a waiting period. You're called in at your appointment time and all of your needs are met."<sup>34</sup> The clinic includes a wellness component with every visit, and employees pay \$50 less per month in premiums if they participate in the program. Melanson credits the continuous input from the unions in the success of the program: "Unions and employees don't take change well. They like going to their own doctors. But they have come around, and the union sings the praises of the clinic. I was invited to give a presentation to the [American Federation of Teachers] conference about the program. We couldn't have done it without them."

### **Cleveland Public Library and Service Employees International Union Local 1199**

As noted on page six, the Cleveland Public Library (CPL) and SEIU Local 1199 have tackled budget issues collaboratively, including rising health-care costs. In 2012, they decided to change providers and implement a wellness plan to reduce their premium costs by meeting certain health metrics. The labor-management team worked together on the rollout of the program and jointly hosted information sessions. They also created a labor-management committee, Feeling Incredible Together, who, according to union representative Debbie Hajzak, "are a motivated, excited and diverse group of staff members from both labor and management who coordinate and support wellness and fitness activities system-wide." With the implementation of benefit changes and a wellness program, CPL has saved an estimated \$500,000 in health-care costs between 2010 and 2012.<sup>35</sup>

# Training and Professional Development

*Training and professional development has obvious advantages for employees, yet public employers can reap the benefits of a more trained and quality workforce. Public employers also see the value of having union and employee input in the development and implementation of training programs.*

## Ohio State University and Communications Workers of America

Like many employers, Ohio State University (OSU) is capturing more of its employees' human resources information online, such as leave reporting, timekeeping and benefits data. Yet as CWA representatives raised through labor-management committees, many of their members have neither access to a computer at work, nor are they computer literate. As Rich Murray of CWA noted, "The university is going more and more paperless, so we thought there was a need for membership who didn't work in front of a computer to have a portal where they'd familiarize themselves with everyday computer skills."<sup>36</sup> In 2012 contract negotiations, OSU agreed to set aside funding to improve computer literacy and computer access for CWA members. The labor-management committee is now advising OSU on how to spend the funds—whether on kiosks or training, based on the needs of the membership. Murray hopes that through this program, OSU will have the immediate benefit of being able to widely implement the move to HR technology, and their members will gain the long-term benefits of acquiring computer literacy.

## Charlotte County Public Schools and Charlotte County Support Personnel Association

Based on the success of a professional development program for teachers at Charlotte County, Florida (see page eight), the school support personnel approached the

district with a proposal to create a professional development program just for school support staff. By 2010, the joint team of school administrators and officials from the Charlotte County Support Personnel Association (CCSPA) launched the Charlotte Academy for School Employees (CASE). School support staff who wish to develop skills to enhance their jobs, or to move into more professional positions, initially pay for the classes they take through CASE. Once they complete a tier of classes (there are four tiers), they earn an increase in their pay through a provision built into their union contract.

CASE covers a wide curriculum, including how to work with developmentally disabled children, computer skills, and a class on improving communication. Bonnie Bistarky, president of CCSPA, has heard from bus drivers and food service workers that they've made good use of the classes in addressing student behavior—learning how to redirect misconduct toward more positive behavior.<sup>37</sup> Barbara Melanson, assistant superintendent of Charlotte County Public Schools, also sees the benefits of CASE: "It helps employees be better at their jobs—getting quality training that was job specific. They were invested in getting it because they pay for it as it occurs. And it's really helped us with developing employees, so when promotional opportunities come along, we have our own people who have job-specific training ... to be able to move into those positions." Melanson noted that even a few paraprofessionals have been able to gain the training necessary to move into teaching positions.

# Proactively Addressing Major Health-Care Changes

*Massive changes are afoot in the provision of health care. The Affordable Care Act has huge implications for hospital reimbursements, and a movement to deinstitutionalize mental health care has slowly been underway since the 1999 Olmstead Supreme Court decision. Public employees and their unions who are on the front lines of health care are proactively stepping up to offer their insights in response to these external changes.*

## Colorado Workers for Innovative and New Solutions

In 1999, the U.S. Supreme Court ruled in *Olmstead v. L.C.* that segregating people with mental illness or developmental disabilities into institutions, when they could receive the care they needed in a community-based setting, was discriminatory under the Americans with Disabilities Act.<sup>38</sup> Colorado runs three such institutions, known as Regional Centers (RCs), that are slowly moving residents into community-based care. Colorado Workers for Innovative and New Solutions (Colorado WINS) is a union representing state employees, including the health-care professionals who work in RCs. According to Timothy Markham, an attorney for Colorado WINS, the union sought to engage its membership to proactively work with the state and other stakeholders to address the impact of *Olmstead*: “The state assessed 300 people and decided that 126 are ready to go [into community-based care] if they want to—and most want to. We see what’s coming. With Regional Center care going way down, that could lead to job loss. [Colorado WINS President Scott Wasserman] last summer said ‘This change is coming, so we need to get out in front of this and help guide this process and be a progressive partner.’”<sup>39</sup>

Colorado WINS organized a workshop in May 2013 of members in three facilities. They spent the first day assessing the value of RCs, concluding that the highly trained and specialized staff fulfilled a role that could be complementary to community-based care and fulfill a vital need. On the second day of the workshop, community allies and staff from the Colorado Department of Human Services (DHS) joined the members in a dialogue. Markham recalled that the “community and department came away with an understanding that our workers want to be part of the process and helpful,

and that RCs can be utilized to fill gaps for specialized care and transitioning people [out of institutions].” At the end of the session, participants developed a vision statement.

Julie Farrar, a policy analyst for Developmental Disabilities Council, part of the Colorado DHS, participated in the workshop. She suggested looking into the model Vermont has used, where community-based caregivers remain public employees, retaining a higher level of skill, pay and benefits than is typically provided in community-based settings: “I would like to see this work in a way that’s not keeping the institutions open just to save jobs. Regional Center employees understand that the shift to community-based care is inevitable, but that given the exploding demand for long-term care, they still need to be valued. I think they are good stewards of that message.”<sup>40</sup>

Daria Evangelista, is a program therapy assistant at an RC and a member of Colorado WINS. She attended the May



Photo credit: Colorado WINS

*Regional Center employees meet with Colorado DHS representatives.*

workshop and continues to serve on the union's RC subcommittee. She feels it's critical that state employees have a voice in the process: "RCs provide the highest level of care for people who are at risk—with more behavioral issues and medical issues. . . . Training has to be maintained. We could be a resource to train community providers. We have professionals who've been working with this challenging community for a long time."<sup>41</sup> Colorado WINS continues to talk to members to assess their support of the vision statement. At the same time, the union and its RC subcommittee remain engaged with the state and other stakeholders, exploring policy options related to the transition, such as how they could maintain Medicaid funding to ensure a baseline of services at the RCs.

### Harlem Hospital Center and Its Labor Caucus

A coalition of unions at the Harlem Hospital Center (HHC), a publicly owned hospital in New York City, decided in early 2013 that they needed to work proactively to ensure the future financial viability of the hospital. Given changes to hospital reimbursements under the Affordable Care Act (ACA), along with reductions in Medicaid reimbursements instituted by New York State, union members felt they needed to sound an alarm to the wider hospital community about these budget constraints. The Labor Caucus of HHC, which includes AFSCME, New York State Nurses Association, and unions representing doctors, residents, interns and a wide variety of hospital staff, began organizing educational meetings for hospital staff over the summer in 2013. According to social worker and caucus co-chair Nate Franco, the message they delivered at these meetings was that "the funding problem is real, and it's not getting better anytime soon, unless we get city to contribute the money needed. . . . We're trying to let folks know that there's not an easy way out of this. . . . We think of this as a long-term struggle to build the support needed to increase funding. We need to have community support."<sup>42</sup>

To begin building that community awareness of the budget crisis, Franco and several of his co-workers attended a local event Harlem event where they circulated among hospital neighbors to talk to them about the budget crisis and how they could get involved. Crystal



*Harlem Hospital Center union representatives tabling on health care at a community event.*

Edwards, a clerical staff person at HHC and co-chair of the Labor Caucus, felt that they hit on an important topic: "As far as the two forums, we're doing something right. People in the neighborhood keep asking me when we're having another one."<sup>43</sup> While the Labor Caucus continues to pursue a proactive effort to win long-term fiscal sustainability for HHC, their efforts have not yet been embraced by HHC management. Though they have a labor-management committee in place, both Franco and Edwards felt that the committee still needs to develop the kind of trusting relationship required to approach issues collaboratively.

Barbara Edmonds, director of field operations for AFSCME District Council 37, noted that the union and HHC have a history of working together and is more hopeful that the unions' initiative will ultimately be embraced by management: "As a coordinator of the Joint Labor-Management Program covering 12 acute care and long-term care hospitals, I continue to work with the joint labor-management programs to educate, engage and empower labor participants in these challenging times to work together with management to provide quality patient care for all, to improve worker morale through joint programs and initiatives and to engage the communities we serve in positive health-care advocacy and outcomes. The Harlem Hospital Labor Caucus Affordable Care Act Education and Outreach Program is a wonderful example of this new transformation in labor and management relations, which we hope to see embraced by management and the community in the near future."<sup>44</sup>

# Lessons Learned

*Here is an overview of advice for public employers and unions to consider from the labor and management representatives who were interviewed for this report:*

## Building Trust and Open lines of Communication

“Trust leads to sharing information. Sharing information leads to better solutions to the problems.”

–Robert Budens, President, Patent Officers Professional Association

“It helps HR for us to filter information that’s not there for them all the time. It keeps them closer to where the rubber hits the road.”

–Rich Murray, President, Communications Workers of America Local 4501

“The assumption of good intent is the way to start any dialogue. You must discuss, have a dialogue, and then reach a decision—in that order. Without discussion and dialogue, the decision is weightless, and you are unlikely to institute true, meaningful change.”

–Jim Linney, Deputy Director of Air Traffic Systems, Federal Aviation Administration

“The [labor management committee] is a safe place to be and talk openly. You know what is said at the table stays at the table. Don’t let non-committee members report back on the results of a meeting.”

–Joe Lubin, Human Resources Director, City of Independence, Ohio

“There are always going to be things you can’t fix. Sometimes you just agree to disagree. It’s not a Pollyanna thing.”

–Barbara Melanson, Assistant Superintendent, Charlotte County School District

## Acquiring Top-Level Support for Collaboration

“Having a member of the [City] Council on the committee helps. With buy-in from the council member on the committee, that person is then your advocate. You don’t have to go and sell the project twice.”

–Joe Lubin, Human Resources Director, City of Independence, Ohio

“We’ve had problems with committees when they’re not trained, or when they take on projects not supported by leadership. One went awry when they tried a compressed work week. The college dean wasn’t in favor of it so it was never implemented. [Committee members] learned that they need to make sure leadership is on board.”

–David Simpson, Manager of Labor Relations, Ohio State University

“One of the necessary ingredients to success is to have very top leadership of the agency be supportive of [labor-management collaboration].”

–Peggy Focarino, Commissioner of Patents, U.S. Patent and Trademark Office

“If the top’s not committed, it won’t work. When people dragged feet on both sides, I took care of my side and [Vice Admiral] McCoy took care of his side, and we got this done.”

–Ron Ault, President, Metal Trades Department, AFL-CIO

## Training Needed in Collaboration

“The collaboration is very helpful if you get a federal mediator and have the interest-based training. You’re all in one group together, working together. That’s the foundation that this is built on.”

–Bonnie Bistarkey, President, Charlotte School Support Personnel Association

“We had horrible negotiations in the past with traditional bargaining. We tried IBB [interest-based Bargaining] to get beyond the craziness. . . . We trained with [University of Massachusetts Boston’s] Nancy Peace around IBB and problem solving. . . . When we brought groups together to do the training, it became more of a ‘Let’s hear what issues and problems you have, and what can we solve outside of a contract?’ A number of issues got resolved that way.”

–Chandler Creedon, President, Franklin Education Association (NEA)

## Bringing Collaboration Down to the Local Level

“There has been a lot of morale boosting in the way people feel empowered and recognized and engaged. . . . And once they realize. . . . that part of productivity is about saving time, which is saving money. As they become more aware of that, they want to do better. So the workers’ desire is there; we need to do our part to help realize the savings.”

–Rebecca Tittle, Labor and Employee Relations Manager, Naval Sea Systems Command

“I’m trying to impress the importance of bringing things to the lower level. . . . It’s hard because you’re talking about giving up power—sometimes from managers and sometimes from [union] representatives. Plenty of managers would love a traditional relationship. . . . Working in collaboration is very difficult. . . . But I see benefits every day.”

–Jim Ullmann, NATCA Northwest Mountain Regional Vice President

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## Further Resources

The following organizations consult with both management and labor to support collaborative efforts:

- **Federal Mediation and Conciliation Service** [www.fmcs.gov](http://www.fmcs.gov)
- **Cornell University's Scheinman Institute on Conflict Resolution** [www.ilr.cornell.edu/conflictRes/about/index.html](http://www.ilr.cornell.edu/conflictRes/about/index.html)
- **Massachusetts Education Partnership** [www.massedpartnership.org](http://www.massedpartnership.org)
- **Overland Resource Group** [www.orginc.com](http://www.orginc.com)



## **Improving Government Through Labor-Management Collaboration and Employee Ingenuity**

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