A Policy for

Employee-Management Cooperation

in the

Federal Service

Report of the President's Task Force on Employee-Management Relations in the Federal Service

November 30, 1961

Statement by the President

The Task Force on Employee-Management Relations in the Federal Service which I appointed last June has submitted a report recommending a constructive, forward-looking program of employee-management relations within the Federal establishment keyed to current needs. The Task Force has done an excellent job in a difficult and complicated field.

While preserving the public interest as the paramount consideration in the administration of employee-management relations in the Federal Service and retaining appropriate management responsibilities, the Task Force report recognizes the right of Federal employees and employee organizations to participate in developing improved personnel policies and working conditions. In recommending that employee organizations be consulted and that under specified conditions agreements with such organizations may be entered into, the Task Force has urged a proper course of action that should result in increased governmental efficiency as well as improved relations with Federal employees.

The report clearly recognizes that Federal employees do not have the right to strike, that both the union shop and the closed shop are inappropriate to the Federal Government, that where salaries and other conditions of employment are fixed by the Congress these matters are not subject to negotiation, and that all agreements must be consistent with merit system principles.

Additional recommendations of the Task Force call for regularizing arbitration procedures in handling individual employee grievances; extending to non-veterans appeal rights already held by veterans; requesting legislation to authorize voluntary withholding of employee organization dues by the Federal Government, at the expense of the organization; and appointment by the Secretary of Labor, when necessary, of panels of expert arbitrators to make advisory recommendations as to what constitutes appropriate units for negotiating purposes and to supervise elections by employees.

The Task Force reached its conclusions after holding public hearings in cities throughout the country, and after consulting the heads of Federal departments and agencies. Its recommendations will provide an effective system for developing improved employee-management relations. As an employer of more than 2,300,000 civilian employees, the Federal Government has long had an obligation to undertake the reappraisal which has now been made so well by the Task Force.

I have directed that an Executive order giving effect to the Task Force recommendations be prepared for issuance by the end of the year.

THE WHITE HOUSE
DECEMBER 5, 1961

PRESIDENT'S TASK FORCE ON EMPLOYEE-MANAGEMENT RELATIONS IN THE FEDERAL SERVICE
Washington 25, D.C.

OFFICIAL BUSINESS

November 30, 1961

Dear Mr. President:

In accordance with the instructions of your memorandum of June 22, 1961, I am transmitting herewith the report of the President's Task Force on Employee-Management Relations in the Federal Service.

The principal recommendation which we wish to make to you may be seen from the title of our report: "A Policy for Employee-Management Cooperation in the Federal Service."

At the present time, the Federal Government has no Presidential policy on employee-management relations, or at least no policy beyond the barest acknowledgement that such relations ought to exist. Lacking guidance, the various agencies of the Government have proceeded on widely varying courses. Some have established extensive relations with employee organizations; most have done little; a number have done nothing. The Task Force is firmly of the opinion that in large areas of the Government we are yet to take advantage of this means of enlisting the creative energies of Government workers in the formulation and implementation of policies that shape the conditions of their work.

This situation has attracted increasing interest from the Congress, from Federal officials, from scholars in the field of public administration, and from public spirited groups such as the National Civil Service League. The Task Force has received much assistance from these sources in our study of existing practices within the Government, and in our consideration of policies for the future. As was to be expected, we enjoyed the full cooperation of the many employee organizations, but we would like to remark upon the mature and reasoned quality of that cooperation. The employee organizations of the Federal Government are not strangers in our midst. Some of the largest date back to the 19th Century. Altogether they have enlisted some 33% of Federal employees; for decades they have maintained themselves as nationwide, stable, responsible organizations.

The Task Force believes the time has come to establish a governmentwide Presidential policy which acknowledges the legitimate role which these organizations should have in the formulation and implementation of Federal personnel policies and practices.

We believe, further, that the proposals which we are recommending, if adopted on a governmentwide basis, would constitute an historic development in Federal personnel policy. At the same time we would emphasize the fact that it was not necessary for us to seek far or wide to come up with our recommendations. With but minor exceptions, everything which we propose as a governmentwide policy for the future is at this moment the existing, established policy of one Federal agency or another. We have fashioned a program of our own ma-

terials, choosing that which has already been tested and has proved its worth within the Federal Government.

In proposing a governmentwide policy on employee-management relations, we are not proposing the establishment of uniform governmentwide practices. The great variations among the many agencies of the Government require that each be enabled to devise its own particular practices, in cooperation with its own employees. Our object is to lay down the general policies which should guide such efforts. Our proposals, then, are as follows:

A. *The Federal Employee's Right to Organize.*

Federal employees have the right to join bona fide employee organizations. This right encompasses the right to refrain from joining. Wherever any considerable number of employees have organized for the purpose of collective dealing, the attitude of the Government should be that of an affirmative willingness to enter such relations.

B. *Forms of Recognition.*

Bona fide organizations of Federal employees, which are free of restrictions or practices denying membership because of race, color, creed or national origin, which are free of all corrupt influences, and do not assert the right to strike or advocate the overthrow of the Government of the United States should be recognized by Government agencies.

Organizations of Federal employees should be granted recognition essentially according to the extent to which they represent employees in a particular unit or activity of a Government agency. This recognition may be informal, formal, or exclusive.

1. *Informal Recognition*

Informal recognition gives an organization the right to be heard on matters of interest to its members, but places an agency under no obligation to seek its views. Informal recognition will be granted to any organization, regardless of what status may have been extended to any other organization.

2. *Formal Recognition*

Formal recognition will be granted to any organization with 10% of the employees in a unit or activity of a government agency, where no organization has been granted exclusive recognition. Formal recognition gives an organization the right to be consulted on matters of interest to its members.

3. *Exclusive Recognition*

Exclusive recognition will be granted to any organization chosen by a majority of the employees in an appropriate unit. Exclusive recognition gives an organization the right to enter collective negotiations with management officials with the object of reaching an agreement applicable to all employees of the unit. Such agreements must not conflict with existing Federal laws or regulations, or with agency regulations, or with governmentwide personnel policies, or with the authority of the congress over various personnel matters.

C. *Veterans Organizations.*

The recognition of employee organizations should not affect the special relationship of veterans organizations with Government agencies.

D. *Religious and Social Organizations.*

The recognition of employee organizations should not preclude limited dealings with employee groups formed for religious or social purposes.

E. *The Scope of Consultations and Negotiations with Employee Organizations.*

Consultations or negotiations, according to the form of recognition granted, may concern matters in the area of working conditions and personnel policies, within the limits of applicable Federal laws and regulations, and consistent with merit system principles.

Accordingly, as an employee organization has been granted formal or exclusive recognition, it may consult with or negotiate with management officials on matters of concern to employees.

F. *Procedures to be Adopted in the Event of Impasses.*

Impasses in negotiations between Government officials and employee organizations granted exclusive recognition should be solved by other means than arbitration. Methods for helping to bring about settlements should be devised and agreed to on an agency by agency basis.

G. *Form of Agreements.*

Agreements between management officials and employee organizations granted exclusive recognition should be reduced to writing in an appropriate form. Decisions reached by management officials as a result of consultation with employee organizations granted formal recognition may also be communicated in writing to the organization concerned. Negotiations should be kept within reasonable time limits.

H. *Services That May be Provided for Employee Organizations.*

Bulletin boards should be made available to employee organizations. Officially approved or requested consultations with employee organizations should take place on official time. An agency may require that negotiations with an employee organization granted exclusive recognition take place on employees' time. No internal employee organization business should be conducted on official time. If authorized by Congress, voluntary dues withholding may be granted to an employee organization, provided the cost is paid for by the organization.

I. *Grievances.*

Employee organizations should have a recognized role in grievance systems. Advisory arbitration may be provided by agreement between an agency and an employee organization granted exclusive recognition.

J. *Appeals.*

A more uniform system of appeals of adverse actions should be established by Government agencies. Veterans and nonveterans should have identical rights to appeal adverse actions to the Civil Service Commission.

K. *Union Membership.*

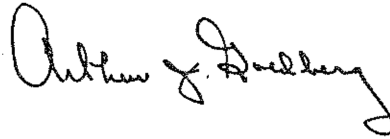
The union shop and the closed shop are inappropriate to the Federal service.

L. *Technical Services for the Federal Employee-Management Relations Program.*

Technical services required to implement the proposals contained in this report should be provided by the Civil Service Commission and the Department of Labor. Upon request, the Secretary of Labor shall choose a person or persons to make advisory determinations on appropriate units for exclusive recognition and to perform similar services. The Department of Labor and the Civil Service Commission jointly should prepare recommendations for standards of conduct for employee organizations and a code of fair labor practices for the Federal service.

In conclusion, I would like to note that it is the opinion of the Task Force that all of the measures proposed by us may be accomplished by Executive Order, with the exception of the provision for the withholding of employee organization dues which will require authorization by the Congress.

Respectfully,



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THE TASK FORCE

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THE WHITE HOUSE

Following is the text of a Memorandum from the President addressed to heads of departments and agencies on the subject of Employee-Management Relations in the Federal Service, June 22, 1961

The right of all employees of the federal government to join and participate in the activities of employee organizations, and to seek to improve working conditions and the resolution of grievances should be recognized by management officials at all levels in all departments and agencies. The participation of federal employees in the formulation and implementation of employee policies and procedures affecting them contributes to the effective conduct of public business. I believe this participation should include consultation by responsible officials with representatives of employees and federal employee organizations.

In view of existing policy relating to equal employment opportunity, management officials will maintain relationships only with those employee organizations which are free of restrictions or practices denying membership because of race, color, religion, or national origin. Further, such officials shall refrain from consultation or relationships with organizations which assert the right to strike against or advocate the overthrow of the government of the United States.

Further steps should be explored fully and promptly. We need to improve practices which will assure the rights and obligations of employees, employee organizations and the Executive Branch in pursuing the objective of effective labor-management cooperation in the public service. I know this is not a simple task. The diversity of federal programs, the variety of occupations and skills represented in federal employment, the different organizational patterns of federal departments and agencies, and the special obligations of public service complicate the task of formulating government-wide policy guidance. Nevertheless, this important subject requires prompt attention by the Executive Branch. With that objective in mind, I am designating a special task force to review and advise me on employee-management relations in the federal service, composed of the following officials:

The Secretary of Defense
The Postmaster General
The Secretary of Labor
The Director of the Bureau of the Budget
The Chairman of the Civil Service Commission
The Special Counsel to the President

The Secretary of Labor will serve as Chairman of this task force. This study will cover the broad range of issues relating to federal employee-management relations, including but not limited to definition of appropriate employee organizations, standards for recognition of such organizations, matters upon which employee organizations may be appropriately consulted, and the participation of employees and employee representatives in grievances and appeals. In the course of this study employees and employee organization representatives, department and agency officials, consultants in labor-management relations, and interested groups and citizens shall be given an opportunity to present their views for the consideration of the task force. In view of the need for decisions on this important issue at a reasonably early date, I am asking the task force to report their findings and recommendations to me not later than November 30, 1961.

All department and agency heads and their staffs are directed to cooperate fully with the task force in the accomplishment of this study.

I

Background

In his memorandum of July 22, 1961, establishing a special Task Force on Employee-Management Relations in the Federal Service, the President declared his belief that "The participation of Federal employees in the formulation and implementation of employee policies and procedures affecting them contributes to the effective conduct of the public business." This has been the frame of reference in which the Task Force has carried out its assignment of formulating governmentwide policy recommendations.

There are many interests involved in the development of policy proposals on employee-management relations in the Federal Government, not least, of course, those of the employee organizations and of the employees themselves. Nonetheless, the essential interest is that of the public. The primary question with regard to any aspect of the subject, therefore, is whether it will contribute to the effective conduct of the public business.

The public interest in responsible, stable trade unions in the private sphere of the economy has long been recognized. For a quarter century, since the enactment of the National Labor Relations Act in 1935, it has been the public policy of the United States Government to encourage workers in private industry to organize and bargain collectively. During this period trade unions have been established as the recognized representatives of employees in most of the nation's large industrial concerns. Labor-management relations in these industries have reached a high level of complexity and sophistication, and have extended to a wide range of subject matter.

Despite the many differences between public and private employment, there has been a corresponding and somewhat similar development of employee organizations within the Federal Government. The Task Force studies indicate that some 33% of all Federal employees, altogether some 762,000 persons, including 489,224 in the Post Office Department, belong to employee organizations.* This matches almost precisely the national proportion of organized workers in nonagricultural establishments exclusive of Federal employment, which

*This figure excludes foreign nationals, the F.B.I., C.I.A., and some small agencies that did not report to the Task Force.

was 32.4% in 1960. It is a proportion half again as great as that of the total labor force in which 23.3% of the workers are organized.

This is hardly a recent development. Organizations of craftsmen have been active in Naval installations since the early 1800's. The largest union composed entirely of Federal Government employees, the National Association of Letter Carriers with some 150,000 members, was organized in the late nineteenth century and was one of the first affiliates of the American Federation of Labor. Almost one half million postal employees belong to unions, most of which have been maintained for many years, frequently in the face of pronounced hostility. Postal workers are by no means, however, the only heavily organized group within the Federal service. Contrary to the widely held impression, only 41% of Federal employees are in the classified service, and only part of these are white-collar workers. A majority of Federal employees are either postal employees or blue-collar workers. Most of the latter work in industrial establishments much like those in the private economy, and are paid according to rates prevailing in nearby private industry. Union membership is common among these blue-collar workers.

Despite these developments, the Federal Government has little in the way of formal policy to guide collective dealings between Federal management and employee organizations. The one important statute dealing with the subject, the Lloyd-Lafollette Act of 1912, is half a century old and essentially negative in content. It simply declares that membership in an organization of postal employees which is not affiliated with any outside organization imposing a duty to engage or assist in a strike against the Government is not grounds for reduction in rank or removal, and that the right to petition Congress may not be denied or interfered with. By extension, it has become the common law of Federal personnel practice that any government employee has the right to join or not to join any organization which does not assert the right to strike against or advocate the overthrow of the Government.

Since 1951 the Federal Personnel Manual has contained passages which encourage government officials to solicit and consider the views of employees in the formulation of personnel policy, but it is only since 1958 that this policy has been interpreted to apply to employee organizations as well as to employees generally.

Of the fifty-seven departments and agencies whose personnel practices were studied by the Task Force, it appears that a relatively large number, twenty-two, do not have any stated labor relations policies whatever. Most of these, however, are smaller agencies. Eleven agencies have the barest minimum of policy, providing simply that employees have the right to join, or not to join, legitimate employee organizations.

Twenty-one of the departments and agencies have patterned their employee relations policies on a guide prepared in 1952 by the Federal Personnel Council, an advisory group of Federal personnel officers. In general, these policies establish the right of employees to belong to legal employee organizations; express management's desire to encourage discussion with employee organizations; lay down certain criteria as to matters which may be discussed; state standards of conduct for the organizations; and specify the services, such as the use of bulletin boards, which may be provided to organizations. While no premium should attach to detail as such, it may be noted that the Department of Interior is alone among the departments of Government in providing a comprehensive code of labor relations procedures.

It should not be thought that the absence of an affirmative, governmentwide policy on employee organizations has completely thwarted the development of employee-management relations, anymore than it has inhibited membership in employee organizations. In both matters, the experience within the Federal Government has followed generally the pattern of private employment.

Within the Government, membership is larger among craftsmen and other blue collar workers; smaller among white collar workers. Government corporations and Federal enterprises such as the Tennessee Valley Authority have heavy trade union membership; many of the other agencies of the government, such as the Atomic Energy Commission, appear to have no employee organization members whatever. Among the cabinet departments, membership ranges from that of the Post Office in which 84% of the 582,427 employees are union members, to the Department of State which reported to the Task Force that a careful search had uncovered a total of eleven members of employee organizations.

The more similar a government activity is to that of a private activity in which workers are normally organized, the more often it will be found that the government workers are also organized and that relations with management officials approach the pattern of such relations in private enterprise. Thus, in the Tennessee Valley Authority and various units of the Department of Interior, relationships that are close to full scale collective bargaining between trade unions and management officials have been going on for years, to the complete satisfaction of all the parties concerned. Certain of these relations have developed under special statutes, others, such as those in the Bureau of Reclamation of the Department of Interior, have developed naturally, on the basis of mutual interest and desire.

The existence of systems such as those to be found in parts of the Interior Department make it clear that the absence of a government-wide policy on employee-management relations has not positively pre-

vented the development of such relations, but there can be no question that it has been inhibiting. For the most part employee organizations in the Federal service have received but limited recognition, for limited purposes. Their role in the development of personnel policies has been peripheral at best. The Task Force is strongly of the opinion that employee organizations are capable of contributing more to the effective conduct of the public business than has heretofore been the case.

II
General Considerations

Over the past decade there has been increasing interest in the question of employee-management relations in the Federal service. As far back as 1949, the Commission on Organization of the Executive Branch of the Government, the Hoover Commission, proposed that the heads of departments and agencies should be required to provide for the positive participation of employees in the formulation and improvement of the Federal personnel policies and practices. In 1955, the American Bar Association's committee on labor relations issued a report much to the same effect:

> A government which imposes upon other employers certain obligations in dealing with their employees may not in good faith refuse to deal with its own public servants on a reasonably similar favorable basis, modified, of course, to meet the exigencies of the public service. It should set the example for industry by being perhaps more considerate than the law requires of private enterprise.

More recently, the National Civil Service League, the outstanding impartial citizen organization in the field of public personnel, completed an extended study "Employee Organizations in Government" which strongly endorsed the further development of employee-management relations along these lines. Members of Congress have been particularly interested in this problem; a number have sponsored legislation to endow employee organizations with specific rights to participate in decisions affecting their members.

In the public hearings which the Task Force has held in Washington and six other cities throughout the Nation, the view was repeatedly presented that the time is past due for the Federal Government to come forth with a positive and comprehensive policy in this field. This view was by no means limited to representatives of employee organizations. A clergyman representing one of the Nation's leading churches had this to say:

> The very least that the Federal Government can do to make up for lost time is to encourage its employees to exercise their right to organize, and to insist that responsible administrators of Government agencies take the initiative in developing a system of labor relations under which unions of Government employees would not only be permitted, but would be encouraged to speak for and to represent their constituents more effectively.

Representatives of employee organizations, while differing on many of the specific policies which they proposed for adoption, were united in their view that the Federal Government has yet much to do if it is to meet its responsibilities in this field. The Task Force heard repeated testimony from representatives of employee organizations that the absence of a positive policy of support for employee-management relations has been interpreted by many government officials as an excuse for hostile and obstructionist attitudes. Representatives of employee organizations were similarly united in their view that even where the heads of Government agencies have demonstrated an unmistakable wish to encourage cooperative relations, this view has frequently not made its way down to the operating levels of the agency.

Subsequent to its public hearings, the Task Force invited all of the departments and agencies of the Government to submit recommendations for a governmentwide policy in the field of employee-management relations. Here again a considerable range of policies were proposed for adoption, but there was much general support for the proposition that it would be profitable to adopt a governmentwide policy to guide agencies in devising systems most suited to their special needs.

The absence of Presidential policy at this late date is an unnecessary situation; in many ways it is an anomalous one. For a quarter century it has been the public policy of the Government to encourage employees in private enterprise to organize and deal collectively; yet the Government continues to have almost nothing to say concerning the role of organizations of its own employees. During this period a growing number of municipal and state employees have formed organizations for collective bargaining purposes. Cities such as New York, Philadelphia, and Cincinnati have entered into extensive collective bargaining relationships with employee organizations. The experience of these cities, along with similar developments that have taken place in many state governments, and in parts of the Federal Government itself has shown that responsible employee organizations can contribute substantially to the efficiency and effectiveness of public services.

The Task Force wishes most emphatically to endorse the President's view that the public interest calls for a strengthening of employee-management relations within the Federal Government. A continuous history, going back three quarters of a century, has established beyond any reasonable doubt that certain categories of Federal employees very much want to participate in the formulation and implementation of personnel policies and have established large and stable organizations for this specific purpose. This is not a challenge to be met so much as an opportunity to be embraced.

Despite the obvious similarities in many respects between the conditions of public and private employment, the Task Force feels that the equally obvious dissimilarities are such that it would be neither desirable, nor possible, to fashion a Federal system of employee-management relations directly upon the system which has grown up in the private economy. Nor is it necessary. The needs of the present can be fully met by adopting elsewhere in the Government the best features of employee-management systems which have been operating successfully for many years in some areas *within* the Federal structure. It is sufficient for the Government's purposes merely to extend the operation of the best existing Government practices.

The Task Force feels, however, that certain of the ground rules which Congress has laid down for employee-management relations in the private economy should be carried over to the Federal Government in order to ensure that the public interest and the interests of individual employees are protected.

It is clear, for example, that there are many areas in the Federal Government in which civil servants have shown little or no inclination to join employee organizations or to enter into collective relationships with management officials. This makes it most important to recognize that the right of Federal employees to organize and deal collectively with management officials is matched by the right to refrain from any or all of such activities. There should be no compulsion in either direction. It is equally important to carry over the policy laid down by Congress that in the private sphere employers may not "dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it. . . ." Within the Federal Government employee organizations must be free to carry on legitimate organizing activity, but they should not expect the Government to be anything but completely impartial in this activity if genuine and bona fide relations are to be maintained. After employees have organized and clearly manifested their wish to deal collectively with government management, the attitude of the government should, of course, be one of affirmative willingness to enter such relations.

If employee organizations are to be given a more significant role within the Federal Government, they must expect to assume greater responsibilities. Further consideration must be given to the question of extending to organizations of public employees the standards of conduct which have been established for trade unions in the private sphere. An example would be the reporting and disclosure of financial transactions and administrative practices now required of labor organizations in the private sector.

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It should also be expected that the development of employee-management relations in the Federal Service will have the effect of making the role of government management clearer and better defined. The Task Force welcomes this prospect. One of the principal needs of the Federal service today is the development of a more emphatic concept of management responsibility on the part of government officials who have functions similar to those of managers in the private sphere. In particular such managers must be diligent to avoid any conflict of interest between their responsibility as managers and their role as members of employee organizations to which they may belong. A minimal requirement is that no management official and no personnel officer should hold office in an employee organization.

It must also be emphasized that however desirous an agency may be to respond to the wish of employees to negotiate collectively on matters of mutual interest, it remains true that many of the most important matters affecting Federal employees are determined by Congress, and are not subject to unfettered negotiation by officials of the Executive Branch. The benefits to be obtained for employees by employee organizations, while real and substantial, are limited. No valid purpose will be served by exaggerating them. It should be emphasized, however, that the established employee organizations within the Federal Government have recognized this limitation, and have shown their willingness to work within it, just as they have willingly accepted limitations on their own activities, such as the prohibition of the right to strike.

The Task Force wishes, finally, to note its conviction that there need be no conflict between the system of employee-management relations proposed in this report and the Civil Service merit system, which is and should remain the essential basis of the personnel policy of the Federal Government.

The principle of entrance into the career service on the basis of open competition, selection on merit and fitness, and advancement on the same basis, together with the full range of principles and practices that make up the Civil Service system govern the essential character of each individual's employment. Collective dealing cannot vary these principles. It must operate with their framework.

The Civil Service system has provided an excellent and, indeed, indispensable method of selecting government employees and rewarding their achievements. However, it has not, on the whole, provided a means by which employees acting in concert may promote the collective interests of civil servants. In this light it is clear that the systems are both mutually compatible, and in fact complement each other.

While Government policy in support of the Civil Service system has been established for many decades, there has been no equally affirmative policy in support of organized employee-management relations. With this need in mind, the Task Force wishes to recommend a body of general principles, as well as a number of specific practices in this area which it feels will make an important contribution toward the effective conduct of the public business. While these should be regarded as governmentwide standards, the Task Force recognizes that investigatory and intelligence units present special problems in this field. The same standards cannot always be applied to these organizations as to others in the Government.

III
Recommendations

A. *The Federal Employee's Right to Organize.*

Federal employees have the right to join bona fide employee organizations. This right encompasses the right to refrain from joining. Wherever any considerable number of employees have organized for the purpose of collective dealing, the attitude of the Government should be that of an affirmative willingness to enter such relations.

There must be no interference with the right of Federal employees to join bona fide employee organizations. The right to join encompasses, as well, the right not to join. Supervisors and management officials in the Federal service should exercise great care to ensure that they do not infringe this basic policy of the Federal Government.

Responsible, active employee organizations contribute to the efficient and harmonious performance of government functions. Experience within the Federal Government and on other levels of government in the United States has abundantly demonstrated this fact. Wherever any considerable number of employees at their own initiative manifest their desire to establish formal dealings with management officials, there should be no question of the willingness of the agency to enter such relations.

B. *Forms of Recognition.*

Bona fide organizations of Federal employees, which are free of restrictions or practices denying membership because of race, color, creed or national origin, which are free of all corrupt influences, and do not assert the right to strike or advocate the overthrow of the Government of the United States should be recognized by Government agencies.

Organizations of Federal employees should be granted recognition essentially according to the extent to which they represent employees in a particular unit or activity of a Government agency. This recognition may be informal, formal, or exclusive.

1. Informal Recognition

Informal recognition gives an organization the right to be heard on matters of interest to its members, but places an

agency under no obligation to seek its views. Informal recognition will be granted to any organization, regardless of what status may have been extended to any other organization.

2. Formal Recognition

Formal recognition will be granted to any organization with 10% of the employees in a unit or activity of a government agency, where no organization has been granted exclusive recognition. Formal recognition gives an organization the right to be consulted on matters of interest to its members.

3. Exclusive Recognition

Exclusive recognition will be granted to any organization chosen by a majority of the employees in an approprite unit. Exclusive recognition gives an organization the right to enter collective negotiations with management officials with the object of reaching an agreement applicable to all employees of the unit. Such agreements must not conflict with existing Federal laws or regulations, or with agency regulations, or with government-wide personnel policies, or with the authority of the Congress over various personnel matters.

The public nature of Government business imposes upon Government officials certain obligations towards employees and other citizens which do not necessarily apply to the managers of a private enterprise. Government officials must at all times be prepared to hear the views of any Government employee and any organization of Government employees.

It has been the policy of the Federal Government to solicit and consider the views of Federal employees in the formulation and adjustment of personnel policy. Recently, this policy has been extended to include employee organizations. In general, these relations have proceeded on an informal and essentially permissive basis. However, in those departments and agencies in which a large proportion of the employees have banded together for the purpose of collective dealing, they have quite frequently succeeded in establishing a fruitful relationship. Where only a small proportion of employees have organized, relations with management have tended on the whole to be irregular and insubstantial.

There is little reason to expect any marked change in the wide variation in the extent of employee organization membership among the various departments and agencies. For that reason, relations between management officials and employee organizations in many departments and agencies may be expected to continue on the present essentially informal basis. However, in the interest of establishing

more stable and significant relations in those departments and agencies where significant numbers of employees have organized or do so in the future, the Task Force considers it desirable to provide for more formal types of recognition.

As a general proposition, recognition should, under the conditions specified below, be granted to any trade union, association, council, federation, brotherhood, or society having as a primary purpose the improvement of working conditions among Federal employees; and any craft, trade or industrial union whose membership may include both Federal employees and employees of private organizations.

In order to be recognized by a Federal department or agency, an employee organization must be free of any restrictions or practices denying membership because of race, color, creed or national origin. It must not assert the right to strike against, or advocate the overthrow of the Government of the United States. It must be free of all corrupt influences and from the undermining efforts of communist agents and all others who are opposed to the basic principles of our democracy.

The Task Force proposes that three types of recognition be extended to employee organizations, essentially according to the proportion of organization members among employees at a particular government activity. Any form of recognition may be withdrawn upon the determination by appropriate means at periodic intervals that the employee organization no longer meets the requisite criteria.

1. Informal Recognition

Any organization of Federal employees, regardless of what status may have been extended to any other organization, shall be accorded informal recognition. This is simply an extension of the right of any Government employee to be heard. No appropriate group of Government employees should be denied access to management officials to present their view on matters of concern to their members. However, management officials are not obligated to seek the views of such an organization. There is also, obviously, a limit to the amount of time management officials may give such organizations.

2. Formal Recognition

Wherever an employee organization in a Government activity has achieved and maintained a sizable membership, it is desirable that management officials should grant it formal recognition. For this purpose, an organization may reasonably be required to have as members 10% of the employees of the unit or activity concerned. Consistent with this policy, each agency should be free to establish its own procedures and to define the units within which membership will be measured. As a general rule, formal recognition should apply to a dis-

crete Government activity, such as a post office or a navy yard. An organization of craftsmen would be expected to have as members at least 10% of all the members of its craft employed in its unit. An organization seeking overall representation for the various skills and occupations in a single unit must have as members at least 10% of all employees in those areas, skills, and occupations.

An organization requesting formal recognition should be required to submit to its agency a roster of its officers and representatives, a copy of its constitution and by-laws, and a statement of objectives.

In granting formal recognition to an employee organization, agency officials will by that act undertake to consult with such organization from time to time on the formulation and implementation of all personnel policies that are of concern to its membership. An organization which has been granted formal recognition should be enabled from time to time to raise matters for discussion with management, and should be permitted at all times to present views in writing. It is to be expected that management officials will pay careful attention to such proposals.

More than one organization may be granted formal recognition within the same activity, and the existence of a formally recognized organization in no way precludes the continuation of informal recognition for smaller organizations.

Formal recognition at the national level may be granted by the head of an agency to those organizations which, in the opinion of the agency head, have a sufficient number of locals or total membership within the agency. As in the case of formal recognition at the local level, formal national recognition would not preclude dealing at the national level with any other lawful organization on matters of peculiar interest to it, whether or not such organization has received formal recognition.

3. Exclusive Recognition

In a small number of activities of the Federal Government the practice of exclusive recognition has already been adopted. Under this system, if an employee organization is chosen by the majority of the employees in an appropriate unit it becomes the *only* formal recognized representative for the unit. In its dealings with management officials it is considered to speak for *all* of the employees of the unit, a responsibility which it must, of course, meet.

It should be emphasized that exclusive recognition in the form proposed by the Task Force would not prevent any individual employee from bringing matters of personal concern to the attention of management officials, nor, for example, from choosing his own representative in a grievance action. Similarly, under a system of exclusive recognition other organizations of limited membership continue to receive informal recognition, and may from time to time merely present their

views to management. However, only one voice may speak for all the employees in the appropriate unit, and management may negotiate and reach agreement only with it. Representatives of the organization with exclusive recognition normally have the right to be present at any discussion of personnel policy matters between management and other employees or employee representatives.

The essence of exclusive recognition is that it makes it possible for management officials and employee representatives by the process of collective negotiations to reach agreements on personnel policies and practices. An agreement with an organization having exclusive recognition applies to all of the employees in the unit. An agreement must be approved by the head of the agency, or an official designated by him.

Wherever exclusive recognition is now practiced in the Federal Government it has proved successful, and the Federal officials concerned have unanimously recommended its adoption elsewhere in the Government.

The Task Force accepts the view that in appropriate circumstances exclusive recognition is wholly justifiable and in such circumstances will permit the development of stable and meaningful employee-management relations based upon bilateral agreements. Such agreements may, of course, be reached between management and a single employee organization or, alternately, a council of organizations. It is to be expected that there will be circumstances in which employees, although organized, may not wish exclusive recognition. However, the general Federal practice should be to provide for exclusive recognition in an appropriate unit wherever a majority of employees desire it.

An appropriate unit is a grouping of employees for purposes of representation in collective dealings with management. The kind of grouping on which it is based should permit effective and rational dealing. The essential quality of such a unit is that its members should have a clear and identifiable community of interest, so that it becomes possible for them to deal collectively as a single group. An appropriate unit is thus based on a factual situation: what is appropriate must be decided in the first instance on a case by case basis by the agency concerned.

Appropriate units may be established on plant, craft, functional, or departmental lines. No unit should be established simply on the basis of the extent of union organization.

Except where established practice, joint agreement, or special circumstances dictate a different course, no unit should be established for purposes of exclusive recognition which includes among the employees concerned (1) any managerial executive; (2) an employee engaged in personnel work in other than a purely clerical capacity;

(3) both supervisors who effectively evaluate the performance of other employees and other employees whom they supervise; (4) both professional employees and employees who are not professional employees, unless a majority of such professional employees vote for inclusion in such unit. Supervisors and professional employees should be free to establish organizations of their own and, where appropriate, separate units may be established and such organizations may be granted recognition.

Any agreement between management officials and an employee organization to grant exclusive recognition should include a statement recognizing that in the administration of any agreement reached between the parties, the officials and employees concerned are governed by the provisions of applicable Federal laws and regulations, including policies set forth in the Federal Personnel Manual, and the agency's regulations, all of which are regarded as paramount, and any such agreement must at all times be applied subject to all such laws, regulations and policies. Subject to existing collective agreements, such agreements should recognize that the responsibility of management officials for a Government activity requires that they retain the right (1) to direct its employees; (2) to hire, promote, demote, transfer, assign, and retain employees in positions within the activity on the basis of merit and efficiency, in accordance with applicable Federal laws and regulations; (3) to suspend or discharge employees for proper cause; (4) to relieve employees from duties because of lack of work or for other legitimate reasons; (5) to maintain the efficiency of the Government operations entrusted to them; and (6) to determine the methods, means, and personnel by which operations are to be carried on.

C. *Veterans Organizations.*

The recognition of employee organizations should not affect the special relationship of veterans organizations with Government agencies.

For many years, veterans organizations have enjoyed a special relationship with Government agencies. Congress has granted special rights and privileges to Government employees who are veterans. Over the years, veterans organizations have been active on behalf of their members in exercising these rights and privileges. The Task Force feels that there is no conflict between such activities of veterans organizations on behalf of their members and the work of regular employee organizations. The development of more formal employee-management relations should not be permitted to inhibit, restrict or impair these valuable services of veterans organizations.

D. *Religious and Social Organizations.*

The recognition of employee organizations should not preclude limited dealings with employee groups formed for religious or social purposes.

Some notice must be taken of the existence among Federal employees of a considerable variety of associations which are formed primarily for purposes other than the improvement of working conditions. The Task Force feels that there should be no objection to management officials dealing with such associations on matters involving individual members, or on policies having particular application to their group (e.g. work schedules on a religious holiday) even though exclusive recognition has been granted to another employee organization. As a normal practice, a representative of an employee organization with exclusive recognition has the right to be present on such occasions.

It is to be understood, however, that such dealings shall not assume the character of formal consultation or negotiation on matters of general employee-management policy, nor shall the furtherance of the interest of one group of employees be permitted to discriminate against or injure the interests of other employees. This would plainly be contrary, e.g., to the Government policy of withholding recognition from any employee organization which adheres to or practices discrimination based on race, color, creed, or national origin.

E. *The Scope of Consultations and Negotiations with Employee Organizations.*

Consultations or negotiations, according to the form of recognition granted, may concern matters in the area of working conditions and personnel policies, within the limits of applicable Federal laws and regulations, and consistent with merit system principles.

Accordingly, as an employee organization has been granted formal or exclusive recognition, it may consult with or negotiate with management officials on matters of concern to employees.

It must be recognized that a major and perhaps controlling distinction between the type of employee-management relations that have developed in private industry and those which are possible in the Federal service is that in the latter neither the employer nor his employees are free to bargain in the ordinary sense. The employees cannot strike, nor be represented by an organization affiliated with a group which asserts the right to strike against the Government. The employer in most parts of the Federal Government cannot negotiate on pay, hours of work or most fringe benefits. These are established by law.

Generally, negotiations may take place on policies in such areas of employee concern as working conditions, promotion standards, grievance procedures, safety, transfers, demotions, reductions in force, and other matters, consistent with merit system principles. It may be noted that in the public hearings held by the Task Force the representatives of the major employee organizations in the Federal Government made it clear that they are aware of these limitations and are quite content to negotiate within them.

In this matter as in most others, the Task Force is of the opinion that each department and agency of the Government should be left to determine its own practice. As a general rule, however, it may be said that a negotiable matter must be within administrative discretion, that is, it must be within the authority of the manager who is negotiating, and permissible by applicable laws, executive orders, and Administration and agency policy. In general, it will be in the area of working conditions and personnel policies and practices. It should not include matters concerning an agency's mission, its budget, its organization and assignment of personnel, or the technology of performing its work. Major reorganizations or changes in work methods, while not negotiable themselves, will involve implementation problems that may be negotiable such as promotion, demotion and training procedures.

Specific areas that might be included among subjects for consultation and collective negotiations include the work environment, supervisor-employee relations, work shifts and tours of duty, grievance procedures, career development policies, and where permitted by law the implementation of policies relative to rates of pay and job classification. This list is not, of course, all-inclusive, nor should it be expected that every agency will feel free to negotiate in all such areas.

F. *Procedure to be Adopted in the Event of Impasse in Negotiations.*

> *Impasses in negotiations between Government officials and employee organizations granted exclusive recognition should be solved by other means than arbitration. Methods for helping to bring about settlements should be devised and agreed to on an agency by agency basis.*

Most discussions of employee-management relations in Government devote considerable attention to the question of procedures to be adopted if an impasse is reached in negotiations between management officials and an organization granted exclusive recognition. It is evident that the recourses open to private employers and employees such as strike action are not available to their counterparts in government.

Among the few Federal activities at which collective bargaining relations have been established, provision has been made for the

arbitration of impasses in negotiations. While it has been most rare for the parties to such arrangements actually to invoke them—there has never, for example, been an arbitration of a negotiation impasse at the Tennessee Valley Authority—this has almost certainly been due in some measure to the similarity of such negotiations to those which take place in the private economy, and to the great familiarity of the parties involved with the process of private collective bargaining.

The important differences between the nature of negotiations between employees and management in the private economy, as against most parts of the Federal Government, and the relative lack of experience in any form of employee-management negotiations on the part of most Government officials and employees, leads the Task Force to feel that the arbitration of negotiation impasses is not an appropriate technique for general adoption by the Federal Government at this time. In the developing stages of employee-management relations it is quite likely that the availability of arbitration would have an escalation effect whereby the parties, instead of working out their differences by hard, serious negotiation, would continually take their problems to a third party for settlement. It should be clear that not much in the way of established understandings and relations will develop out of such procedures. The Task Force was interested to note that the Tennessee Valley Authority specifically recommended against the general adoption of arbitration as means of settling negotiation impasses.

There are, however, many devices other than arbitration for helping to bring about settlements in negotiations. The Task Force is of the opinion that as employee-management relations in the Federal service develop further, there will be increasing interest in and need for services of this kind. In the first instance, such techniques should themselves be the subject of negotiations, with each department and agency devising means most appropriate to its own needs and circumstances.

G. *Form of Agreements.*

> *Agreements between management officials and employee organizations granted exclusive recognition should be reduced to writing in an appropriate form. Decisions reached by management officials as a result of consultation with employee organizations granted formal recognition may also be communicated in writing to the organization concerned. Negotiations should be kept within reasonable time limits.*

Agreements reached between management officials and employee organizations granted exclusive recognition should normally be reduced to writing in an appropriate form such as a memorandum

of agreement, a memorandum of understanding, or an exchange of letters. Where appropriate, such agreements will be followed by the promulgation of a regulation or other appropriate formal document by the agency.

Decisions reached by management officials following consultation with representatives of an employee organization granted formal recognition on a members-only basis may also be communicated in writing to the organization concerned.

All agreements between management officials and employee organizations must be made with the understanding that in emergency situations a Government activity must be free to take whatever actions are necessary to carry out its mission, regardless of prior commitments.

The object of negotiations should be to produce agreement by a diligent, serious and brief exchange of information and views. Both parties must enter negotiations in good faith. If either permits the exchange to degenerate into an affair of attrition and exhaustion, higher Government officials will have no alternative but to exercise the sovereign responsibility of the Government to proceed with the public business.

H. *Services That May be Provided for Employee Organizations.*

> *Bulletin boards should be made available to employee organizations. Officially approved or requested consultations with employee organizations should take place on official time. An agency may require that negotiations with an employee organization granted exclusive recognition take place on employees' time. No internal employee organization business should be conducted on official time. If authorized by Congress, voluntary dues withholding may be granted to an employee organization, provided the cost is paid for by the organization.*

It is now a general practice in the Government to make bulletin boards available for appropriate informational purposes. This practice should continue.

At the present time, there is also virtual unanimous agreement that consultation between employee organizations and management should be conducted on official time. The Task Force is of the opinion that this practice should continue, inasmuch as management officials will always be in a position to control the amount of time involved.

Considerable time may be required for negotiations between management officials and representatives of an employee organization that has been granted exclusive recognition. If this becomes burdensome, it would be appropriate for management to require that employee representatives negotiate on their own time. The Task Force notes that this is strongly endorsed and adhered to by the Tennessee Valley Authority.

Although practice within the Federal Government is somewhat varied at the present time, it should be the general rule that no solicitation of dues or membership or other internal employee organization business may be conducted on official time.

One of the requests most frequently heard by the Task Force at its public hearings is that the Government provide for the withholding of employee organization dues from the paychecks of members. This is a common practice in private industry, it being provided in 71% of the major collective bargaining agreements, and is also widespread in state and municipal governments which deal with employee organizations. Ten states have authorized the practice for state employees by statute and in thirty-eight states it is permitted by law for state and/or local governments. It is widely regarded as an important means of ensuring the stability of employee organization membership, freeing the organization leaders for more important duties.

Withholding of dues has for some time been the practice in the Tennessee Valley Authority and the Bonneville Power Administration. However, because certain Federal statutory provisions have been interpreted to prohibit payroll deductions from the salaries of Federal employees except when specifically authorized by statute, or when the statutory authority under which the agency operates is sufficiently broad to take the agency outside these statutory proscriptions, as in the case of TVA and Bonneville, the practice has not been adopted elsewhere in the Government.

The Task Force considers that withholding dues is a proper service that may be provided to an employee organization that has been granted formal recognition for purposes of consultation, or has been granted exclusive recognition. This should not be a matter of right, but rather a privilege that may be granted in the case of formally recognized organizations, or an agreement to be negotiated for in the case of organizations with exclusive representation.

Withholding of dues must be entirely voluntary, based upon individual authorization, and provision must be made for employees to revoke the authorization at stated intervals. The cost of dues withholding should be paid by the employee organization, not by the Government.

Although the Task Force has endeavored to confine its recommendations to matters within the range of executive authority, the potential importance of the withholding of dues is such as to warrant an exception. This is a matter which must be authorized by law. The Task Force accordingly recommends that the President propose legislation to the Congress that would provide such authorization.

I. *Grievances.*

Employee organizations should have a recognized role in grievance systems. Advisory arbitration may be provided by agreement between an agency and an employee organization granted exclusive recognition.

Employee grievances are a central element of an employee-management relations program. At the present time, agencies of the Federal Government are required to establish grievance handling systems according to standards prescribed in the Federal Personnel Manual.

Grievance systems are inspected by the Civil Service Commission to determine whether these standards are met. The Task Force studies indicate that, by and large, Government agencies have taken this responsibility seriously and have made a sincere effort to provide procedures through which individual complaints, dissatisfactions and injustices can be evaluated and appropriate action taken.

There are, however, shortcomings and deficiencies in many of the existing systems. The most important deficiencies are best seen by contrasting them with those in the private sphere of the economy. In ordinary circumstances a private enterprise will look upon its grievance system as part of an overall industrial relations structure.

For many Government agencies, complaints and dissatisfactions are considered to be purely personal problems which have no bearing upon group or collective relationships. This outlook finds expression in limitations upon representation at early stages of the proceeding, in attacks upon steward systems, and in the disinclination to acknowledge the organizational identity of representatives provided for an aggrieved employee by his trade union. At least one agency has expressed to the Task Force its belief that the "injection of a third party" in the form of an employee organization representative only makes grievance procedures more difficult—and to no purpose inasmuch as the agency provides aggrieved employees with assistance in handling their cases. This is a form of paternalism which will prevent the development of a mature relationship between employee organizations and management. When the issues involved concern the implementation of an agreement by an agency and the exclusive representative of its employees, such an attitude could easily destroy the confidence and good will which are essential to such a relationship.

The Task Force feels that most large agencies of the Government in which employee organizations are active will find it both necessary and desirable to provide such organizations with a recognized role in the grievance system. The system, moreover, should be thought of in terms of its effect on collective relationships within the agency, as well as in terms of its effect on individuals.

It must also be noted that despite the sincere efforts of agencies to establish fair and expeditious grievance procedures, the Task Force en-

countered widespread feeling that the systems should make it possible to obtain an objective, third party judgment when either or both of the parties feel it is necessary. There are a small number of activities within the Federal Government which have already done this by means of advisory arbitration. The Task Force feels that this practice could be adopted much more extensively. In order not to undermine the final authority and responsibility of an agency head for his own operations, arbitral awards should not only be advisory, but should also take place at a level of the grievance procedure which precedes any consideration by the agency head.

The Task Force believes that, as a general rule, advisory arbitration of this type should only be provided by agreement between an agency and an employee organization granted exclusive recognition. The agreement should establish a defined set of issues that will be subject to arbitration, and should provide that the costs of arbitration be shared. Advisory arbitration should be confined to grievances, complaints and misunderstandings which are personal to an individual employee, and to the specific implementation of existing policies.

Advisory arbitration of grievances should not be permitted to introduce arbitration of policy questions by the back door. Grievances must be individual, they may relate only to the implementation of policy, not to its content, and resort to arbitration must depend upon the consent of the individual employee concerned, as well as to that of the employee organization that represents him.

If these limitations are observed, the employee organizations will have the strongest interest in assuming their responsibility of screening out the frivolous and the obvious, of mollifying or restraining the eccentric, chronic grievant, and of abiding by the arbitral result. The Government, for its part, will be able to procure an objective and impartial review of decisions which may appear to the grievant to be arbitrary, capricious, or incorrect, but which often in fact are entirely justifiable.

No agreement between an agency and an employee organization granted exclusive recognition on the subject of grievances and appeals may be allowed to impair the right of an individual employee to handle his own grievance or appeal, and to choose his own representative. However, a representative of an organization granted exclusive recognition has the right to be present at such proceedings.

The Task Force feels that there would be much to be gained if all the agencies of the Government were to undertake a general review and evaluation of their grievance procedures. Agencies should be free to experiment and to devise techniques most suited to their individual needs. One agency, for example, believes that there could be a real improvement in the quality of grievance hearings if it were to abolish

ad hoc boards in favor of a permanent, trained panel of hearing officers. Such innovations can and should be tried.

J. *Appeals.*

A more uniform system of appeals of adverse actions should be established by Government agencies. Veterans and nonveterans should have identical rights to appeal adverse actions to the Civil Service Commission.

In the private sector of the economy, the term "grievance" generally applies to the entire range of employee complaints and dissatisfactions. In the Federal service, however, the term "grievance" has generally had a more limited reference to employee complaints or dissatisfactions relating to working conditions and relationships. The term "appeal" generally refers to a request by an employee for reconsideration of an agency decision to take an adverse action, such as a separation or demotion, against him. Most Federal employees may appeal such actions either within their agency or to the Civil Service Commission. Not all agencies, however, permit an employee opportunity to seek reconsideration of an adverse action within the agency. The protection given an employee in an adverse action situation, accordingly, depends to a considerable extent on the particular system for review of such actions that his agency may have adopted. In addition, the right to appeal to the Civil Service Commission varies. A veteran may appeal to the Civil Service Commission on the merits of the action taken against him as well as on procedure matters, while a nonveteran in the competitive service generally may appeal only on the basis of alleged procedural violations.

The Task Force has found that these disparities in rights and procedures have produced much dissatisfaction with the handling of appeals in the Federal service. In a matter as fundamental as the right to be protected against a possible arbitrary or capricious management decision that may result in the loss of a job or reduction in pay, all employees in the career service should have basically the same rights, although particular procedures may vary.

The Task Force specifically proposes that the necessary steps be taken to extend to all employees in the competitive civil service rights in adverse action cases identical to those provided to prefrence eligibles under Section 14 of the Veterans' Preference Act of 1944, as amended.

The right that Federal employees presently have to appeal an adverse action to the Civil Service Commission should be continued. The Civil Service Commission provides much the same sort of objective, impartial review which advisory arbitration would provide in other grievance matters. However, an effort should be made to resolve as many appeals as possible within the agency.

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In order to permit agencies to settle as many adverse action disputes as possible within the agency, and to provide a greater measure of equity to employees, each department and agency should develop procedures for the reconsideration of management decisions to take adverse actions against employees. In terms of fundamental rights of employees, there should be some basic similarity among these systems, with due allowance for flexibility to account for differences in agency organization and relationships with employee organizations.

For some time, the Civil Service Commission has been considering standards for appeals of adverse actions within the agencies, which would provide for more expeditious handling, fewer levels of review, and improved technical quality. The Commission's work makes it now feasible to establish governmentwide policies for intra-agency appeals procedures. The Task Force therefore recommends that the President issue the executive order on intra-agency appeals systems prepared by the Civil Service Commission.

The Task Force believes that, to the extent feasible, appeals procedures in the agencies should be integrated into the agencies' grievance systems, that such systems should be developed in consultation or negotiation with employee organizations, that there should be a minimum number of levels of review, and that duplicate channels of appeal should not be permitted.

K. *Union Membership.*

> *The union shop and the closed shop are inappropriate to the Federal service.*

The Task Force wishes to state its emphatic opinion that the union shop and the closed shop are contrary to the civil service concept upon which Federal employment is based, and are completely inappropriate to the Federal service.

L. *Technical Services for the Federal Employee-Management Relations Program.*

> *Technical services required to implement the proposals contained in this report should be provided by the Civil Service Commission and the Department of Labor. Upon request, the Secretary of Labor shall choose a person or persons to make advisory determinations on appropriate units for exclusive recognition and to perform similar services. The Department of Labor and the Civil Service Commission jointly should prepare recommendations for standards of conduct for employee organizations and a code of fair labor practices for the Federal service.*

The Task Force is persuaded that the Federal employee-management relations program will prove most successful if it continues to receive guidance and support from Government officials appointed di-

rectly by the President. It will also be necessary to provide a considerable range of technical services on matters about which most agencies in the Government have but little experience. The adoption of the policy of permitting exclusive recognition, for example, will immediately raise questions as to appropriate units for which exclusive recognition may be granted. There will unquestionably be efforts on the part of employee organizations to establish very small or gerrymandered units in which majorities can be artificially obtained. Similarly, it cannot be doubted that questions will arise as to whether a majority of a given unit wish exclusive recognition, and means will have to be devised for making this determination. If management officials are to carry out their responsibilities in this field, it cannot be doubted that additional personnel training services should be provided. It is the belief of the Task Force that the long run efficiencies of such services will more than compensate for the initial cost.

The Task Force feels that these technical services may best be provided by assigning them, as appropriate, to the Civil Service Commission and to the Department of Labor.

The Civil Service Commission, as the central personnel agency of the Government, should take the lead in developing employee-management relations training for Federal personnel. The Commission should establish and maintain facilities to assist in carrying out the objectives of this report. It should be the duty of the Commission to develop a program for the guidance of employee-management relations in the Federal service; to provide technical advice to agencies on employee-management programs; to assist in the development of programs for training agency personnel in the purposes and procedures of consultation, negotiation, and the settlement of disputes in the Federal service; and for the training of management officials in the discharge of their employee-management relations responsibilities in the public interest. The Civil Service Commission should provide for continuous study and review of the Federal employee-management relations program; and, from time to time, make recommendations to the President for its improvement.

As a normal matter, agencies will determine appropriate units and questions of the majority status of an employee organization by internal means of their own devising. As an additional means, the services of the Secretary of Labor may be invoked. Upon the request of an agency or a formally recognized employee organization, or both, the Secretary of Labor shall choose one or more persons from the National Panel of Arbitrators maintained by the Federal Mediation and Conciliation Service to hold hearings or elections, and to make a determination. Such a determination shall be advisory to the head of the agency concerned. The costs of such proceedings shall be borne by

the agency. In the event that the matter at issue concerns the Department of Labor, the Chairman of the Civil Service Commission shall choose from the National Panel of Arbitrators.

Earlier in this report, the Task Force referred to the question of extending to organizations of Government employees the standards of conduct which have been established for trade unions in the private sphere of the economy. A similar question concerns the extent to which standards of fair labor practices analogous to those which have been developed for the private economy, primarily by the National Labor Relations Board, should be adopted for employee-management relations in Government. These are complex questions involving many considerations. The Task Force recommends that the President direct the Department of Labor and the Civil Service Commission jointly to prepare proposed standards of conduct for employee organizations and a proposed code of fair labor practices in employee-management relations in the Federal service.

As a temporary measure, to assist in getting the employee-management relations program underway, the Task Force recommends that the President establish a small interagency committee to consist of the Secretary of Defense, the Postmaster General, the Secretary of Labor, and the Chairman of the Civil Service Commission. The Secretary of Labor should serve as Chairman. In addition to other matters which may be referred to it by the President, the committee should receive and review the proposals by the Department of Labor and the Civil Service Commission for standards of conduct for employee organizations and fair labor practices in the Federal service.

As a long range measure, the Task Force wishes to recommend that the Federal Government take steps to provide for instruction in employee-management relations in appropriate educational or training activities of the Government, and to encourage the study of the subject at colleges and universities preparing students for careers in the public service. In time to come it is likely that these will be skills of increasing significance to the art of public administration. It would be of great value for future Government managers to encounter the subject in the early stages of their education, just as it will be of importance to the Federal Government to see to it that this education continues throughout the careers of Federal executives.