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THE ISSUE OF MILITARY UNIONISM:
GENESIS, CURRENT STATUS
AND RESOLUTION

By

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Lieutenant Colonel Colben K. Sime, Jr. ~~SMC~~

NATIONAL SECURITY AFFAIRS MONOGRAPH 77-5

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FOREWORD

Unionization of the military services has become a serious issue in the United States, as reflected by the publication of numerous articles, surveys, and studies.

Also indicative of the genuine concern prompted by this issue are recent developments in Congress, where the Senate passed a bill prohibiting military unions, and in the federal bureaucracy, where the Department of Defense is developing a new directive on military unionization. Due to a recent decision by the American Federation of Government Employees not to pursue it, the imminence of military unionization may have receded; but the conditions which led to the debate are still present.

The implications of military unionization underscore the value of this monograph, in which Lieutenant Colonel Sime discusses unionization in general, and military unionization in particular, in their historical contexts. The study evaluates the applicability of European military unions to the American experience, examines the current status of US military unionization, and assesses prospects for resolution of the issue.



R. G. GARD, JR.
Lieutenant General, USA
President

BIOGRAPHICAL SKETCH

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ACKNOWLEDGEMENT

I would like to express my gratitude to Colonel G. Perselay, Mr. J. Starron and Lieutenant Colonel D. Medigovich for their assistance in the development and completion of this paper. Particular acknowledgement is made to Colonel Perselay for his provision of documentation and assistance in gaining personal contacts and conference accesses.



SUMMARY

This paper initially examines European Military Unions and for a number of reasons concludes that there are few parallels and little general applicability to the United States and the potential unionization of its armed forces. The paper then traces the development of private sector collective bargaining. This in combination with the perception of military benefit erosion, loss of institutional trust and the introduction of the occupational model into the armed forces is shown to have generated the conditions under which US military unionization could become an issue. Description of the circumstantial confluence of common American Federation of Government Employees (AFGE) and military service member interests in a civilian comparability pay raise, and subsequent change of the AFGE constitution to accept military membership generated the requirement to document the current status of the unionization issue. After a detailed description of the recent actions taken by those organizations, agencies, and governmental departments involved (to April 15, 1977), AFGE organizational problems, unionization aims, and the potential impacts of unionization are discussed. The paper concludes that May-October 1977 will be a transitory period and critical in the sense that it is not known whether Congress, the Executive Branch, DOD, AFGE, or other less likely organizations will take the first step to resolve the unionization issue. Ultimate resolution will depend on actions taken by and the interaction between those organizational entities most concerned with the issue.

**THE ISSUE OF MILITARY UNIONISM:
GENESIS, CURRENT STATUS AND RESOLUTION**

INTRODUCTION

In September 1969, an article titled "Soldiers in Unions—Protected First Amendment Right?" appeared in the *Labor Law Journal*.¹ It provoked little if any concern. On June 27, 1975 an article titled "Union Plans '76 Drive to Represent Servicemen; Legalities Are Explored, and Pentagon Shudders"² appeared in the *Wall Street Journal*. This article, on the other hand, provoked concern in a number of quarters. In September 1976 a resolution which changed the constitution of the American Federation of Government Employees (AFGE) to accept military applications for membership was passed. This act served to focus recent attention on the issue of US military unionization and was instrumental in raising this issue to the position of prominence that it occupies today.

This paper presents an examination of three aspects of the unionization issue: genesis of the issue itself, its current status, and prospects for resolution.

United States military unionization is a very emotionally charged issue. To the military commander it represents a challenge to authority within the unit. Collective bargaining and negotiation have no place in the Commander's vocabulary. For this reason, special emphasis has been given to the development of the chapters dealing with the genesis of the unionization issue.

Initially, the military unionization status of 10 Western European countries is described to determine what if any parallels exist of if any of the European experience would be applicable to the US Armed Forces. Seven of these countries have unions and three—France, Italy, and the United Kingdom—do not.

Central to the understanding of the genesis of the unionization issue is an appreciation of the development of labor-management relations in the United States. This is provided by a discussion of the development of both private and public sector bargaining and a discussion of the special implications of the National Guard Technicians Act. Particularly important to the military unionization issue is the explosive growth of federal public sector unions.

Historically, in both the private and public sector when the employer has not fulfilled the aspirations of the employees, the development of an organization to represent them has been the result. Key to the genesis of the military unionization issue was the creation within the Armed Forces, of those same characteristics that have historically led to unionization within the private and public sectors.

The description and discussion of the current status of the unionization issue was undertaken for two reasons: the number of recent events that have taken place and the number of recent actions that have been taken by the organizations and institutions involved. Unless otherwise noted, information contained in the chapter on current status is valid through May 1977.

Discussion of AFGE aims, examination of the major organization problems facing them, and examination of the potential impact of unionization provide insight into the prospects for resolution of the unionization issue. Further addressal of the resolution problem is contained in the general discussion chapter. The paper finishes with 10 conclusions.

ENDNOTES

1. Daniel P. Sullivan, "Soldiers in Union—Protected First Amendment Right?", *Labor Law Journal* 20 (September 1969): 581.
2. Walter Mossberg and Richard J. Levine, "Union Plans '76 Drive to Represent Servicemen; Legalities Are Explored, and Pentagon Shudders," *The Wall Street Journal*, June 27, 1975.

CHAPTER I

EUROPEAN MILITARY UNIONS AND ASSOCIATIONS¹

INTRODUCTION

Military associations developed in some European nations during the latter half of the 19th century. However, the growth of the European military union as such has been a more recent phenomenon. While the distinctions between military associations and unions are not absolute, associations generally consult and/or lobby, while unions negotiate or consult with the government at the equivalent of the Minister of Defense level on matters involving pay, benefits, working conditions, and military standards. Another distinction is that associations are comprised of military members only and are usually divided into specific categories; i.e., officers, NCOs, etc., while unions representing military members generally represent other labor sectors, both public and private, and are frequently national in scope. Associations are apolitical while unions may be related to national political parties and often are affiliated with national trade union federations. Neither military unions (with the exception of Sweden) or associations have the right to strike. Unions and associations are also prohibited from interfering in matters of discipline, training, and military operational matters. Additionally, restrictive union policies are waived in time of war or national emergency.

The means that European unions and associations utilize to influence their respective governments are varied. Some lack true union powers and act in an advisory role through lobbying or formalized consultation. Others have the traditional characteristics and negotiational powers of regular trade unions.

The unions and associations of seven Western European countries will be discussed in this chapter. They will be discussed in increasing order of maturity; i.e., those that lobby, those that consult, and those that have negotiating power.

Table 1 contains a union/association listing and provides selected general information about each one.

Table 1

EUROPEAN UNIONS AND ASSOCIATIONS

| <i>Country (Armed Forces^a)</i> | <i>Year Established</i> | <i>Percent Membership of Armed Force</i> | <i>Unions (Number or Name)</i> | <i>Government Relation- ship</i> |
|---|-----------------------------|---|--|--|
| Federal Republic of Germany (495,000) | 1954 | 80% (Officers & enlisted) | DBV OTV | Vocational Lobby |
| Netherlands (112,200) | 1897 | 75-80% (Officers & enlisted) | 35 | Consultation |
| Belgium (88,300) | 1973 | 50% officers (association) 75% enlisted (association) 10% (union) | SYNDIC ^b CGSM | Consultation Negotiation |
| Austria (37,300) | 1967 | 66% officers 75% NCOs | Government Employee Union | Negotiation |
| Denmark (34,700) | 1922 | 98% officers 92% enlisted | 52 | Negotiation |
| Norway (39,000) | 1835 | 90% officers 70% enlisted | BFO | Negotiation |
| Sweden (65,400) | 1965 | 98-100% (officers & enlisted) | Officers Warrant Officers NCO | Negotiation |

^aArmed Forces manpower figures are from International Institute for Strategic Studies, *The Military Balance 1976-1977* (London: IISS, 1976), p. 80.

^bSYNDIC - Central Military Syndicate
CGSM - Central General Military Union

Federal Republic of Germany (Armed Forces - 495,000)

In 1932 Adolf Hitler outlawed all trade unions in Germany and on numerous occasions the German army forcibly put down strikes. After World War II the allies encouraged civilian unionization as a means of sharing power, decisionmaking, and democratizing the country. Upon initial reformation of the army the fear still remained that if not controlled the army would once again become politically powerful. By guaranteeing union membership rights to all Germans including those in the military service, this concern was alleviated and the concept of associations and unions in the FRG military was born with the reestablishment of the armed forces and compulsory military training in 1954. There is both association and union representation in the FRG.

The German Armed Forces Association (DBV) represents approximately 80 percent of the career military (officers and enlisted). It is a true association in that it is apolitical, has no relationship with civilian unions, and influences the Minister of Defense and Parliament through lobbying for benefits, pay, improved working conditions, and other laws and directives relative to the welfare of military personnel. It also actively promotes public relations programs, political training seminars, and enhancement of the military image. By maintaining a "citizen in uniform" concept the DBV has placed service to country first, peace for Germany and Europe second, with pay and benefits third.

In 1966 the German Public Services Union (OTV) began military recruitment. By 1975 there were approximately 8,000 military members in the 1 million member OTV. Many of these members were OTV members as civilians and retained membership upon joining the military service. Although civilian members can strike, military members cannot. With about 7 percent of the military as members, the OTV can be considered to represent the military members. However, this membership represents approximately 1-2 percent in any given craft and the influence of the military members is relatively weak.

The Netherlands (Armed Forces - 112,200)

The Netherlands has extensive union organization in all sectors and has a long history of many diverse labor organizations. The first military union was reportedly established in 1897. There are now approximately 35 associations involving military personnel. These associations, through joint consultation with the government, concern themselves

with pay, personnel policies, work conditions, individual freedom and discipline. Approximately 75-80 percent of all career military personnel belong to a military association.

In 1966, the Association of Draftees (VVDM) was formed. The goal of the VVDM was to eliminate those elements or methods in the military service which have no commensurate parallel in civilian life, and for which there appears to be no justification on military grounds. The VVDM does not have a legally recognized position within the governmental system as it is independent and unaffiliated; however, it is "recognized" as being representative of the draftees. Dominated by a radical minority with approximately 30-50 percent of the draftees being members, the VVDM has succeeded in bringing about significant changes in military customs, discipline, and authority. These changes include abolition of brass shining, voluntary reveille, and abolition of the saluting obligation. As a result, there is now little difference in personal appearance and conditions of work between the draftee in the armed forces and his civilian counterpart.

Belgium (Armed Forces - 88,300)

Belgium is a highly unionized country. The government encourages unions and is influenced by them; many government officials come from union backgrounds.

Military associations, separated by grade, were formed in 1960, subsequently formalized in 1965 and initially engaged in informal consultations. Approximately 50 percent of the career officers and 75 percent of the career enlisted personnel are association members.

In 1973 military personnel were authorized to join and be represented by trade, service, and professional unions. Career personnel union membership is estimated to be 10 percent. The unions are fragmented by trades and other dividing lines and therefore not as influential as other European military unions. Military unions are prohibited by law from both striking and interfering in matters of military discipline, although authorized to negotiate for pay, benefits, and working hours. The work week is now 40 hours and service members are compensated for overtime. Belgian military unions are the newest in Europe and their course is yet to be determined.

Austria (Armed Forces - 37,300)

Austria is a widely unionized country with strong union membership in The National Assembly and a large public employee membership. Military personnel are represented by the Government Employees Union, a member of the strong Austrian Trade Union Federation. Career military personnel have been allowed to join the union since 1945 but did not take an active role until 1967. Approximately 66 percent of the career officers and 75 percent of the career enlisted personnel belong to the union. The union negotiates with the government on benefits, rights, and privileges of government employees but does not become involved in military operational matters.

Denmark (Armed Forces - 34,700)

Denmark has had long experience with trade and labor unions. Their counterpart to our 1935 Wagner Act was enacted almost 55 years before in 1881. Danish military unionization began in 1922 and progressed rapidly after World War II, during 1950-1970.

Unlike most military unions, the Danish military unions are separate from civilian unions. They are well integrated into the defense structure and membership is automatic for all career personnel unless an individual specifically declines to join. Although there are no conscript unions (conscripts do have a council which meets with the Minister of Defense periodically), there is a proliferation of others, 52 in number, that range from officers' unions to doctors' unions to unions for those with university degrees. Approximately 98 percent of the officers and 92 percent of the NCOs are union members. The unions represent members in negotiations involving pay, working conditions, grievance procedures, and insurance plans. The Danish work week is 40 hours and compensation is received for overtime. Strikes are not allowed and unions may not interfere in operational matters.

Norway (Armed Forces - 39,000)

Norway is highly socialized and widely unionized. Labor unions form part of the ruling party and are not only accepted by the government as a way of doing business but are actively encouraged.

The first military union was reportedly formed in 1835. Although affiliation with the Norwegian Federation of Labor occurred in the early 20th century, the unification into a single representative organiza-

tion (BFO) for all except draftees did not occur until 1957. Approximately 90 percent of the officers and 70 percent of the enlisted are members. The BFO negotiates for pay, working hours, promotion policy, working conditions, grievance procedures, and social benefits for its members. The BFO has been successful in its principal objective of remaining politically neutral while being successful in representing its members. As an example, the standard work week is 40 hours and military personnel may not work more than 10 hours per week overtime or 105 hours per year overtime without union approval. At the same time, the military union can neither strike nor interfere in military law or military missions, and has no control in battle.

Conscripts have no separate organization per se, but are represented by locally elected representatives called "*Tilletswen*." The *Tilletswen* meet with the Ministry of Defense once each year; however, there is no obligation on the part of either the military or the government to accede to their demands. The issues have been pay, hours of work, overtime, right to refuse orders, free trips home, and recognition as a national union. The conscripts, on occasion, have been in conflict with government positions and have been previously dominated by radicals. They have recently become more moderate.

Sweden (Armed Forces - 65,400)

Organizations and unions are prevalent throughout Sweden—from trade unions to organizations of apartment renters and villa owners. Trade unions in particular have historically been a significant force in the Swedish government.

Swedish military unions came about through enactment of the State Officials Act of 1965, which extended the private sectors' collective bargaining rights over salaries and working conditions to nearly all national civil servants, including armed forces members. This allowed defense civilians and armed forces personnel to join any labor union with civilian affiliation. An officers' union, a warrant officers' union, an NCO union, and a defense civilian union evolved. They negotiate with the government through their affiliated national civilian union for pay, hours of work (overtime compensation has been paid for several years), grievance procedures and working conditions. There are strike provisions, but the military union cannot strike unless approved by their affiliated national civilian union and the strike does not affect national security as adjudged by the government. It is estimated that 98 percent of the officers, warrant officers, and NCOs belong to military unions.

Although draftee unions have been formed and there have been latent signs of some militancy, none have been formally recognized by a civilian trade union and therefore they are not officially recognized.

France (Armed Forces - 502,000)

Career French military personnel are forbidden by law to participate in union activities. There have been some attempts to form unions by draftees but they have been unsuccessful due to strong governmental resistance.

Italy (Armed Forces - 421,000)

Military unions are not recognized in Italy and military personnel are prohibited from engaging in union activity. Here too, problems with draftee union movements have occurred. Draftees have illegally paraded in uniform, demanded the right to form unions, demanded more pay, and demanded better conditions. So far, they have not been successful.

United Kingdom (Armed Forces - 345,000)

The United Kingdom is an important exception to the general Western European picture. Although the United Kingdom is very highly unionized, there has been little, if any, movement toward unionization of the military services by either military personnel or labor representatives.

DISCUSSION AND SUMMARY

Examination of those Western European countries where there are military unions and/or associations reveals that the nations themselves are all extensively unionized. Labor organizations have played a very key role in the development of each of the governments, have great influence in the government, and former labor leaders often have high positions in the government. The governments encourage unions and in some cases have been instrumental in fostering unions within their military services. In those most heavily unionized countries, in which there are military unions, they are considered by some to be essential. The unions provide pay, allowance, and benefit representation for career military at the defense department and national level. Under these circumstances the development of military unions and associations came as a very natural consequence of the national characteristics of Western European countries in which they were formed.

On the surface, the relationship between the unions/associations and their respective governments has appeared to be generally positive and one of mutual trust and cooperation. For the most part the unions have not attempted to extend their bargaining powers concerning the right to strike, military mission, or operational matters. From the standpoint of the individual member, positive gains have been produced in the areas of pay, benefits, working hours, general working conditions, and personnel policy matters. At the same time, management flexibility has been lost in the restrictive policies on working conditions, time spent in participative decisionmaking, work week rules, and overtime limitations.

On the other hand, in those countries where conscript/draftee unions have been formed or formation attempts have been made (The Netherlands, Norway, and Sweden), this same sense of parallel purpose between the conscript/draftee unions and their respective governments does not exist. These unions have generally acted as adversaries of the defense establishment and changes in the standards of military appearance and decorum are largely attributed to their influence. The Netherlands is a prominent example of this.

Worthy of note are the relatively small sizes and relatively limited missions of the European Armed Forces as compared to those of the United States. The largest European force is somewhat smaller than the largest of the US services. With regard to missions, European Armed Forces' missions are limited in nature; i.e., defense of the homeland until allied assistance can be obtained to suppress an attack by a foreign power. On the other hand, the US Armed Forces have worldwide commitments and are deployed worldwide. They are utilized to achieve national objectives and to defend those countries to which the United States has commitments.

The overall impact of unionization on the capability of Western European military forces to fulfill their ultimate missions is a matter open only for conjecture and personal judgment. On the basis of exercises to date, there are a variety of opinions. However, with the primary mission of most European forces being one of defending the homeland, only an armed conflict in this arena would test their effectiveness. Since this has not occurred subsequent to the major growth of unionization (e.g., Sweden has not been tested in 160 years), the ultimate impact of Western European military unionization on combat effectiveness is still unknown.

It is true that there are military unions and associations in the European Armed Forces. However, it is also true that the social and political characteristics of the countries and the sizes and missions of the armed forces within those countries are different from those in the United States and those of the US Armed Forces. Additionally, the modern-day unionized European Armed Forces have not been truly tested in combat. For those who would tout the European experience as a model for the United States to copy, it is important to remember these facts.

ENDNOTES

I. A large number of articles, papers (both published and unpublished), and studies have been written on European military unions. Scrutiny and comparison of these documents reveal that among them there are disagreements regarding *technical descriptions, quantitative information, and other details*. However, there is general agreement regarding union genesis, missions, goals, philosophies, and areas of interest. With this in mind, the contents of the descriptive portion of this chapter were distilled from a number of sources (six of which are included below) and are intended to provide a general description of each of the European unions discussed rather than a *definitive study of each*.

Major James E. Altwies, USAF, "Why Would the Military Unionize?", Unpublished research study submitted to the faculty, Air University, Maxwell AFB, Alabama, May 1976.

Major James A. Badami, USA, "Servicemen's Unions: Constitutional, Desirable, Practical," Unpublished thesis, US Army Judge Advocate General's School, March 1973.

David Cortright, "Military Unions of Europe," unpublished report to the American Federation of Government Employees, September 8, 1976.

William Ivan Harris, "A Survey and Analysis of Servicemen's Unions," unpublished master's paper submitted to the Pennsylvania State University, Graduate School, Department of Public Administration, August 1975.

James L. Quinn and Ronald V. Grabler, "Military Unions, The Advantages and Disadvantages of Unionization Within the Armed Forces," unpublished paper for the Air Force Institute of Technology, Air University, Wright-Patterson AFB, Ohio, September 1971.

US Department of Defense, Assistant Secretary of Defense (Manpower and Reserve Affairs), Memorandum for Chairman, JCS, General Counsel of DOD, Assistant Secretaries of the Military Departments (M&RA), the Special Assistant to the Secretary of Defense. Subj.: "Unionization," May 11, 1976.

Additional references are contained in a selective bibliography on Military Unions published by the Army Library (Room 1A518, the Pentagon) in February 1977.

CHAPTER II

UNIONIZATION IN AMERICA: PRIVATE AND PUBLIC SECTORS

INTRODUCTION

The question of military unionization cannot be adequately addressed without a preliminary discussion of unionization within both the private and public sectors. This is necessary because successful private sector bargaining was the precursor to wide recognition of public sector collective bargaining. Without successful recognition of public sector collective bargaining as an intermediary step, unionization of the US military would not be a current issue.

The labor movement in many European countries has historically been not only economically but politically motivated. This is contrasted to the American labor movement which has had economic betterment as its primary target. Higher wages, shorter hours, more vacations, safety, easier work rules, and increased benefits such as pensions and health insurance have been the goals of the American labor movement. Therefore, in the private sector where profits are the motive, an adversary relationship between the employee/union and the employer/management determines how the "pie" is to be cut. At a given level of productivity, what one party gains the other loses and vice versa—the zero-sum game. On the other hand, in the public sector where the motive is service, the aim of the employee is the same, but the employer is the Government, the representative of the community from which the employee comes. The adversary relationship between the employee and the employer still exists but what the employee gains, the employer may lose in terms of increased taxes and decreased services. It was the relatively recent breakthrough in the recognition and growth of public sector bargaining that has allowed the emergence of the military unionization question. It is in this context that the following review of the development of private and public sector bargaining is presented.

PRIVATE SECTOR COLLECTIVE BARGAINING

The earliest recorded labor dispute in the Americas occurred in 1636 when a group of fishermen, off the coast of Maine, were reported to have "fallen into mutiny" when their wages were withheld. The first strike is often said to have occurred in New York City by bakers in 1741 when they combined "not to bake bread but on certain terms."¹

During this early period labor actions such as these did not involve large numbers of people and were mostly local in character. At the same time employers used all means available to fight those unions that had formed. The courts were generally disposed to side with the employers.

The first large-scale union emerged in the latter part of the 19th century. It was called the Knights of Labor and was an attempt to organize all labor under one organization. Because of its heterogeneous mixture and the unsusceptibility of the country to some of its radical political philosophies, this union did not survive.

The formal beginning of the present day labor movement occurred in 1886 when the American Federation of Labor (AFL) was formed as a craft union. Samuel Gompers dominated this organization until 1924 and operated the Federation on the following three major principles:

1. The aims of the union were economic, i.e., higher wages and better working conditions, not political or social change other than through economics in the capitalistic system.
2. Each national union was to have autonomous sovereignty and exclusive jurisdiction over its craft specialty, i.e., two unions could not organize the same craft.
3. Voluntarism was required. Government interference in collective bargaining was not to be tolerated and the Federation was not committed to one political party.

This philosophy has endured and has been the dominant philosophy in the American labor movement.

Since there was no Federation legislation that had established national labor guidelines, most of the collective bargaining law resulted from court decisions until the 1930s. Employers continued to utilize all means to discourage unions including extensive use of court-issued injunctions against strikes.

The first of two major pro-labor legislative acts in the 1930s was the Norris-LaGuardia Act passed in 1932. This act effectively restricted the use of the injunction as an employer weapon against unions. Federal injunctions in labor disputes were outlawed except under very specific and restrictive conditions. In 1935, the National Labor Relations Act (Wagner Act) was passed, which is considered to be the cornerstone or Magna Carta of Federal labor policy. It established the first national

labor guidelines that protected the right of workers to organize and to elect their representatives for the purpose of collective bargaining. The declaration paragraph of the preamble sets the tone for the act.

It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedures of collective bargaining by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.²

This Act and others in the 1930s reestablished the statutory influence in labor law, elevated the bargaining power of the employee with respect to the employer, and raised the position of the worker in the land/labor/capital equation.³

During this same period, the conflict which developed over the years between industrial and craft unionism became increasingly more prominent. The Congress of Industrial Organizations (CIO), with John L. Lewis as president, spun off from the AFL in 1938. The labor movement was then divided into two factions, the AFL representing *craft unions* and the CIO representing *industrial unions*. From this period through World War II unions grew and prospered both in membership and impact.

In 1946 the number of man-days lost to strikes set a record. This ushered in a period of constraint on labor which began with the 1947 Taft-Hartley Act. This act swung the pendulum back toward management, outlawing closed shops, enumerating union unfair labor practices, and giving management a restricted right of free speech against union organizing.

After the deaths of the AFL and CIO presidents in 1952 the opportunity arose to end hostilities between the two organizations. The merger was consummated in December 1955 and the AFL-CIO exists as a Federation today.

The Landrum-Griffin Act in 1959 was designed to protect the worker from transgressions committed by his union. It established specific internal operational checks and balances to better insure that the union functioned within accepted parameters.

Private sector union membership reached a peak in 1956, and declined until 1963, when membership again increased. Membership reached a new high in 1972. However, the growth failed to keep pace with the labor force. The southern textile and furniture industries, many service industries, and most salaried employment still remain non-unionized in the private sector.

Meanwhile, private sector unions remain a powerful force. Despite the decline in the proportion of the labor force which they represent, they are a dominant influence in wage determination and in determining the rules and regulations under which people work.

PUBLIC SECTOR COLLECTIVE BARGAINING

As in the private sector, Federal employer/employee disagreements over wages, working hours, working conditions, and benefits also have an early history in the public sector. As early as 1807, the Secretary of the Navy fired blacksmiths at the Portsmouth Navy Yard who had complained of low wages. Strikes and demonstrations from 1830 to 1835 that resulted in the reduction to a 10-hour working day in the private sector were carried on in 1836 by Philadelphia Navy Yard employees for the same purpose. Although the Navy Yard strike was locally successful, the Federal employee workday issue was in doubt for 4 more years until President Van Buren, through Executive Order, established a 10-hour workday for all Federal employees.⁴ Through loosely coordinated public employee job actions limited mainly to crafts, some additional improvements in wages, working hours and working conditions were achieved by demonstrations and political agitation during the middle of the 19th century. These improvements were generally gained only after they had been previously gained by the private sector.

Throughout this same period the patronage system was utilized in the selection of personnel to fill positions in the Government. This continued until 1883 when the Pendleton or Civil Service Act was passed. This act established the US Civil Service Commission and implemented a system whereby government personnel were to be hired and promoted on the basis of merit. Discharge was to be for cause only. Although initially established to solve the political patronage problem, the Civil Service system as it developed from the Pendleton Act would assume an increasingly important interface between the government employer and the government employee.

During this same period, the philosophical difference between the public and private sector employer-employee relationship began to emerge. Whereas in the private sector it would come to be accepted that the employees had a right to collectively bargain for economic and working condition gains, this was not, at least in the early years, to be the case in the public sector. For many years the theory of sovereignty would be an accepted working philosophy in the public sector. The theory rests on the assumption that the government represents a sovereign power and therefore it alone may set the terms and conditions for the employment of its employees. The second argument against permitting collective bargaining for government employees was that it might result in strikes. Strikes against the Government are of an insurrectionary nature and therefore could not be tolerated because of the potential loss of vital services to the public.

One of the first of many executive, legislative, and judicial actions to reinforce these precepts occurred in 1892 in a civil case wherein the judge ruled that the worker (in this case a policeman) had no "right" to public employment, but only a privilege, and that the worker gave up his right to complain when he accepted terms of the employment offered to him. Between 1902 and 1909 Presidents Taft and Roosevelt issued Executive Orders prohibiting government employees from petitioning Congress (except through their department heads) and joining labor unions. Both Executive Orders were superseded by the Lloyd-Lafollette Act of 1912 which guaranteed the rights of Federal employees to petition Congress. Regarding the right to organize, the act only explicitly mentions the postal union; however, the protection it provides has also been extended to all Federal employee unions. The right to strike was prohibited. This was to be the only law pertaining to the collective bargaining of Federal employees for the next 35 years.

With the right to organize but not to collectively bargain or strike, Federal employees could only exercise their right to petition Congress. This they did through the mechanism of legislative lobbying. Through lobbying the Federal employee made sure that both the Executive Branch and Congress were kept aware of the needs to raise his status in a manner similar to his private sector counterpart. Thus the concept of legislative paternalism developed. The Congress continued to develop the civil service system. The Civil Service Commission in some respects became the Federal counterpart to the private sector union; i.e., it became the representative of the Federal employee within the Executive Branch of the Government.

As private sector unions were struggling with the problems of acceptance and recognition, the growing philosophical difference between the public and private sector employer-employee relationship continued to be emphasized by succeeding Presidents themselves. Presidents Wilson, Coolidge, and Hoover all publicly proclaimed that public servants were in a separate category and did not have the right to strike. Even with the advent of the encouragement era in the private sector by the pro-labor legislation of the 1930s, President Roosevelt, who encouraged private sector unionism, proclaimed that, "All government employees should realize that the process of collective bargaining as usually understood cannot be transplanted to the public service."⁵ Additionally, he required that the executive departments create personnel divisions. He also increased the leadership role of the Civil Service Commission in Federal personnel management in 1938.

The Federal Civil Service system functioned well through World War II. Congress was apparently sufficiently satisfied with the system so that in 1947, provisions for government employees were included for the first time in a general labor law, the Taft-Hartley Act. The Taft-Hartley Act explicitly prohibited any Federal employee from participating in any strike. In 1952, Public Law 330 strengthened the Taft-Hartley Act and made strikes against the Federal Government a felony.

While collective bargaining contracts in the private sector provided cost of living and automatic wage increases, wage increases in the public sector generally lagged behind and were often geared to a forthcoming election or periodic civil service merit increase.⁶ Private sector unions had won premium pay for overtime and employer-paid fringe benefits. In the public sector, the employer unilaterally determined any changes. These circumstances were to prevail until the 1960s when the phenomenal expansion of public sector collective bargaining occurred. All levels of public employment increased 112 percent (from 6 million to 13.3 million) during the 20-year period from 1951 to 1971. This was a 15 percent growth in Federal Government employment and 175 percent growth in state and local employment. At the same time, nongovernment employment grew 41 percent.⁷

According to one thesis, there were two major challenges to the previously established status quo during this same period.⁸ These were the civil rights movement and the teachers movement. It was on the shoulders of these two movements that Professor Shane theorizes that the public sector collective bargaining breakthrough was made.

Historically, the breakthrough came not at the Federal but at the state level. In 1958, Mayor Wagner (ironically, the son of one of the authors of the 1935 Wagner Act) of New York City issued an executive order providing a measure of collective bargaining to the employees of New York City. In 1959, the Wisconsin Legislature enacted legislation that permitted county and municipal employees the protection and administrative machinery of its State Labor Relations Act. In 1962, President Kennedy issued Executive Order 10988 which established a new pattern for labor management relations for Federal employee labor organizations and Federal agency management. Several of the major features were:

1. Based on representative union strength, the order provided for three levels of union recognition: informal, formal, and exclusive.
2. The concepts of exclusive bargaining and negotiated agreement were introduced.
3. The right to join or not to joining a union was affirmed.
4. The resolution of impasses was to be left to the parties.
5. Responsibility for implementation of the program was left to the executive departments with the Civil Service Commission given the leadership role in providing management and training.
6. It prohibited recognition of a union that did not include a no-strike clause in its constitution.
7. Wages, paid holidays, sick leave, pensions and other economic issues remained to be determined by Congress. However, promotions, demotions, recruitment and training, disciplinary action and reduction in force were issues for bargaining.

The New York City Executive Order, the Wisconsin Legislation, and Executive Order 10988 can collectively be identified as providing the foundational precedents and procedures for collective bargaining in municipal, state, and Federal Government. The stage for the explosive expansion of public sector collective bargaining was set.

By mid-1963, 180,000 nonpostal federal workers were represented by exclusive bargaining units. In 1965 the number had grown to 320,000 and by 1967, 630,000 nonpostal employees were in bargaining units exclusively represented by unions. This accounted for 29 percent

of all nonpostal employees of the Executive Branch of the Federal Government.⁹ Equal if not greater growth occurred in the state, county, and municipal employee unions.

In 1969 and 1971, President Nixon issued Executive Orders 11491 and 11616, respectively. Executive Order 11491 provided for exclusive recognition only based on majority rule, delineated unfair labor practices, defined standards of union conduct, and designated the Assistant Secretary of Labor for Labor Management Relations to resolve charges resulting from the order. Additionally, this order established the Federal Labor Relations Council (FLRC) and the Federal Services Impasses Panel (FSIP). Bargaining scope continued to be limited and compulsory union membership was banned. Executive Order 11616 strengthened the effect of exclusive recognition, broadened the scope of negotiations, and required a negotiated grievance as the exclusive remedy for grievances concerning the interpretation and application of the agreement.¹⁰

Initial attempts to organize Foreign Service personnel within the State Department and civil employees in the United States Information Agency (USIA) and the Agency for International Development (AID) first under Executive Order 10988 and then Executive Order 11491 were not too successful. On March 1, 1971 President Nixon issued a memorandum excluding the Foreign Service from the provisions of Executive Order 11491. In December 1971, the President issued Executive Order 11636 under which the Foreign Service would have an "employee-management" system. Consultations vice negotiations would be authorized between management and an elected exclusive representative.¹¹

The number of federal employees represented by labor organizations in exclusive bargaining units has continued to grow. In November 1975 there were 2,038,889 federal employees (excluding the US Postal Service, FBI, CIA, NSA, and foreign nationals serving outside the United States). Of these, 1,200,336 were represented by federally recognized labor unions.¹² Union representation had risen from 29 percent in 1967 to 59 percent in 1975. A list of the major unions included the American Federation of Government Employees (AFGE), National Treasury Employees Union (NTEU), National Association of Government Employees (NAGE), Metal Trade Council (MTC), International Association of Machinists and Aerospace Workers (IAM). AFGE, MTC, and IAM are affiliated with the AFL-CIO. NTEU and NAGE are independent unions. The AFGE is the largest with over 300,000 members and represents over 670,000 federal personnel.¹³

With respect to public sector bargaining in individual states, 52 percent of the states have comprehensive bargaining for all state employees, 64 percent have firemen and 56 percent have police collective bargaining provisions, 60 percent have teachers provisions and 25 percent of the states have no collective bargaining provisions.¹⁴ There are seven states where strikes are legal.

NATIONAL GUARD TECHNICIANS ACT

Before considering the overall impact of the recognition of public sector collective bargaining, one of the implications of the National Guard Technicians Act, which was passed in 1968, should be considered.

The Air National Guard Technicians are full-time employees who number about one out of every five national guardsmen. They include officers, airmen, hydraulics and communications specialists, instructor pilots, and weather forecasters. Prior to 1969 they were unique in that they worked for the states but were paid by congressional appropriation. They were therefore governed by both federal and state laws. They worked full time at civilian work while being available for federal service whenever their unit was called. One of the conflicts which state governments provided a retirement plan or civil service benefits. Congress resolved this by declaring the technicians to be federal employees under the National Guard Technicians Act. By declaring the technicians employees they became eligible to become represented by unions under the Executive Order. By 1973, 60 percent of the technicians were represented by labor organizations. One author, in a study of military unionization, describes this act as a "bridge" between the federal civilian and the federal military employment sectors.¹⁵

DISCUSSION AND SUMMARY

The emergence of public collective bargaining has had impacts in several areas. The individual public sector employee has gained increased pay and benefits. These increases have been obtained not only through negotiation but through strikes, slow-downs, and sick-outs. As the size and power of the public sector union has grown, so has its militancy. Although seven states permit a limited right to strike, other states do not, nor does the Federal Government. However, the amount of public sector strike, slow-down, and sick-out activity has risen tremendously since the recognition of public sector unions. Municipal employee strikes in New York City; fireman strikes in Kansas City, Missouri; police and fireman strikes in San Francisco; a general (teacher,

sanitation worker, policeman, recreation department, jail guard, water and highway department employee) strike in Baltimore; and teachers strikes in Pittsburgh and Los Angeles are just a few examples of public sector strikes that have each in their turn made headline news at one time or another since 1970.¹⁶ During the postal strike in 1970, National Guard troops were utilized to deliver the mail in some cities. Although illegal, the strikes still occurred, bringing disruption in some cases to vital services (fire, police, and hospital) and in others to necessary services (postal, sanitation, and teachers). The strikes resulted in not only causing direct extra costs and lost services but also in raising wages and thereby increasing the taxes of the public at large. Of most importance from the standpoint of this paper is the ground-breaking effect that the widespread growth, acceptance, and militancy of public sector unions are likely to have on future military unionization.

ENDNOTES

1. US Civil Service Commission, Bureau of Training, "Overview of the History of American Labor Movement." RN-12 (Rev 3-73), p. 1.
2. National Labor Relations (Wagner) Act of 1935, Preamble.
3. Two of these were the Welch-Healey Act (1975) and the Fair Labor Standards Act (1938). The Welch-Healey Act provided that minimum wage standards be required on all government contracts. The Fair Labor Standards Act set a minimum wage for most nonfarm workers engaged in interstate commerce, barred child labor, and called for time-and-a-half pay for hours in excess of 40 hours per week.
4. US Civil Service Commission, Bureau of Training, "Important Events Relating to the Federal Government Labor Movement," RN-8 (Rev 12-72), p. 1.
5. F. M. Beatty, Major, USAF, "Military Unionization: A Challenge to Civilian Supremacy," Unpublished Research Study, The Air University, Maxwell AFB, Alabama, May 1976, p. 23.
6. US Civil Service Commission, Bureau of Training, "The Emergence of Public Sector Bargaining," RN-369 (Rev 5-73), p. 4.
7. *Ibid.*
8. Presentation by Professor Joseph Shane at Towson State University at an Inter-University Seminar on Armed Forces and Society Conference at University of Maryland, January 20, 1977.
9. US Civil Service Commission, "The Emergence of Public Sector Bargaining," pp. 6-7.
10. US Civil Service Commission, "Important Events Relating to the Federal Government Labor Movement," p. 9.
11. Bruce N. Gregory, "Union Representation in the Foreign Service," a paper presented at the 1977 Annual Conference of the International Studies Association, March 16-20, 1977, pp. 1-11.
12. Civil Service Bulletin 711-34, "Analysis of Data and Report on Union Recognition in the Federal Service," April 30, 1976, Chart III, p. 12.

13. Once a bargaining unit is recognized the union represents all personnel within that unit whether or not they are all members. In the case of AFGE, the union represents approximately twice the number of federal employees that are actual union members.

14. Public Service Research Council, "Public Sector Bargaining and Strikes," Vienna, Virginia, August 1, 1976, pp. 26-70.

15. Beatty, "Military Unionization," p. 30.

16. Public Service Research Council, "Public Sector Bargaining and Strikes," pp. 18-25.

CHAPTER III

WHY MILITARY UNIONIZATION?

INTRODUCTION

It has only been within the past 2 years that a question such as "Why military unionization?" could be asked with any amount of seriousness. Recent articles discussing the question of unionization of the military have appeared in newspapers, nationally distributed magazines, and other written media. Hearings on military unionization have recently been held by the Senate Armed Services Committee.

There are two basic reasons that have prompted the recent concern over unionization of the military. One reason is that never before has there been a federally recognized organization that has expressed any interest in organizing the military. More important, there has been a change in the way the military is perceived as an institution and the way the military perceives itself and its status within the Department of Defense. It is the purpose of this chapter to address the latter question.

CALLING, PROFESSION, OCCUPATION

Professor Charles C. Moskos of Northwestern University has recently written a paper entitled "The Emergent Military: Calling, Profession or Occupation?" which defines three models: calling, profession, and occupation.¹ These three models provide a framework for the discussion of the perception of today's military institution. The following definitions and short discussion of each are presented from his paper.

A calling is legitimated in terms of institutional values, i.e., a purpose transcending individual self-interest in favor of a presumed higher good. A calling usually enjoys high esteem from the larger community because it is associated with notions of self-sacrifice and complete dedication to one's role. Although a calling does not obtain remuneration comparable to what one might expect in the economy of the marketplace, this is often compensated for by an array of social benefits associated with an institutional format. Members of a calling generally regard themselves as being different or apart from the broader society and are so regarded by others. When grievances are felt, members of a calling do not organize themselves into self-interest groups. Rather, if redress is sought, it takes the form of

"one-on-one" recourse to superiors with its implications of trust in the paternalism of the institution to take care of its own.

Traditional military service has always had many features associated with the calling model. The serviceman has a fixed term of enlistment; is liable for duty 24 hours a day; is subject to military discipline and law; is unable to resign, strike, or negotiate over working conditions; and is subject to extended overseas tours and frequent self and family moves. All of these constraints are over and above those dangers inherent in the actual combat conditions to which he is subject at the call of his government. The theme is one of "duty, honor, and country." Compensation is received in the form of noncash benefits such as subsidized consumer facilities (e.g., commissaries and exchange), medical and dental care, and deferred pay in the form of retirement benefits.

A *profession* is legitimated in terms of specialized expertise; i.e., a skill level formally accredited after long, intensive, and academic training. The prerogatives of the professional center around conditions supportive of skill levels, control of the work situation, and determination of ethical practices by one's peers. Compensation is often in the form of fee for service and a function of individual expertise. There is also the presumption that the practice of one's specialty will be a lifetime career. A profession typically advanced its group interests through the form of professional associations.

Service members often use the term military professional to describe themselves. The military educational system for officers—typified by the service academies, command and staff schools, and senior service colleges—is patterned after the professional model. In many respects, the various service associations are the military counterpart to the civilian professional associations. However, the concept does have its limitation in that compensation is a function of rank and seniority and not necessarily expertise. The exceptions to this are the military doctor and dentist who receive extra compensation for their skills. One other exception to the professional model is that few service members can make the military a lifetime career.

An *occupation* is legitimated in terms of the marketplace; i.e., prevailing monetary rewards for equivalent competencies. In a modern industrial society employees usually enjoy some voice in the determination of appropriate salary and work conditions. Such rights are counterbalanced by responsibilities to

meet contractual obligations. The occupational model implies priority inherent in self-interest rather than in the task itself or in the employing organization. A common form of interest articulation in industrial—and increasingly governmental—occupations is the trade union.

Until recently, the military services traditionally have avoided this model. Although there have been repeated recommendations by commissions that a salary system be adopted for the military services, none of the recommendations have been adopted. The employer-employee relationship that would be engendered by equal-pay-for-equal-work and civilian pay comparability principles is not in consonance with the calling model and has been successfully avoided by the military services until recently.

Although unionization is not integrally a part of the definition of the occupation model, the model's predisposition toward unionization is clear. This is consistent with the private sector where some large corporations, sufficiently sensitive to employee salary and work conditions, have not been unionized. Examples are Sears and Roebuck, IBM, and Dupont. However, this condition is the exception rather than the rule. With regard to the Armed Forces, there is no question that recent trends have been toward occupational model. In addition, other events are taking place which directly contribute to the trend toward ultimate unionization of the military services.

ALL-VOLUNTEER FORCE

The Selective Service System, although involuntary in nature and imperfect in its operation, gave much to the image of the military services. It was based on the principle of the obligation of the citizen to serve his country. Although only the army relied on large numbers of draftees, many volunteers for the other services were draft-motivated. However the 1970 *Report of the President's Commission on an All-Volunteer Force* (Gates Commission Report) recommended that this should be changed and that the armed forces should be recruited on a voluntary basis in competition with other available job opportunities in the private sector.²

The subsequent discontinuance of the draft in 1973 and the advent of the All-Volunteer Force probably more than any other single occurrences established the trend changing the image of the military service from a calling to an occupation. In order to recruit volunteers, the publicity theme stressed job training, foreign travel, and skill develop-

ment opportunities and generally extolled the personal advantages of joining the military service. Thus the "duty, honor, country" theme became subordinated to one of self-interest, advantage to the individual, and the idea that duty in the military service was just another "8 to 5 job." The concept of civilian pay comparability lends further credence to the perception that the Armed Forces are seeking employees to fill jobs.

Has the All-Volunteer Force with its occupational image been successful? Although nominally successful to date, trends are of concern in three specific areas.³ First, the cost of defense manpower has risen steadily, accounting for 58 percent of the fiscal year 1977 military budget. Second, crucial to the success of the total force concept are the reserves. They are experiencing a serious decline in strength. Some say this is due to lack of "draft-motivated" enlistments. Third, there is an impending manpower shortage. With the economy recovering and better job opportunities, only the lesser qualified young people will be available for service. However, proponents of the All-Volunteer Force claim that it is working and that, at a price, it can be preserved.

A return to the calling model through the institution of a system of national service is being discussed increasingly. This system could attract a large and representative cross-section of youth without direct compulsion. By establishing a requirement for all to select one of a variety of forms of public service, one option being military service, military manpower requirements might be met, the political opposition to conscription would not have to be faced, and other national needs could be fulfilled. Dr. William R. King of the University of Pittsburgh provided supportive testimony for this system before the Senate Armed Services Committee hearing on the All-Volunteer Force and its alternatives in March 1977.⁴ Representative Samuel Stratton (D., NY) and Senator Sam Nunn (D., GA) have also expressed interest in the concept of national service and the personnel chiefs of the four services voiced cautious interest in the proposal at a March 22, 1977 Senate hearing. Senator Nunn indicated that he would outline this concept in greater detail for the Pentagon and that he would request a Congressional Budget Office analysis of the feasibility of the concept.⁵ Professor Moskos proposes that two years of national service be a prerequisite government employment.⁶

COMPENSATION

For many years the serviceman received relatively low pay which was supplemented by noncash benefits and an excellent retirement

plan. In the 1960s and early 1970s the military services received substantial pay raises that brought their pay scales more in line with civilian pay scales. These pay raises were accomplished without decreasing compensatory changes in benefits and retirement pay.

In fiscal year 1967, 43.7 percent of the total federal budget was devoted to national defense. By fiscal year 1976 the percentage of the total Federal budget devoted to national defense had progressively decreased to 24.7 percent.⁷ These circumstances, combined with rising weapons system costs and rising personnel costs, have insured that there is extreme competition for each program dollar. President Carter and Defense Secretary Brown have indicated that the manpower portion of the defense budget, in particular military benefits, has been targeted for reduction.⁸

The military compensation system with its noncash form of benefits and retirement program is complicated. However, military pay, benefits and related compensation, and the retirement program are the three major categories. Without reduced force levels or civilianization of military billets, leveling or reducing military manpower outlays will require adjustments in military compensation.

Outright reduction in military pay would be difficult to justify and politically unwise. Dollar saving adjustments have already been and will apparently continue to be made in the area of benefits. As a long-term solution, establishment of single salary system to include compensation for elimination of the majority of noncash benefits is one alternative under consideration.

Regardless of the underlying causes, compensation reduction in any form is unpalatable. Benefit "adjustments" already accomplished are seen as benefit erosion. More important is the widely accepted perception that the entire realm of benefits and compensation has become increasingly unstable.⁹ Whether or not perception and reality are in consonance is not the point. The important point is that there is widespread perception that implied psychological contracts are being broken with a resultant loss of trust in the paternalism of the Executive and Legislative Branches of the Government.

SUMMARY

On the basis of the foregoing discussion it can be argued that there has been a change in the way the military is perceived and the way it perceived itself. Explained in terms of Professor Moskos' models there

has been a major shift from military service as a calling to military service as an occupation. The consequence of an occupational model is a predisposition toward unionization. Were the entire realm of benefits and compensation not perceived as being in jeopardy, the predisposition toward unionization might never mature. However, erosions are perceived and those in the Executive and Legislative Branches who have traditionally fulfilled the paternalistic role are now being forced by reality to examine priorities.

In both the public and private sector, when the employer has either failed to understand employee needs and wants, or to act in a way to fulfill these wants, unionization, i.e., the introduction of an organization that collectively represents the employees, has been the ultimate result. Although the exact point in this process at which the military services find themselves today can be debated, there is an increasingly perceived need for that anticipated representation that unionization would provide.

ENDNOTES

1. Presented at an Inter-University Seminar on Armed Forces and Society Conference at the University of Maryland on January 20, 1977.
2. US President's Commission, "Studies on an All-Volunteer Force" (Gates Commission), November 1970.
3. Pat Towell, "After 4 Years: Concern Over the Volunteer Army," *Congressional Quarterly*, March 26, 1977, p. 528.
4. *Ibid.*, p. 535.
5. *Ibid.*
6. Charles C. Moskos, "The Emerging Military: Calling, Profession or Occupation," unpublished paper presented at the Inter-University Seminar on the Armed Forces and Society, at University of Maryland, January 20, 1977.
7. US Council of Economic Advisors, "Economic Indicators," US Government Printing Office, October 1976.
8. Norman Kempster, "Next Defense Chief Sees Slash in Military Benefits," *Los Angeles Times*, December 26, 1976.
9. Both my unpublished survey of the NDU class of 1977 and the 1976 AFIT survey on military unionism reveal a strong perception among military officers that benefits are being eroded. See also, Paul R. Schratz, Capt, USN (Ret.), "The Serviceman's Union," *Shipmate*, July-August 1976.

CHAPTER IV

UNIONIZATION OF THE U.S. MILITARY: CURRENT STATUS

INTRODUCTION

Military unions and fringe organizations that purportedly have been formed to represent the military man are not new phenomena. These were particularly prevalent during the Vietnam war. One such organization, the American Serviceman's Union (ASU), was organized in 1967 by Andrew Dean Stapp, grew to 5000-6500 members by July 1969, and soon lost its attractiveness with termination of the Vietnam war and the draft.

However, the idea of a large union, already established and recognized in its own right, seriously considered organizing and representing the military services, is a new phenomenon. The *Wall Street Journal* published an article in June 1975, indicating that the American Federation of Government Employees (AFGE) "was quietly laying plans to organize soldiers, sailors and airmen."¹ Since that time, the question of unionized US military service has become a legitimate issue which has received an explosive increase in attention from the media, civilian organizations and associations, and various departments and branches of the Federal Government.

The unionization issue is very complex. It has roots in the Moskos occupational model, the All-Volunteer Force concept, compensation issues, and the perception by the military member that the military services can no longer "take care of their own." Added to the complexity of the issue are the number of organizational and institutional entities that will play a very large part in the ultimate resolution of the issue.

Because of the number of recent events that have taken place and the number of recent actions taken by the organizations and institutions involved, a development and discussion of the present status is of value. The purpose of this chapter, therefore, is to relate those very recent documented events and actions taken with regard to the military unionization issue through May 1977, unless otherwise noted.

FEDERALLY RECOGNIZED UNIONS

At least three federally recognized unions have indicated through various actions that they are disposed to organize the military services. They are the Association of Civilian Technicians (ACT), the National Maritime Union (NMU), and the American Federation of Government Employees (AFGE).²

In December 1975, the ACT announced intent to sign up National Guard and Reserve members in their military capacity.³ The move was apparently not too successful, particularly in the face of guidance given to all Adjutants General (by the National Guard Bureau) that commanders were not authorized to recognize or bargain with organizations in matters affecting the Guard in their military capacity. Mr. James V. Pategno, National President, recently confirmed that there are presently less than 100 active military service members in ACT.⁴ He also stated that he strongly favors military unionization although ACT is not presently actively soliciting.

The NMU reportedly has been considering organizing military members since December 1975.⁵ To proceed would require a charter amendment and an affirmative vote by the membership. To date, no positive actions have been taken. The question is still being considered by the executive committee.⁶

As explained by the late Clyde M. Webber, past president of AFGE, the genesis of the AFGE interest in organizing the military services was the deferral, first by President Nixon and then by President Ford, of the annual pay increases set by law for the classified civil service employees and the military services.⁷ The pay systems of the uniformed military and the civilian classified employees had been linked administratively in 1968 and statutorily in 1971. When, in the fall of 1974, President Ford attempted to defer the federal pay raise the AFGE distributed through its national vice presidents handbills specifically directed to military service personnel.⁸ The handbills explained the issue and urged service personnel to write to their Congressmen regarding the attempted pay deferral. Congress voted the pay raise and subsequent discussion by Mr. Webber with congressional lobbyists indicated that there had been a large military response. With initial success at cooperation, the seeds of representation of the military had been sown.

With the possibility that AFGE and the military services would have subsequent mutual concerns over pay adjustments, Mr. Webber suggested to the AFGE National Executive Council that AFGE membership be offered to military members. The June 27, 1975 *Wall Street Journal* article⁹ and subsequent media coverage apparently inspired a number of military personnel to contact AFGE. This provided additional encouragement and by August 1975 other areas of mutual concern (pension systems, health care, operation of military installations) and surfaced. As a result the National Executive Council unanimously voted to extend the charter studying possible membership for military personnel.¹⁰

The AFGE held its annual convention in September 1976 at Las Vegas, Nevada. The convention adopted a resolution authorizing acceptance of uniformed personnel into membership. The resolution was approved with the understanding that it would not be implemented unless the membership approved an implementation program by a subsequent ballot on the issue. Kenneth Blaylock of Montgomery, Alabama, was also elected as AFGE's new National President at the convention.

The AFGE resolution is sometimes described as the "gun in the holster" resolution. The background is provided by a *Des Moines Register* article of November 21, 1976, which reports that senior AFGE officials were aware prior to the national convention that the International Brotherhood of Teamsters had been moving forward with plans to organize the military.¹¹ Mr. Blaylock, in an *Indianapolis News* article, was quoted as saying since the Teamsters may attempt to organize the military, it was important that AFGE "... be in a position to get a piece of the pie."¹² With a resolution in being, should the Teamsters begin overt organizing activities, AFGE would then be able to "draw the gun from the holster" and compete for their "piece of the pie." Frank Fitzsimmons, President of the Teamsters, has subsequently stated that the Teamsters have no intention of unionizing the Armed Forces.¹³

Apparently AFGE was unprepared for what subsequently happened. After the convention, AFGE was inundated with inquiries from military personnel concerned with Pentagon policies which would erode their pay and benefits structure.¹⁴

At the same time there has been and still is a great deal of internal disagreement at all levels within AFGE regarding whether or not AFGE

should attempt to organize the military services. There were disagreements between members of the National Executive Council in June 1976 which were publicly documented.¹⁵ Wide variances of opinion surfaced at the March 21, 1977 national meeting of the presidents of AFGE locals that represent federal employees at the Department of Defense.¹⁶

At one extreme were opinions that AFGE lacks the money and organization to unionize the services; that if AFGE were to attempt to organize the military services, Congress would retaliate by not passing AFGE-favored legislation; that costs of providing legal representation for servicemen would be too high; and that with a large membership of servicemen there would be a danger they would take over and dominate the union. At the other extreme were opinions such as that expressed by the President of Oakland, California Local 1157, Clayton Pao. Analogous to climbing a mountain because it is there, union organization should take place if there is a group to organize. (Mr. Pao's first advertised meeting billed as a "forum on unionizing the military" ended in failure with four attendees.)¹⁷ Recent articles further document the internal disagreements within AFGE.¹⁸

On March 7, 1977, AFGE issued a news release which stated that AFGE would hold a referendum to determine whether or not it would proceed with organization of the military services. All local AFGE locals are to be polled and the result are expected to be announced no later than October 1, 1977.

Of those three federally recognized unions that have expressed an interest in organizing the military services, two, NMU and ACT, are not actively organizing. However, the third, AFGE, is advertising that it is near a decision point, having arrived there more because of the occurrence of events than through design.

EXECUTIVE BRANCH AND DOD

Former Secretary of Defense, Donald Rumsfeld, was asked about his opinion of unionization of the Armed Forces. In addition to stating that unionization is incompatible with the command structure of the military services, he said that it reminded him of an H. L. Mencken line. " 'For every human problem there is a solution that is simple, neat, and wrong.' That [unionization] is one."¹⁹

There are no Executive Orders or DOD instructions that deal specifically with the subject of unionization of the military services or union

membership by military members. On December 20, 1976, Secretary Rumsfeld rescinded that part of a DOD instruction previously used to prohibit negotiation with servicemen's unions. In its stead, he issued a policy statement to the Secretaries of the Military Departments in the form of a memorandum. The Department of Defense policy is stated as follows:

Negotiation and bargaining. No member of the armed forces, of civilian employee of the Department of Defense, may negotiate or bargain on behalf of the United States, with respect to terms and conditions of military service of members of the armed forces, with any individual, organization or association which represents or purports to represent members of the armed forces, or civilian employee of the Department of Defense, recognize any individual, organization or associate for any such purpose.²⁰

Speaking to a number of military personnel and civilian employees during his tour of the Pentagon on March 1, 1977, President Carter said that he opposes the unionization of military personnel and was unaware of any "strong movement" toward that goal. Additionally he indicated that he had no plans to introduce prohibiting legislation.²¹

Testifying before the House Appropriations Defense Subcommittee, Secretary of Defense Harold Brown disagreed with JCS Chairman George S. Brown in how the threat of unionization of the Armed Forces should be handled. Secretary Brown said that it might be best for DOD to continue to prohibit commanders to bargain with a military union. On the other hand, JCS Chairman Brown said that it should be illegal for service personnel to join a union, illegal for unions to solicit military members, and illegal for a commander to bargain with a military union. He stated that military personnel do lose some constitutional rights when they enter the service and that he had faith in the courts for the solution to any constitutional problems.²²

Secretary of Defense Brown amplified his previous statements before the Senate Armed Services Committee to open hearings on unionization of the Armed Forces.²³ He told the Senate Armed Services Committee that existing regulations are sufficient to prevent unionization and that drastic laws to outlaw unions might do more harm than good. He said that the threat is prospective, not immediate, and that he did not want to overreact. Secretary Brown reiterated that President Carter and the Secretaries of the Departments are opposed to military unions, but that drastic laws could raise constitutional ques-

tions and might cause more problems than they solve. Brown stated that he would issue stronger directives if a large-scale organization campaign developed, but that the administration was not ready to endorse an antiunion bill or submit one of its own.

It was reported that Secretary of Labor designate F. Ray Marshall said during his confirmation hearings that he saw "merit in the idea of military unions."²⁴ However, he has since clarified his position in a subsequent press conference.²⁵ Marshall is opposed to unionizing the military, but is in favor of a grievance procedure outside the chain of command that he did not elaborate on further.

In summary, President Carter, Secretary of Labor Marshall, Secretary of Defense Brown, and JCS Chairman Brown have all publicly stated that they are opposed to unionization of the military. Only JCS Chairman Brown has taken the position that positive action should be taken to insure that unionization actions should be made illegal.

LEGISLATIVE BRANCH

No Senator or Congressman has publicly stated support for military unionization and it is doubtful that any favor unionization of the military. This view is supported by interviews with two congressional staff members.²⁶ Two of the staunchest opponents of military unionization are Senator Strom Thurmond (R-SC) and Senator John Stennis (D-MS).

Senator Thurmond introduced S.3079 in the 94th Congress. This bill died without hearings when the 94th Congress adjourned in 1976. Early in the 95th Congress, on January 18, 1977, he introduced S.274. This bill, like S.3079, would prohibit unionization of the Armed Forces. There were 24 cosponsors of S.3079 and there are 37 cosponsors of S.274. Senator Thurmond points to the actions of ACT and the September 1976 AFGE convention resolution as reasons for the necessity to face the unionization issue squarely in the 95th Congress.²⁷

Senator Stennis (Chairman, Senate Armed Services Committee) responded to Defense Secretary Brown's March 18, 1977 testimony that present regulations are adequate to handle the current threat, stating strong doubts that the regulations would take care of the problem.²⁸ Senator Stennis continued by saying that unless the unionization threat was met with firm legislation, the All-Volunteer Force would fail.

Saying that "a man can't serve two masters," Senator Stennis has subsequently introduced his own bill to prohibit military unions.²⁹ The bill would not affect the rights of service members to join professional, fraternal, patriotic, military or veterans' organizations and associations. It would not prohibit membership in labor organizations either by reservists in the civilian capacity or by active duty members of the Armed Forces while "moonlighting." Senator Stennis stated that he was "not jumping at shadows" nor "tilting at a straw man" and that the "danger [of unionization] is real, clear, and imminent."³⁰

In addition to the two Senate bills, there are 20 House Resolutions also designated to prohibit unionization of the military.

In short, because of the recent actions taken by AFGE, congressional perception of an increased unionization threat, and conduct of Senate hearings on how to combat unionization, possibilities of passage of prohibiting legislation are considerably higher than at any time in the past.

JUDICIAL BRANCH

The first amendment to the Constitution prohibits Congress from enacting legislation abridging the freedom of speech, freedom of the press, or the right of the people to peaceably assemble or petition the Government for a redress of grievances. This amendment forms the basis upon which individuals have the right to form into unions.³¹ Is this amendment equally applicable to military unionization? This has become the central question regarding proposed legislation that would prohibit military unionization. The question is unanswered and will remain so until such legislation is enacted and then tested in the courts.

Under the Constitution, Congress has been given the power to provide for the common defense and general welfare of the United States. This power specifically includes the power to raise and support armies, to provide and maintain a navy, and to make rules for the government and regulation of the land and naval forces.³²

The following passage is taken from a Supreme Court decision in a 1953 case involving first amendment rights of military personnel.³³ It illustrates the Supreme Court's consistent deferral to Congress of the responsibility to safeguard the rights of military personnel.

Military law, like state law, is a jurisprudence which exists separate and apart from the law which governs in our federal

judicial establishment. This court has played no role in its development; we have exerted no supervisory power of the courts which enforce it. The rights of the men in the armed forces must be conditioned to meet certain overriding demand of discipline and duty and the civil courts are not the agencies which must determine the precise balance to be struck in this adjustment. The framers expressly entrusted that task to Congress.

Cases which grew out of the Vietnam war protest movement have had lower federal court rulings on first amendment rights for military personnel. These rulings have been relatively consistent in restricting first amendment rights of military personnel where the "exercise of those rights were prejudicial to military good order and discipline or accomplishment of assigned military missions."³⁴

Within the judicial sphere, the central question regarding military unionization will become a Constitutional one when (if) legislation is enacted or regulations within the executive branch chain are promulgated which are believed to infringe upon first amendment rights. Judicial action and ultimate resolution of the question will not occur until such legislation or regulations are challenged in the courts.

ASSOCIATIONS AND ORGANIZATIONS

There is a host of military-oriented associations and organizations in existence today. A great majority of these are veterans, reserve, or other special interests organizations. They all have as a basic underpinning an identification with and a strong support for national defense. Each organization, depending on its constituency, also has its own special interests. Veterans' organizations (e.g., American Legion, Veterans of Foreign Wars) have specific interests in veterans' matters; Reserve organizations (e.g., Naval Reserve Association, Reserve Officers' Association) have specific interests in reserve matters. Some associations are restricted to enlisted members (e.g., NCO Association, Air Force Sergeants Association), some are restricted to officers (e.g., Reserve Officers' Association, Disabled Officers' Association), and some are service-oriented (e.g., Air Force Association). The collective total membership of these organizations and associations is over 6,000,000.

Telephone interviews with official representatives of 17 of the most prominent organizations revealed that 16 of them were strongly opposed to military unionization and that many had adopted resolutions proclaiming their opposition.³⁵ One, the Jewish War Veterans, did not have a stated organization position.

When discussing the impending AFGE efforts to consider unionization of the military, Clyde Webber (past AFGE president) commented in mid-1975 that military people were turning to his union because military associations representing servicemen in Washington were doing a poor job. Service personnel would not be turning to AFGE if they thought the associations could assist them.³⁶ The group of associations that Mr. Webber spoke of do not generally include the veteran and reserve-oriented organizations, but those associations open to active military forces, whose membership also includes military retirees and who maintain liaison with Military Departments.

In 1967, the Retired Officers' Association undertook to explore the desirability and feasibility of merging a number of these associations. Although the general purposes of the associations were the same, the special interests within each were sufficiently disparate that mergers, even among the enlisted organizations, were not practical. However, these efforts did produce the Council of Military Organizations (COMO), a group of 12 officers and enlisted associations that meet monthly for information interchanges.³⁷ In 1970 a more broadly based and more informal group called the Ad Hoc Committee was formed.³⁸ Their purpose is the same as COMO but total force (Active, Guard, and Reserve) issues are considered by this group.³⁹

In December 1975, *The Retired Officer Magazine* advanced the thesis that because "in both the Congress and OSD, the sign of the times for personnel-related programs is the dollar sign" more and more military personnel would seek a voice outside of official channels.⁴⁰ Stating that associations are a viable alternative in that they operate within the system, support the services as well as the individual, and have proven track records, the article listed those things that associations can do and are doing.

Provide another line of communication for the services to reach military personnel, active, Reserve and retired.

Provide an alternative line of communication for their members to express their views and needs to the services.

Provide support to the services in communicating policy and hardware needs to the American public.

Provide support in Congress for DOD-sponsored legislation.

Provide support through local units for military community programs.

Provide through their efforts to enhance the public image of the military, support for service recruiting programs.

Provide at group rates and specifically tailored for their membership, benefits not available from the military services.

The article concluded by suggesting that "with adequate but simple guidelines and safeguards, a DOD-military association relationship would be a positive benefit."

Almost without exception the military-oriented organizations and associations have publicly stated their opposition to unionization of the military. However, it does not appear at this time any of the associations are undertaking the more direct role [Lt. Col. Lien suggests].

FRINGE ORGANIZATIONS

The so-called "GI Movement" spawned a number of organizations during the Vietnam war that were antimilitary, antiwar, and antiestablishment. These fringe organizations lost much of their attractiveness with the end of US involvement in Vietnam and the implementation of the All-Volunteer Force. David Cortright reported in *The Nation* that the number of newspapers and organizing committees had dropped from the 1970-1971 peak of more than 100 to a level of approximately 15 in 1976.⁴¹

Loss of the draft and the Vietnam war as issues for protest has caused a shift in the emphasis of the fringe organizations. They are now more oriented toward day-to-day life, conditions of employment, service conditions, and restrictions on personal liberty. These same issues are the ones of most interest to the European draftee and conscript unions. What is most important, however, is that the issues now being taken up by fringe organizations are in some cases (and generally in a less extreme form) the same ones that the established federally recognized unions are concerned with (e.g., the military judicial system and military compensation).

"Movement for a Democratic Military (MDM)" (as of October 1975) is a Long Beach, California organization. In the past it has concerned itself with working and living conditions, "racist and sexist attitudes," and "opposition to the growing possibility of another war."

"Project Lambda" is headed by an ex-Navy Commander and admitted homosexual who resigned his commission to organize the "United States Military Rights Association." The announced purpose of Project Lambda is to both unionize the Armed Forces and establish a legitimate place for homosexuals therein.⁴² "Citizen Soldier," headquartered in New York City, has aims apparently similar to those of MDM. All three of these organizations have at one time or another contacted the National Headquarters of AFGE with proposals of mutual cooperation of some form.⁴³ The AFGE has consistently attempted to prevent the connection or affiliation of its organization with any of the fringe organizations. These groups, however, serve as examples of fringe organizations attempting to attach or ally themselves with an established, legitimate, federally recognized organization. Fringe organizations are not new, but their attempts to affiliate with legitimately recognized organizations are a recent occurrence.

"The Enlisted People's Organizing Committee" (or EPOC), is headquartered in Washington, DC. EPOC's expressed aim is to establish a mass enlisted association to deal with the government and established unions. The GI Bill of Rights advocated by EPOC is quoted as follows:⁴⁴

1. Full privacy and an end to arbitrary searches.
2. Trial by jury of peers.
3. Elimination of non-judicial punishment.
4. An end to bad discharges.
5. Freedom of hair length.
6. Elimination of racist and sexist supervisors and policies.
7. Freedom of sexual preference.
8. Full civilian pay, with compensation for overtime.
9. Strict enforcement of recruitment promises.
10. Safety on the job.
11. Decent housing for all.
12. An end to saluting and other class distinctions.
13. The fight to resist illegal orders or policies.

According to *Army* the "EPOC is an arm of the nonprofit Center for Defense Information, an organization dedicated to publicizing dissenting views from government defense policy."⁴⁵ Also according to *Army* Cortright is EPOC's national coordinator.⁴⁶

Illustrative of attempted fringe organization affiliation with a legitimate union was the apparently premature organizing attempts that took place at Fort Dix and McGuire AFB, New Jersey, in early

December 1976. As reported by the *Washington Post*, AFGE employees began to recruit organizers among servicemen and women at these two bases as the first step of a nationwide effort to unionize military personnel.⁴⁷ The *Post* article also indicated that the AFGE efforts were being assisted by both the Friends Military Counseling Service and the EPOC, and that 5,000 pamphlets were printed in Washington, DC by the EPOC. Concurrent with these efforts was the AFGE National Headquarters announcement that the National Executive Council had decided to instruct all AFGE local unions to set aside any formal applications for membership until a "detailed, specific and orderly" program could be developed.⁴⁸

In a speech, Mr. C. A. McKinney of the NCO Association stated that according to an article written by columnist Paul Scott (July 25, 1975), studies prepared by the CIA indicate that Communist organizers in the United States are being told to support the organization of military servicemen into unions or private clubs.⁴⁹

The membership and monetary support of fringe organizations rise and fall on the appeal of those issues current with the times. The role in the military unionization equation, if any substantive one is to be played by fringe organizations, will depend upon the appeal of the cause and the degree to which these organizations are able to affiliate with, penetrate, and influence the efforts of the legitimately recognized labor unions.

DISCUSSION AND SUMMARY

The current issue of unionization of the Armed Forces had its most direct beginnings in the fall of 1974 and grew out of pay comparability issues. It first gained media recognition and had a certain amount of legitimacy attached to it in June 1975. However, it was not until September 1976 that the issue had acquired enough support for it to be seriously considered. Since that time, the subject of military unionization has received wide publication and much effort has been devoted to it by the branches of government, agencies, and organizations that have an interest in the outcome.

When the number of entities involved and the parochial interests and responsibilities of each are examined, the conclusion must be made that the outcome is far from certain. The AFGE has not decided whether or not to accept military members. Should AFGE decide to proceed, the direction of their efforts will be shaped primarily by the actions or responses taken or not taken by the executive and legislative

branches. Should organizing prohibition directives by the executive branch or restrictive legislation by the legislative branch be forthcoming, the constitutionality of such prohibition will be challenged through the courts, if not by AFGE, then by representatives of fringe or other organizations .

The outcome of such challenges cannot be predicted. Other than publicly voicing organizational opposition to unionization, military associations have taken little direct action. Their likely future actions, as well as those of the fringe organizations and other federal public sector unions, are not clear at this time. Likely executive and legislative branch actions are to a great extent reactive and mainly based on institutional perceptions of how imminent a potentially successful drive for unionization may become. The ultimate effect of positive efforts by the executive and legislative branches to return to the calling vice occupational model of service, to mitigate the perceptions of lost benefits, and to regain the apparent lost institutional trust of the serviceman is dependent on the rapidity and positiveness with which given programs are pursued.

Because of the number of organizational entities involved, the complex interactions possible between them, and the varied courses of action available to each, a valid prediction of whether or not the armed forces will become unionized cannot be made.

ENDNOTES

1. Richard J. Levine and Walter Mossberg, "Union Plans '76 Drive to Represent Servicemen: Legalities are Explored, and Pentagon Shudders," *Wall Street Journal*, June 27, 1975, p. 30.
2. Official representation from the American Federation of State, County, and Municipal Employees (AFSCME); Metal Trade Dept., AFL-CIO; National Association of Government Employees (NAGE); National Treasury Employees Union (NTEU); and Service Employees International (SEIU) were also contacted. When contacted in early March 1977, they stated that their respective unions had no position regarding unionization of the armed forces. According to an official representative of National Federation of Federal Employees (NFFE), NFFE is totally opposed to unionization of the armed forces because of the basic conflict between their members (Guard Reserve Technicians) and active forces personnel.
3. Mike Causey, "Union to Sign Up Reservists, Guard," *Washington Post*, December 23, 1975.
4. Telephone interview with Mr. J. V. Paterno, National President, ACT, March 1977.
5. Andy Plattner, "Maritimers Weigh Military Unions," *Army Times*, December 25, 1975. See also, Edmund Pinto, "Union, Labor Organizations Eying Military Servicemen, Women," *Stars and Stripes*, January 12, 1976.
6. Telephone interview with NMU Director of Public Relations in March 1977.
7. Clyde M. Webber, Testimony Before the Defense Manpower Commission Organizing the Military Service into a Union, August 18, 1975. See also, "Unionizing: An Interview with Clyde M. Webber, National President of the AFGE," *The Times Magazine*, September 24, 1975.
8. This method of distribution was used since AFGE has civilian representation at almost every military base in the country.
9. Richard J. Levine and Walter Mossberg, "Union Plans '76 Drive to Represent Servicemen," p. 30.
10. Clyde M. Webber, Testimony Before the Defense Manpower Commission Organizing the Military Services into a Union, August 18, 1975.
11. Clark Mollenhoff, "Teamsters Move Toward Army Union," *Des Moines Register*, November 21, 1976.
12. *Indianapolis News*, September 25, 1976.

13. Fred Reed, "Military Union Value Doubted," *Army Times*, December 27, 1976.
14. Statement by Kenneth Blaylock, President, AFGE, on organizing military personnel, December 9, 1976.
15. US Congress, Senate, Senator Thurmond introducing material into the record, "AFGE Votes to Unionize Military," 94th Congress, September 28, 1976, *Congressional Record*, p. S16946-16953.
16. The author attended 2 hours of this rather tempestuous meeting. The meeting started with a presentation by top union officials who favored embarking on unionization efforts. After several apparently previously seeded questions from the floor had been answered a full scale discussion ensued with each local union president being given time to present views based on his or her own local union circumstances.
17. Fred Reed, "First Union Drive Aimed at Military Proves a Flop," *Navy Times*, April 4, 1977.
18. Mike Causey, "AFGE Military Move Near," *Washington Post*, March 5, 1977. See also, Fred Reed, "AFGE May Begin Sign-Up of Military by Early October," *Navy Times*, March 21, 1977.
19. "Secretary Rumsfeld Discussed All-Volunteer Force, Unions," *Retired Army Bulletin*, Vol. V, October 1976.
20. US Department of Defense, Memorandum for Secretaries of Military Departments of 20 December 1976, Subject: Policy Regarding Negotiations and Bargaining in the Armed Forces.
21. Edward Walsh, "President Rules Out Draft for Now, Expresses Concern with Recruiting," *Washington Post*, March 2, 1977.
22. "SecDef, JCS Chief Disagree on Union," *Navy Times*, March 7, 1977.
23. "Hill Caution Urged on Anti-Union Bills," *Navy Times*, April 14, 1977. See also, George C. Wilson, "Caution Urged on Military Union," *Washington Post*, March 19, 1977, and "Secretary Brown's Statement on Unions," *Navy Times*, April 11, 1977.
24. "Labor Chief Sees Merit in Military Union," *Federal Times*, February 7, 1977.
25. Bob Williams, "Labor Secretary Opposes Unions for Military," *Navy Times*, March 14, 1977.

26. Interview with Mr. K. Fish, Senate Armed Service Committee, February 21, 1977; also, Interview with Mr. J. Lally, House Armed Services Investigative Subcommittee on February 28, 1977.
27. "Unions in the Military. Pro-David Cortright, Con-Strom Thurmond," *American Enterprise Institute Defense Review*, February 1977, p. 16.
28. George C. Wilson, "Caution is Urged on Military Union," *Washington Post*, March 19, 1977.
29. Fred Reed, "New Stennis Bill Would Ban Military Union," *Air Force Times*, March 28, 1977.
30. *Ibid.*
31. Major James A. Badami, "Serviceman's Unions: Constitutional, Desirable, Practical," an unpublished thesis presented to the US Judge Advocates School, March 1973, p. 34.
32. US, *Constitution*, Article I, sec. 8.
33. Major James A. Badami, "Serviceman's Unions," p. 39.
34. Colonel William J. Taylor, Jr., "Military Unions for the United States: Justice vs. Constitutionality," in *Military Unionism and the Volunteer Military System*, National Security Affairs Monograph 77-1, February 1977, National Defense University, pp. 29-30.
35. Telephone interviews were held with official representatives of the following organizations and associations during March 1977: Air Force Association, Air Force Sergeants Association, American Legion, Amvets, Association of US Army, Disabled Amvets, Disabled Officers Association, Fleet Reserve Association, Jewish War Veterans, Military Order of the Purple Heart, National Guard Association, Naval Enlisted Reserve Association, Naval Reserve Association, Navy League, NCO Association, Reserve Officers Association, and VFW.
36. Comments contained in a speech given by C. A. "Mack" McKinney, Director of Legislative Affairs, Noncommissioned Officers Association of USA (NCOA) before the Central Michigan University Off Campus Extension Class, April 20, 1976.
37. The Council of Military Organizations consists of: Air Force Association, Air Force Sergeants Association, US Coast Guard CPO Association, US Coast Guard CWO & WO's Association, Disabled Officers Association, Fleet Reserve Association, Military Wives Association, Naval Enlisted Reserve Association, Naval Reserve Association, Reserve Officers Association, US Army Warrant Officers Association.

38. The Air Force Committee consists of: Air Force Association, Air Force Sergeants Association, American Legion, Association of the United States Army, Disabled Officers Association, Fleet Reserve Association, National Association of the Uniformed Services, National Guard Association, Naval Reserve Association, Navy League of the United States, Non-Commissioned Officer Association, Reserve Officers Association, Veterans of Foreign Wars.
39. Lt Col M. L. Lien, USAF (Ret.), "Military Associations: A Positive Force for Defense," *The Retired Officer Magazine*, December 1975, pp. 23-24.
40. *Ibid*, p. 26.
41. David Cortright, "Organizing the Military, 'The Union Wants to Join You,'" *The Nation*, February 21, 1976, p. 209. Also, in an interview on April 13, 1977, Mr. Cortright indicated that in his opinion there may be less than 15 organizations still currently active. Due to the lack of inter-organization communication, only estimates can be made.
42. Frank Saldana, "Homosexual Quits Navy Commission," *Evening Tribune*, San Diego, California, April 8, 1976.
43. Confirmed with the Office of the National President, Mr. K. Blaylock and the Office of Public Relations, AFGE.
44. Enlisted People's Organizing Committee, "For a Democratic Soldiers' Union," 14-page pamphlet.
45. "AFGE Locals Have Mixed Emotions on Future Military Unionization," *Army*, January 1977, p. 10.
46. David Cortright has written several papers on military unionization and is recognized by some as an authority on European Military Unions. In an interview on April 13, 1977, David Cortright provided information that the Center for Defense Information has no connection with EPOC, that he is affiliated with an organization named Defense for National Security which has no connection with EPOC, but that he, in a personal capacity, is a member of EPOC.
47. Terry Anzur and T. R. Reid, "Campaign is Set by AFGE Union to Enlist Military," *Washington Post*, December 9, 1976.
48. Statement of Kenneth Blaylock, President, AFGE on Organizing Military Personnel, December 9, 1976.
49. Speech given by Mr. C. A. "Mack" McKinney, Director Legislative Affairs NCOA, before the Central Michigan University Off Campus Extension Class on April 20, 1976.

CHAPTER V

AFGE AIMS, ORGANIZATIONAL PROBLEMS, AND POTENTIAL IMPACT OF UNIONIZATION

INTRODUCTION

The relatively recent emergence of the unionization of the Armed Forces as a legitimate major issue has generated a myriad of articles, research papers, and other documents which discuss most of the major aspects. Union aims (i.e., what does the union intend to do for, or how does the union intend to represent the serviceman) have been discussed in general terms by a number of authors. Likewise, the potential impact of unionization on the Armed Forces has been discussed in general terms by a number of authors. However, few authors have written about either of these topics in any specific detail.

With respect to union aims, how does AFGE intend to represent the serviceman? What are AFGE aims regarding the issue of command interference? What are the organizational problems AFGE might face? What might the potential impact of unionization be? The purpose of this chapter is to provide some insight into and answer these questions.

AFGE AIMS¹

The AFGE proposes to provide *serviceman representation* in three specific areas: steward representation in grievance matters, legal representation, and legislative and policy representation. AFGE spokesmen including the National President² emphasize that efforts would focus on peacetime representation and would not involve command channels, the mission of the Armed Forces, or operational matters. In time of war or congressionally declared national emergencies, union recognition would be suspended.

Steward representation in grievance matters would be related to peacetime living conditions, working conditions, and personnel policies. A partial listing of those matters for which the union could provide representation would include housing, leave, foreign service, education and training, temporary duty, commissary and PX privileges, political rights and their exercise, promotions, and efficiency ratings. Grievances at the local level regarding the manner of policy administration would

be addressed by the local commander. Grievances or disagreements with the policies themselves would be addressed to the appropriate agency within the executive branch or in some cases the legislative branch.

Legal representation would be provided for administrative boards and uniform code of military justice proceedings. This representation could be either in addition to or in lieu of appropriate representation already provided to service members in administrative or legal proceedings.

Compensation and its various aspects (e.g., pay, retirement, and benefits) are policy matters and for the most part have their basis in law. Therefore, in matters of compensation, the union would represent service personnel before the Congress and where appropriate to the policymakers within the executive branch and the Department of Defense. The AFGE already represents the serviceman to the Congress indirectly in pay matters since military pay raises are linked to the civil service general schedules.

Membership would be open to all members of the active military service. Membership could include dependents. Serviceman rights, privileges, and benefits within the union would be equal to those of other members of the union. Per capita tax and initiation fees for military members would also be equivalent to other union members.

ORGANIZATIONAL PROBLEMS

Most discussions of organizational structure and modus operandi within a unionized US Armed Force must be limited to generalities. The major reason for this is that there is no historical or existing unionization model that can be applied to the US Armed Forces. Since the "European Experience" has little applicability in our situation, any model or organizational structure with its attendant rules and regulations would require original design and development. Although the military-oriented associations could potentially play a large part in the development of such a model, they have so far maintained a position strongly opposed to unionization. The likelihood of a group of service members being able to successfully develop and establish such a model is extremely remote. The only organization remaining that has taken any action in this direction is AFGE, an already established federally recognized union that has local chapters at most military installations. In view of this, AFGE would be a logical choice to develop such a model if one were to be developed. However, there are a number of problems to be solved and few clearcut solutions.

If all members of the Armed Forces are to be eligible for union membership, how would the membership be divided? Army, Navy, Marine Corps, Air Force, and Coast Guard members could be grouped and these groups could further be divided into subgroups of commissioned officers, warrant officers, staff noncommissioned officers, nonrated personnel and dependents. However, a very basic question arises at this point. If all service members are eligible and they are to be grouped as proposed, who is management and who is labor? Traditionally commissioned and noncommissioned officers have been considered a part of management. Does this mean that the membership contributions of these members (management) would be used by nonrated members to have themselves represented before management in grievances involving military justice, promotions, efficiency ratings, and other matters? This seems unlikely. On the other hand, if commissioned and noncommissioned officers are considered to be part of labor, then the civilian hierarchy in the Department of Defense must become management. Would the union then presume to become the third person arbitrator between intra-union groupings? A proposal such as this would not rate serious consideration. Yet in those instances wherein a grievance involves execution as opposed to the creation of policy, a dilemma again arises as to who is management and who is labor.

Acceptance of armed forces personnel in AFGE (not prohibited by federal regulation or law) would give AFGE the potential of becoming one of the largest and strongest unions in the United States. However, membership by an appreciable percentage of the near 2 million strong Armed Forces in the less than 400,000-member AFGE would create a union wherein the largest percentage of members would be active duty military members. The result would be that AFGE, a civilian union founded to represent civilian personnel, could become dominated by the military personnel AFGE chose to represent. If two separate hierarchies were established (i.e., one civilian and one military), there would be very little to prevent the military portion of the union from separating and forming their own autonomous union at a later time.

Other areas wherein military interests and federal civilian interests are divergent are potential problem creators. An example of this type of problem is the job that could be filled by either a person on active duty or a civilian. Which side does the union support? How would the union resolve the apparent inequity of retired military personnel (drawing retirement pay in addition to regular compensation) working side-by-side with civil service personnel not receiving retired military compensation; or the situation wherein military personnel might be working

side-by-side with civil service personnel in a designated hazardous work area on a job wherein more than 40 hours per week of work time is sometimes necessary? The military member would not receive the environmental pay or overtime that the civil service worker would receive. How would the union attempt to resolve this problem?

The solution to the foregoing organizational structure problems and the answers to the questions they raise are still being pursued by AFGE.³ The lack of solutions and answers will cause AFGE continuing problems in future efforts to organize the Armed Forces.

POTENTIAL IMPACT OF UNIONIZATION

Art Buchwald provided his social comment on military unionization in his *Washington Post* column.⁴ The scene is aboard a unionized World War II battleship that has been hit by the Japanese and where several sailors have been knocked out. The ship's chaplain, passing ammunition and attempting to assist in other ways, runs successively afowl of the Ammunition Carriers Local, the Musicians Union, the Deck Hand Dressers Guild, and the Pastry Chefs Local 135 because he is not a member of those particular unions. The absurdity of this situation masks the concern of military officials over the potential impact of unionization on a unit in combat.

At one end of the spectrum are very strongly voiced opinions such as that of Admiral John S. McCain. He stated that the AFGE idea to unionize the military services was the most ridiculous and dangerous ideas of the many thousands that he has heard in his 45 years of service in the US Navy.⁵

At the other end of the spectrum, David Cortright cites a statement made by retired Admiral G. LaRocque as one of the highest compliments to the possibilities of unionization. In a Washington, DC interview on December 9, 1976, Admiral LaRocque stated that, "If we'd had a union earlier, maybe we might have avoided the tragedy of Vietnam."⁶ Mr. Cortright continues in his article for American Enterprise Institute to state that unionization can be a positive force, both for the military and for the larger polity.⁷ In conclusion, Mr. Cortright proposes that "ties to the civilian labor movement and the protection of democratic impulses are necessary elements in the armed forces of a democracy."

An increasing number of articles have been written since military unionization has become an open issue, those referenced above being

examples of the widely differing approaches and beliefs that exist. While a large number of articles have been written, many deal only in generalities, are steeped with emotion, and do not address the specific implications and potential impacts that unionization might have.

A recent paper written by Gerald Perselay is, if not the first, one of the first articles to be written which discusses the specific practical implications of unionization of the military.⁸ The question addressed is not "if?" but "what happens if?"

What would happen if AFGE or another recognized union were to resolve the organizational problems, become a recognized military union, and represent its military members in the aims presently expressed by AFGE? It is the purpose of this section to examine the potential impact of unionization of the military.

Both European military unions and federally recognized public sector unions operate under some constraints which are not applicable to private sector unions. Certain of these would have to be applicable to the establishment of US military unions as follows:

1. In a national emergency the President or other Executive agent would have the authority to place all union processes in suspension for the period of the national emergency.
2. There would be no right to strike or take part in actions involving sickouts, work slowdowns, or picketing.
3. The mission of the organization and operational and policy matters would not be negotiable.
4. Union membership would not be compulsory.
5. Management would retain those rights regarding the operation of the organization that were not negotiated away.

From the unit commander standpoint, the single greatest impact would be made on the decisionmaking process utilized in leading and managing the unit. Traditionally, the unit commander has been responsible to make the decisions (appropriate to the level of command) regarding personnel policies, working conditions, and discipline and welfare of unit members. Being vested with that authority, the commander has maximum flexibility to lead and manage the organiza-

tion in a manner which insures high combat readiness and good unit morale. Injection of a union bargaining unit would change the decision-making process, remove the commander's flexibility, and establish a new organizational philosophy within the military unit itself. The development of the adversary relationship between the commander and the union steward and personnel that the steward would represent is assured by the nature of the unionization process. Through this process, unit personnel loyalty would very likely become divided between the member's union and the unit to which the member belonged. Although those processes established by injection of a union would be suspended in a national emergency, most experienced military leaders do not agree that this could be accomplished effectively.

The cost of defense manpower accounts for over half of the DOD budget. Separate from whatever pay raises that may occur are the increased direct and indirect costs that unionization would generate. Direct costs would be generated by the need for additional personnel (both legal and otherwise) to deal in labor relations matters at all levels of command. These include contract negotiations, unfair labor practices, grievances, arbitration, etc. Although difficult to quantify, indirect costs would occur as the result of decreased command flexibility, increased time in the decisionmaking process, time spent in negotiations, and increased time generating and processing union related documents.

The Uniform Code of Military Justice (UCMJ) was enacted by Congress in 1950 and has been revised periodically since that time. The USMJ provides the authority to military courts and establishes the framework for criminal jurisdiction and a system for appeals within the Armed Forces. The AFGE proposes to represent military members before administrative boards and all UCMJ proceedings including Article 15 (nonjudicial punishment) proceedings. Adequate safeguards of individual rights exist and legal representation is presently provided by the Armed Forces under the UCMJ. What AFGE expects to gain from additional representation is unclear since efforts of this magnitude could be relatively expensive for the benefits gained. Introduction and interface of a labor law system (associated with unionization) with the present military legal system could cause major complications in an already increasingly complex system.

Perhaps the only direct assistance to the Armed Forces that AFGE could provide without complication is that representation to Congress already indirectly being provided. That assistance is in the form of representation to Congress for civil service pay increases which, because

of the civilian-military linkage, also assists the Armed Forces. However, AFGE would find itself in a dilemma when representing both civilian interests and military interests in retirement and benefit legislation as the two systems are different and have built-in areas of potential conflict. In any case, increased pay, retirement, or other benefits obtained through AFGE assistance would increase already high military personnel costs.

A major question that excites extremely divergent views is the question of the extent to which military discipline and loyalty would be affected by the introduction of a union into a US military unit. By its very nature, the collective bargaining process is an adversary relationship. Therefore introduction of these processes would give cause for divided loyalties to develop—loyalties of the union membership divided between the union and the unit commander to which each service member committed his allegiance in his oath of enlistment or commissioning.

Those who favor unionization would say that these divided loyalties would have no effect on discipline or loyalty because union members are just as patriotic and loyal to the Government as nonunion members. Other arguments propose the thesis that in times of emergency the union processes would be suspended and the divided loyalty issue would evaporate. The reader is left to his own devices to determine the plausibility of these arguments applied to the Armed Forces. However, there is historical support from actions taken by other public sector unions that these arguments may not be valid.

Most public sector unions have no right to strike. However, there are ample examples (previously discussed) both in the federal and state/county/municipal sectors to illustrate that public sector unions will not necessarily stop short of striking to obtain their demands for their members. Strike activity in the public sector has increased as unions have become more militant. In 1958, 7,500 man-days were lost through 15 strikes in the public sector. In 1974, 1,404,200 man-days were lost through 382 strikes. Through the first 9 months of 1975, 21 percent of American workers striking were government employees.⁹ These include strikes by US postal workers, firemen, sanitation workers, and policemen. Although these examples don't guarantee that there would be military strikes, they are indicative of the disposition of an established union to strike regardless of laws which prohibit such actions.

In a recent interview, Mr. K. Blaylock, National President of AFGE, when asked about barring soldiers from striking, answered that

“... history has proven that, if the problems are not addressed, people will take some kind of action to bring focus on their problems.”¹⁰ The sickout, slowdown, boycott, and work-to-regulation methods have also been utilized to aggressively demonstrate the consequences of not acceding to union demands. The conclusion must be that with the machinery or mechanism in place, the strike or other form of mass action will be taken if “problems” as perceived by the union organization, its leadership, and its membership are not adequately “addressed.”

Extension of the foregoing discussion raises an even more fundamental question. What constitutes a national emergency? Or a threat? What if the union disagreed with the authority responsible for declaring a national emergency or disagreed with the authority responsible for assessing the threat? What if, as Ambassador Andrew Young said, “An armed forces that is 30 percent black isn’t going to fight on the side of South Africa” is true?¹¹ How long would a union suspend its activities were a Congress or President to declare an extended state of emergency? Would the Union expect to be taken into the Government’s confidence when troops were placed on alert? These questions may seem far-fetched and border on the academic at this point in time, and are beyond the intended scope of this paper. These questions relate to the concept of civilian control of the Armed Forces which is one of the cornerstones of our Democracy. However, were the Armed Forces to become unionized, the union under conducive circumstances could form the framework for a challenge to this civilian control.

DISCUSSION AND SUMMARY

The aims of the AFGE are not too dissimilar from those that any union might seek if it were to provide union representation for military personnel. Although it is not presently illegal for DOD employees to belong to a union, it is the policy of the DOD that no one within DOD may recognize or negotiate with a union or organization purporting to represent servicemen. Therefore, if AFGE did accept serviceman membership, it would require a total reversal of policy before AFGE could accomplish any of their aims other than the indirect congressional representation already being given.¹²

The AFGE has offered no plans on how it would implement a representation program. Likewise, no solution to the major organizational problems have been provided. In fact, it would seem that before any system for service members representation at the unit level could be developed, the question of who would be considered management would require an answer. When specifically queried regarding the AFGE

answer to this question, AFGE representatives reply that this has not yet been determined.¹³ Responses to other organizational questions have been generally as noncommittal as the management answer.

Were the DOD policy to be totally reversed today, there would still remain some very basic questions to be answered and problems resolved before AFGE could accomplish its professed aims. Since this policy change is unlikely in the foreseeable future (and prohibiting legislation is a possibility), the successful organization of the Armed Forces and accomplishment of AFGE aims are not imminent. If AFGE membership does decide to accept military membership, the attempt to unionize the Armed Forces will be long, difficult, and expensive, not only for AFGE, but also for those who actively oppose the concept.

There is no question that there would be increased costs associated with unionization, if only increased operational and personnel costs. Unionization would have an adverse effect on discipline and loyalty as they are known today. The extent of these effects is unknown and will remain so until a model is developed that will allow more specific study.

Although constantly denied as an issue for concern by those who favor unionization, the question of the possible challenge to civilian control of the military cannot be dismissed with the statement that it won't happen. The recent actions of some public sector unions are indicative of the lengths to which a union will go to achieve parochial interests. There is no reason to believe that, under the right set of circumstances, a union representing the Armed Forces would act any differently.

ENDNOTES

1. The material in this section regarding AFGE aims was developed from presentations made during the conference of DOD locals at the Washington Hilton Hotel on March 4, 1977 and Mr. K. Blaylock's (President of AFGE) presentation to students at The National War College course No. 532, "The Future of the Military in American Society," on March 24, 1977. (Attribution cleared by Mr. Blaylock's office.)

2. Fred Reed, "AFGE Plans for Organizing Military Vague on Who's Labor," *Navy Times*, March 21, 1977.

3. Discussion with National President, AFGE, Mr. K. Blaylock on March 24, 1977, and discussion with Mr. Virgil Miller, Eighth District National Vice President, Chairman of Committee on Military Organization on April 22, 1977.

4. Art Buchwald, "Introducing a New Breed of American Defense Contractor," *Washington Post*, February 29, 1976.
5. Admiral John S. McCain, USN (Ret.), "Military Unionization Would Lead to Defeat of Our Way of Life," *Forewarned*, March 1976.
6. David Cortright, "Unions in the Military - Pro," *American Enterprise Institute Defense Review*, February 1977, p. 13.
7. *Ibid.*, p. 14.
8. Gerald Perselay, "The Realities of Military Unions," Paper presented at the Annual Convention of the International Studies Association, St. Louis, Missouri, March 18, 1977.
9. Public Service Research Council, "Public Sector Bargaining and Strikes," Vienna, Virginia, August 1, 1976, p. 15.
10. Frederick M. Beatty, Major, USAF, "Military Unionization: A Challenge to Civilian Supremacy," an unpublished study done at the Air University, Maxwell AFB, Alabama, May 1976. Major Beatty cites the Professional Air Traffic Controllers (PATCO) union actions 1968-1970, the National Association of Letter Carriers actions in 1970, and the International Longshoremen's Union (ILU) actions regarding the 1975 grain shipment to USSR as examples of methods utilized by unions which have far-reaching impacts on our society.
11. Col R. D. Heintz, Jr., USMC (Ret.), "UN Envoy Needs Muzzle," *Detroit News*, March 3, 1977.
12. An exception would be that AFGE could provide for the individual serviceman (on an individual basis) representation before administrative boards and UCMJ proceedings. This is not presently precluded.
13. Discussions with Director of Research for AFGE, Mr. S. Kozcak, March 9, 1977.

CHAPTER VI

GENERAL DISCUSSION AND CONCLUSIONS

GENERAL DISCUSSION

In a discussion of the issue of US military unionization, several initial questions inevitably arise: What is the European Experience? Is it applicable? Are there any parallels? Even a relatively unsophisticated analysis reveals that the parallels are few and general applicability is questionable.

European countries that have unionized military services are not only very highly unionized in all sectors but labor generally plays a large role in each respective government and labor leaders often have high positions in the government. This is not true in the United States where labor is not integrally connected with the government, and labor's role in the land/labor/capital equation is to bargain for its members. European armed forces' sizes are considerably smaller and their missions considerably more restricted than those of the United States. Recent employment of US forces in the Vietnam war, the Cambodian and Vietnamese evacuation, and the Mayaguez incident were true combat tests of the type that unionized European armed forces have not faced.

With few parallels and little applicability to draw from the European experience, attention must be turned to the US labor movement and the US Armed Forces for examination of the unionization issue. Internal serviceman attempts to form unions within the Armed Forces (i.e., the "GI Movement") even under conditions conducive to such formation (Vietnam war and inequitably administered draft) were relatively unsuccessful. With a difficult beginning, private sector collective bargaining came into its own in 1935 and provided a basis for the development of public sector collective bargaining, which subsequently came into its own in 1962. The explosive increase in public sector unions and union membership followed.

One such union was AFGE, now the largest federal employee union. With local chapters at most military bases, this organization became a natural vehicle for AFGE to use in soliciting individual serviceman support for those linked (military and civilian) pay raises for which, previously, AFGE had singularly been lobbying. Success in this circumstantially spawned the first instance of cooperation and generated interest within AFGE to explore further areas of mutual interest.

During this same general time frame, the All-Volunteer Force, with its inherent predisposition toward the occupational model, became a reality. Concurrent with the evolution of the All-Volunteer Force was the development of pressures to decrease military personnel costs and the perception by the serviceman that military benefits were being eroded as well as implied psychological contracts being broken.

The coincidental explosive development of a federally recognized organization for federal civilian employee representation and the development of those circumstances within the Armed Forces, universally recognized as those being conducive to union formation, combined to form the basis for the development of the issue still to mature.

Publication of internal AFGE deliberations led to increased service personnel interest. Increased service personnel interest led to increased optimism within AFGE. The AFGE leadership became concerned that military personnel needed representation, and that the Teamsters purportedly were considering unionization attempts themselves. Being additionally spurred by the amount of increased revenue and power a large military membership would bring, AFGE leadership sponsored and was able to obtain general membership approval of a resolution to accept military personnel as AFGE members. Although the resolution was passive in nature (i.e., membership acceptance vice active membership recruitment), announcement of its passage focused attention on AFGE and gave those concerned with the unionization issue the impression that AFGE was going to actively attempt organization of the Armed Forces. This impression so effectively accelerated the sequence of events that, within 6 months of resolution passage, military unionization has become the major issue it currently is.

The current status is complicated by the number of civilian organizations and associations and various departments and branches of the Federal Government involved.

The AFGE is at the forefront, polling its membership through a referendum to determine whether or not to authorize their National President to proceed with active organization of the Armed Forces. The AFGE has not developed a model and none of the major organizational problems have been solved.¹ The two other federally recognized unions that have previously expressed interest in unionizing the Armed Forces, Associated Civilian Technicians and National Maritime Union, are not currently publicly active.

President Carter, Secretary of Labor Marshall, and high officials within DOD (i.e., Secretary of Defense, Service Secretaries, and Chairman, JCS) are opposed to military unionization. Only the Chairman of the JCS, General Brown has gone on record as being strongly in favor of making membership in, solicitation by, or bargaining with unions illegal.

A number of bills are before the Congress which, if passed, would prohibit unionization (i.e., membership in, solicitation by, or bargaining with a union) of the Armed Forces. Senator Thurmond has stated the Justice Department has informed him that his bill, S.274, is constitutional and practical.² The judicial branch, as yet, is not involved directly in the issue of military unionization. However, should an executive branch instruction be promulgated or a law passed by Congress to prohibit military unionization, the Supreme Court will ultimately be required to determine the constitutionality issues.

Military-oriented associations and organizations, almost without exception, are strongly opposed to military unionization. The basis is philosophical rejection of the concept by the collective membership and loss of influence these organizations would suffer if their constituents were to be represented by unions.

There is some evidence that fringe organizations are attempting to connect or ally themselves with the recognized unions. Fringe organizations are shadowy in nature and little factual information is available regarding their current status.

Assessment of the possible resolution to the issue of US military unionization is difficult, not only because of the number of different organizational entities involved, but because of the number of ways each entity interacts with the other. Additionally, the transitory nature of their current status leads to the requirement to consider both short- and long-term aspects. Issue resolution from the short-term aspect is dependent upon those near-term actions that may be taken by any of the organizational entities involved.

The result of the AFGE referendum are expected to be very close. Should the vote be against unionization efforts, the immediate threat of attempted active organization of the Armed Forces by AFGE would be past.

However, if the referendum results are in favor of proceeding with attempts to organize, AFGE would immediately be required to accept

military applications for membership. From the overall planning standpoint, AFGE is not prepared for this eventuality. It appears that evolution to the current status has been driven more by circumstances than by design, with no indication that the future will be any different. However, AFGE would not be precluded from immediately providing the funds for individual service member representation before boards and UCMJ proceedings since a service member has a right to choose the individual to represent him so long as there is not representation on an organizational basis. The AFGE could also immediately lobby in Congress on those issues which were common to federal employees and military personnel. However, AFGE would not be recognized as representing military personnel within either the executive or legislative branch. This is a separate problem and the methodology AFGE would employ for its attempted solution is unknown. It is suspected that the methodology would have to evolve over a period of time—as would the methodology to be used to attempt a solution to the organizational problems.

The foregoing is based on the presumption that no prohibiting directives are promulgated from within the executive branch and/or no prohibiting legislation is passed by Congress. Directives or legislation would likely be challenged on a constitutional basis. If the AFGE decision is to attempt to organize, prohibitions anywhere in the process would likely generate challenges from a constitutional basis. Challenges could be sponsored by AFGE, another organization, or a group of organizations.

In either case, should AFGE or the executive/legislative branches take the first initiative, resolution of the unionization issue become a long-term process. If the executive or legislative branch takes the first initiative, the issue will be taken up in the courts. If AFGE takes the first initiative, either the executive branch or the legislative branch will be likely to respond with prohibiting directives or legislation, respectively. Official prohibitions will likely generate challenges from the constitutionality standpoint and the issue will still be taken up in the courts. Resolution in either case will be a long-term procedure.

If AFGE decides not to proceed and no prohibiting directives are promulgated or legislation passed, the unionization issue is by no means resolved and is still a long-term issue. Those conditions which historically have been conducive to union formation still exist within the Armed Forces; specifically, the occupational model with its predisposition toward union formation, coupled with the perception that benefits

are being eroded and that psychological contracts are being broken. Without change, it would only be a matter of time before one of the other federally recognized unions might attempt organization. Indeed, there would be no reason for an independent or other private sector affiliated union not to accept membership and proceed with organization efforts. The Teamsters Union, with its militancy and aggressiveness, is mentioned often as a possibility.

Assuming that AFGE decides not to proceed with further attempts at organization, and that prohibiting directives or legislation are not forthcoming, certain long-term actions can be taken by the executive and legislative branches to preclude success of future attempts to unionize the military. These involve removing or mitigating those circumstances that make union representation attractive to the service member.

If the All-Volunteer Force concept is to be retained with its occupational model characteristics, it will at least require funding at a sufficiently high level to be monetarily competitive with civilian industry. However, to preclude future predisposition toward unionization, service membership must be made sufficiently attractive, both environmentally and monetarily, so the individual service member does not believe third-party representation is required to protect his individual interests.

This alternative to unionization relies on the same principles used by Sears and Roebuck, IBM, and other large, nonunionized civilian organizations, who expend large efforts to successfully make unions unattractive to their employees. Simply stated, this alternative requires reestablishment of that trust in the institution which removes the perceived necessity of third-party representation.

Such actions as the recent memorandum from the Service Secretaries to the Secretary of Defense could be first steps in this direction.³ The memorandum requested a moratorium on specific benefit reductions considered, and suggested pay and benefit stabilization until a proposed Presidential Blue Ribbon Panel completes its study on pay and benefits. However, given the present lack of institutional trust, the reestablishment of this trust will take time. Even the effects of an announced immediate total change in executive and legislative policy (if such an announcement could be made) would mature too late to affect the short-term outcome. Only consistent efforts over a period of time by policymakers can reestablish the necessary institutional trust.

A return to the calling model as a basis for service in the Armed Forces is the surest way of preventing unionization of the Armed Forces. Return to conscription—in other than a national emergency agreed upon by all—is extremely unlikely. However, institution of a system of national service could serve as a vehicle for reestablishing the calling model. A system of universal national service wherein each individual male and female would dedicate a given period of time to national service, one alternative being military service, would be very costly and present major problems in administration. Voluntary national service would be another less costly and more easily administered approach. The Moskos suggestion that 2 years of national service be a prerequisite to government employment would give greater assurance (under a voluntary system) that there would be sufficient volunteers to support a national service concept.

Other alternatives could be considered. The military-oriented associations and organizations could take more assertive actions. In order to preclude unionization success, they could affiliate, become more aggressive, and if recognized by the executive branch, could easily fulfill the representation role to Congress. The extent of intra-DOD and intra-service representation would be a matter to be worked out.

An intra-DOD association or "company union" could also fulfill the role of an external union. If recognized, such an organization could give separate representation to Congress. Representation within DOD could also be easily accomplished.

Views regarding the impact of military unionization are varied and the true impact would be dependent upon the form that unionization might take. However, increased costs, loss in command flexibility, and derogation of command and unit loyalty would occur. Additionally, strikes, sickouts, and slowdowns, and work-to-regulations are traditional tools used by unions to attain their aims and their utilization would be a distinct possibility. Finally, the concept of civilian control of the Armed Forces would not be immune to challenge by a militant union under conditions favorable to such a challenge.

CONCLUSIONS

The important conclusions that can be made and supported by the material presented in this paper are as follows:

1. The European experience offers few parallels with and little general applicability to the United States and its Armed Forces with respect to the issue of military unionization.
2. The combination of two events generated the conditions under which US military unionization has become an issue. One event was the recent explosion in federal public sector unionization. The other was the more recent but generally concurrent perception of benefit erosion and loss of institutional trust coupled with the introduction of the occupational model into the Armed Forces.
3. The genesis of the unionization issue can be traced to the circumstantial confluence of common AFGE and military service member interests in a civilian comparability pay raise.
4. Passage by AFGE membership (at the September 1976 convention) of a resolution to change the AFGE Constitution to accept military membership was responsible for catapulting the issue of US military unionization into the major issue it is today.
5. The position in which AFGE now finds itself was brought about through an evolutionary process that has been driven more by circumstances than developed by design.
6. The AFGE is not now prepared to proceed with an overall plan to organize the US military for a number of major organizational problems critical to an overall plan have not yet been solved.
7. The AFGE is the only federally recognized union presently publicly active in the unionization issue. Results of the forthcoming referendum are to be announced not later than October 1, 1977 and are to determine AFGE's future role in the issue of military unionization.*

*Editor's Note. Although results announced 7 September 1977 were against unionization, AFGE leadership kept open the possibility of future attempts. See Mike Causey, "AFGE Keeps Civilian Status," *The Washington Post*, 8 September 1977, p. C2.

8. The short-term period May-October 1977 will be transitory and critical in the sense that it is not known whether Congress, the executive branch, DOD, AFGE, or less likely, another organization, will take the first initiative to resolve the issue. In any case, final resolution is most likely to take place in the courts. In this case, resolution of the issue will become a long-term process.

9. Increased costs, loss in command flexibility, derogation of command, and unit loyalty, the use of job actions (strikes, etc.), and possible challenge to civilian control of the military are all possible consequences which must be faced should unionization occur.

10. Only positive actions by the executive and legislative branches will preclude the inevitability of ultimate US military unionization. If the perception of loss of benefits is not mitigated, if institutional trust is not generated, or if these steps in concert with the reestablishment of the calling concept, do not occur, the ultimate resolution of the issue of US military unionization will be unionization in one form or another.

In any case, the ultimate resolution of the issue of military unionization will depend on the actions taken by and interaction between those organizational entities most concerned with the issue. The process is likely to be long, and external influences such as national emergencies or other unforecastable occurrences may very well play a major part in the final resolution.

ENDNOTES

1. Confirmed by Mr. Virgil W. Miller, Eighth District Regional Vice President and Chairman of AFGE's Committee to Study the Question of Organizing Military Personnel during the Panel II Discussion Period at the Executive Conference on Unionization and the US Military held by the Foreign Policy Institute, Inc. on April 22, 1977.
2. "Hill Told Law Not Needed," *Navy Times*, April 4, 1977.
3. Randy Shoemaker, "Halt Reductions in Pay/Benefits," *Air Force Times*, April 11, 1977.

BIBLIOGRAPHY

BOOKS

Bloom, Gordon F., and Northrup, Herbert R. *Economics of Labor Relations*. Seventh Edition. Homewood, Illinois: Richard D. Irwin, Inc., 1973.

Lane, Peter B., Lt. Col., USAF; Krendel, Ezra S.; and Taylor, William J., Jr., Col., USA. *Military Unionism and the Volunteer Military System*, National Security Affairs Monograph 77-1. National Defense University Research Directorate, Washington, DC, February 1977.

Samuelson, Paul A. *Economics*. 10th Edition. New York: McGraw-Hill, 1976.

STUDIES, REPORTS, AND BULLETINS

Altwies, James E., Major, USAF. "Why Would the Military Unionize?" Unpublished research study submitted to the faculty, Air University, Maxwell AFB, Alabama, May 1976.

Aspin, Les (Rep.-Wisconsin). "Guns or Pensions." A study of the Military Retired Pay System, House of Representatives, Washington, DC, November 1976.

Badami, James A., Major, USA. "Servicemen's Unions: Constitutional, Desirable, Practical." Unpublished thesis, Judge Advocate General's School, US Army, March 1973.

Beatty, Frederick M., Major, USAF, "Military Unionization: A Challenge to Civilian Supremacy." Unpublished research study submitted to the faculty, Air University, Maxwell AFB, Alabama, May 1976.

Cortright, David. "Military Unions of Europe." Unpublished report to *American Federation of Government Employees*. September 8, 1976.

Department of the Army. "Secretary Rumsfeld Discusses All Volunteer Force, Unions." *Retired Army Bulletin*, Vol. V, DA Pamphlet 600-1, Headquarters, Department of the Army, Washington, DC, October 1976.

Gregory, Bruce N. "Union Representation in the Foreign Service."
Unpublished paper presented at 1977 Annual Conference
of the International Studies Association, The Chase-Park
Plaza, St. Louis, Missouri, March 16-20, 1977.

Harris, William Ivan. "A Survey and Analysis of Servicemen's Unions."
Unpublished master's paper submitted to The Pennsylvania
State University, Graduate School, Department of Public
Administration. August 1975.

KAI Complex, Management Consultants. "An Analytical History of
Unionization Within the Public Safety Service and Certain
Other Public Employee Occupations." Final report to The
Staff of the Quadrennial Review of Military Compensation,
Department of Defense. Kramer Associates, Inc.,
Washington, DC, October 22, 1976.

Luce, Tommy R., Major, USAF. "Military Unionization—A Viewpoint,"
Unpublished student research paper, Naval War College,
Newport, Rhode Island. June 23, 1976.

Manley, T. Roger, McNichols, Charles W., and Young, G. C. Saul.
"Some Thoughts Concerning Military Unionization."
Unpublished paper, Department of Systems Management,
Air Force Institute of Technology, Wright-Patterson AFB,
Ohio. March 1976.

Moskos, Charles C. "The Emergent Military: Calling, Profession, or
Occupation?" Unpublished paper presented at the Inter-
University Seminar on the Armed Forces and Society,
University of Maryland, January 20, 1977.

Perselay, Gerald, Col., USAF. "The Realities of Military Unions."
Unpublished paper presented at the Annual Convention of
the International Studies Association, St. Louis, Missouri.
March 18, 1977.

Public Service Research Council. "Public Sector Bargaining and
Strikes." Vienna, Virginia, August 1, 1976.

Quinn, James L., and Grabler, Ronald V. "Military Unions, The Advantages and Disadvantages of Unionization Within the Armed Forces." Unpublished paper for the Air Force Institute of Technology, Air University, Wright-Patterson AFB, Ohio, September 1971.

Taylor, William J., Jr., Col., USA. "Military Unions for the United States: Huge Misstep in the Right Direction." Unpublished paper revised for delivery at 1977 Annual Conference of the International Studies Association, The Chase-Plaza, St. Louis, Missouri, March 16-20, 1977.

US Civil Service Commission. Bureau of Training, Labor Relations Training Center. "Highlights from American Labor History." RN-381 (1-73), Washington, DC.

_____. "Important Events Relating to the Federal Government Labor Movement." RN 8, December 1972.

_____. "Overview of the History of the American Labor Movement." RN-12 (Rev. 3-73), Washington, DC.

_____. "Profiles of Public Sector Unions." RN 377. May 1973.

_____. "The Emergence of Public Sector Collective Bargaining." RN-369 (Rev. 5-73). Washington, DC.

US Civil Service Commission. Office of Labor-Management Relations. "Analysis of Data and Report on Union Recognition in the Federal Service." Bulletin No. 711-34, April 30, 1976.

_____. "A Brief Review of Strikes, Work Stoppages, and Related Incidents in the Federal Service." TN 78, April 1972.

US Congress. House. Representative Aspin speaking for Legislation to Reform and Refine the System of Military Compensation. 94th Cong., 2d sess., *Congressional Record*, September 30, 1976.

US Congress. Senate. Senator Thurmond inserts in the *Record* the actions of the National Executive Council during the meeting of June 8-11, 1976, Washington, DC and "Job Actions Approved," as written by Mike Causey in "The Federal Diary," of the *Washington Post*, September 25, 1976. 94th Cong., 2d sess., *Congressional Record*, September 28, 1976.

US Congress. Senate. Senator Thurmond inserts in the *Record* the article "Unionization of Armed Forces" by Drew Middleton in *New York Times*, March 4, 1977, and the article "AFGE Military Move Near" by Mike Causey in *Washington Post*, March 5, 1977. 95th Cong., 1st sess., *Congressional Record*, September 28, 1976.

US Council of Economic Advisors. "Economic Indicators." Washington, DC: US Government Printing Office, October 1976.

US Department of Defense. Assistant Secretary of Defense (Manpower and Reserve Affairs). Memorandum for Chairman, JCS, General Counsel of DOD, Assistant Secretaries of the Military Departments (M&RA), the Special Assistant to the Secretary of Defense. Subj.: "Unionization." May 11, 1976.

US Executive Order 11491 as Amended by EO 11838, March 1, 1975.

US Federal Labor Relations Council. "Labor-Management Relations in the Federal Service, EO 11491 as Amended by EO 11616." 1971.

US President's Commission. "Studies on an All-Volunteer Force." (*Gates Commission*) November 1970.

Waggener, Robert N., Lt. Col., USA. "Unionization of the US Armed Forces: A Probability Assignment." Unpublished student research report, Industrial College of the Armed Forces, Washington, DC, 1976.

PERIODICALS

- "AFGE Locals Have Mixed Emotions on Future Military Unionization." *Army Magazine*, January 1977. p. 9.
- "AFGE President Webber on Military Unions." *Backbone*, May 1976.
- "An Army Cannot Follow Two Masters." *Army*, July 1976.
- "Are Unions Losing Their Clout?" *U.S. News & World Report*, October 4, 1976, pp. 29-32.
- Brooks, Thomas. "Public Unions: Parallels to the 1930's." *The AFL-CIO American Federationist*, December 1976.
- Cortright, David. "The Union Wants to Join You," *The Nation*, February 21, 1976, pp. 206-209.
- Cortright, David, and Thurmond, Strom. "Unions in the Military. Pro - David Cortright, Con - Strom Thurmond." *American Enterprise Institute Defense Review*, No. 1.
- "Drive to Organize GI's Picks Up Steam." *U.S. News & World Report*, March 28, 1977, p. 50.
- Edwards, Steven H., Cdr., USN. "Unionism - A Symptom, Not a Disease." *Shipmate*, December 1976.
- Flieger, Howard. "On the Other Hand." Editorial, *U.S. News & World Report*, October 25, 1976, p. 100.
- Kane, John E., Lt. USN, Reynolds, Gregory C., Lt., USN, Thorgerson, Arne R., Lt., USN, and Gordon, Jeff, Lt. Cdr., USN. "Is Military Unionization an Idea Whose Time Has Come?" *U.S. Naval Institute Proceedings*, November 1976.
- "Let Soldiers Join Labor Unions? Pro and Con," Interview with Kenneth Blaylock and with Rep. Robin Beard (R.-Tenn.). *U.S. News & World Report*, March 28, 1977, p. 51.
- Lien, Maurice L., Lt. Col., USAF (Ret.). "Military Associations: A Positive Force for Defense." *The Retired Officer*, December 1975.

McCain, John S., Admiral, USN (Ret.). "Military Unionization Would Lead to Defeat of Our Way of Life." *Forewarned*, March 1976.

"Organizing the Military, A Time to Decide." *The Government Standard*, No. 5, May 5, 1977, p. 11.

Rogers, William J. "Unionism Would Threaten Military Chain of Command." *The American Legion Magazine*, January 1977.

Schratz, Paul R., Capt., USN (Ret.). "The Serviceman's Union." *Shipmate*, July-August 1976.

Staudohar, Paul D. "Legal and Constitutional Issues Raised by Organization of the Military." *Labor Law Journal*, March 1977, pp. 182-186.

Sullivan, Daniel P. "Soldiers in Unions - Protected First Amendment Right?" *Labor Law Journal* 9 (September 1969): 581-590.

Towell, Pat. "After 4 Years: Concern Over Volunteer Army." *Congressional Quarterly*, March 26, 1977, p. 528.

"Unionizing the Services: An Interview with Clyde M. Webber, National President, AFGE." *The Times Magazine*, September 24, 1975, p. 22.

Wilson, Minter L., Jr., Col., USA (Ret.). "Intellectual Dishonesty." *The Retired Officer*, March 1977.

———. "Rep. Aspin Continues Attacks on Military." *The Retired Officer*, January 1977.

"With New York City on Brink Again - The Next Move." *U.S. News & World Report*, June 21, 1976, pp. 23-24.

"What About Erosion of Fringe Benefits?" *Shipmate*, July-August 1976.

NEWSPAPERS

- "AFGE Delegates Take Hard Line." *Federal Times*, October 11, 1976, p. 3.
- "AFGE May Begin Sign-Up of Military By Early October." *Navy Times*, March 21, 1977.
- "AFGE Plans for Organizing Military Vague on Who's Labor, Management." *Navy Times*, March 21, 1977.
- Anzur, Terry and Reid, T. R. "Campaign Is Set By AFGE Union to Enlist Military." *Washington Post*, December 9, 1976, p. 1.
- "Army Union a Danger." *Florida Times-Union*, February 16, 1977.
- "Benefits Debate." Editorial, *Army Times*, April 11, 1977.
- Binkin, Martin. "The Draft: Possibilities and Alternatives." *Washington Post*, March 7, 1977, p. 21.
- "Blaylock Goes to Hill for Pay Raise Funds." *Federal Times*, April 11, 1977.
- "Blind Vendor Laws May Drain Millions From Morale Funds." *Navy Times*, April 4, 1977.
- "Brown Finds Army Unions Dangerous." *Baltimore Sun*, March 19, 1977, p. 8.
- Buchwald, Art. "Introducing a New Breed of American Defense Contractor." *Washington Post*, February 29, 1976, p. D-1.
- Callender, Bruce. "5 Years of Pay, Benefit Losses." *Navy Times*, April 11, 1977, p. 4.
- "Carter Talks to Troops." *Air Force Times*, March 14, 1977, p. 1.
- "Carter to Curtail 'Double-Dipping.'" *Navy Times*, April 11, 1977, p. 3.
- Causey, Mike. "AFGE Military Move Near." *Washington Post*, March 5, 1977, p. D-2.

- _____. "Union Organizing Scare." *Washington Post*, December 25, 1976, p. B-2.
- _____. "Union to Sign Up Reservists, Guard." *Washington Post*, December 23, 1975, p. D-10.
- Cook, Don. "Unions on Increase in Europe's Armies." *Los Angeles Times*, November 14, 1976, p. 1.
- Corddry, Charles W. "Army Pay, Benefit Boosts Sought to Spur Volunteers." *Baltimore Sun*, Mar 5, 1977, p. 7.
- _____. "Volunteer Military Called Sinking and Salvageable." *Baltimore Sun*, March 3, 1977, p. 1.
- Cramer, John. "There's Not Much Chance of Employee Unions Organizing the Military." *Washington Star*, February 14, 1977.
- "Draft May Be Needed in '80's, Brown Says." *Atlanta Constitution*, March 17, 1977, p. 10B.
- Evans, Rowland, and Novak, Robert. "An Elusive Promise on Defense Spending." *Washington Post*, December 29, 1976.
- Famiglietti, Gene. "Army Shows Lost Benefits to Congress." *Army Times*, April 4, 1977, p. 1.
- _____. "No New Benefits Lately?" *Army Times*, March 28, 1977, p. 1.
- "French Act to Curb Alleged Army Subversion." *The Stars and Stripes*, November 30, 1975.
- Fox, Richard P. "Lawyer Sees Need for Military Union." *Army Times*, June 7, 1976.
- Gallup, George. "Draft Opposed Despite Recruiting Lag." *Washington Post*, March 7, 1977, p. C-7.
- Gose, Mike. "Unionization No Threat Now, Chief NCO Says." *Pacific Stars and Stripes*, November 24, 1976, p. 1.
- Guidry, Vernon A., Jr. "Ex-Secretary: All-Volunteer Army Works." *Washington Star*, March 21, 1977.

- _____. "Military to Seek Help to Explain Fringe Benefits." *Washington Star*, March 2, 1977, p. 2.
- Heinl, R. D., Jr., Col., USMC (Ret.). "UN Envoy Needs Muzzle." *Detroit News*, March 3, 1977.
- "Hill Caution Urged on Anti-Union Bills." *Navy Times*, April 4, 1977, p. 1.
- Hirst, Don. "Dutch See Military Associations as Way to Keep Out Unions." *Navy Times*, March 21, 1977.
- Hoffman, Nicholas von. "Some Observations on Our Military's Remarkable Obedience to Civilian Masters." *Washington Post*, March 30, 1977.
- Kempster, Norman. "Next Defense Chief Sees Slash in Military Benefits." *Los Angeles Times*, December 26, 1976.
- Kiplinger, Austin. "The Military Draft May Be Revived." *Kiplinger Washington Letter*, February 4, 1977.
- "Labor Chief Sees Merit in Military Union Idea." *Federal Times*, February 7, 1977.
- "Laws Can't Prevent Military Unionization." *Navy Times*, March 14, 1977.
- Marker, George. "Military To Have Own Labor Group." *Army Times*, November 29, 1976, p. 4.
- "Maybe Enlistment Contracts Should Work Both Ways." Commentary, *The Pentagon News*, March 25, 1976.
- Mayer, William R. "Military Unionization is Ticket to Chaos." *The Pentagon News*, April 1, 1976.
- "Military Unions?" *San Francisco Chronical*, March 9, 1977.
- "Military Unions." *Shreveport Louisiana Times*, April 11, 1977.
- Miller, Virgel W., and Stennis, John C. "Should the Military Be Unionized?" *Baltimore Sun*, April 16, 1977, p. 16.

- Milton, T. R. "Military Unions Loony Idea." *Colorado Springs Sun*, March 7, 1976, p. 22.
- . "Young Wrong About Army." *Colorado Springs Sun*, March 20, 1977, p. 22.
- Mollenhoff, Clark. "Teamsters Move Toward Army Union." *Des Moines Register*, November 21, 1976.
- Mossberg, Walter, and Levine, Richard J. "Union Plans '76 Drive to Represent Servicemen; Legalities Are Explored, and Pentagon Shudders." *Wall Street Journal*, June 27, 1975, p. 30.
- "Navy Denies AFGE Charges." *Army Times*, April 11, 1977.
- "Navy Says It Didn't Scuttle Union Meeting." *Air Force Times*, April 11, 1977.
- Nunn, Sam. "Another Look at the All-Volunteer Force." *Washington Post*, March 28, 1977.
- "Peacetime Draft Plan Rapped." *Army Times*, April 11, 1977.
- Phillips, Kevin. "Is Military Union Near?" *The Florida Times-Union*, February 14, 1977.
- Pinto, Edmund. "Labor Organizations Eyeing Military Servicemen, Women." *The Stars and Stripes*, January 12, 1976.
- Plattner, Andy. "Benefits 'Erosion' Disputed by Nunn." *Army Times*, March 28, 1977, p. 1.
- . "Maritimers Weigh Military Union." *Army Times*, December 24, 1975.
- . "Weisner, Nunn Clash Over Erosion." *Navy Times*, March 28, 1977, p. 3.
- "Public Seen 'Softening' on Military Unions." *Navy Times*, March 7, 1977.
- "Ready to Answer, But Nuan Leaves." *Air Force Times*, April 4, 1977.

Reed, Fred. "Anti-GI Union Laws 'Unnecessary.'" *Army Times*, April 4, 1977, p. 4.

_____. "Ballyhooed Union Forum Draws 4 GIs." *Army Times*, April 4, 1977, p. 1.

_____. "Military Union Drive Fizzles in Oakland." *Federal Times*, April 11, 1977, p. 24.

_____. "Military Union Value Doubted." *Army Times*, December 27, 1976.

_____. "New Stennis Bill Would Ban Military Unions." *Air Force Times*, March 28, 1977, p. 1.

_____. "Union Meeting: 4 Takers." *Navy Times*, April 4, 1977.

Saldana, Frank. "Homosexual Quits Navy Commission." *San Diego Evening Tribune*, April 8, 1976.

"Secretary Brown: No Unionization." *Air Force Times*, April 4, 1977, p. 12.

"Secretary Brown's Statement on Unions." *Navy Times*, April 11, 1977, p. 34.

"SecDef, JCS Chief Disagree on Union." *Navy Times*, March 7, 1977.

"Sen. Scott Bothered by Military Fringes." *Navy Times*, April 4, 1977.

Shoemaker, Randall. "Ban on Benefit Cuts Backed." *Navy Times*, April 11, 1977, p. 1.

_____. "Carter Orders Dipper Crackdown." *Federal Times*, April 11, 1977.

_____. "Services Hit Benefit Cuts." *Army Times*, April 11, 1977, p. 1.

_____. "Sweeping Benefit Changes Loom." *Army Times*, April 11, 1977, p. R3.

Smith, Paul. "Youths Less Interested in Military Career." *Navy Times*, March 28, 1977.

Stanford, Phil. "Would Soldiers' Unions Cripple US Defense?" *Washington Post, Parade*, April 11, 1976, p. 19.

"Taylor Says Unions Have Little Chance." *Air Force Times*, November 1, 1976.

"Text of Remarks at Pentagon, Question-Answer Exchange Between President Carter and His Pentagon Audience." *Navy Times*, March 14, 1977.

"The Union 'Threat.'" Editorial, *Navy Times*, March 21, 1977.

"Two Views on Unions." *Air Force Times*, March 7, 1977, p. 4.

"Union Votes to Take Military Members." *Army Times*, October 4, 1976, p. 1.

"Unionizing Could Have Civilianizing Effects." *Army Times*, September 24, 1975, p. 24.

"Unionizing the Military," *Washington Star*, October 2, 1976.

"US Army (AFL-CIO) - Next?" Editorial, *The Daily Chronicle*, September 27, 1975.

Walsh, Edward. "President Rules Out Draft for Now, Expresses Concern with Recruiting." *Washington Post*, March 2, 1977, p. 4.

"White House Lists Carter Campaign Promises." *Navy Times*, April 11, 1977, p. 23.

Weidrich, Bob. "Don't Force Our Troops Into Unions." *Chicago Tribune*, March 31, 1977, p. 11.

Williams, Bob. "Labor Head Opposes Unions for Military." *Air Force Times*, March 7, 1977, p. 10.

_____. "Labor Secretary Opposes Unions for Military." *Navy Times*, March 14, 1977, p. 34.

_____. "Marshall Endorses Bargaining." *Army Times*, March 14, 1977, p. 1.

Wilson, George C. "Air Force Leader Says Uncertainty Spurs Unionizing." *Washington Post*, April 5, 1977.

———. "Caution Is Urged On Military Union." *Washington Post*, March 19, 1977, p. A1.

———. "Ex-Paratrooper Battles to Unionize 82d Airborne." *Washington Post*, March 26, 1977, p. A1.

———. "Military Losing Its Job Appeal." *Washington Post*, March 5, 1977.

———. "35% of AF Enlisted People Favor a Union, Survey Finds." *Washington Post*, February 8, 1977.

"Worse Than the Draft?" *The New York Times*, January 26, 1977.

Wright, Jim. "A Unionized Army? Ask the Dutch." *Dallas Morning News*, July 7, 1975.

OTHER SOURCES

Cortright, David. Defense for National Security. Personal interview on April 13, 1977.

Executive Conference on Unionization and the US Military held by The Foreign Policy Institute, Inc., Philadelphia, Pa. on April 22, 1977.

Fish, Kenneth. Staff/Senate Armed Services Committee. Personal interview on February 21, 1977.

"For a Democratic Soldiers' Union." Pamphlet produced by Enlisted People's Organizing Committee.

Foster, John. Staff/Senate Armed Services Committee. Personal interview on February 18, 1977.

Koczak, Stephen. Director of Special Projects, National Headquarters, AFGE. Personal interview on March 9, 1977.

Lally, John. Staff/House Armed Services Investigative Subcommittee. Personal interview on February 28, 1977.

McKinney, C. A. "Mack." Director of Legislative Affairs, NCOA. A speech before the Central Michigan University, Off Campus Extension Class, Washington, DC, April 20, 1976.

Perselay, Gerald, Col., USAF. "Unions of Federal Civilian Employees In A Military Environment." Remarks to the Inter-University Seminar on the Armed Forces and Society at College Park, Maryland on January 20, 1977.

Press Conference. Transcript of a press conference announcing the American Enterprise Institute's new Public Policy Project for National Defense and its first publication of the *AEI Defense Review*. January 17, 1977.

Shane, Joseph. Presentation on "The Historical Development of Public Sector Unions" at the Inter-University Seminar on the Armed Forces and Society at College Park, Maryland on January 20, 1977.

Statement of Kenneth Blaylock, President, AFGE on Organizing Military Personnel. Released by National Headquarters, AFGE on December 9, 1976.

Webber, Clyde M. "Organizing the Military Services Into a Union." Testimony Before the Defense Manpower Commission. Released by AFGE, August 18, 1975.

Wilson, Minter L., Jr., Col., USA (Ret.). Editor, *The Retired Officer*. Personal interview on March 2, 1977.