

CHAPTER IV

METHODOLOGY FOR COLLECTIVE BARGAINING AGREEMENT CLAUSE ANALYSIS

Introduction

Police unions in the Northeast and North Central regions of the United States developed earlier than those of the South, West and Texas regions. The trade union movement had its roots in the Northern states, and many police unions and state collective bargaining statutes are a product of that social upheaval. The national police unions have made substantial inroads into the Northern states, but their influence declines in the South, West and Texas where statewide, regional and local unions have dominated the police labor market. Since many police unions in the Northern states identify closely with traditional trade unions or join those unions, their collective bargaining clauses should tend to follow the same patterns as those of trade unions while other regions should have clauses identified as more public sector oriented.

Texas police unions are beginning to show the same developmental signs that appeared in other regions of the country a number of years ago. The largest police union in the State is affiliated with a national police union, and the majority of all police bargaining contracts are negotiated by that one national union. Since the state collective bargaining statute has been in existence since 1973, a number of police unions have had the opportunity to experiment with the bargaining process. Trends in Texas police contracts are beginning

to develop that distinguish Texas from the other regions. The two most compelling reasons are probably the influence of one union on most Texas police agreements, and the lack of trade union influence on the Texas police unions.

Sample

The data for this study were collected by the staff of the Criminal Justice Human Resources Planning Project at the College of Criminal Justice at Sam Houston State University in 1980-1981. The latest available police collective bargaining agreements in forty municipalities were randomly selected by the staff from four regions. From each region two police agreements were selected from each of five population categories. Texas police agreements were requested from each municipality negotiating during 1981. Eight of the ten Texas police unions or municipalities supplied their latest contract. Texas City never responded to inquiries and Vidor was still in negotiations over their first contract at the time of the study. The forty selected municipalities by region and population category in addition to the Texas municipalities are described in Table 1.

Measures

A model typology of all possible contract clauses was developed by the staff at the Criminal Justice Human Resources Planning Project at the College of Criminal Justice at Sam Houston State University. Each of the forty-eight police collective bargaining agreements was compared to the model typology to determine if any of

the model typology clauses were present in each existing contract.

Model typology clauses are described in Table 2.

TABLE 1

Municipalities by Region and Population

Census Region	Under 50,000	50-99,999	100-249,999	250-499,999	500,000-up
Northeast	Edison (NJ) Barrington (RI)	Union City (NJ) Wilmington (DE)	Union (NJ) Hartford (CT)	Newark (NJ) Buffalo (NY)	New York (NY) Boston (MA)
North Central	Hastings (NE) Mushegon He (MI)	Lawrence (KS) Moline (IL)	Dayton (OH) Rockford (IL)	Wichita (KS) Cincinnati (OH)	Minneapolis (MN) Columbus (OH)
South	Moore (OK) Miami Sps (FL)	Coral Gables (FL) Gainesville (FL)	Orlando (FL) St. Petersburg (FL)	Louisville (KY) Tampa (FL)	Jacksonville (FL) Memphis (TN)
West	Lebanon (OR) Pleasanton (CA)	Modesto (CA) Cheyene (WY)	Tacoma (WA) Stockton (CA)	Sacramento (CA) Seattle (WA)	Phoenix (AZ) San Diego (CA)
Texas	Port Neches Sherman	Brownsville Laredo	Corpus Christi Beaumont	El Paso	San Antonio

TABLE 2

Model Typology of Police Contract Clauses

Number	Model Police Contract Clause
1	Preamble
2	Recognition of Labor Organization
3	Union Security
4	Bargaining Unit Definition
5	Pledge Against Discrimination
6	Management Rights
7	Individual Rights of Members of Bargaining Unit
8	Union/Association Rights
8.1	bulletin boards
8.2	offices
8.3	on-duty activities
8.4	union business leave
8.5	conferences/conventions
9	Conduct Toward Superiors
10	Union Dues
11	Dues Check-off
11.1	revocation in event of strike
12	Hold Harmless Clause
13	Departmental Rules & Regulations
14	Disciplinary procedure/internal affairs procedure
15	Personnel File Review
16	Police Officers Bill of Rights
17	Grievances
17.1	resolved internally
17.2	resolved within governmental structure but outside dept
17.3	resolved through arbitration
18	Probation
19	Uniform & Cleaning Allowance
20	Equipment
21	Police Vehicles
21.1	unsafe police vehicles
21.2	designation of police vehicles
21.3	police vehicle equipment
21.4	operational police vehicles
22	Hours of Work
23	Schedules
24	Duty Assignments
25	Minimum Personnel
25.1	assignments for police department
25.2	assignments for watch or shift period
25.3	assignments for police vehicles (one or two man cars)

TABLE 2 -- continued

Model Typology of Police Contract Clauses

Number	Model Police Contract Clause
26	Wages
26.1	basic pay schedule
26.2	cost of living adjustment
26.3	overtime pay
26.4	hazardous duty pay
26.5	shift differential pay
26.6	temporary assignment pay
26.7	educational incentive pay
26.8	longevity pay
26.9	standby pay
26.10	court time pay
26.11	call back pay
26.12	gun allowance
26.13	proficiency pay
26.14	all other pay
27	Leave
27.1	annual leave
27.2	sick leave
27.3	leave absence without pay
27.4	disability pay
27.5	bereavement or funeral pay
27.6	professional advance pay
27.7	military leave
27.8	personal leave
27.9	maternity leave
27.10	compensatory leave
27.11	all other leave
28	Holidays
29	Training & Education
30	Roll Call
31	Retirement
32	Insurance
32.1	hospitalization
32.2	life insurance
32.3	disability insurance
32.4	dental insurance
32.5	professional liability insurance
32.6	all other insurance
33	Productivity/Proficiency Pay
34	Physical/Psychological Fitness
35	No-Strike Clause

TABLE 2 - Continued

Model Typology of Police Contract Clauses

Number	Model Police Contract Clause
36	Secondary Boycotts
37	Secondary Employment
38	Grooming Standards
39	Health & Safety Standards
40	Damage to Personal Property of Employee
40.1	to property of employer
41	Seniority
42	Layoffs/Recalls
43	Promotions
44	Transfers
45	Residency Requirements/Conditions
46	Maintenance of Benefits
47	Copies of Contract for Members of Bargaining Unit
48	Labor Management Committee
49	Modification to Labor Contract/Letter of Understanding
50	Waiver of further negotiations (the Zipper Clause)
51	Savings Clause
52	Duration of Contract
53	Future Negotiations
54	Specific Clause Reopener
55	Automatic Extension of Contract Beyond Original term. date
56	Periodic Performance Evaluation
57	Other Remunerative Fringe Benefits
58	Other Working Conditions
59	Other Clauses

Source: Criminal Justice Human Resources Project, College of Criminal Justice, Sam Houston State University, Huntsville, Texas.

CHAPTER V

COLLECTIVE BARGAINING AGREEMENT CLAUSE ANALYSIS

The study required the analysis of police collective bargaining contract clauses in forty-eight municipalities against a model typology of all possible clauses to determine which clauses from the model typology existed in each of the forty-eight contracts. The one hundred and ten variables were analyzed by correlation matrix by region to determine frequency of occurrence. The forty contracts from four regions were then compared against eight Texas contracts to determine if any significant variations existed.

The study indicates that significant variations existed by region in the following clauses; to wit, "scope of unit" clauses, "union security" clauses, "longevity pay" clauses, "bereavement leave" clauses, "personal leave" clauses, "all other leave" clauses, "all other insurance" clauses, and "copies of the contract" clauses. Although varying amounts of difference existed between many clauses, the above clauses were the most significant in the degree of variation.

The "scope of unit" clauses indicate which ranks are covered by the police collective bargaining contract. The "union security" clauses describe union or agency shop agreements that may require union membership or payment of union dues by non-members. The "longevity pay" clauses are designed to compensate officers for seniority with the police department. The "bereavement leave" clauses allow officers time off with pay to attend funerals of family members.

The "personal leave" clauses establish policies that allow

officers to take business or personal days off from work with pay.

The "all other leave" clauses are a catchall clause to include leave provisions not mentioned in the model typology. The "all other insurance" clauses provides for the same catchall as the above for insurance clauses not generally found in contracts. Finally, the "copies of the contract" clauses require the municipality to print and distribute copies of the agreement to each member of the bargaining unit.

One of the factors added to the analysis was the "scope of unit" to determine the ranks within a police department covered by the contract provisions.

TABLE 3

Distribution of "Scope of Unit" Clauses by Region

Rank	NE	NC	S	W	TX
Police Officer Only	2	2	1	2	0
P.O. & Detective	3	1	0	1	0
P.O. & Any Rank Below Sgt	0	1	1	0	0
Sergeant & Below	0	2	6	3	0
Lieutenant & Below	2	0	1	2	0
Captain, Inspector & Below	2	2	1	1	0
Deputy Chief & Below	0	0	0	1	0
All Ranks Except Chief	1	1	0	0	8
All Ranks Including Chief	0	1	0	0	0

Chi Square = 63.2

df = 4

p .001

Table 4 confirms the concept of many that the Northeast Region would in all likelihood name the largest percent of contracts containing a "union security" clause. This is probably caused by the lack of right-to-work laws in the Northern states and the presence of right-to-work laws in the Southern states. Outside of the heavily unionized Northeast, the majority of the other regions did not have a "union security" clause in their police contracts. One surprise was the North Central Region that is heavily unionized in the private sector, but the study indicates very few union or agency shop clauses.

Many police agreements have "longevity pay" clauses that compensate an officer merely for length of service.

TABLE 5

Distribution of "Longevity Pay" Clauses by Region

Region	Included	Not Included
Northeast	9	1
North Central	9	1
South	6	4
West	2	8
Texas	4	4

Chi Square = 14.7

df = 4

p .005

Texas statutes require longevity pay for the majority of all police officers, and the fifty percent of the contracts without "longevity pay" clauses probably have not tried to increase that compensation through negotiations. Table 5 indicates that the agreements in the Northeast and North Central Regions overwhelmingly have "longevity pay" clauses. That may be reflective of the trade union influence and maturity of bargaining in those states. The South Region shows sixty percent with such clauses, but that may only indicate a traditional method of compensating lowly paid police officers and not movement toward seniority provisions in general. Only twenty percent of the contracts in the West had the clause, and that may indicate a more "white collar" approach to bargaining that places less emphasis on seniority issues.

"Bereavement leave" clauses allow the officer to take a leave upon a death of a family member.

TABLE 6

Distribution of "Bereavement Leave" Clauses by Region

Region	Included	Not Included
Northeast	10	0
North Central	7	3
South	8	2
West	3	7
Texas	5	3
Chi Square = 12.2		
df = 4		
p .015		

The use of bereavement or funeral leave appears to be a common practice in the Northeast, North Central and South. Table 6 indicates that the West Region shows only thirty percent of the contracts having "bereavement leave" clauses. Perhaps the heavy influence of California cities in the study is the problem since that state has a weak meet and confer statute. Western contracts examined all appeared to be "weaker" than those of the other regions with most having strong management protections. Texas reports a majority of contracts containing the clause. The Northeast Region was particularly strong in this area with all agreements reporting funeral leave policies.

"Personal leave" clauses allow the officer to take a day or two off for personal business at his discretion.

TABLE 7

Distribution of "Personal Leave" Clauses by Region

Region	Included	Not Included
Northeast	8	2
North Central	5	5
South	3	7
West	2	8
Texas	1	7
Chi Square = 11.7		
df = 4		
p .020		

As usual, the Northeast Region has eighty percent of the agreements containing "personal leave" clauses. This may be reflective of the fact that they have been negotiating longer than the other regions and have expanded negotiations into the areas of more leisure time for officers. The North Central Region reports fifty percent, and from that point the other regions show a steady decline in the presence of the clause. The West Region again shows a lack of provisions that appear more frequently in the other regions. Texas police agreements show but one contract containing the clause. That is in keeping with the fact that Texas police unions have very little experience in bargaining, and the future agreements may begin to show such clauses as other goals are accomplished.

Police agreements often contain clauses for leave time that are not in the traditional category, and they are called "all other leave."

TABLE 8

Distribution of "All Other Leave" Clauses by Region

Region	Included	Not Included
Northeast	4	6
North Central	6	4
South	5	5
West	4	6
Texas	0	8
Chi Square = 8.5		
df = 4		
p .072		

Table 8 reports contracts containing leave clauses outside the traditionally understood leave situations. The model typology had leave clauses for annual, sick, without pay, disability, funeral, professional advancement, military, personal, maternity and compensatory leave. It was surprising that police unions found additional leave issues to negotiate into their contracts. For the first time, the Northeast Region does not lead the other regions but is probably because they generally have most of the other leave provisions. The North Central, South and West report roughly half of the contract containing some additional leave provisions. No contract in Texas contained any leave clause outside the ones stated in the model typology, and that again probably has much to do with the fact that Texas police contracts have not reached maturity.

"All Other Insurance" clauses are designed to cover negotiated insurance issues not directly mentioned in the model typology.

TABLE 9

Distribution of "All Other Insurance" Clauses by Region

Region	Included	Not Included
Northeast	7	3
North Central	4	6
South	1	9
West	2	8
Texas	1	7
Chi Square = 11.3		
df = 4		
p .023		

The "all other insurance" clause in Table 9 is used to cover insurance issues not provided for in the model typology. The model covers hospitalization, life, disability, dental and professional liability insurance. The Northeast Region with seventy percent of its contracts having other insurance clauses leads the other regions. After North Central Region with forty percent, the South, West and Texas have almost no insurance clauses outside the traditional issues. This is another area that will probably be expanded into as the police union agreements mature in the South, West and Texas. Many municipalities in Texas have insurance coverage of various types on all city employees, and they resist union attempts to negotiate over insurance.

After negotiations are completed, many contracts provide for the distribution of copies of the contract to the bargaining unit.

TABLE 10

Distribution of "Copies of the Contract" Clause by Region

Region	Included	Not Included
Northeast	2	8
North Central	1	9
South	3	7
West	2	8
Texas	6	2

Chi Square = 10.7
df = 4
p .030

Table 10 was somewhat surprising since Texas police agreements were far more likely to have clauses requiring management to furnish and distribute copies of the contract to all members of the bargaining unit. The police unions in the Northern states may have a stronger financial base and can afford to print and distribute copies of each contract, or they may not consider that issue worthy of trading off in negotiations. It would seem that management and the union would want each member covered by a contract to have a copy in order to educate the officers about contractual procedures such as grievance systems.

CHAPTER VI

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Summary of Findings

The study indicates the following findings:

1. The Study indicates that there is a significant correlation between occurrence of the following clauses and regions of the United States; to "scope of unit" clauses, "union security" clauses, "longevity pay" clauses, "bereavement leave" clauses, "personal leave" clauses, "all other leave" clauses, "all other insurance" clauses, and "copies of contract" clauses.
2. The Northeast Region tended to include a greater range of clauses.
3. Northeast Region police contracts have clauses that more resemble clauses found in private sector or trade union contracts.
4. Northeast and North Central Region police contracts reflect a maturity that comes from years of collective bargaining.
5. Texas police contract clauses tended to follow those found in the South Region police contracts.
6. The West Region police contracts included the narrowest range of clauses.
7. Police contracts in Texas did have clauses requiring distribution of copies of the contract to members of the bargaining unit in a far higher percentage of contracts than all other regions.
8. The right-to-work regions did not have as high a percentage of "union security" clauses as the Northern states.
9. Texas police bargaining units cover more ranks than all other regions in the United States.

Conclusions

The Texas police labor movement has not progressed as fast as some union leaders would have predicted after passage of the Texas Fire and Police Employee Relations Act in 1973. Although the police unions have managed to add new bargaining cities on a regular basis, they have still lost more elections than they have won. The trends indicate that the police unions are picking their target referendums for bargaining rights more carefully since 1979 after losing every election from mid-1975 until 1979. The last four police unions to win collective bargaining include two municipalities on the heavily unionized Gulf Coast, and two sheriff's departments in counties where the city police already had had bargaining rights for a number of years.

Some fire and police union leaders do not have faith in the present state bargaining law because of its flaws. The negative attitude toward the ability to negotiate a fair and reasonable agreement under the statute has probably discouraged some fire and police unions from seeking a local option referendum. This negative attitude has been especially noticeable among the more fraternal police associations that do not cater to locals desiring full-service labor relations. The lack of an impasse provision in the statute has caused concern among leaders of the fire fighters' union because the fire fighters desire compulsory binding arbitration, and that form of impasse is vehemently opposed by public employers in Texas.

There is evidence that the fire and police unions are making

progress toward working out a compromise piece of legislation with the management associations that could restructure the Texas statute and make it more closely resemble the public safety bargaining laws in other states. Leaders of both management and labor want a viable impasse procedure, closed bargaining sessions, public sector criteria for arbitration and factfinding, mutually agreeable bargaining units, exclusion of police supervisors from the unit, and a general house-cleaning of the statute.

The police employee organizations in Texas appear to be drifting apart with no indications that any mergers, affiliations or coalitions are being discussed. Although CLEAT/IBPO is the dominate statewide/national police union, TMPA and the large independent municipal associations are still viable forces at least on the legislative level in Austin. If the past is any indicator, the stronger unions will slowly drive the weaker associations further into the fraternal camp and make them less a threat to the larger police unions.

Since there are no indications that collective bargaining rights will be extended to all police officers without a local option referendum, the large, powerful AFL-CIO unions and the Teamsters will not spend organizing money in Texas at this time. Changes among police employee organizations will continue to be gradual.

The influence of trade unions, high percentages of public and private sector unionization, and years of bargaining maturity has given the police unions in the Northern states the edge in economic and non-economic benefits over the South, West and Texas. Police

union leaders and management officials have observed the happenings in the Northeast and have developed strong opinions about the advantages and disadvantages of such negotiations, and the impact that those police contracts have had on the affected cities.

The study indicates that South, West and Texas police contracts tend to not include many of the clauses found in the Northeast and North Central Regions. The reasons may be the presence of right-to-work laws in many Southern states, including Texas, that discourages unionization and erodes the union's bargaining power. The Northern states appear to have more comprehensive state collective bargaining statutes that tend to make management and labor equal at the bargaining table. The Southern and Western states passed bargaining legislation at later dates and with more resistance to equality between the parties. Their bargaining statutes are often weak and ineffective, and therefore, the unions tend to receive less benefits because of a weak bargaining position.

Recommendations

The future for collective bargaining appears to be secure at least for those currently bargaining. No serious attempts have been made to repeal the statute and no repeal petitions have been turned in in a number of years. There is little likelihood of a comprehensive bargaining bill that would actually give Texas police officers a model bargaining statute.

Texas politics can be strange at times as evidenced by the fact that a bargaining bill was even passed in 1973. The indicators

were right and the unions took advantage of those signals. It takes political action, strong leadership within the unions, public sentiment and the right politicians in office to pass a major piece of legislation of the kind needed to expand bargaining rights in Texas.

Collective bargaining is working in Texas and that is a major asset to the unions. Management officials have been using bargaining to revise an archaic state civil service statute and upgrade the police departments where entrenched police chiefs have refused to implement progressive management policies. Two facts exist that will aid police and fire unions when they seek to expand the law. First, no fire or police union has been involved in a strike, work stoppage or slowdown. Second, every year the unions and management settle their contracts without undue controversy that upsets the general public and elected officials.

Little research has been conducted lately on the impact that the bargaining statute has had on the municipalities covered. It appears that the majority of management negotiators have found that bargaining can be beneficial to both parties. The non-bargaining cities are contacting the bargaining cities to receive reports on the various experimental changes being conducted under the contracts. The bargaining cities are setting the trends in Texas in the areas of promotional examinations, discipline, and grievance procedures, and that impact can assist in predicting the future trends for Texas police management.

Research is needed in the area of police employee organizations, and the impact that unionization has on the police

department, city management and the other employees. Texas appears to be following the national trend toward full-service labor relations for its members, and that type of service requires the unions to hire attorneys and labor relations professionals who concentrate on just police labor relations. The public employers facing these growing unions with large professional staffs are going to have to start planning now for trained management labor experts who can compete on an equal footing with the unions. The growth of the public sector unions will impact the legislative process, the judicial system and management decisions, and research as to the trends developing will aid both the unions and management in meeting a changing relationship between labor and management with the least amount of controversy.

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APPENDIX

APPENDIX A

Collective Bargaining Policies
In Individual States

APPENDIX A

Collective Bargaining Policies In Individual States

STATE	POLICY
Alabama	Statute permits collective bargaining for firefighters; statute mandates meet and confer for teachers
Alaska	Statute mandate collective bargaining for public employees and teachers
Arizona	Attorney General Opinion permits meet and confer but not the signing of agreements
Arkansas	Attorney General Opinion permits collective bargaining for public employees
California	Statutes mandate meet and confer for state and local government employees; permit meet and confer for teachers and firefighters
Colorado	Court decision permits meet and confer for public employees
Connecticut	Statutes mandate collective bargaining for state, municipal employees and teachers
Delaware	Statutes mandate collective for public employees, teachers and transit workers
Florida	Statute mandates collective bargaining for all public employees
Georgia	Statute mandates collective bargaining for firefighters; Attorney General Opinion permits collective bargaining for teachers
Hawaii	Statute mandates collective bargaining for all public employees
Idaho	Statutes mandate collective bargaining for teachers and firefighters; Attorney General Opinion permits collective bargaining for municipal employees
Illinois	Executive Order mandates collective bargaining for state employees; Statute permits collective bargaining for firefighters in municipalities over 5,000

STATE	POLICY
Indiana	Statute mandates collective bargaining for teachers; Attorney General Opinion permits collective bargaining for all public employees
Iowa	Statute mandates collective bargaining for all public employees; statute provides impasse procedure for firefighters
Kansas	Statutes mandate meet and confer for all public employees and teachers
Kentucky	Statute mandates collective bargaining for firefighters; statute permits collective bargaining for police
Louisiana	Attorney General Opinion permits collective bargaining for all public employees
Maine	Statutes mandate collective bargaining for state employees, municipal employees and University of Maine employees
Maryland	Statutes mandate collective bargaining for certified and non-certified school employees
Massachusetts	Statute mandates collective bargaining for all public employees and provides police & firefighters with separate impasse procedure
Michigan	Statute mandates collective bargaining for all public employees except State Civil Service employees and provides a separate impasse procedure for police & firefighters
Minnesota	Statute mandates collective bargaining for all public employees
Mississippi	No statute or policy exists
Missouri	Statute mandates meet and confer for all public employees except teachers and police; Attorney General Opinion permits meet and confer for teachers
Montana	Statutes mandate collective bargaining for all public employees and nurses
Nebraska	Statute mandates collective bargaining for all public employees; statute permits meet and confer for teachers

STATE	POLICY
Nevada	Statute mandates collective bargaining for all public employees
New Hampshire	Statute mandates collective bargaining for all public employees
New Jersey	Statutes mandate collective bargaining for all public employees and provide police & firefighters a separate impasse procedure
New Mexico	State Personnel Board rules permit collective bargaining for state employees
New York	Statute mandates collective bargaining for all public employees
N. Carolina	Statute prohibits collective bargaining by all public employees
North Dakota	Statute mandates collective bargaining for teachers; Attorney General Opinion permits collective bargaining for all public employees; statute provides impasse procedure for all public employees
Ohio	No statute covering the nature of public employee bargaining
Oklahoma	Statutes mandate collective bargaining for teachers and police & firefighters
Oregon	Statute mandates collective bargaining for all public employees except mass transit workers
Pennsylvania	Statutes mandate collective bargaining for all public employees and police & firefighters
Rhode Island	Statutes mandate collective bargaining for state employees, municipal employees, teachers, firefighters and police
S. Carolina	No statutory law or policies exist
South Dakota	Statute mandates collective bargaining for all public employees
Tennessee	Statutes mandate collective bargaining for teachers; Court decision prohibit collective bargaining by all other public employees

STATE	POLICY
Texas	Statute mandates (under community option) collective bargaining for police & firefighters; statute prohibits collective bargaining for all other public employees
Utah	Attorney General Opinion prohibits collective bargaining by state & local employees
Vermont	Statutes mandate collective bargaining for state employees, municipal employees and teachers
Virginia	Court decision prohibits collective bargaining by all public employees
Washington	Statutes mandate collective bargaining for local government employees and teachers; Statute permits collective bargaining for higher education teachers and Port District employees; Executive Order mandates meet and confer for State Civil Service employees
West Virginia	Attorney General Opinion permits meet and confer for all public employees
Wisconsin	Statutes mandate collective bargaining for state employees, municipal employees and police & firefighters
Wyoming	Statute mandates collective bargaining for firefighters

Source: Midwest Monitor, July/August, 1979, p. 4-5; information valid as of May 1, 1979.

APPENDIX B

Referendums for Adoption and Repeal of the Texas Fire
and Police Employee Relations Act

APPENDIX B

Referendums for Adoption and Repeal of the Texas Fire
and Police Employee Relations Act

	city/county	date	group	results
(1)	Texas City	11-20-73	Both	Passed
(2)	Corsicana # 1	04-02-74	Both	Passed
(3)	Beaumont	05-14-74	Both	Passed
(4)	Sherman # 1	06-08-74	Both	Passed
(5)	Grand Prairie	06-22-74	Fire Only	Failed
(6)	Laredo	07-16-74	Both	Passed
(7)	San Antonio # 1	07-23-74	Fire Only	Passed
(8)	Brownwood	08-13-74	Both	Failed
(9)	Brownsville	08-24-74	Both	Passed
(10)	Dallas	09-10-74	Police Only	Failed
(11)	Wichita Falls	09-10-74	Fire Only	Failed
(12)	Baytown	10-03-74	Fire Only	Failed
(13)	Mesquite # 1	10-05-74	Police Only	Failed
(14)	No. Richland Hills	11-16-74	Fire Only	Failed
(15)	San Antonio # 2	12-17-74	Police Only	Passed
(16)	Galveston # 1	12-17-74	Both	Failed
(17)	Corpus Christi	03-01-75	Both	Passed
(18)	Houston	03-22-75	Fire Only	Failed
(19)	El Paso	03-29-75	Both	Passed
(20)	Victoria	04-01-75	Fire Only	Failed
(21)	Bryan # 1	04-22-75	Fire Only	Passed
(22)	San Marcos # 1	05-19-75	Fire Only	Failed
(23)	Kingsville # 1	06-07-75	Fire Only	Passed
(24)	League City	09-07-75	Police Only	Failed
(25)	Corsicana # 2	09-09-75	REPEAL	Passed
(26)	Galveston # 2	04-03-76	Police Only	Failed
(27)	Sherman # 2	04-03-76	REPEAL	Failed
(28)	Kingsville # 2	08-14-76	REPEAL	Passed
(29)	Bryan # 2	08-14-76	REPEAL	Passed
(30)	Mesquite # 2	01-15-77	Both	Failed
(31)	Hurst	01-15-77	Both	Failed
(32)	Fort Worth	04-22-77	Both	Failed

	city/county	date	group	results
(33)	Port Neches	04-07-79	Police Only	Passed
(34)	San Marcos # 2	08-04-79	Police Only	Failed
(35)	Lubbock	01-19-80	Fire Only	Failed
(36)	Vidor	04-05-80	Police Only	Passed
(37)	Deer Park	04-05-80	Police Only	Failed
(38)	Port Arthur	11-03-81	Fire Only	Passed
(39)	Galveston # 3	04-03-82	Both	Passed
(40)	Orange	04-03-82	Both	Passed
(41)	El Paso County	04-03-82	Deputies Only	Passed
(42)	Webb County	04-03-82	Deputies Only	Passed

^aThe Texas Supreme Court in IAFF Local 2390 v. City of Kingsville (568 S.W. 2nd 391) overturned the repeal election and the fire fighters union is bargaining.

^bThere were no referendums for adoption or repeal in 1978.

^cThe Texas Supreme Court on December 2, 1981 ruled in Commissioners Court of El Paso County v. El Paso County Sheriff's Deputies Association (C-804) that sheriff's deputies were classified as "police officers" under FPERA, and thereby, eligible to seek adoption of the Act by referendum.

APPENDIX C

Texas Municipal Fire and Police Departments Covered By
Civil Service and/or Collective Bargaining Rights

city	1980 federal census population	type of civil service	group	coll. barg. rights	group
(1) Houston	1,594,086	a.1269m	both	no	
(2) Dallas	904,078	charter	both	no	
(3) San Antonio	785,410	a.1269m	both	yes	both
(4) El Paso	425,259	charter	both	yes	both
(5) Fort Worth	385,141	a.1269m	both	no	
(6) Austin	345,496	a.1269m	both	no	
(7) Corpus Christi	231,999	a.1269m	both	yes	both
(8) Lubbock	173,979	a.1269m	both	no	
(9) Amarillo	149,230	a.1269m	both	no	
(10) Garland	138,857	a.1269m	both	no	
(11) Beaumont	118,102	a.1269m	both	yes	both
(12) Pasadena	112,560	a.1269m	both	no	
(13) Irving	109,943	a.1269m	both	no	
(14) Waco	101,261	a.1269m	both	no	
(15) Abilene	98,315	a.1269m	both	no	
(16) Wichita Falls	94,201	a.1269m	both	no	
(17) Laredo	91,449	a.1269m	both	yes	both
(18) Brownsville	84,997	a.1269m	both	yes	both
(19) San Angelo	73,240	a.1269m	both	no	
(20) Richardson	72,496	charter	both	no	
(21) Plano	72,331	a.1269m	both	no	
(22) Grand Prairie	71,462	a.1269m	both	no	
(23) Tyler	70,508	a.1269m	both	no	
(24) Mesquite	67,053	a.1269m	both	no	
(25) Galveston	61,902	a.1269m	both	no	
(26) Port Arthur	61,195	a.1269m	both	yes	fire
(27) Baytown	56,923	a.1269m	both	no	
(28) Denton	48,063	a.1269m	both	no	
(29) Killeen	46,296	a.1269m	both	no	
(30) Bryan	44,337	a.1269m	both	no	
(31) Harlingen	43,543	a.1269m	both	no	
(32) Temple	42,483	a.1269m	both	no	
(33) Texas City	41,403	a.1269m	both	yes	both
(34) Carrollton	40,591	a.1269m	both	no	
(35) Hurst	31,420	a.1269m	both	no	
(36) Texarkana	31,271	a.1269m	both	no	
(37) No. Richland Hills	30,592	charter	both	no	
(38) Sherman	30,413	a.1269m	both	yes	both
(39) Del Rio	30,034	a.1269m	both	no	
(40) Haltom City	29,014	charter	both	no	

city	1980 federal census population	type of civil service	group	coll. barg. rights	group
(41) Kingsville	28,808	a.1269m	both	yes	fire
(42) Lufkin	28,562	a.1269m	both	no	
(43) Duncanville	27,781	a.1269m	both	no	
(44) Paris	25,496	a.1269m	both	no	
(45) Denison	23,884	a.1269m	both	no	
(46) Marshall	24,921	a.1269m	both	no	
(47) Orange	23,628	a.1269m	both	yes	both
(48) San Marcos	23,420	a.1269m	both	no	
(49) Greenville	22,161	a.1269m	both	no	
(50) Corsicana	21,712	a.1269m	both	no	
(51) Cleburne	19,218	a.1269m	both	no	
(52) Brownwood	19,203	a.1269m	both	no	
(53) League City	16,578	a.1269m	both	no	
(54) Palestine	15,948	a.1269m	both	no	
(55) LaPorte (b)	14,062	a.1269m	police	no	
(56) Port Neches	13,944	none		yes	police
(57) Balch Springs	13,746	a.1269m	both	no	
(58) Pearland (b)	13,248	a.1269m	both	no	
(59) Sweetwater	12,242	a.1269m	both	no	
(60) Vidor (b)	12,117	none		yes	police
(61) Robstown	12,100	a.1269m	both	no	
(62) Galena Park (a,b)	9,879	a.1269m	police	no	

^aGalena Park police won civil service under Article 1269m when city's population was over 10,000 by federal census as required by the Act. There is no provision for losing civil service should the city's population drop below 10,000.

^bLaPorte, Pearland, Vidor and Galena Park do not have paid fire departments.

^cThere are five fire and police departments covered by charter civil service.

^dThere are ten fire and police departments covered by Article 5154c-1 (state collective bargaining), two fire only and two police only. There are two sheriff's departments covered also.

^eThere are 52 fire and police departments covered by Article 1269m (state civil service) and three police only.

APPENDIX D

Partial Listing of Texas Local, Regional
and Statewide Police Organizations

APPENDIX D

Partial Listing of Texas Local, Regional
and Statewide Police OrganizationsManagement

The Sheriff's Association of Texas (predominately county sheriffs)
 Texas Police Assn. (predominately police chiefs & ranking officers)
 Texas Police Chief's Association (division of Texas Municipal League)
 Justice's of the Peace and Constables Association

Professional

Texas Narcotic Officers Association
 Texas Crime Prevention Association
 Texas Div. of the International Association of Identification
 Texas Law Enforcement Intelligence Officers Association

Fraternal & Social

North Texas & Southern Oklahoma Peace Officers Association
 Hill Country Peace Officers Association
 West Central Texas Law Enforcement Association
 Central Texas Peace Officers Association
 Texas Capital Area Law Enforcement Association
 The East Texas Peace Officers Association
 South Texas Peace Officers Association
 The Coastal Bend Peace Officers Association
 Big Bend Law Enforcement Officers Association
 Uvalde Area Peace Officers Association
 Panhandle Police Communications Association
 South Texas Communications Officers Association
 West Texas Communications Officers Association
 Guadalupe Valley Peace Officers Association
 Texas Peace Officers Association (predominately black officers)

Major Police Employee Organizations

Texas Department of Public Safety Officers Association (Ind)
 Texas Municipal Police Association (Ind)
 Combined Law Enforcement Associations of Texas (affiliate of IBPO)
 International Brotherhood of Police Officers (div. of NAGE)
 Harris County Sheriff's Deputies Association (Ind)
 Dallas County Sheriff's Association (Ind)
 Dallas Police Association (affiliate of NAPO)
 Houston Police Officers Association (Ind)
 Houston Police Patrolmen's Union (affiliate of IPUA, AFL-CIO)
 Austin Police Association (affiliated with TMPA)
 Irving Police Association (Ind)
 Arlington Police Officers Association (Ind)

APPENDIX E

Affiliated Chapters and Members of the
Texas Municipal Police Association

APPENDIX E

Affiliated Chapters and Members of the
Texas Municipal Police Association

(1) Abilene PD	(35) LaPorte PD
(2) Addison PD	(36) Mansfield PD
(3) Alpine PD	(37) Missouri City PD
(4) Austin Airport PD	(38) Olton PD
(5) Austin Brackenridge Hosp. PD	(39) Palestine PD
(6) Austin PD	(40) Pasadena PD
(7) Balch Springs PD	(41) Patton Village PD
(8) Bastrop County DA	(42) Pearland PD
(9) Bastrop County SO	(43) Pecos PD
(10) Baytown Arson Investigators	(44) Pflugerville PD
(11) Baytown PD	(45) Polk County SO
(12) Bellaire PD	(46) Quinlan PD
(13) Bexar County SO	(47) Rockwall PD
(14) Bonham PD	(48) Royce City PD
(15) Bosque County SO	(49) San Angelo PD
(16) Bryan PD	(50) San Angelo Warrants
(17) Corrigan PD	(51) San Angelo Airport PD
(18) Castroville PD	(52) San Antonio PD
(19) Dallas PD	(53) Sansom Park PD
(20) DeSoto PD	(54) Seabrook PD
(21) D.P.S.	(55) Sherman PD
(22) Elgin PD	(56) Shoreacres
(23) Everman PD	(57) Splendora PD
(24) Fort Worth PD	(58) South Houston PD
(25) Galena Park PD	(59) Southside Place PD
(26) Galveston PD	(60) Stafford PD
(27) Garland PD	(61) Taylor County SO
(28) Greenville PD	(62) Texarkana PD
(29) Hewitt PD	(63) Valley Mills PD
(30) Houston PD	(64) Waco PD
(31) Houston Warrants	(65) Wallis PD
(32) Jasper PD	(66) West Tawakoni PD
(33) Keller PD	(67) Wichita Falls PD
(34) Lake Jackson PD	(68) Winkler County SO

Source: TMPA Newsletter, March/April, 1982. List includes the name of each agency reporting one or more members paying dues, and does not reflect which agencies actually have organized police associations.

APPENDIX F

Affiliated Chapters and Local Unions of the
Combined Law Enforcement Associations of Texas/
International Brotherhood of Police Officers

APPENDIX F

Affiliated Chapters and Local Unions of the
Combined Law Enforcement Associations of Texas/
International Brotherhood of Police Officers

CLEAT Local Affiliated Chapters (Chartered Under State IBPO Local 600):

- | | |
|------------------------------------|---|
| (1) Abilene Police Assn | (29) Grand Prairie Police Assn |
| (2) Alamo Area Campus P.O.A. | (30) Hollywood Park P.O.A. |
| (3) Alamo Heights P.O.A. | (31) Houston Airport P.O.A. |
| (4) Amarillo P.O.A. | (32) Houston Park P.O.A. |
| (5) Bexar County S.D.A. | (33) Hurst Police Assn |
| (6) Bridge City Police Assn | (34) Killeen Police Assn |
| (7) Brownsville P.O.A. | (35) LaPorte P.O.A. |
| (8) Brownwood Municipal P.O.A. | (36) Lewisville Police Assn |
| (9) Bryan Police Assn | (37) Lubbock P.O.A. |
| (10) Carrollton Police Assn | (38) Lubbock County S.D.A. |
| (11) Conroe Police Assn | (39) McAllen P.O.A. |
| (12) Copperas Cove P.O.A. | (40) Mesquite Police Assn |
| (13) Corpus Christi P.O.A. | (41) North Richland Hills P.O.A. |
| (14) Dallas City Marshals Assn | (42) Pasadena Law Enforcement Association |
| (15) Dallas Park Police Assn | (43) Plano Police Assn |
| (16) D/FW Airport P.S.O.A. | (44) Port Neches Police Assn |
| (17) Deer Park Police Assn | (45) Rowlett Police Assn |
| (18) Denton Police Assn | (46) San Antonio P.O.A. |
| (19) El Paso County S.D.A. | (47) San Antonio Airport P.O.A. |
| (20) El Paso Int'l Airport P.O.A. | (48) San Antonio Park P.O.A. |
| (21) El Paso Comm Coll Dist P.O.A. | (49) San Marcos P.O.A. |
| (22) El Paso Municipal P.O.A. | (50) Sherman P.O.A. |
| (23) Farmers Branch Police Assn | (51) Tarrant County S.D.A. |
| (24) Park P.O.A. of Fort Worth | (52) Tyler Patrolmen's Assoc |
| (25) Fort Worth P.O.A. | (53) Vidor Police Association |
| (26) Gainesville Police Assn | (54) West University Pl P.O.A. |
| (27) Galena Park P.O.A. | (55) Wichita Falls P.O.A. |
| (28) Galveston Municipal P.O.A. | |

Individually Chartered Texas IBPO Local Unions:

- | | |
|---------------------------------|-----------------------------------|
| (1) Beaumont Police Local 491 | (8) Odessa Police Local 478 |
| (2) Big Spring Police Local 487 | (9) Orange Police Local 514 |
| (3) Denison Police Local 587 | (10) Port Arthur Police Local 539 |
| (4) Kingsville Police Local 495 | (11) Smith Cty Deputies Local 500 |
| (5) Laredo Police Local 543 | (12) Texarkana Police Local 576 |
| (6) Longview Police Local 494 | (13) Waco Police Local 578 |
| (7) Midland Police Local 584 | (14) Webb Cty Deputies Local 498 |

Source: CLEAT/IBPO Office, Austin Texas as of October 1, 1982.
Individual members of agencies without charters are not included in list.

APPENDIX G

Statewide Law Enforcement Summary Report

APPENDIX G

Statewide Law Enforcement Summary Report

LAW ENFORCEMENT AGENCIES	2,440
TOTAL ACTIVE LAW ENFORCEMENT OFFICERS	40,143
TOTAL ACTIVE COUNTY JAILERS	4,660

Number of officers with:

GED	5,599
HIGH SCHOOL	32,661
ASSOCIATE DEGREE	2,149
BACCALAUREATE DEGREE	4,600
MASTERS DEGREE	330
DOCTORATES	135
LAW DEGREES	115

Number of officers with:

GRANDFATHER CERTIFICATION	762
BASIC CERTIFICATION	11,502
INTERMEDIATE CERTIFICATION	7,181
ADVANCED CERTIFICATION	10,269
RESERVE CERTIFICATION	5,403
INSTRUCTOR CERTIFICATION	2,341

Number of officers & reserves by agency:

	REGULARS	RESERVES
STATE AGENCIES	3,674	0
COLLEGE & UNIVERSITY AGENCIES	1,068	0
SHERIFF'S DEPARTMENTS	5,634	3,471
CONSTABLES DEPARTMENTS	1,354	1,195
OFFICE OF COUNTY ATTORNEY	59	0
OFFICE OF DISTRICT ATTORNEY	357	0
COUNTY ARSON DEPARTMENTS	25	0
MUNICIPAL DEPARTMENTS	19,295	2,005
MUNICIPAL ARSON DEPARTMENTS	402	0
MUNICIPAL PARK DEPARTMENTS	273	0
AIRPORT SECURITY DEPARTMENTS	650	0
CITY MARSHAL DEPARTMENTS	114	0

Source: Texas Commission on Law Enforcement Officer Standards and Education, Austin, Texas. Training Guide, figures valid as of September 1, 1982.

APPENDIX H

**Affiliated Unions of the International Association
of Fire Fighters (IAFF) in Texas**

APPENDIX H

Affiliated Unions of the International Association
of Fire Fighters (IAFF) in Texas

Agency	IAFF Local Union	Agency	IAFF Local Union
(1) Abilene	1044	(29) Killeen	2505
(2) Amarillo	542	(30) Kingsville	2390
(3) Arlington	1329	(31) Laredo	1390
(4) Austin	975	(32) Longview	2756
(5) Balch Springs	2606	(33) Lubbock	972
(6) Baytown	1173	(34) McAllen	2602
(7) Beaumont	399	(35) Mesquite	1518
(8) Brownsville	970	(36) Midland	1344
(9) Brownwood	2863	(37) Nacogdoches	2690
(10) Bryan	1204	(38) Odessa	1665
(11) Carrollton	2182	(39) Orange	1432
(12) Cleburne	1854	(40) Paris	889
(13) Conroe	2731	(41) Plano	2149
(14) Copperas Cove	2865	(42) Port Arthur	397
(15) Corpus Christi	936	(43) Richardson	1954
(16) Dallas	617	(44) San Angelo	886
(17) Denison	965	(45) San Antonio	624
(18) Denton	1291	(46) San Marcos	2191
(19) El Paso	51	(47) Sherman	2002
(20) Fort Worth	440	(48) Temple	846
(21) Fort Worth/ Aircraft Crash	2552	(49) Texarkana	367
(22) Galveston	571	(50) Texas City	1259
(23) Garland	1293	(51) Tyler	883
(24) Greenville	997	(52) University Park	2092
(25) Haltom City	2166	(53) Vernon	1207
(26) Houston	341	(54) Waco	478
(27) Houston/Port	1316	(55) Wichita Falls	2186
(28) Irving	2073		

Source: Mr. Don O'Dell, Legislative Director, Texas State Association of Fire Fighters (TSAFF), Austin, Texas as of September 1, 1982.

VITA

Ronald G. DeLord

Candidate for the Degree of
Master of Arts

Thesis: An Analysis of the Development of Police Collective
Bargaining in Texas

Major Field: Criminal Justice

Biographical Information:

Personal Data: Born at Port Arthur, Texas, January 21, 1948, son
of Clyde and Betty DeLord; married Brenda Robnett November
26, 1969; one child—Jonathan Travis.

Education: Attended elementary school in Groves, Texas; gradu-
ated from Port Neches-Groves High School in 1966, received
the Bachelor of Science degree from Lamar State College of
Technology with a major in government in 1971; did graduate
work in economics at North Texas State University in 1976
and in business at Abilene Christian University at Dallas
in 1980; completed requirements for the Master of Arts
degree, specializing in criminal justice, at Sam Houston
State University in 1982.

Professional Experience: 1969 to 1971, police officer, City of
Beaumont, Texas; 1971 to 1977, police officer, City of
Mesquite, Texas; 1977 to 1981, president, Combined Law
Enforcement Associations of Texas, San Antonio, Texas;
1981 to present, regional director, National Association
of Government Employees/International Brotherhood of Police
Officers (presidency of CLEAT still held but not full-time
position), Austin, Texas; 1974 to 1976, part-time in-
structor, criminal justice, Abilene Christian University
at Dallas, Garland, Texas; 1981, part-time instructor,
labor studies, Tarrant County Junior College, Hurst,
Texas.

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