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# Participating in Managing the Philadelphia Transit System

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# Participating in Managing the Philadelphia Transit System

## **Abstract**

[Excerpt] The labor movement has hurt itself in recent years with a childish tendency to elevate tactical questions to the level of principles. And nowhere more than the "principle" of militancy versus cooperation and participation.

These are tactics. Their use or rejection is not a decision that should be decided by some a priori considerations of ideological purity or unity of interest between labor and management, but by what will work in a given situation—particulars of condition, time and place.

## **Keywords**

tactics, strategy, labor relations, management participation

# Participating in Managing the Philadelphia Transit System

■ *Roger Tauss*

For Will Rogers it was people. Personally, I've never met a tactic I didn't like. Only tactics that didn't work.

The labor movement has hurt itself in recent years with a childish tendency to elevate tactical questions to the level of principles. And nowhere more than the "principle" of militancy versus cooperation and participation.

These are tactics. Their use or rejection is not a decision that should be decided by some *a priori* considerations of ideological purity or unity of interest between labor and management, but by what will work in a given situation—particulars of condition, time and place.

Most opponents and supporters of the concept of worker participation, on the other hand, generalize about "good" and "bad" tactics on the basis of a narrow set of examples. They ignore the particularities of the examples that make a given tactic work or fail *in that situation*.

In some workplaces worker participation is a management initiative whose real aim is undermining the Union as a means to cost cutting and greater control. These are the cases from which Mike Parker and others try to generalize rules dictating opposition to the concept.

Then you have the failing industrial workplaces where management's principal aim is cost cutting with union-busting a secondary

consideration. This is the scenario on which Banks and Metzgar base their model.

Neither scenario is anything like universal. And yet neither set of writers limit the application of their discussions to specific fact patterns.

Neither deals, for example, with a situation where there is no management initiative for cost cutting, where worker participation is a union initiative arising from a union agenda; or one where management already dominates workers and union.

Neither deals with the public sector where the absence of the profit motive provides a different basis for cooperating to serve the public; where public exposure is particularly effective: easy access to the media (everything we do is news) and public officials as key decision-makers, equally susceptible to public pressure and to the opportunity to play hero by taking on an unpopular public agency.

That was the situation at SEPTA, the Philadelphia transit system, when our rank-and-file ticket took over TWU Local 234 in 1983. Management had no reason to change anything. The SEPTA Board Chairman bragged the time had come "to kick labor in the gut."

Militancy was obviously the order of the day and the Union lashed out with public exposure on safety; harassment and inefficiencies; massive legal filings; and selected job actions.

### **Cooperation as a Union Tactic**

But militancy alone will not suffice.

First, the public can get awfully tired of pitched battles that disrupt their service. Making cooperation our issue gave us the Moral High Ground. We were the guys who really cared about the public.

Second, pitched battles are often suicidal. With management's superior resources they have the advantage when they know where and how we're coming at them.

Our wins are like the French and Indians against the British—bleeding to death a stronger enemy that can't find an easy target. We're strongest when the company doesn't know how to prepare against us. Mixing militancy with attempts to establish cooperation keeps them off balance.

This is not a tactic to be rejected on the basis of a *priori* principles or some romantic fascination with big confrontations. The business of the labor movement is not fighting battles, but winning—whatever it takes.

"To fight and conquer in all your battles is not supreme

excellence," advises the Chinese military tactician Sun Tzu. "Supreme excellence consists in breaking the enemy's resistance without fighting."

The tactic of cooperation may be better understood under its other name—labor peace. This is what we have to trade: give us what we want and we'll let you get on with business.

### **Cooperation and Workers' Participation**

Participation in management is one form cooperation can take. Banks and Metzgar are right not to reject it out of hand. And their distinction between cooperation and participation is useful.

But the worker participation they envision, pure and untouched by "cooperationism," is curiously abstracted from the real world where QWLs, etc. are a blend of both. While the union forces must understand the difference, worker participation shorn of its cooperative rhetoric misses real opportunities.

Management will not willingly acquiesce to a form of participation that empowers unions with some control over the workplace.

In Philadelphia, going on the offensive around "Labor-Management *Cooperation*" enabled us to trap them with their own rhetoric. Especially where the public is a player, it is much harder for management to reject the Union's offer of "cooperation" than "participation."



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Promoting participation in management as the desired form of that cooperation gave us a handle on more worker control of the workplace by penetrating the legal barrier of "management rights" and extending our reach into otherwise unapproachable terrain. (When the process at SEPTA was finally codified, it included the following: "Labor and management will participate in *joint decision making on how the work is organized and decisions implemented.*")

Finally, we can't forget that at the end we have to negotiate their surrender. Just beating their brains in prolongs the bloodletting. But, worse, it does nothing to prepare them for the peace treaty. Seizing cooperation-participation as our issue permitted us to begin defining the terms of the surrender.

### **Key One: Collective Bargaining**

The key to using participation in the workers' interest is understanding its nature.

In fact, it is not *outside* of collective bargaining as management consultants claim. It is not just *like* collective bargaining, as Banks and Metzgar have it. *It is collective bargaining.* Nothing more nor less. It is, to paraphrase von Clausewitz, the continuation of collective bargaining by other means.

Management comes to the "table" with things it wants. Labor had better do the same. Management gets something out of the process and the Union must make certain that what it gets in return is worth the trade.

The mission of a union-empowering worker participation program is not, as Banks and Metzgar claim, "to improve the economic prospects of an enterprise in order to preserve and enhance workers' wages and standards" except, perhaps, in the concrete conditions of a failing industrial enterprise.

The point is not to make the best of a bad situation by getting some union-empowerment and job security in return for whatever cost-cutting concessions are necessary. Like any other collective bargaining, the point is to get as much as we can for as little as we can manage. At SEPTA specific objectives included reduction in discipline, getting rid of specific practices or bosses, rewritten job descriptions, a 4-day work week alternative.

Nor do you have to necessarily give up anything that matters. The model deal, as in all collective bargaining, is trading labor peace for all the economic gains and control we want. Sometimes we have to settle for less.

Union gains from worker participation depend on how much

union militancy has made labor peace worth to the company.

In Philadelphia, that was a great deal. Every issue that arose, we would "hold out our hand," offer cooperation. When they refused, we would explain the consequences of their refusal: media exposure, legislative investigation, civil lawsuits, etc. If they didn't respond to the "treat" (cooperation), we'd smack them around with something that hurt until they were trained—like a dog—to give us things we wanted in return for not getting hit.

Far from walling off the participation program from collective bargaining, at SEPTA the final product included a statement that "neither party gives up, by their participation in the New Route Program, any existing rights under the labor agreement, including rights under past practice. *This does not, however, preclude the parties from negotiating contract changes as a result of discussions undertaken in the program.*" It certainly did not.

### **Negotiating Through the "New Route" Program**

What advantages did we gain by negotiating through the New Route program?

Trapped by their own rhetoric of cooperation and common interest, management could not refuse to discuss nonmandatory subjects of bargaining like frequency and routing of service and other issues affecting the "product." They were forced to share information and data with the Union which exposed even more problems and provided more leverage.

Unable to hide behind "that's none of your business," managers were increasingly forced to justify policies and defend them to the Union. Many were exposed as incompetent. Others, having to come up with good reasons for doing something, quickly found it easier to follow the Union's suggestion when there was no good reason not to.

The process also enabled the Union to play management politics—one level of management against another. Managers suddenly became interested in resolving disputes with the Union before they had to do so under scrutiny of *their bosses*. Top management, meanwhile, began deflecting criticism downward, blaming subordinates, strengthening their desire to settle with the Union at lower levels.

Even in collective bargaining for a new labor agreement we frequently found it profitable to shift the discussions to a New Route committee where traditional bargaining rules did not apply.

The new contract expanded one small Labor-Management Safety Committee into safety committees in each of 20 locations

(with paid time off, authority, resources, etc.). At one point SEPTA negotiators were dug in that rank-and-file representatives be volunteers rather than selected by the Union. We made the committees part of the "New Route," then reminded them of the LMC guidelines: "All Union representatives at each level will be selected by the Union." End of discussion.

A second example involved the writing of new job descriptions. At SEPTA a disastrous 1979 agreement had allowed the company to combine many previously separate jobs. Even though most workers only did a few of the tasks in a given job description, it was an obstacle to advancement, and the freedom to assign unfamiliar tasks was used as a weapon by managers. Industrial relations managers who had negotiated this in 1979 resisted all efforts to correct the abuses.

By kicking the discussions over into New Route subcommittees we were able to bypass the hard-liners. Managers, union and rank and file from the affected locations were able to focus the discussions on the real needs of the work. New jobs were created (e.g., Locksmith, Carpenter and Roofer instead of the old three-way combination) with clear descriptions and seniority protections.

Of course, management can leave the process at any time. But that itself provides a Union victory. Even in their worst days SEPTA management never had the nerve to give the Union this kind of propaganda weapon. Even so, the combination of militant public exposure with cooperation-participation played a central role in the Union's successful campaign to remove the Board Chairman, the General Manager and the Head of Operations.

## **Key Two: Maintaining Union Independence**

The process only works if the Union maintains its independence.

All labor participants are named by the Union. Independent discussions between Union leaders and rank-and-file establish Union goals and a Union agenda for each meeting (as management establishes theirs). In addition to any joint training, all Union appointees are given separate training on the Union agenda and their role as representatives of the *Union*.

In this the Banks-Metzgar model is a good one. In other respects it is still burdened by too many *a priori* rules. They argue against "neutral" consultants. We found PALM, an organization run jointly by the AFL-CIO and the Chamber of Commerce, very useful. A genuine third party reporting on the process to outsiders, they made it very difficult for management to deviate from their rhetoric.

## **Rank-and-File Participation**

Banks and Metzgar suggest "the structural exclusion of management from a direct relationship with the rank and file." At SEPTA the TWU saw face-to-face rank-and-file participation as a strength of the process.

Their discussion demonstrates the need for Union independence within the process. But that is a separate question from excluding the rank and file from the face-to-face participation process with management. And there is no real justification for this exclusion in the examples cited.

To hide members' knowledge from the boss? There is no place in the Pest Control "example" where knowledge is withheld; the end product is brought to management anyway. And rank-and-file workers, prepped beforehand, can keep any secret their leaders can.

To let the Union retain "exclusive access" to its constituency? Since when can't management talk to workers any time they want?

As long as the rank-and-file participates in researching questions and making decisions first, there is no reason to exclude them. And there are very good reasons to include them.

Empowerment—who are we trying to empower if not the rank and file? They need preparation and leadership, not exclusion.

The concrete information on which Union leadership acts comes from the rank and file. It is frequently more effective coming from the rank and file directly.

It is one thing for management to have to explain themselves to Union leaders. It is another watching some boss having to justify himself to the workers he supervises. Nothing is more effective. Nothing more empowering.

## **Who Wins?**

Once forced into this process and constrained by it, management loses many of its best weapons. Forcing management to share real information and rationally justify policies fundamentally changes the labor-management dynamic.

Control of the workplace moves toward whoever best understands the participation process and the operations of the workplace. It is our job to make sure that is us. ■