Grievance Procedures in Teacher Negotiated Contracts in Selected School Districts in the State of Michigan and Frequency of Grievances Filed

Patricia Carr Portwine
Western Michigan University

Follow this and additional works at: http://scholarworks.wmich.edu/dissertations
Part of the Educational Administration and Supervision Commons

Recommended Citation
http://scholarworks.wmich.edu/dissertations/2616

This Dissertation-Open Access is brought to you for free and open access by the Graduate College at ScholarWorks at WMU. It has been accepted for inclusion in Dissertations by an authorized administrator of ScholarWorks at WMU. For more information, please contact maira.bundza@wmich.edu.
GRIEVANCE PROCEDURES IN TEACHER NEGOTIATED CONTRACTS
IN SELECTED SCHOOL DISTRICTS IN THE
STATE OF MICHIGAN AND FREQUENCY
OF GRIEVANCES FILED

by

Patricia Carr Portwine

A Dissertation
Submitted to the
Faculty of The Graduate College
in partial fulfillment of the
requirements for the
Degree of Doctor of Education
Department of Educational Leadership

Western Michigan University
Kalamazoo, Michigan
August 1980

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.
ACKNOWLEDGMENTS

The writer wishes to express appreciation to Dr. Uldis Smidchens, Committee Chairman, and to Dr. Richard Munsterman and to Dr. Arthur Frock, Committee Members, for their time, patience, and guidance in the preparation and presentation of this study.

Indebtedness is also expressed to Dr. Rodney Roth and Dr. Georgia VanAdestin whose consideration provided encouragement and enthusiasm for this achievement, and to Dr. Carol Sheffer, Department Chairperson, who provided direction.

This study could not have been accomplished without the cooperation and support of the Michigan Education Association, association presidents, and school district administrators.

The writer is deeply grateful to her husband, Fred, her children, Mary, Susan, and Margaret for their sacrifices, encouragement and help.

Patricia Carr Portwine
INFORMATION TO USERS

This was produced from a copy of a document sent to us for microfilming. While the most advanced technological means to photograph and reproduce this document have been used, the quality is heavily dependent upon the quality of the material submitted.

The following explanation of techniques is provided to help you understand markings or notations which may appear on this reproduction.

1. The sign or "target" for pages apparently lacking from the document photographed is "Missing Page(s)". If it was possible to obtain the missing page(s) or section, they are spliced into the film along with adjacent pages. This may have necessitated cutting through an image and duplicating adjacent pages to assure you of complete continuity.

2. When an image on the film is obliterated with a round black mark it is an indication that the film inspector noticed either blurred copy because of movement during exposure, or duplicate copy. Unless we meant to delete copyrighted materials that should not have been filmed, you will find a good image of the page in the adjacent frame.

3. When a map, drawing or chart, etc., is part of the material being photographed the photographer has followed a definite method in "sectioning" the material. It is customary to begin filming at the upper left hand corner of a large sheet and to continue from left to right in equal sections with small overlaps. If necessary, sectioning is continued again—beginning below the first row and continuing on until complete.

4. For any illustrations that cannot be reproduced satisfactorily by xerography, photographic prints can be purchased at additional cost and tipped into your xerographic copy. Requests can be made to our Dissertations Customer Services Department.

5. Some pages in any document may have indistinct print. In all cases we have filmed the best available copy.

University Microfilms International

300 N. ZEEB ROAD, ANN ARBOR, MI 48106
18 BEDFORD ROW, LONDON WC1R 4EJ, ENGLAND

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.
PORTWINE, PATRICIA L. CARR

GRIEVANCE PROCEDURES IN TEACHER NEGOTIATED CONTRACTS IN SELECTED SCHOOL DISTRICTS IN THE STATE OF MICHIGAN AND FREQUENCY OF GRIEVANCES FILED

Western Michigan University

University Microfilms International

Copyright 1980

by

Portwine, Patricia L. Carr

All Rights Reserved
# TABLE OF CONTENTS

ACKNOWLEDGMENTS ................................................................. ii

LIST OF TABLES ................................................................. v

Chapter

I. INTRODUCTION .............................................................. 1
   The Problem ................................................................. 4
   Research Questions ..................................................... 4
   The Need ................................................................. 8

II. REVIEW OF RELATED LITERATURE ............................. 10
   History of the Grievance Procedure in Teacher Contracts .... 10
   Grievance Procedure Characteristics ........................... 11
   Summary of the Hypotheses ........................................ 19

III. METHODOLOGY AND PROCEDURES ....................... 21
   Identification of Contracts Investigated ..................... 21
   Data Collection Procedures ...................................... 23
   Analysis of Data ..................................................... 30

IV. RESULTS ................................................................. 33
   Response Rates ....................................................... 34
   Results by Hypotheses ............................................. 36
   Summary of Findings ............................................... 50

V. CONCLUSIONS AND RECOMMENDATIONS .................. 51
   Review of the Study ................................................. 51
   Discussion and Implications .................................... 53

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.
Recommendations for Further Study .................. 57

APPENDICES

Appendix A Instrument ................................. 59
Appendix B Cover Letter ................................. 61
Appendix C Letter of Endorsement ................. 63
Appendix D Grievance Procedure and Arbitration Time Limits Table .... 65
Appendix E Method of Categorization and Recording Data ................ 67

BIBLIOGRAPHY ............................................. 69
LIST OF TABLES

Table                                                                                       Page
1  Frequency of Grievances Reported by 97 Districts for All Four Strata by Student Population . . . . 36
2  Relationship Between Frequency of Grievances and Number of Steps for Each of the Four Strata by Student Population ........................................... 39
3  Relationship Between Frequency of Grievances and the Board as a Public Forum of Appeal for Each of Four Strata by Student Population .................................. 41
4  Relationship Between Frequency of Grievances and Arbitration for One of Four Strata by Student Population ............................................................. 43
5  Relationship Between Frequency of Grievances and Broad and Narrow Grievance Definition for Each of the Four Strata by Student Population .................................. 45
6  Relationship Between Frequency of Grievances and the Provision of Penalty in Grievance Procedures for Three of Four Strata by Student Population ......................................................... 47
7  Relationship Between Frequency of Grievances and Procedure Step of Mean Resolution for Three-Step and More-Than-Three-Step Procedure Models for Each of the Four Strata by Student Population ........................................... 49
CHAPTER 1

INTRODUCTION

Grievance procedures began to appear frequently in private sector labor agreements after World War II. Part of the reason for this was due to a National Labor Management Conference in 1945. Elkouri & Elkouri (1960) cited that the conference recommended all collective bargaining agreements contain provisions for an effective grievance procedure. Most of the standards recommended appear today in grievance procedures in teacher negotiated agreements. Those standards are as follows:

1. Collective bargaining agreements should contain provisions that grievances and disputes involving the interpretation or application of the terms of the agreement are to be settled without resort to strikes, lockouts, or other interruptions to normal operations by an effective grievance procedure with arbitration as its final step.

   (a) The successive steps in the procedure, the method of presenting grievances or disputes, and the method of taking an appeal from one step to another should be so clearly stated in the agreement...

   (b) The procedure should be adaptable to the handling of the various types of grievances and disputes which come under the terms of the agreement.

   (c) The procedure should be designed to facilitate the settlement of grievances and disputes as soon as possible after they arise.

To this end:

(1) The agreement should provide adequate stated time
limits for the presentation of grievances and disputes, the rendering of decisions, and the taking of appeals.

(2) Issues should be clearly formulated at the earliest possible moment. In all cases which cannot be settled in the first informal discussions, the positions of both sides should be reduced to writing.

(3) Management and union should encourage their representatives to settle at the lower steps...

(4) The agreement should provide adequate opportunity for both parties to investigate grievances under discussion.

(5) Provision should be made for priority handling of grievances involving discharge, suspension, or other disciplinary action.

(5d) The procedure should be open to the submission of grievances by all parties to the agreement. (Elkouri & Elkouri, 1960, 107-108).

In the 1960's collective bargaining for teachers became a concerted effort of the National Education Association and the United Federation of Teachers (Donley, 1976). By 1965 Michigan teachers were preparing for collective bargaining.

Prior to 1965, school districts in Michigan were relatively free of labor problems. Teachers received compensations and benefits at the discretion of the individual school board. There was little open questioning of administrative decisions. Since the enactment of Michigan Public Act 379 in 1965, which allowed collective bargaining for teachers, school districts have felt the impact of the bargaining units. Negotiated agreements have evolved from simple documents to complex contracts. During the early days of collective bargaining the issues were mainly
economic. As teacher power increased, so did demands, resulting in more contractual provisions. The grievance procedure became an essential part of the agreement.

The negotiated grievance procedure serves as protection for unions as well as administration to ensure contract provisions being carried out. A negotiated agreement is binding on both parties. The grievance machinery may be utilized by school administrators (as representatives of the board) in the event that the teacher union fails to adhere to the contract. Although the right of the board to enact the grievance machinery is specifically stated in some negotiated agreements, it is an inherent provision. Nevertheless, administrators, acting as representatives of the board, also have management rights and measures with which to deal with most problems. The grievance procedure should not be viewed in a negative sense. It can be helpful in areas of future negotiations as well as a detector of employee-management problems (Dunlop & Healy, 1976; Flygare, 1977; Yoder, 1959).

Some school districts settle labor disputes with minimal difficulty at the lowest level, which may consist of an informal discussion between the immediate supervisor and the grievant or the first step of the formal grievance procedure; while others are beset with grievance problems beyond the first formal level of the procedure. The grievance procedure, as a safeguard of the agreement, can provide an atmosphere where grievances can be discussed and resolved satisfactorily for both parties (Reed, 1977).
Statement of the Problem

The purpose of this study was to investigate relationships between grievance procedures in Michigan teacher negotiated contracts and frequency of filing grievances. The grievance procedures were examined in terms of the contractual definition of grievance, the number of steps in the procedure, the role of the board of education in the grievance process, and the provision of time limitations and penalty. The size of the district, based on student population, was also considered as a variable, in conjunction with grievance frequency and procedure elements. The major concern of this study was the question, "Is the grievance process related to the number of cases?" Steps at which grievances are settled were studied as a measure of grievance procedure differences. Following prescribed steps in the process of seeking grievance resolution takes time, whether in a three-step model or a greater-than-three-step model. An efficient procedure is considered to involve the least amount of time, in terms of the number of steps, utilized in search of settlement.

The elements contained in grievance procedures were identified to develop questions for research. The following paragraphs present the research questions and rationale for each.

Research Questions

Grievance Procedure Steps

Steps in the grievance procedure are the consecutive process
of appeal toward grievance resolution. The number of steps in grievance procedures varies from two to six. Limiting the number of steps leads to speedy settlement at the lowest possible level (Eisenhower, 1976; Law, 1970). The implication is that many grievances can be resolved at the informal, non-written level, or at least at the first formal step of the procedure. Based on this discussion the following research question is stated: Is the number of steps in the procedure related to the number of grievances filed?

The Board of Education as a Step of Appeal

The greatest variance in the process of grievance appeal occurs at the board step in grievance procedures (Green, 1971). The board step in some procedures is a terminal step of appeal, and in other procedures arbitration is the final step of appeal. Sometimes grievance procedures designate the board as a step of direct appeal in which the board serves as a public forum. Yet, other grievance procedures either do not contain a step of appeal to the board of education, or appeal is made to a committee of the board. Two roles of the board of education step of appeal were considered in this study. The first was the board as a public forum of direct appeal, and the second was the board as the final step of appeal. This discussion leads to the second research question: Is the board of education step of direct appeal related to the number of grievances? The third research question, based on the same discussion, is as follows: Does the
board, as the ultimate step of appeal, affect the number of grievances filed?

**Scope of the Definition**

The scope of the grievance definition is classified into two categories. Broad grievance definition includes terms such as, "any dispute", "causes of dissatisfaction", "any policy". Narrow grievance definition refers to language such as "violation, misinterpretation, or misapplication of any provision of this agreement". Narrow definitions limit a grievance to contractual provisions, and therefore restrict the recognition of a grievance, while broad definitions open the door to any complaints (Baer, 1974; Elkouri & Elkouri, 1960; Evans, 1978). The broad and narrow aspect of grievance definitions generated the following research question: Is the scope of the grievance definition, classified as broad or narrow, related to the number of grievances filed?

**Time Limits**

The absence of time limits in the grievance procedure poses the threat that grievances will be filed if certain conditions are not met (Greene, 1971). The absence of time limits may cause grievances to be extended over a long period, causing dissatisfaction between employees and employer. The presence or absence of time limits in the grievance procedure is given to the fifth research question: Is exclusion of time limitations for appeal
and response in the procedure related to the frequency of filing grievances?

Penalty

Greene (1971) presented the belief that penalty should be included in the grievance procedure for both parties who fail to observe the stated time limits. Penalty would consist of forfeiture of the grievance or steps in the process by either party for not following time stipulations or other factors of the procedure. Lack of penalty would render time limitations, as well as the grievance procedure, useless, and provoke further complaints and dissatisfaction. Concerning penalty, the following research question was raised: Is exclusion of penalty for failure to meet time limitations of the procedure related to the frequency of filing grievances?

Grievance Resolution

The grievance procedure should provide a systematic method for resolving complaints and problems in the shortest possible time and at the lowest possible administrative level (NEA, 1969). The grievance process has therapeutic value for the teacher. It allows him/her to be heard and requires the school administration to listen and respond (Becker, 1969). In consideration of grievance resolution the research question was: Is there a relationship between the number of grievances filed and the steps where the grievances are resolved?
Need for Study

Grievance procedures are not new to negotiated teacher contracts, although there are variations in the processing of grievances. The variations of the process were a major focus of this study.

Through inquiries made to the Michigan Association of School Administrators, Michigan Association of School Boards, and Michigan Education Association there appeared to be a lack of studies pertaining to the relationship of grievance frequency to grievance procedures in Michigan teacher contracts. Information on this topic should be of interest to administrators and unions since the grievance procedure can be the backbone of the agreement. Grievance procedure efficiency is essential to the settlement of disputes at the lowest possible level and the maintenance of accord between union and management.

Through preliminary investigation it was discovered that some school districts and MEA officials beyond the local union level have sparse records of formally filed grievances and resolutions. This could mean, then, that inefficient grievance procedures may not be recognized. This indicates a need for examination of procedures to determine if certain elements of the procedure exist which contribute to excessive or unsatisfactory use of the grievance machinery.

It is hopeful that findings from this study will guide school administrators and unions in an analysis of their individual grievance procedure resulting in more efficient and
satisfactory settlements. The conclusions of this study may also be helpful to cause grievance procedures to become more effective in the improvement of professional relationships between teachers and administrators. Recommendations resulting from this study may serve in re-evaluation of already established grievance procedures as a tool for communication in problem-solving.

The succeeding chapters are constructed to present the sequential development of this study. In Chapter II the review of literature provides the framework for the formulation of research hypotheses. The research process is presented in detail in Chapter III. The results of statistical analyses and the conclusions formed from the research provide the substance of the study and are contained in the last two chapters.
CHAPTER II

REVIEW OF RELATED LITERATURE

Investigation of literature found much written about grievance procedures in the past decade. Most research has dealt with the structure from interpersonal relationships. There have been few studies of the efficiency of the actual procedure relative to the number of grievances filed. This literature review sets the background for investigation.

History of the Grievance Procedure in Teacher Contracts

Grievance procedures were an element in the development of collective bargaining, although Greene (1971) related that the grievance procedure in public education as compared to industry was slower to develop. The reason for this was because of the type of relationship that existed between teachers, administration, and boards of education. Many teachers felt that grievances were unprofessional and others believed that they did not need a process for filing complaints. Greene explained further that prior to formalized procedures in teacher negotiated contracts employee complaints followed administration procedures. This path usually began with the principal and progressed through the administrative hierarchy, ending with the superintendent of schools or a delegate of the superintendent making a final decision. There was usually no appeal beyond the superintendent.
Grievance procedure guidelines set by the National Education Association included arbitration as the final step of appeal (Law, 1970; VanDelinder & St. Germain, 1970). Consequently, today most contracts have grievance procedures that contain arbitration as the final step of appeal (Evans, 1978; Flygare, 1977). The first grievance arbitration case in the public schools occurred in 1966 in Warren, Michigan (Greene, 1971).

Grievance Procedure Characteristics

The grievance procedure is often referred to as the heart of the collective agreement (Elkouri & Elkouri, 1960; Law, 1970; Reed, 1977). Flygare (1977) states that "there can be no doubt in the mind of anyone who has worked in a school system with a good grievance procedure that such procedures are an essential component of contract administration (p. 46).

The grievance procedure may serve many purposes in the union-management relationship. The procedure can help locate problems in employee-administration relationships, it can help serve as a channel of communication, and interpret agreement provisions (Dunlop & Healy, 1967). Elkouri & Elkouri (1960) in speaking of training supervisors in human relations, explained that many times a grievant wants a sympathetic listener. Both parties should make an effort to settle grievances at the lowest step. They continue: "Grievances become magnified in importance and increasingly difficult to settle as they progress toward the top" (p. 111).
Orze (1978) perceived the grievance procedure as the mainstay of collective bargaining, but he added that the procedure can also be the fuel that ignites conflict. He maintained that a concisely written and uniformly applied procedure as well as an exactly written contract may provide means for reducing conflict. O'Reilly (1978) presented another point of view. He predicted danger in a too concise procedure and implied that the lack of a comprehensive procedure may lead to labor dissatisfaction.

A grievance procedure is one of the main parts of a negotiated agreement. The quality of the procedure is important in processing complaints and administering the agreement.

It is readily apparent that the quality of the grievance procedure would be measured not only with the language with which it is embodied in the contract, but by an evaluation of the effectiveness with which it accomplishes its objective. (Kotin, 1967, p. 301)

The quality of the grievance procedure in processing issues is of vital importance so as not to contaminate the case should it reach arbitration proceedings (Baer, 1974; O'Reilly, 1976).

This literature provided the background for the following hypothesis: It is hypothesized that the frequency of grievances is related to the steps at which resolutions occur.

Levels and Steps

The structural sequence of the grievance procedure may vary from contract to contract but the major characteristics are similar (Sloan & Whitney, 1972). Greene (1971) and Stanley & Cooper (1974) reported that each procedure provides a series of
definite steps in processing a grievance. They pointed out that procedural requirements are necessary for an effective, orderly resolution. Both writers described the procedure levels as level one: the informal, oral discussion between the grievant and immediate supervisor, usually the principal; and level two: the written process of appeal. They continue to say that a great many grievances are resolved at the informal non-written level and still more are resolved at the first formal step. Kotin (1967) pointed out that as a grievance progresses from the early steps legal interpretation grows. Baer (1970) also pointed out that as grievances progress through the steps of the procedure, both parties become solidly established in their positions and the case takes on an importance that it often did not have in the beginning step.

Baer (1974) reported a study made of collective bargaining agreements in the private sector. Each represented 1000 or more workers, and had grievance procedures ranging from a single informal type to formalized procedures containing six or more steps, although the majority of procedures specified three or four steps. Coker (1969), Eisenhower (1976), and Law (1979) reported that a four step procedure is most often used in schools. Eisenhower (1976) further stated that if the number of steps in the procedure is limited, the grievance may be resolved more quickly at the lowest possible level and the meaning of the grievance is not lost. Greene (1971) indicated that there are usually two steps that follow the informal meeting with the
principal: a formal written presentation to the principal, and then a written appeal to the superintendent. The third step of appeal, Greene continued, is the one of the greatest variance in grievance procedures. That is, the grievant may appeal to the board of education for a hearing, or arbitration may be in lieu of appeal to the board step. Without binding arbitration the board may be the terminal point of the grievance.

The effect of arbitration as the terminal step in grievance procedures has been discussed by several writers. Elkouri & Elkouri (1960) and Slaon & Whitney (1972) in discussion of grievance termination agree that grievances incapable of being solved at any step need third party intervention (arbitration) as the final step of appeal. Angel (1972) recommended informal hearings as a deterrent to arbitration in higher education grievance procedures. He stated, "The number of grievance settlements at the informal stage is increased when swift public resolution by a third party is available" (p. 504). The teacher union viewpoint of arbitration was expressed by Law (1970) and VanDelinder & St. Germain (1970). They explained that the presence of arbitration in the contract forces better decisions at earlier stages of the procedure, clarifies and enforces the terms of the agreement, and discourages unilateral decisions by boards of education.

In reviewing the literature, references to grievance frequency related to the board step or arbitration were not found. Although the literature provided background, the
researcher made assumptions concerning grievance frequency when formulating the following hypotheses:

It is hypothesized that the number of grievances will vary directly to the number of steps in the procedure.

It is hypothesized that the frequency of grievances filed when the board of education is a step of direct appeal is greater than when it is not included as a step of direct appeal in the procedure.

It is hypothesized that the number of grievances filed is less when the board is the final step of appeal than when binding arbitration is the final step.

Grievance Definition

The contract language defining grievance in some procedures is so broad as to allow attention to any complaint (Dunlop & Healy, 1967). An example of broad definition was given by Law (1970) as "violation, misapplication, or misinterpretation of the master contract or of any existing rules, policy, or practice of the school system" (p. 36). Evans (1978) also found that "some grievance procedures are defined so broadly as to include alleged misinterpretations and misapplications of both board policies, rules and regulations as well as the agreement" (p. 38). Baer (1974) defined a broad provision as one that reads: "Any dispute, disagreement, or difference arising between any employee or the union and the company may be presented as a grievance" (p. 65). He continued, "The potential dangers
intrinsic to, if not in fact invited by such a broad definition, are quite intimidating to many employers" (p. 65). The implication is that the number of grievances is likely to increase when the provision of what constitutes a grievance is broad in definition. This type of umbrella provision "would probably allow the union or an employee to raise any conceivable type of claim or complaint, with or without contractual coverage, and be entitled to a labor-management hearing, perhaps up to and including arbitration" (Baer, 1974, p. 65).

Baer (1974) stated that employers prefer a narrow definition that is more specific and uses terms such as "interpretation", "application", and "compliance" to describe a grievance issue. Law (1970) pointed out to NEA local units that a broad definition in grievance procedures is desirable from the union point of view while school boards prefer a narrower definition. Elkouri & Elkouri (1960) gave an example of a limited (narrow) definition as one that confines complaints to the interpretation or application of the contract. They alluded to broad definition in the statement that "some agreements do open the door of the grievance machinery to any complaint" (p. 85).

The implication of the effect of the scope of the definition is formed in the hypothesis: It is hypothesized that the number of grievances is related to the scope of the definition.

**Time Limits**

Time limitation on the initiating, responding to, and appealing grievances is an important part of the procedure that
provides an orderly process to the provision of the grievance machinery. Greene (1971) pointed out that time limits are important to provide resolution closer to the time of the grievance occurrence. He suggested that time limits should permit flexibility to allow for unforeseen circumstances, and that extended time limits should be by consent of both parties and agreed to in writing. He continued by suggesting that a penalty be invoked if time limits are not followed by either party. The penalty may be to consider the grievance settled in favor of the grievant if administration had not fulfilled time stipulations, or in favor of administration if the employee had failed to meet the time limit. Baer (1974) expressed the need for time limits: "The lack of definite time limits for grievance initiation and for processing grievances can create problems for both union and management" (p. 81). The grievance process can be made ineffective if there is delay in the procedure. The lack of time limits on levels of appeal may "cause dormant complaints to awaken or relevant facts forgotten" (Baer, 1974, p. 81).

Elkouri & Elkouri (1960) presented the following points of view concerning time limitations:

Some parties feel that time limits provide a safeguard against stalling, and against the accumulation of cases and pressing of stale claims. On the other hand, others believe that the setting of specific time allowance permits a party to stall to the maximum allowable time. Even worse, it sometimes operates to bar grievances which should be settled for the sake of improving the relations of the parties. (p. 146)
The effect of time limits or the lack of time limits on grievances filed generated the hypothesis that more grievances are filed when there is absence of time limits in the procedure than when time limits are stated.

Based upon a discussion by Greene (1971) that absence of penalty makes time limitations useless: It is hypothesized that more grievances are filed when penalties are not provided in the procedure than when penalties are included in the procedure.

**Size of the Organization**

Baer (1974) reported that the formalization of the grievance process is more extensive for large companies than for small. This, he stated, is due to more levels of authority for appeal. Elkouri & Elkouri (1960), through arbitration cases they handled, also found that small companies are expected to have simple procedures while large companies have many step procedures. In regard to school districts, Coker (1969) found little difference in grievance procedure structure between size strata of school districts that he investigated. In a later report O'Reilly (1978) indicated that small school districts with few administrators have personal familiarity with staff members, resulting in less need than larger districts for structural grievance techniques since grievances are often resolved informally. Based upon this discussion, school district size was a consideration given to each hypothesis. The rationale for size strata was to allow for differences in school districts such as, number of buildings...
and teachers, and administrative structure, which could influence the results of the study.

Summary of the Hypotheses

School districts were categorized into four strata by size. Each of the hypotheses was tested separately for each of the four sub-groups. The sub-groups are as follows:

A is for a student population of 1-1,999
B is for a student population of 2,000-3,999
C is for a student population of 4,000-9,999
D is for a student population of 10,000+

The research questions previously stated in this study and restated as hypotheses with rationale provided through literature reviewed in this chapter are summarized below.

Grievance Procedure Steps

The number of grievances will vary directly to the number of steps in the procedure.

Board of Education

The frequency of grievances filed when the board is a step of direct appeal is greater than when it is not included as a step of direct appeal in the procedure.

Arbitration

The number of grievances filed is less when the board is the final step of appeal than when binding arbitration is the final step of appeal.

Definition

The number of grievances is related to the scope of the grievance definition.
Time Limits

More grievances are filed when there is absence of time limits in the procedure than when time limits are stated.

Penalties

More grievances are filed when penalties are not provided than when penalties are included in the procedure.

Resolution

The frequency of grievances is related to the steps at which resolutions occur. That is, the higher the number of grievances filed, the higher the steps where resolutions occur.
CHAPTER III

METHODOLOGY AND PROCEDURES

This study was designed to inspect grievance procedures contained in 100 negotiated agreements between boards of education and teacher organization bargaining units. The agreements were randomly selected from Michigan Education Association affiliated K-12 teacher bargaining units. Inspection of the grievance procedures was conducted to answer the research questions on the basis of the wording of the procedures.

Identification of Contracts Investigated

Units of observation for this study were one hundred (100) teacher contracts selected from 511 negotiated agreements which were on file in the MEA Research Division Office. These agreements represent contracts negotiated by MEA affiliated teacher bargaining units. Only contracts covering the school year 1978-79 were used. Exclusion of Michigan Federation of Teachers, independent bargaining units, higher education institutions, and intermediate school districts was also made since their bargaining philosophies and differences in organizational structure may influence the grievance procedure to vary from that of MEA, K-12 bargaining units.

Generally accepted guidelines for classification of districts by size were unavailable. The Michigan Department of
Education Bulletin 1011 for 1977-78 which lists school districts by student enrollment for the purpose of budgeting analysis was used as a guide for devising strata. It was not used in its entirety because the number of size divisions, (14), were not feasible for the study, and the student enrollment information was not current. Categories used in this study were basically devised from school district enrollment data found in the 1979 Michigan Education Directory. The strata were based upon the number of administrators in the district and the communication network that would be available.

A list of K-12 school district MEA affiliated bargaining units was made from information contained in the 1979-80 MEA Directory. A membership report of MEA districts was obtained from the Research Division to verify the K-12 bargaining units. The list was then matched with school district data contained in the Michigan Education Directory to obtain student enrollment for each school district. Four divisions based on student enrollment were devised. School districts were then classified by size and assigned to the appropriate divisions.

The 511 school districts, classified into four categories by size stratum, number of students in each stratum, and the number of MEA districts in each division are as follows:

<table>
<thead>
<tr>
<th>Stratum</th>
<th>Enrollment</th>
<th>MEA Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>1-1,999</td>
<td>267</td>
</tr>
<tr>
<td>B</td>
<td>2,000-3,999</td>
<td>140</td>
</tr>
<tr>
<td>C</td>
<td>4,000-9,999</td>
<td>79</td>
</tr>
<tr>
<td>D</td>
<td>10,000+</td>
<td>25</td>
</tr>
</tbody>
</table>

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.
Using a random numbers table (Gay, 1976, p. 325) 25 school districts were selected from each division. Grievance procedures from the selected district contracts were obtained from the Research Division of MEA. Names and addresses of the selected school district association presidents were taken from the 1979-80 MEA Directory.

Data Collection Procedures

This section of the chapter will describe the instrument used to collect data, and continue with a detailed account of the data collection procedure used for this study.

Instrumentation

An instrument (refer to Appendix A) was constructed to obtain data from the records of school district bargaining units. The data was unavailable from any other source. The instrument, in questionnaire form, was designed to obtain factual information concerning grievance frequency. The questionnaire was individualized to the extent that it bore the name of the school district. The purpose for school district identification was to ensure accurate matching of information with contract data.

The questionnaire was pretested using 16 Macomb County MEA bargaining units as samples of the intended population. The pilot study resulted in 12 returns. One respondent refused to answer because the information could not be located. The remaining three did not respond to the telephone follow-up.
Face validity of the questionnaire was formed through the design of the questionnaire to match the hypotheses of interest, the intended content area. As part of the validation process, the pilot study responses served as an evaluation of whether or not the questionnaire collected the data it was intended to gather. Based on the responses to the pilot study the questionnaire did not need to be revised.

Reliability of the questionnaire was based on the reporting of data from established records of the teacher unions. An empirical check on reliability as through the test-retest method was not practical for this study since the data was of factual nature.

Collection of Data

Factual information for each school district consisted of the following items:

1. Number of grievances filed at the first, formal, written step during 1978-79.
2. Number of binding arbitration cases resulting from grievances filed during 1978-79.
3. Number of grievances resolved at each step of the procedure during 1978-79.
4. Personal comments concerning district history, grievance history, or other factors relative to the procedure and grievance frequency.
The number of grievances initiated and resolved at the informal, non-written level were excluded because documentation of these grievances was unavailable.

The questionnaire, included with a cover letter (see Appendix B), and a letter of endorsement from Keith Geiger, MEA President (see Appendix C), was mailed to each bargaining unit president. A follow-up by telephone was made to all non-respondents three weeks after the time of initial mailing. Whenever a non-respondent could not be reached by telephone, the information was requested from a school district superintendent.

Contracts from each of the 100 districts were drawn from the files of the Research Division of MEA headquarters in Lansing, Michigan. The grievance procedures contained in the contracts were photocopied. Each grievance procedure was read and the data recorded on the basis of the wording of the procedure. The review of literature and research questions provided the framework for appraisal of the grievance procedures. The following information was extracted from each contract and recorded by school district:

1. Grievance definition classified as broad or narrow. Broad definition includes all contractual items and policies. An example of broad definition:

   A grievance is a claim based upon an event or condition which affects the conditions or circumstances under which a teacher works, allegedly caused by misinterpretation or inequitable application of established law, policy, or the terms of this agreement.
Narrow definition includes only contractual items.

An example of narrow definition:

A grievance shall mean a complaint by a teacher in the bargaining unit that there has been a violation, misinterpretation, or inequitable application of a specific provision of this agreement.

2. Number of steps in the procedure. The informal step when the grievant makes a verbal complaint to an immediate supervisor was not considered as a step in the process of grievance filing or appeal. Only written complaints and appeals were considered as steps in the procedure. An example of procedural steps:

(a) Complaint written in a format agreed upon by union and management and officially filed with the immediate supervisor.

(b) In the case of denial by the supervisor of remedy sought by the grievant, written appeal is made to the superintendent.

(c) If the superintendent denies the grievance, written appeal may be made to the board of education.

(d) If the board does not satisfy the grievant, written request may be made for arbitration.

3. The board as a step of direct appeal at a public hearing. The board step may include a public hearing at a regularly scheduled or special meeting, or the board may designate a committee to study the grievance and present its recommendation to the whole board. An example of direct appeal:
Upon receipt of the grievance, the board of education shall meet within ten days with the aggrieved person, the association representative, the principal, and the superintendent, in an attempt to arrive at a settlement of the grievance. Within five days after the hearing the board of education shall file a written report to the association stating its decision and supporting reasons.

An example of board committee appeal:

A board committee appointed by the president of the board shall meet to review such grievance and shall meet with the grievant and/or his/her representative, if so requested. This meeting shall take place prior to the next regular board meeting or within two calendar weeks, whichever shall be later. The board committee shall make a recommendation to the entire board. The disposition of said grievance shall be made by the board in writing at its next regular meeting or no later than seven (7) days thereafter. A copy of such disposition shall be given to the teacher and the association.

4. Inclusion of arbitration as a final step of appeal.

Arbitration is considered to be binding and final.

An example of contract language:

The grievance may be submitted to arbitration before the American Arbitration Association in accordance with its rules, which shall likewise govern the arbitration proceedings. The decision of the arbitrator shall be binding on both parties.

5. The board as the final step of appeal. Contracts without binding arbitration may contain some other appeal form such as mediation, but the board makes the final decision of the grievance resolution.

An example:
The board of education shall make the final decision as to the disposition of the grievance.

6. Time limitations considered are the stated, maximum time for initiation, resolution, and appeal of a grievance (see Appendix D). Examples:

Initiation: informal discussion with the immediate supervisor shall take place within seven (7) days of the alleged violation. If no resolution is obtained within five (5) days of the discussion, the grievance shall be reduced to writing and no later than seven (7) days after discussion, shall be filed with the superintendent.

Resolution: the superintendent shall indicate his disposition of the grievance in writing within five (5) days of receipt of the grievance.

Appeal: if the grievance is not satisfactorily settled, the grievant shall, within five (5) days of receipt of the superintendent's decision, appeal to the board.

Time limitations were categorized as appearing or not appearing in the procedure. They were then broken down into number of days of initiation, and the type of days, i.e. calendar, week, work days. The number of days of limitation for resolution were not included in the data since the number of days varied at each step within each procedure.

7. Penalties for both sides for failure to comply with stated time limits in the procedure were categorized as to whether or not penalty was stated and type
of penalty for the association and district.

Examples of penalty are:

Association: forfeit the grievance; accept the last administrative decision.

Administration: grievance moves automatically to next step of appeal; grievance is settled in favor of the grievant.

8. Other data was recorded, such as: Advisory arbitration, stated board right to the grievance procedure, presence of the informal step in the procedure, administrator to whom appeal is made at each step, whether or not discovery of grievance time was included in the initial time of filing. Discovery time would be stated as: "15 days of occurrence of the violation or discovery of the violation."

The data from the returned questionnaires and contract data were coordinated and recorded by district. The information was color and numerically coded. Additional data to provide background and history which may have bearing on the results of the study were gathered from the MEA, local bargaining unit presidents, grievance chairpersons, and administrators. The comments made by respondents were recorded to identify district history and trends which may have influenced the grievance procedure or frequency of filing grievances.
Analysis of Data

The frequency of grievances was the dependent variable in each research hypothesis. The sampled school districts were categorized by size into four sub-groups based on student population. Sub-group A is for student population of 1-1999, B is for a student population of 2000-3999, C is for a student population of 4000-9999, and D is for a student population of 10,000 and greater. Each hypothesis was tested separately for each sub-group. Analysis of each hypothesis was performed as follows:

Hypothesis #1: The number of grievances, the dependent variable, was related to the number of steps in the procedure, the independent measure. Each number of procedural steps was used as a separate category and a series of one-way analyses of variances was performed. The grievance frequency means for three-step and more-than-three-step procedures were compared for significant differences for each of the four sub-groups.

Hypothesis #2: The board step, dichotomized as whether or not it is included in the procedure, was the independent measure related to the number of grievances, the dependent variable. A series of one-way analyses of variances was used. The grievance frequency means for the dichotomized variable were compared for significant differences for each of the four sub-groups.

Hypothesis #3: The board step, the independent measure, dichotomized as whether or not it is the final step of the
procedure, was related to the number of grievances, the dependent variable, and a series of one-way analyses of variances was used. The grievance frequency means for the dichotomized variable were compared for significant differences for each of the four sub-groups.

Hypothesis #4: Scope of definition, the independent variable, dichotomized as broad or narrow, was related to the number of grievances, the dependent variable. A series of one-way analyses of variances was performed. The means for grievance frequency for broad definitions, means for grievance frequency for narrow definitions were compared for significant differences for each of the four sub-groups.

Hypothesis #5: Time limits, the independent measure, dichotomized as whether or not they are included in the provision, were related to the frequency of grievances, the dependent variable. A series of one-way analyses of variances was used. The grievance frequency means for the dichotomized variable were compared for significant differences for each of the four sub-groups.

Hypothesis #6: Penalties, the independent measure, dichotomized as whether or not they are included in the provision, were related to the frequency of grievances, the dependent variable. A series of one-way analyses of variances was used. The grievance frequency means for the dichotomized variable were compared for significant differences for each of the four sub-groups.
Hypothesis #7: Frequency of grievances was related to steps where resolutions occurred. Analysis was made through use of a series of eight Pearson Product Moment correlations. The average number of grievances for three-step procedures and the average number of grievances resolved at each step of the procedure were computed. Calculations were made to find if a significant correlation existed. The process was repeated for the more-than-three-step procedure. The entire process was performed for each of the four sub-groups.

This chapter presented in detail the description and method of population selection, instrumentation, procedures, and analysis. In a final summary, the grievance processes (procedure elements) were categorized by the wording of the procedure for each district. Grievance frequency and resolutions were tabulated. The data were separately analyzed for each hypothesis by sub-groups. Findings are presented in Chapter IV.
CHAPTER IV

RESULTS

The purpose of this chapter is to present in detail the results of the analysis of each hypothesis postulated in Chapter II and restated in Chapter III. The presentation of the results included two major sections. The first one describes the respondents and the non-respondents to the questionnaire and an overview of grievance frequency for each of the four strata. The second part of this chapter deals with the presentation of results with respect to the testing of each hypothesis for each of four sub-groups. The sub-groups, based on student enrollment of each district, are as follows: A is for districts with a student population of 1-1999, B is for districts with a student population of 2000-3999, C is for districts with a student population of 4000-9999, and D is for districts with a student population of 10,000 and greater. The results are based on statistical analyses of the relationship between frequency of grievances and the following elements contained in grievance procedures:

1. The number of steps in grievance procedures
2. The board as a step of direct appeal
3. Arbitration
4. Grievance definition
5. Time limits
6. Penalty

7. Resolutions (although not contained in the procedure, they are a result of invoking the elements of the procedure)

One-way analyses of variances were used to determine significant differences between grievances filed and whether or not grievance procedure elements were contained in each of the procedures. To find if a significant correlation existed between grievances and the step at which resolution occurs most often a Pearson Product Moment correlation coefficient was calculated. Separate analyses were performed for each of four size classifications of school districts incorporated into the sample. The rationale for strata is to provide for the influence that district size may have on grievance frequency and procedure characteristics.

Response Rates

The main purpose of this section is to describe the respondents and non-respondents to the questionnaire.

Ninety-eight percent (98%) of the questionnaires were returned. Analysis of each hypothesis was based on 97 school districts. Grievance data from one of the 98 districts were excluded from the study because an unusual labor problem resulted in all teachers in the district filing a grievance over the same issue. This resulted in an atypical number of grievances (200) for this size district, and would distort the results of the study. One of the two districts not responding
is a large district and would be classified in the D stratum of this study. The district has had labor problems in the past and was involved in a long teacher strike in the fall of 1979. The reason given for not returning the questionnaire was the unavailability of the grievance chairperson. The second of the two non-responding districts would be classified in the C stratum of this study. This district has had a history of labor problems and was also involved in a teacher strike in the fall of 1979. There were no reasons given for not responding. Five of the 97 districts gave incomplete information in reference to the research question concerning the number of grievances resolved at each step of the procedure.

A total of 859 grievances were formally filed, although some of them were either dropped or were still pending arbitration hearings at the time data were gathered for this study. Table 1 depicts the number of grievances filed by each strata based on the 97 responding districts. Although a consistent pattern has not developed between strata and number of grievances, it is interesting to note that the number of grievances for stratum B (81) is about two times greater than for A (36), and the number of grievances for C (182) is also about two times greater than B, while the increase in grievances from strata C to D is about three times greater, 182 to 560.
Table 1
Frequency of Grievances Reported by 97 Districts for All Four Strata by Student Population

<table>
<thead>
<tr>
<th>Strata by Student Population</th>
<th>Number of Districts Reporting No Grievances</th>
<th>Number of Districts Reporting Grievances</th>
<th>Number of Grievances</th>
</tr>
</thead>
<tbody>
<tr>
<td>A (1-1999)</td>
<td>12</td>
<td>13</td>
<td>36</td>
</tr>
<tr>
<td>B (2000-3999)</td>
<td>5</td>
<td>20</td>
<td>81</td>
</tr>
<tr>
<td>C (4000-9999)</td>
<td>1</td>
<td>22</td>
<td>182</td>
</tr>
<tr>
<td>D (10,000 + )</td>
<td>0</td>
<td>24</td>
<td>560</td>
</tr>
<tr>
<td>Totals</td>
<td>18</td>
<td>79</td>
<td>859</td>
</tr>
</tbody>
</table>

Results by Hypotheses

This section of the chapter will present the results of the analyses by hypotheses. It should be noted that for each hypothesis analysis was made for each of the four sub-groups. The tables in this chapter present summaries of the analyses and descriptive data for each of the sub-groups. The sub-groups are as follows:

- A is for districts with a student population of 1-1999
- B is for districts with a student population of 2000-3999

C is for districts with a student population of 4000-9999
D is for districts with a student population of 10,000 +

Grievances vs Steps

The number of steps contained in grievance procedures was the first element considered in the effect of grievance procedure elements on the number of formally filed grievances. Originally the research was established to test differences of three-step, four-step, and five-step grievance procedures of the 97 usable selected districts. It was found, in the course of tabulating data, that only five of the school districts involved had grievance procedures with five steps. Therefore, the researcher decided to collapse and recategorize grievance procedures. This re-categorization process caused four and five-step procedures to group together to form classifications as three-step and more-than-three-step procedures.

To demonstrate the effect that three-step and more-than-three-step procedures have on the number of grievances filed, it was hypothesized that grievance frequency varies directly to the number of steps in the procedure. The data, number of procedural steps and number of grievances, to test this hypothesis were obtained from grievance procedures in negotiated contracts and grievance records from each school district association. Analysis for each sub-group was performed separately.

A series of one-way analyses of variances was conducted, each using a .05 level of significance to determine the effect that the
number of steps has on the frequency of grievances. Results of the analyses were that all $F$ values obtained were non-significant. Table 2 provides a summary of these analyses.

Not only were there no outstanding differences but there did not appear to be any pattern, that is, procedures with more-than-three-steps not always have a greater mean. As indicated in Table 2, strata A and C have more grievances on the average in more-than-three-step procedures than in three-step procedures. That is, A has .79 more grievances and C has 1.4 more grievances in the greater-than-three-step model than in the three-step. As for strata B and D there are more grievances on the average, .34 and 5.43 respectively, in three-step rather than in more-than-three-step procedures. As can be concluded from this table, the researcher is unable to reject the null hypothesis that grievance frequency is not influenced by the number of steps, and therefore must conclude that there is no evidence to indicate that three-step and more-than-three-step procedures are different with respect to frequency of filing grievances.
Table 2
Relationship Between Frequency of Grievances and Number of Steps for Each of the Four Strata by Student Population

<table>
<thead>
<tr>
<th>Strata by Student Population</th>
<th>Steps in Procedure</th>
<th>Size of Group</th>
<th>Mean</th>
<th>Standard Deviation</th>
<th>F-Ratio</th>
<th>Probability</th>
</tr>
</thead>
<tbody>
<tr>
<td>A (1-1999)</td>
<td>3</td>
<td>11</td>
<td>1.00</td>
<td>1.67</td>
<td>1.24</td>
<td>.28</td>
</tr>
<tr>
<td>B (2000-3999)</td>
<td>3</td>
<td>12</td>
<td>3.42</td>
<td>3.63</td>
<td>.05</td>
<td>.83</td>
</tr>
<tr>
<td>C (4000-9999)</td>
<td>3</td>
<td>5</td>
<td>6.80</td>
<td>7.46</td>
<td>.14</td>
<td>.72</td>
</tr>
<tr>
<td>D (10,000 + )</td>
<td>3</td>
<td>10</td>
<td>26.50</td>
<td>16.20</td>
<td>.62</td>
<td>.44</td>
</tr>
</tbody>
</table>

Grievances vs Board

The role of the board of education as a public forum in the grievance appeal process was the second element considered in relation to the frequency of formally filed grievances for each of the four size categories. It was hypothesized that the frequency of formally filed grievances is greater when direct appeal to the board as a public forum is included in the procedure than when it is not. Data concerning whether or not the board is present as a public forum were gathered from the wording of the grievance procedure. The questionnaire provided data of number of grievances filed.
The analysis technique utilized to investigate this hypothesis was a series of one-way analyses of variances using a .05 level of significance. It was found through these analyses that all F values were non-significant as was the case with hypothesis one. There does not appear to be a pattern established in relationship to the board step of direct appeal and grievance frequency. Stratum B has, on the average, 2.44 more grievances when the board is present than when it is not. Although strata A, C, and D have, on the average, fewer grievances when the board is present than when it is not. The mean difference for A is 1.08, C is 1.58, and D is 7.24. Table 3 provides a summary of this data.

The four sub-groups were devised to explain any influence district size may have on the hypotheses but there appears to be no significant difference in any of the four sub-groups. Therefore, the null hypothesis of no significant differences between grievance frequency and the board as a step of direct appeal cannot be rejected. Hence, concluding that no evidence exists in this study to indicate that the presence or non-presence of the board affects the number of grievances filed.
### Table 3

Relationship Between Frequency of Grievances and the Board as a Public Forum of Appeal for Each of Four Strata by Student Population

<table>
<thead>
<tr>
<th>Strata by Student Population</th>
<th>Board as a Public Forum</th>
<th>Number of Districts</th>
<th>Mean</th>
<th>Standard Deviation</th>
<th>F-Ratio</th>
<th>Prob.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A (1-1999)</td>
<td>yes</td>
<td>13</td>
<td>.92</td>
<td>1.44</td>
<td>2.49</td>
<td>.13</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>12</td>
<td>2.00</td>
<td>1.95</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B (2000-3999)</td>
<td>yes</td>
<td>7</td>
<td>5.00</td>
<td>4.62</td>
<td>2.31</td>
<td>.14</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>18</td>
<td>2.56</td>
<td>3.19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C (4000-9999)</td>
<td>yes</td>
<td>11</td>
<td>7.09</td>
<td>6.01</td>
<td>.244</td>
<td>.63</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>12</td>
<td>8.67</td>
<td>8.87</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D (10,000 + )</td>
<td>yes</td>
<td>3</td>
<td>17.00</td>
<td>7.21</td>
<td>.492</td>
<td>.49</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>21</td>
<td>24.24</td>
<td>17.39</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Grievances vs Arbitration**

Arbitration, rather than the board of education, as a final step of appeal, was the third element of the grievance procedure considered in relation to the frequency of grievances filed. It was hypothesized that the frequency of formally filed grievances is less when the board is the final step of appeal than when arbitration is the final step. Contracts were thoroughly examined to find data indicating absence or presence of arbitration. Union records provided grievance frequency.
It was found that for two of the four strata (B and D), all districts had binding arbitration as a final step of grievance appeal. Therefore, there is no way to test in analysis of variance for sub-groups B and D since there is no other dimension, absence of arbitration. In stratum C only one district had absence of arbitration. Therefore, the analysis of variance model would not work, since variance within a cell cannot be obtained where there is only one member. Therefore, for these three groups no statistical testing was done.

The analysis of variance for sub-group A was calculated as 19 districts had arbitration and six did not. The results, as summarized in Table 4, provided a $F$ value of 0.48 which was not statistically significant using an $\alpha$ of .05. Therefore, the researcher is unable to reject the null hypothesis and must conclude that there is no evidence to indicate presence or absence of arbitration affects the number of grievances for sub-group A. Table 4 shows the 19 districts with arbitration and a corresponding mean of 1.58, and the six districts without arbitration and a corresponding mean of 1.00 for stratum A. It is important to remember, however, that, considering the total sample size, 93% have arbitration. The major bulk of the exception is in very small districts in terms of student population. Other than in cases of extremely small districts and one district in strata C, the arbitration, grievance difference is a moot point since data collected in the review of contracts reveals that every district has binding arbitration.
Table 4

Relationship Between Frequency of Grievances and Arbitration for One of Four Strata by Student Population

<table>
<thead>
<tr>
<th>Strata by Student Population</th>
<th>Arbitration in Contract</th>
<th>Number of Districts</th>
<th>Mean</th>
<th>Standard Deviation</th>
<th>F-Ratio</th>
<th>Prob.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Yes</td>
<td>19</td>
<td>1.58</td>
<td>1.90</td>
<td>.48</td>
<td>.49</td>
</tr>
<tr>
<td>(1-1999)</td>
<td>No</td>
<td>6</td>
<td>1.00</td>
<td>1.27</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(a\) Sub-groups B, C, and D are not included because arbitration appears in all of their districts with the exception of one district in C.

Grievances vs Definition

A fourth hypothesis dealt with the effect of the scope of the grievance definition on grievance frequency. The definition contained in each agreement was classified as broad or narrow. A broad definition encompasses terms of the agreement, board policies, rules, or regulations outside of the negotiated agreement. A narrow definition restricts a grievance to the items contained in the negotiated agreement. It was hypothesized that the scope of the definition is related to grievance frequency.

The hypothesis was analyzed separately for each of the sub-groups; therefore a series of one-way analyses of variances using a .05 level of significance was performed. A summary of these analyses provided in Table 5 indicates that in all four
strata the $F$ values are not statistically significant. In
further review of this table it is pointed out that there appears
to be a tremendous difference in means across all four strata,
from .87 in stratum A to 5.97 in D, although there is not a
consistent change. A pattern has not developed, although the
mean differences of strata A, B, and C are relatively small
(less than 2.0). However, for stratum D, there is a much more
dramatic difference (almost 6.0). It appears that there is no
significant difference between the broad or narrow definition
in grievance procedures and grievance frequency for all four
strata although the majority have narrow definitions. The
lack of statistically significant differences of means in all
sub-groups indicates that the null hypotheses of no differences
between the means of grievance frequency and means of the scope
of definition for each sub-group cannot be rejected. It can
be concluded that there is no evidence to indicate that either
a broad or a narrow definition influences the number of
grievances filed.
### Table 5

Relationship Between Frequency of Grievances and Broad and Narrow Grievance Definition for Each of the Four Strata by Student Population

<table>
<thead>
<tr>
<th>Strata by Student Population</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>A</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>B</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>C</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>D</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Grievance vs Time Limits**

A fifth hypothesis dealt with the exclusion of time limits from the grievance procedure and the effect on grievance frequency. It was hypothesized that more grievances are filed when there is absence of time limits than when time limits are included in the procedure. Contracts were examined to determine whether or not time limits for processing grievances were stated in the procedure. Tabulation was dichotomized as yes (time limits present) or no (time limits not present) for each district in each sub-group.
The presence or absence of time limits related to grievance frequency was not tested since time limitations for processing grievances were present in 100% of the contracts.

**Grievances vs Penalty**

Penalty included in grievance procedures for failure to follow time limits was considered as an element related to grievance frequency. It is hypothesized that more grievances are filed when penalties are not provided in the procedure than when penalties are included in the procedure. Penalty was dichotomized as whether or not it was included in the procedure. Each of the sub-groups was considered separately for the hypothesis.

Although one-way analysis of variance was supposed to be run for each of these sub-groups, for stratum C an analysis of variance was not run because penalty existed for all districts in sub-group C. A series of one-way analyses of variances using a .05 level of significance was executed on the three remaining strata to identify differences between the number of grievances filed and provision of penalty in the grievance procedures. Table 6 summarizes these analyses. Based upon a review of this table the F values for each stratum were non-significant; therefore, the null hypothesis of no statistically significant difference between means of the number of grievances and lack of penalty cannot be rejected for any of the sub-groups. Upon further review of the table it is apparent that the vast majority in all cases have
penalties in their grievance procedures. Although, it is interesting to note that stratum A has penalty more evenly distributed, 16 with penalty and nine without, than strata B and D, but the means (1.44) are identical.

Based upon the above decision it is concluded that there is no evidence to indicate that either the presence or absence of penalty affects the number of grievances filed.

Table 6
Relationship Between Frequency of Grievances and the Provision of Penalty in Grievance Procedures for Three of Four Strata by Student Population

<table>
<thead>
<tr>
<th>Strata by Student Population</th>
<th>Presence of Penalty</th>
<th>Number of Districts</th>
<th>Mean</th>
<th>Standard Deviation</th>
<th>F-Ratio</th>
<th>Prob.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A (1-1999)</td>
<td>yes</td>
<td>16</td>
<td>1.44</td>
<td>2.00</td>
<td>.00</td>
<td>.99</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>9</td>
<td>1.44</td>
<td>1.33</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B (2000-3999)</td>
<td>yes</td>
<td>23</td>
<td>3.48</td>
<td>3.78</td>
<td>1.20</td>
<td>.29</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>2</td>
<td>.50</td>
<td>.71</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D (10,000+)</td>
<td>yes</td>
<td>21</td>
<td>23.19</td>
<td>17.08</td>
<td>.01</td>
<td>.91</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>3</td>
<td>24.33</td>
<td>15.01</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

b All districts in sub-group C had penalty provisions in their contracts, therefore this group could not be tested.
Grievances vs Resolutions

The step at which most grievances are resolved was the focus of the seventh hypothesis. It was hypothesized that the frequency of grievances is related to the steps at which resolutions occur. The data to analyze this hypothesis were gathered from the questionnaire. These data were compiled from the union records of each school district that reported resolutions. The number of grievances and the number of resolutions at the steps in the procedure were tabulated for each district.

A series of eight Pearson Product Moment correlations was used at a level of significance of .05 to analyze the data. The two variables used in the correlation were the number of grievances and the mean resolution step. To partial out differences because of the amount of steps available in various districts (some districts having three-steps in their procedure while other districts having more-than-three-step models) coefficients were calculated separately for the three-step and more-than-three-step model.

Table 7 shows the results of this correlation. Although some correlations were negative, the obtained coefficients were not statistically significant, indicating that the null hypothesis of no correlation cannot be rejected.

It is important to remember that the number of districts involved in the calculation of the coefficients was extremely low. Therefore, for significance to have occurred, attained
correlations needed to be quite high. It is recommended that future research should consider more cases for this type of analysis.

Table 7

Relationship Between Frequency of Grievances and Procedure Step of Mean Resolution for Three-Step and More-Than-Three-Step Procedure Models for Each of the Four Strata by Student Population

<table>
<thead>
<tr>
<th>Strata by Enrollment</th>
<th>Three-Steps</th>
<th>More-Than-Three-Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>r</td>
<td>n</td>
</tr>
<tr>
<td>A (1-1999)</td>
<td>.318</td>
<td>4</td>
</tr>
<tr>
<td>B (2000-3999)</td>
<td>-.459</td>
<td>10</td>
</tr>
<tr>
<td>C (4000-9999)</td>
<td>.380</td>
<td>5</td>
</tr>
<tr>
<td>D (10,000 + )</td>
<td>.470</td>
<td>10</td>
</tr>
</tbody>
</table>

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.
Summary of Findings

This chapter contained two major sections. The first was a description of the respondents. The return rate of the survey was exceptionally high (98 out of 100). The analyses were conducted on 97 returns. The second section presented the analyses performed for each hypothesis. A series of one-way analyses of variances was used to test for significant differences in each of the first six hypotheses, and Pearson Product Moment correlation was used for the last hypothesis.

Statistical analyses of the relationship between grievance frequency and elements contained in grievance procedures were performed separately for each of four sub-groups based on school district size. There were no statistically significant differences between means found of magnitude great enough to support any of the research hypotheses.

This lack of significant differences and correlations to support the hypotheses of this study are discussed and conclusions drawn in Chapter V.
CHAPTER V

CONCLUSIONS AND RECOMMENDATIONS

This chapter first presents a brief review of the study. A section combining conclusions, discussion, and implications based on the results of analyses and data collection is also presented. Recommendations for further study are included at the end of the chapter.

Review of the Study

This study was conducted for the purpose of finding common elements in grievance procedures that are related to grievance frequency. The frequency of formally filed grievances was the criterion on which grievance procedure elements were evaluated. The answers to the following research questions were attempted:

1. Is the number of steps in the procedure related to the number of grievances filed?
2. Is the board of education as a public forum of direct appeal related to the number of grievances?
3. Is the board as the final step of appeal related to the number of grievances?
4. Is the scope of definition, classified as broad or narrow, related to the number of grievances?
5. Does the procedure provide time limitations for appeal and response at each step?
6. Does the procedure provide penalty for failure to meet time limitations?

7. Does grievance resolution occur more frequently at one specific step than at other steps in the procedure?

A review of the literature revealed few attempts to analyze grievance procedure elements as a means to evaluate procedure efficiency.

Much of the literature pointed out that the size of the organization would determine the extent of the grievance procedure. Literature also noted that grievance procedures vary widely among school districts concerning number of steps in the procedure, final appeal, and the degree of comprehensiveness of the procedure.

The design of this study involved 100 grievance procedures randomly selected from four predetermined size classifications of school districts. The four strata were incorporated in the research and considered as the following sub-groups: A is for districts with student population of 1-1999, B is for districts with student populations of 2000-3999, C is for districts with student populations of 4000-9999, and D is for districts with student populations of 10,000 or more. The grievance procedures were obtained from contracts available in the Michigan Education Association Research Office. Questionnaires were sent to each of the 100 school districts' education association presidents.
to gather data concerning grievance frequency and the steps where the grievances were resolved.

The data concerning elements contained within grievance procedures were derived from a complete and thorough reading of each procedure. Based upon elements of the grievance procedures, the data were tabulated. The returned questionnaires were matched with the grievance procedures and the data recorded. Hypotheses were separately analyzed by sub-groups, using a series of one-way analyses of variances and the Pearson Product correlation to find if relationships exist between grievance frequency and elements of the procedure. The number of formally filed grievances, the dependent variable, was a questionnaire measurement that consisted of factual information compiled from union records. Elements of grievance procedures, the independent variables, were contract measurements obtained from each grievance procedure.

Discussion and Implications

It can be concluded from the analysis itself, based on the independent measures considered, that there was no support found for any of the hypotheses. Lack of support for the hypotheses may be due to: changes in the grievance procedures since the reviewed literature was published; intensified coordinated bargaining efforts by the Michigan Education Association to bring school district contracts in line may have had an effect on the data collected; the sample size may have unintentionally produced
bias which could have influenced the results. For example, a larger sample, and/or disregarding stratification by district size may have changed the findings.

This section will discuss the conclusions in more detail and present implications where appropriate.

**Grievances vs Steps**

There was no evidence to indicate that the number of steps influences the number of formally filed grievances. The majority of districts had steps beyond three. This did not include the informal discussion level. The results of this study are inconclusive; therefore there is no basis to indicate that there is a relationship between number of steps and number of grievances. However, if no future study finds a contradiction to the implication of the review of literature that the fewer steps in the grievance procedure the fewer grievances filed, procedures with more-than-three-steps should be reduced to three or less steps. This would be helpful in expediting the process of grievances. On the basis of this study no data for support are indicated.

**Grievances vs Board**

The board step as a public forum of appeal was provided in 36 of the 97 grievance procedures. In literature reviewed, one of the writers stated that the board step is the step of greatest variance for appeal, that is, it was not always included in
procedures. This study found that a board step appeared in 57 of the 100 procedures but the board role varied. It served as a public forum of direct appeal, as a step of appeal to a board committee, or served as a review committee. There was not sufficient evidence to indicate whether or not the board as a public forum of appeal affected the number of grievances.

Grievances vs Arbitration

A greater frequency of grievances occurring when arbitration is the final step of appeal, than when it is not, was analyzed only in the stratum with the smallest districts, since all of the other districts, with the exception of one district, have arbitration. The six districts in the small size group that do not have arbitration are in vast majority the smallest of that group. With the great number of procedures containing arbitration, there is little latitude to discover if differences do indeed exist.

Grievances vs Definition

The grievance definition appeared in all contracts, although narrow definition appeared in more than twice as many procedures than did the broad definition. Caution expressed by writers in the literature that broad definitions encourage a high frequency of grievances was not supported in this study. In fact, no evidence could be found to indicate that the scope of definition had any effect on grievance frequency.
Grievance vs Time Limits

Time limits for processing a grievance at each step were included in all procedures, although the length of time varied from three days to 30 days. Initiation time for grievances varied among districts of the four strata, ranging from three days to 60 days. Although all time was stated in terms of days, the type of day varied as calendar, week, work, or school day. In only a few cases the type of day was not stated. These variations indicate a dimension for consideration in processing grievances.

Grievance vs Penalty

Penalty was found in the majority of procedures. Small districts had fewer penalty inclusions in their grievance procedures than any of the other districts. Nevertheless, there was no evidence to indicate that either inclusion or exclusion of penalty influence the number of grievances filed.

Grievances vs Resolutions

In the literature reviewed, one of the writers stated that grievances that are not settled informally tend to become magnified in importance and become more difficult to settle at the lower steps. No evidence was found to indicate that the number of formally filed grievances was related to steps where resolutions occur. Literature pointed out that limiting the
number of steps hastens grievance settlement. That is, the fewer steps the more efficient the procedure will be to reach settlement. This aspect of grievance resolution was not considered in this study; therefore no data for support is presented. However, in terms of time, the number of procedural steps is a dimension to consider in processing grievances.

District Size

Although district size was not one of the independent measures used in this study, it was considered in the formation of the study to have possible impact on the results. The review of the contracts by the researcher found that grievance procedures varied little among the four size groups. The procedure elements were found in all contracts except for binding arbitration, which was not found in only seven districts, six of these were small districts. Contrary to the literature reviewed where writers considered size an important factor in the length of grievance procedures, it was found that small districts have as extensive procedures as larger districts.

Recommendations for Further Study

1. Further study needs to be done to see if the amount of time necessary for grievance resolution changes. A measure could be taken from the time a grievance is initiated to the time it is resolved and compared with grievance frequency and/or resolution.
2. Additional variables, as a perceived measure on the part of the union, teacher, administrators, or boards as far as satisfaction of meeting individual and organization needs, and legitimacy and utility for problem-solving, should be considered.

3. Other variables to consider are the types of grievances filed, to find which seems to be reduced, decreased, altered, or increased with various types of grievance procedure models.

4. Further research needs to collect the same information as this study, only from a smaller sample of districts that have gone from one model to another model, and see if over a period of time there has been a consistent change. That is, a reduction or increase of grievances from a three-step to four-step model or four-step to three-step model over time.
APPENDIX A
INSTRUMENT
QUESTIONNAIRE

PLEASE RETURN THIS QUESTIONNAIRE TO ME BY FEBRUARY 22, 1980.

1. School District ________________________________

2. Number of grievances written and formally filed during 1978-79. ______

3. Number of binding arbitrations during 1978-79. ______

4. Approximate number of grievances resolved during 1978-79 at the:

   first written step ______
   second written step ______
   third written step ______
   fourth written step ______
   fifth written step ______

5. Please made any comments you wish concerning the frequency of grievances relative to your grievance procedure, district history, or other factors.

Thank you!

Pat Portwine
249 W. Gates
Romeo, Mich. 48065
(313) 752-9029
APPENDIX B
COVER LETTER
Dear

As part of my doctoral dissertation on grievance procedures in teacher negotiated contracts in the State of Michigan, I need additional data from you. Please help me by filling out the enclosed survey and returning it to me in the provided self-addressed, stamped envelope by February 22, 1980.

Your bargaining unit was randomly selected to participate in this survey. The questionnaire bears the name of your district to ensure matching of data with your negotiated agreement. You or your bargaining unit will not be identified by name, school, or district. I will respect your confidentiality.

It is my hope that this study will result in streamlining and updating grievance procedures where needed so that the grievance process may become more effective in the future.

If you have any questions, please feel free to call me.

Thank you very much for your time and cooperation.

Sincerely,

Pat Portwine

Dr. Uldis Smidchens, Professor
Western Michigan University

249 W. Gates
Romeo, Michigan 48065
Phone: 313-752-9029
This letter is provided in support of the study conducted by Pat Portwine, a doctoral student at Western Michigan University.

Ms. Portwine has brought her study to my attention. I have reviewed it and found it to be a worthwhile and hopefully useful to many of us involved in negotiations. The study should have considerable interest for bargaining units engaged in assessing their present grievance procedures and for those who will be reexamining their procedure in the future.

I trust that you will be willing to cooperate with Ms. Portwine in this undertaking,

Sincerely,

Keith B. Geiger
President

KBG:dk
Enclosure
APPENDIX D

GRIEVANCE PROCEDURE AND ARBITRATION

TIME LIMITS TABLE

(copied from a contract examined)
<table>
<thead>
<tr>
<th>Grievance Level</th>
<th>Grievance Procedure and Arbitration</th>
<th>Presentation</th>
<th>Meeting</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Administration</td>
<td>10 days after occurrence</td>
<td>5 days</td>
<td>5 days</td>
<td></td>
</tr>
<tr>
<td>II Superintendent</td>
<td>5 days</td>
<td>5 days</td>
<td>5 days</td>
<td></td>
</tr>
<tr>
<td>III Arbitration</td>
<td>10 days</td>
<td>Joint selection of arbitrator--5 days; Demand for arbitration--5 days</td>
<td>30 calendar days</td>
<td></td>
</tr>
</tbody>
</table>

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.
APPENDIX E

METHOD OF CATEGORIZATION
AND RECORDING DATA
### METHOD OF CATEGORIZATION AND RECORDING DATA

<table>
<thead>
<tr>
<th>School District Name</th>
<th>(numerical code)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Size</th>
<th>Definition</th>
<th>Steps</th>
<th>Board (Public Hearing)</th>
<th>Arbitration</th>
<th>Time</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>A,B,C,D</td>
<td>1 (broad)</td>
<td>No. in</td>
<td>1 (yes)</td>
<td>1 (yes)</td>
<td>1 (yes)</td>
<td>1 (yes)</td>
</tr>
<tr>
<td></td>
<td>2 (narrow)</td>
<td>procedure</td>
<td>2 (no)</td>
<td>2 (no)</td>
<td>2 (no)</td>
<td>2 (no)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grievances</th>
<th>Arbitration</th>
<th>Resolutions</th>
<th>Pending</th>
<th>Dropped</th>
</tr>
</thead>
<tbody>
<tr>
<td>number filed</td>
<td>number</td>
<td>#step 1 administrator title</td>
<td>number</td>
<td>number</td>
</tr>
<tr>
<td></td>
<td></td>
<td>#step 2 administrator title</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>#step 3 administrator title</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>#step 4 administrator title</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>#step 5 administrator title</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Days = calendar, work, week, not stated

Initiation time = number or none

Discovery = present in procedure

Board = if present in procedure, role = committee, closed session

Penalty = Association: type Administration: type

Final step = Board and mediation, or advisory arbitration, or other third party intervention

Other = i.e. no informal step, brief procedure, board stated right to file grievance if present in procedure

Comments: made by respondent

History: labor unrest

---

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.
BIBLIOGRAPHY


