

union sentiments.

An employer may not attempt to listen in on employee discussions of the union by either attempting to attend a meeting, a gathering or sending a "spy," or even creating the appearance of attempting to learn about union activity or union discussion.

During a union organizing drive, union literature of solicitation from fellow employees may be distributed. The employer is entitled to enforce rules, but not rules created for the first time during the organizing drive, which limit distribution of literature and union solicitations to nonworking hours. The employer may not interfere with the employees' right to discuss the union or to distribute literature to other employees during break time, lunch time or before or after work.

The employer may stop a union agent from entering his premises to solicit and distribute literature. These limitations must be established without discrimination. A prohibition against solicitation and distribution of literature during working time or by nonemployees should apply to all types of solicitation and distribution of literature.

Under the National Labor Relations law supervisors are agents of the employer. They are a part of management. Any statement or act within the above prohibitions by a supervisor will be attributed to the employer.

A supervisor is anyone who has either the authority to hire and fire or may effectively recommend hiring and firing. He can also transfer, suspend, lay off, recall, promote, assign, reward or discipline other employees, can direct them or adjust their grievances or effectively recommend such action. The exercise of his authority in judging

such cases should not be merely routine or clerical. An effective recommendation is made when the supervisor's superior makes no independent investigation, but follows the recommendation. The manager should also know that the conduct of a nonsupervisory employer can be attributed to the employer. An employer tells a nonsupervisory employer, for example, to tell other employees that union advocates will be discharged. The employee becomes a ratified agent of the employer and any threats are attributed directly to the employer.

TYPES OF UNION RECOGNITION

The National Labor Relations Act defines three types of recognition: Voluntary recognition by the employer, recognition after a union election is held and NLRB ordered recognition.

Voluntary recognition results when a union presents proof that a majority of employees wish to be represented by the union and the employer agrees to recognize the union on that basis. This can happen unintentionally. Last year, a golf manager was approached by

"... an employer is entitled to conduct an anti-union campaign, but he must refrain from threats, promises [and] interrogations ..."

a union business agent who offered to prove that a majority of the clubs' employees wanted his union to represent them. The manager, unaware of his legal rights, agreed to recognize the union. Thereafter, under the National Labor Relations Act, the club was obligated to bargain in good faith, even

though the club had the right to make the union prove the employees' interest by insisting on a secret ballot election.

Recognition after an election is more common. The NLRB will conduct a secret ballot election after a petition is filed. If a majority of the employees voting vote for a union, then the employer must recognize the union. If the vote results in a tie, or less than a majority, then the employees have chosen no union and no further elections can be conducted for one year.

Recognition by order of the National Labor Relations Board is relatively rare. Such an order can result even though the employer wins the election, if the employer had committed substantial unfair labor practices. The board then decides a free election cannot be held in the future and orders the company to recognize the union, despite the election results.

PROCEEDINGS BEFORE THE NLRB

When a union has been able to procure the signatures of at least 30 per cent of the employees in an appropriate unit, the union can petition for an election. The NLRB usually holds an informal conference or alternatively a formal hearing to determine if the unit of employees sought by the union is appropriate. A unit is appropriate when all the employees named in the union's petition have a so-called "community of interest," which includes the same supervision, the same wage and benefit policies and the same working conditions. Job interchangeability also can prove common interest.

In a golf club, usually two appropriate units are found: maintenance personnel and kitchen and clubhouse personnel. It is possible to have a single appropriate

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GOODYEAR

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unit if the factors mentioned previously were present. However, this can only be determined on a case-by-case basis.

Once the appropriate unit is determined and a time and place set for the election, the employer and the union may proceed to campaign. Under the National Labor Relations Act, but not under certain state acts, such as New York, an employer is entitled to conduct an anti-union campaign, but he must refrain from threats, promises, interrogations and other dire consequences if the union were to win. He also must refrain from misrepresentations. If the employer does engage in such conduct and wins the election, the union is entitled to file objections to the election. If the objections are well-founded, the election results will be set aside and a new election held.

UNFAIR LABOR PRACTICE PROCEEDINGS

Separate from objections to the conduct of an election are so-called unfair labor practice proceedings. If the employer violates the National Labor Relations Act by engaging in the illegal activities mentioned previously, he will be subject to a variety of remedies, depending on the nature of the illegal act. For example, if an employee has been discharged because he engages in union activities, normally the employer would be ordered to reinstate the employee with full back pay reduced only by the amount he earned at other jobs. This can be extremely expensive because the final results of a discharge case can take two to three years. In other situations unlawful interrogation or threats and promises will result in the employer posting a notice that he agrees to stop such conduct. If further illegal conduct results,

the case can be reopened and enforcement sought in a Federal Court of Appeals. Violation of a court order would subject the employer to contempt of court.

COLLECTIVE BARGAINING

If the union wins the election, the employer must bargain in good faith. This obligation requires the employer to attempt to reach agreement with the union concerning wages, hours and employee working conditions. However, the employer need not make a concession or agree to any specific proposal. It should be noted, however, that the legal obligations of bargaining in good faith require a give-and-take posture.

MANDATORY SUBJECTS OF BARGAINING

The employer is required to bargain about any mandatory subject, which includes mainly wages, benefits, hours of work, work rules, work requirements, seniority, causes for discharge, grievance procedures and much more. This does not mean that these items must be in every collective bargaining contract or that the employer must agree to these items. It simply means that they are subjects about which you are required to bargain.

RULES DURING A STRIKE

Under the National Labor Relations Act, the employer may continue operating during a strike, but should not solicit the strikers to return to work. This is an unfair labor practice. The employer may indicate to strikers that work is available and may replace striking employees with other employees, who may be made regular employees. Striking employees can have their jobs back only after making an unconditional offer to return to work and if a job is available. However, if the reason for strike is the employer's unfair labor prac-

tices, such as refusal to bargain in good faith, the strikers, upon an offer to return to work, may return immediately. Strike replacements must be discharged if necessary to make room for the returning employees. Failure to reinstate employees in this instance will result in back pay liabilities.

BARGAINING STRATEGY

Negotiations should be conducted by someone with experience. Bargaining involves many tactical maneuvers that are best managed by an experienced negotiator. He will be able to give substantial reason for resisting unacceptable contractual language or be able to propose compromises at the appropriate time.

PREPARATION FOR BARGAINING

The club manager, working with the negotiator, should collect all facts concerning the present employment situation, including current wages, benefits and operational requirements. In addition, facts about clubs in the general area should be gathered for comparison. Then the negotiator and club manager should discuss goals—contract language and economic costs. The relative importance of contract clauses should be discussed. A complete look at the economic structure of the club and the outside limits on wages and benefits should be kept clearly in mind and be well planned.

TIMING

The union usually requests a first meeting at which they present a proposal. The club's negotiator takes his time to explore the proposal with the union so that he understands clearly all the aspects. The club also may ask the union for collective bargaining contracts with other clubs. After the initial meeting, the negotiator and management carefully prepares a

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It is nothing new for a superintendent to be told by financially-cautious committees to trim his budget, because the rate of growth of maintaining the course has outstripped the rate of growth of the incoming revenue of the club. However, this year many superintendents appear to be faced with a dilemma. What items can be trimmed from maintenance budgets and still won't lower the quality of course the membership desires? Is the choice to be new equipment purchases, replacement of depreciated and worn-out equipment, cutbacks in labor or personnel but not labor budgets, or elimination of capital expenditures?

Almost unanimously the superintendents throughout the United States, contacted by GOLFDOM, acknowledged that capital expenditures for golf course improvements again is the first item struck from the budget. GOLFDOM's February survey projected a 32.3 per cent drop in capital expenditures for improvements in 1972. There are two reasons for this. First, newer courses are being so thoroughly designed, that few renovations are needed. If it becomes a question of renovating the course or keeping the dues and assessments down for the members, the latter choice is preferable. Members appear satisfied to play that "same old course." Secondly, many superintendents are operating with less maintenance personnel than in past years, but the high cost of labor has not offered any budget relief in this area. When one has to cut back the labor force it doesn't leave time for crews to work on capital improvements.

The problem golf course superintendents, indeed golf clubs, are having with finding an adequate labor force could be the subject of several articles in its own right. However, some of the reasons given by superintendents indicate the labor situation is going to continue to deteriorate. One superintendent in the Northwest said that the shipping strike caused an economic slump, which produced declines in club membership rosters. Clubs there have what he terms a "poor" labor force. "It is becoming a question of can we afford to hire

MAINTENANCE OUTLOOK 1972-73

GOLFDOM's informal survey of golf course superintendents' maintenance budgets reveals belt tightening on new equipment purchases. A critical point is being reached in labor shortages at northern courses

manual labor at the going rate?" he says. "For example, we are not able to draw on workers who are willing to work at the wages the club can afford to pay. Because we cannot or in some cases, will not, pay the going rate, workers have found it cheaper not to work."

"This is also a problem in the Northeast," says one Massachusetts superintendent. "Although there is high unemployment in our area, we cannot pay the wages to attract these workers. We have also suffered a decline in our membership. When the club only has so much income coming in, committees continue to trim the maintenance budget, but clubhouse operations are not subject to the cuts that we are. They keep pouring money into the operation of large clubhouse facilities."

According to one Connecticut superintendent the availability of college students, those interested in agronomy and those just looking for summer jobs for tuition, has eased the labor problems in his area—but not completely. "We can draw upon a lot of college students, who are willing to work at wages clubs are willing to pay, in the summer. However, most of the real work and need is in the spring and fall," he states.

There is a difference of opinion about the effect increased mechanization has had on the superintendent's labor force. One Arizona superintendent discounts many of the claims that sophisticated equipment, such as trap rakes and tri-plex mowers, save labor dollars.

They may save time, but they also require a skilled operator, which means he wants a higher wage, so you have really made a trade, he says. A Georgian and Connecticut superintendent, however, both disagree saying that operating sophisticated machinery requires no skill and training.

Although budgets are tight, superintendents are buying two items en masse: the mechanical sand trap rake and the tri-plex greens mower. It appears from the survey that superintendents are not replacing all the items that are due to be retired, but are hanging onto them for another year. These items include heavy equipment such as tractors and mowers.

That "luxury" item sand trap rake is experiencing phenomenal success, which is surprising because budgets do not have provisions for them. Apparently superintendents have sold their greens chairs on their necessity. The transition to tri-plex greens mowers is also surprising. Many superintendents feel that the current tri-plex is not the complete answer and that it has one major drawback: the buildup of thatch on the greens. However, because manufacturers have added interchangeable heads and verticutting equipment to the tri-plex to help alleviate thatch, superintendents feel the tri-plex at least is not causing any great permanent harm to their greens. Many superintendents who have purchased tri-plexes are alternating them with the walk-behind mowers to prevent thatch build up, or at least minimize it. Superintendents who purchased one tri-plex last year are also buying the second and third ones. We are doing this, says one Chicago-area superintendent, so that we have two tri-plexes for greens and one exclusively for mowing tees and aprons. It can also be used as a back-up for greens.

Outlays for automatic irrigation are also in a nebulous area. New courses or ones doing extensive renovation are making the transition from manual to automatic. Other superintendents may have to wait for budget dollars to open up before the club converts from manual to automatic. "We've got along for 20 years with the pres-

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WOMEN ON THE CREW



The most serious problem facing golf course superintendents and other grounds maintenance professionals is that of labor—not just finding employees, but locating competent, caring people.

Many trade journals have published articles that have explored different solutions to the labor problem. Not until recently, though, has the possibility been considered of using women as the major work force. This idea shouldn't be so novel. What is novel is that superintendents have never considered women as one of the best sources of competent help.

I began using female workers on the Stansbury Park course, a large new town development west of Salt Lake City, during September, 1970. I had thought about using women workers as early as 1966, but was delayed in implementing this idea by a stint in the Army.

In September, 1970, the golf course construction was at the point of laying out the irrigation

Hiring women to work on a maintenance crew is a unique way of solving the labor problem. Norm Graft discusses the advantages (many) and the disadvantages (few)

by NORM GRAFT

SUPERINTENDENT
STANSBURY PARK GC, TOOLE, UTAH

system and filling greens with sandy top soil. The first woman I hired assisted the survey crew and removed debris from the greens mix. She worked out so well that I decided to hire a full maintenance crew made up mostly of women.

Finding women who knew about tractors, growing things and, heaven forbid, that old nemesis, the shovel, was easy because Stansbury Park is located in a predominately farming and ranching community.

This new crew began by installing trees. Some trees were of the five

gallon variety; some weighed as much as 300 pounds. How does a woman manage to handle such a job? The same way a man would. The crew works together to plant it.

As the golf course progressed, the women hand seeded, removed rocks and other debris, dug tree wells and did some tractor driving.

Bringing in new seed is a job in which attention to detail will guarantee a good stand of grass. The women more than fulfilled this requirement. During my 14 assorted years in the grounds maintenance profession, I have never seen any crew handle sprinklers and care more about getting dry spots wet and take more pride in seeing the grass begin to germinate than the women on Stansbury's crew.

As the course matured and new maintenance practices were incorporated, the women were taught rough mowing, fairway mowing, spraying, cup changing and other necessary maintenance work.

When other turf professionals in-



The all-female maintenance crew at Stansbury Park GC can efficiently handle all of the maintenance chores previously conducted by their male counterparts. Duties include mowing, raking, shoveling and operation of the manual irrigation system.



quire about the women, they ask the same curious question, "What do you do when they have to shovel?" My standard answer is that I simply hand the shovels out and tell the women to use them. There is no natural law that says women can't shovel. Nor do they shovel less than men; in fact they shovel more because they shovel steadily.

Some of the important facts about female workers, which in my experience, I found true are:

- Women can handle manual labor;
- Women can operate equipment efficiently (Let's face it, most golf course equipment takes brains to operate, not brawn.);
- Women enjoy and care about maintaining golf courses;
- Women can work together;
- They are loyal workers (The Stansbury Park crew is basically made up of married women who average about three children each. These women work to supplement their husbands' incomes, so they aren't looking for other positions.

Their pay averages about \$100 each a week. They were not hired to cut down on wages. The pay scale is dictated by budget. They were hired because the quality of work I can get from them is much higher than the quality I can get from men, who would be willing to work for the amount of money I can pay.;

- They are personally neat;
- There is little absenteeism;
- Women can handle foremen positions;
- Their most outstanding quality is their pride in workmanship;
- There are few problems in losing trained help when the late fall layoff occurs. The women enjoy staying home for three to four months and are willing to return each spring.

A disadvantage or two:

- One woman cannot unload 80 and 100 pound fertilizer bags; two women on a bag do pretty well;
- They become irritated when golfers take divots; they have worked too hard producing the grass to see it fly through the air;

As I found out recently, they sometimes get pregnant.

The situation at Stansbury is an ideal one and might not work in every section of the country. But if any grounds maintenance professional has a labor problem (and who hasn't) and if conditions permit, he should seriously consider hiring women workers. He is foolish if he doesn't hire them because of the old prejudices. My female workers give a full day's work for a full day's pay. Now, I ask you, what could be better for you men with an ulcer condition brought on by labor problems. Your yearly bicarb budget should be reduced by at least 80 per cent. The other 20 per cent, even a female crew can't eliminate—these are acts of God, acts of management and acts of golfers.

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counterproposal, putting into it the basic structure of the needs of the club. The counterproposal should be prepared with the knowledge that there will be modifications as the give and take of negotiations get under way.

As negotiations begin, a thorough examination should be made of the club's bargaining strength. Primarily, the strength hinges on the attitude of the club membership and the effectiveness of the board of directors. No employer has bargaining strength without the support of the policy makers. It would be foolish to attempt to drive a hard bargain in negotiations only to find out that at the critical moment, when a strike is threatened, that the board of directors will not support the position taken. This would usually mean a higher than necessary settlement

with the union. In this regard, timing of negotiations becomes critical. The club membership may simply not tolerate any delays or interference in the use of the facilities if they occur during periods of heavy use. These matters must be considered in advance because little time for extensive planning when negotiations reach their critical stage will be available.

CONCLUSION

No article can cover the entire field of labor relations. It will be enough, however, if the reader understands that labor problems can be considerably diminished, if not eliminated, if approached in a reasonable and understanding manner. Furthermore, problems with employees can be avoided more easily before they start than after your employees have chosen a union. □

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ent system," says one Florida superintendent. "My greens chairman is saying let's try it for a couple more."

Superintendents throughout the nation do not appear alarmed at the growing number of chemical regulations and legislation being proposed or implemented by Federal or state governments. "Most superintendents, aware of today's climate by the public for safe ecological chemicals, have switched to alternatives or replacement chemicals. "Their cost has not significantly affected my maintenance budget and I'm still getting the desired results," says a New York State superintendent. One Oregon superintendent is enthusiastic about the bulk buying of fertilizer in large paper bags. They weigh 600 pounds and suit the fertilization requirements of his course for a year. One suggestion, echoed by several superintendents, was for chemical manufacturers to give superintendents more hard data on the chemical life and decomposition rate of turf materials. Superintendents are also very wary and unsure of the new Department of Labor's Occupational and Safety Health Administration guidelines and the effect this will have on their operations or budget.

One San Diego superintendent

summed up the feelings of the superintendents contacted by GOLFDOM on the present and future status of golf course maintenance budgets. "We have reached a critical operation standpoint," he says, "which means that budgets only have three ways to go. They can be reduced, but the members must be informed of the effect this will have on the playing standards that can no longer be sustained due to these cuts. The budget can be stabilized with only cost of living and inflation increases. This negates any spending for capital improvements and little loose money for new equipment purchases. Or, budgets can continue to increase and correspondingly, so will dues and assessments. I foresee a leveling off or stabilizing of the golf course maintenance budget for this year and next."

One interesting point made by one superintendent was that clubs are no longer asking the superintendent "How much money do you need to maintain the course?" Instead they are working the opposite way. They are analyzing how much money they will have coming in and then disbursing that income accordingly. It is a more inflexible system, but a necessary one to keep club officials within their budgets. □