
From:
Sent: Thursday, May 12, 2011 8:59 AM
To:
Subject: Fw: Alliance in Lincoln Journal Star today

----- Original Message -----

Sent: Wednesday, May 11, 2011 7:26 PM
Subject: Fwd: Alliance in Lincoln Journal Star today

Sent from my iPad

Begin forwarded message:

>
Date: May 11, 2011 7:57:10 AM CDT

Subject: Alliance in Lincoln Journal Star today

Some genius editor screwed up the "up to the citizens" paragraph. Oh, well.

Local View: CIR deprives people of power

- [By CHIP MAXWELL JournalStar.com](#) | Posted: Tuesday, May 10, 2011 11:57 pm | [No Comments Posted](#)

In the debate about reform of the Nebraska Commission of Industrial Relations, the unelected state panel that resolves public sector labor disputes, some are claiming that the effort to protect local negotiating authority is an assault on the right of public sector unions to challenge management through collective bargaining.

Moderating CIR authority isn't about attacking unions. It's about restoring the rightful authority of the people. In a recent conversation about the CIR, a Nebraska state senator said to me, "I'm a union person." That's fine, but a politician's primary loyalty should be to taxpaying constituents.

A 1937 letter by President Franklin D. Roosevelt has received attention in the national debate about collective bargaining in the public sector. The letter said government employees should not

strike, but that was not all. After acknowledging that it was "natural and logical" for government employees to organize and advocate for fair pay and working conditions, just as private sector employees do, FDR warned that "meticulous attention should be paid to the special relationships" that make the public sector different from the private sector:

"All Government employees should realize that the process of collective bargaining, as usually understood, cannot be transplanted into the public service. It has its distinct and insurmountable limitations when applied to public personnel management. The very nature and purposes of Government makes it impossible for administrative officials to represent fully or to bind the employer in mutual discussions with Government employee organizations. The employer is the whole people, who speak by means of laws enacted by their representatives in Congress. Accordingly, administrative officials and employees alike are governed."

The people are the boss in the public sector, but they don't negotiate directly with their employees. They negotiate through bureaucrats who have no personal financial stake in the negotiation, and through politicians who not only have no personal financial stake, but may have political reasons -- union donations, volunteers and voting blocs -- to accommodate employees rather than drive hard bargains.

FDR's concern has become reality. Cities and states throughout the nation face staggering public sector costs because unions have found politicians willing to help them use collective bargaining to exploit the opportunities presented in public sector negotiations.

The CIR makes the situation worse by making it harder for citizens to hold their local elected officials accountable for fiscal policy.

The taxpayer-crushing pensions of the Omaha police and fire unions are not the fault of the CIR. Moderating the authority of the CIR will not defuse the fiscal bomb created by an accommodating mayor and city council in 2003 and 2004. This has led some in the State Capitol to conclude that authority over local spending must be placed in the CIR to keep irresponsible locals from doing more fiscal damage to their communities.

The better course is to strengthen, not weaken, the connection between local elected officials and their constituents. Then it's up to citizens if they elect candidates without demanding fiscal specifics from them, don't pay attention when contracts are being publicly reviewed or re-elect politicians who are too generous with tax dollars then they deserve and the fiscal chaos that results. Self-government has risks. For better or worse, the action should play out at the local level.

The only thing resembling private sector employer pressure that the people can exercise in public sector negotiations is the power to vote for or against the politicians who spend their tax dollars. But that pressure is based on the premise that local elected officials decide what to spend.

If the CIR has final authority over local spending on public sector employees, then the fiscal connection between the people and their local elected officials is broken. The people, the true employers, are deprived of their leverage in the process because the final decision has been removed from the local level, where taxpayers can pressure elected officials to drive hard bargains.

The Omaha Alliance for the Private Sector has no problem with giving local elected officials the option of submitting disputes to the CIR for resolution. But the opportunity should be there for

local elected officials -- the ones directly accountable to the people -- to have the final say on compensation for their constituents' public sector employees.

Chip Maxwell is executive director of the Omaha Alliance for the Private Sector.