

## **ESSENTIAL SERVICE UNIONISM AND THE NEW POLICE INDUSTRIAL RELATIONS**

**JENNY FLEMING**

*RegNet, Australian National University, Canberra, Australia*

**DAVID PEETZ**

*Griffith University, Brisbane, Australia*

### **ABSTRACT**

We examined how an Australian police union boasting more than 99 percent density has resisted the trend of decline. The union historically eschewed arbitration and instead used political connections to achieve goals. The environment radically changed with a major corruption report and the introduction of new managerialist techniques. The union reconfigured relationships with management and government but still made use of political action to secure instrumental gains. It has structures and practices that promote perceptions of responsiveness. The union's support base is built on the foundation of a well-administered legal defense fund. Membership propensity is also a function of the union's general protective functions, its ability to secure benefits, and a perception of union democracy. The implications for understanding essential-service unionism relate to the political sensitivity of essential services, the nature of risk facing essential-service employees, cultural aspects of essential-service work, as well as some implications common to all unions.

Trade unions in many countries have faced problems of declining membership density. The problem has been particularly acute in Australia, where several factors—structural change in the labor market, changing strategies of governments and employers, and weak union organization at the workplace level—have

combined to drive density down by nearly half in two decades [1]. In the public sector the increasing focus on human resource management principles in the governance of work organization, the application of private sector managerialist practices, and changes to legislation governing employment relations have substantially changed the way in which unions and management have interacted [2]. For many unions and in varying degrees, these changes have severely weakened their ability to recruit and maintain a strong organizational base. In some cases unions have adopted workplace-focused organizing approaches to reverse sharp declines in membership or obtain membership growth in areas that have had low density [e.g., 3, 4]. Some other unions—most notably covering certain essential service employees in the public sector—largely avoided the membership crisis. In Queensland, for example, unions covering police, nurses, ambulance officers, and firefighters consistently maintain over 95 percent density and are recording membership growth. This article is concerned primarily with police union membership. Its findings suggest that while there are specific factors that contribute to our understanding of how a police union in Australia manages to retain a strong membership base, the conclusions offered by this article provide a base for further comparative research into essential-service unionism in Australia and elsewhere.

The Queensland Police Union of Employees (QPUE) has a density of over 99 percent among police employees.<sup>1</sup> Many other Australian unions have in the past achieved complete union coverage through union security devices such as union preference clauses in awards or agreements and closed shops. Such arrangements are now almost universally illegal and so the proportion of employees covered by compulsory unionism in one form or another has fallen from 34 percent in 1976 [1] to less than 5 percent in 1998 [1]. Yet while other unions previously reliant on compulsion have seen their membership fall—in some cases, plummet—many essential service unions in Australia retain high density without any form of compulsion.

This article investigates an Australian police union<sup>2</sup> boasting almost complete coverage and a strong tradition of union activity. It is in three sections. First, the article provides a context within which the union under investigation resists the trend to declining membership. Second, we analyze the relationship between the

<sup>1</sup> Interview with Queensland Police Union of Employees (QPUE) official, 3 September, 1999. At the time of writing, all police unions/associations in Australia with the exception of the Australian Federal Police Association (AFPA) enjoy similar levels of membership. The AFPA has about a 75 percent membership level. In 1997, the Police Federation of Australia was formed. The organization that brings together Australia's state unions/associations represents 50,000 police officers.

<sup>2</sup> Australia's policing system has one federal, six state and two territory jurisdictions. All jurisdictions have strong police union organizations.

union's universal coverage and union strategy, particularly in the context of the "new managerialism" in police organizations. This section also considers the impact of strong union coverage on a police management committed to the implementation of new managerialism and the new paradigm for bargaining in the public sector. The third section of the article considers union propensity and analyzes the way in which the union is seen as relating to its members. We conclude that this particular union's support base is built on the foundation of a well-administered legal defense fund. However, this factor alone does not account for the union's strong levels of membership. This is also determined by the union's general protective functions, its ability to secure monetary and other benefits, and a perception by members that they have a say in how the union operates.

### METHODOLOGY

We used two sources of data for this project. First, we conducted a survey of members of the Queensland Police Union of Employees using a postal questionnaire. A random sample of one-third of the union's membership was drawn from the union's membership database. Some 2200 questionnaires were sent out to members in July 1999. Three weeks after the initial mailing, a reminder letter was sent. Completed questionnaires were received from 907 respondents. The overall response rate was 41 percent excluding a few returned for wrong address. There is a slight under-representation of the lowest rank (constable) but otherwise the sample is highly representative. The median age of our respondents is 35 years, very close to the median age of 34 years across the police service.<sup>3</sup> One in six is female (the same proportion as in the Queensland Police Service (QPS). The regional distribution of our sample is similar to that applying across the service. Median tenure in the police service of our sample is 11 years; while 21 percent have been with the police service for less than four years, 21 percent have been there for more than 20 years. One in ten had worked in another police service elsewhere. We compared some data with other, earlier Australian surveys of union members undertaken between 1990-91 and 1996.

Second, we interviewed key personnel from the QPS Industrial Relations Department and the QPUE. The interview with QPS representatives was done as a focus group, whereby a series of questions was discussed to discern the service's strategic responses to the union. Regional representatives (executive members) of the QPUE, the general president, and senior industrial officers were also interviewed. Before reporting our results we provide a context for the current research.

<sup>3</sup> Data provided by Queensland Police Service.

## NEW MANAGERIALISM

In the past two decades new management techniques have been introduced into the Australian public sector. Agencies have been restructured along broadly corporate lines. A regionalization process has devolved responsibility and control, replacing the centralization tendencies of large public organizations and ensuring a flatter managerial structure. The move to reconstruct police organizations as corporate entities has seen the introduction of managerial practices unfamiliar to a workforce used to a strong hierarchical structure with established employment systems and regulated through strict organizational rules. The introduction of new managerialist techniques, coupled with other factors discussed below, has created a new system of industrial relations in the QPS. This new system has placed managerial responsibility on many senior officers and produced a more formal employer/employee relationship between these officers and the rank and file: a situation that has arguably led to more conflict within the workplace [2].

While public sector administrative reform had become a feature of the 1980s, the traditional police resistance to organizational change [5] had to varying degrees constrained change. This was particularly true of Queensland, where a strong, influential police union with considerable support from senior officers had consistently opposed operational and administrative reform. Its close links with a long-standing conservative government, reliant on its police service to enforce industrial relations and public order directives, ensured that the QPS was insulated from many of the tentative reforms effected elsewhere in the state. It was not until the findings of an inquiry into criminal activity in the QPS were released that significant administrative reform could take place.

## THE FITZGERALD INQUIRY

The Fitzgerald inquiry was established in 1987, and its report in 1989 revealed extensive corruption in Queensland's political institutions and serious misconduct in the QPS [6]. It recommended radical administrative and managerial change to the QPS, in line with contemporary theories of public administration [6]. Fitzgerald's "blueprint for reform" included an emphasis on management, discipline, and supervision. Changes in recruitment practices, education and training requirements and other standard employment practices were also recommended. These changes, according to Fitzgerald, were necessary if the QPS was going to transform the insular nature of the organization sustained by "unacceptable aspects of police culture" and the "inappropriate role of the Queensland Police Union in the decision-making processes as they affected its members" [6, p. 209]. Fitzgerald also pointed to the "code of silence" among police officers that was perpetuated by a loyalty between senior and junior officers. The very public

support for the report and its recommendations and a subsequent change of government ensured that over the next three years, the Fitzgerald recommendations were implemented in full. As a result of these recommendations and in the context of new managerialist practices, the QPUE would have to reconsider its negotiations procedures and its whole approach to industrial relations.

Another consequence of the Fitzgerald Report was the establishment of the Criminal Justice Commission (CJC). An independent body, one of its roles was to oversee the investigation of all misconduct allegations made against Queensland police, including internal breaches of conduct. Immediately following the establishment of the CJC there “was a marked increase in the number of recorded complaints against police” [7]. This increase continued until 1994 with at least 40 percent of the allegations being substantiated by the commission. The QPS was more likely to act on CJC recommendations to bring disciplinary charges against officers than to do so under the previous system [7].

Following its election in 1989, the state Labor government established an industrial relations department within the newly named Queensland Police Service (QPS). The new department would be responsible for liaising between management and the QPUE and establishing parameters within which negotiations relating to wages, working conditions, and, increasingly, the allocation of scarce resources, could take place. In response, the QPUE began to employ industrial relations personnel who would have some experience in this “new” environment. The QPUE resented the new department and resisted the restructuring and organizational change processes, particularly those associated with recruitment, training and education, and promotion criteria [2]. The level of resistance, however, was as much a consequence of its own loss of influence as of traditional resistance to change.

From its formation in 1916, the QPUE, with no recourse to the strike or other industrial action, had learned the benefits of a close working relationship with the government and the need to exploit political and economic opportunities when they arose. Over time the union came to play a pivotal role in police administration and exerted considerable influence over the shaping of personnel in the organization. Without recourse to the Arbitration Court, the union achieved significant pay increases and successfully negotiated changes in allowances, long-service leave, appeal processes, and superannuation benefits [8, 9, 10]. In 1990, this level of influence was no longer apparent and while the QPUE continued to resist aspects of change,<sup>4</sup> the level of its resistance was somewhat constrained by the existence of the CJC.

<sup>4</sup> In 1992, the QPUE organized a statewide protest over the new police commissioner. A subsequent union ballot passed a no-confidence motion on the commissioner, and he was ultimately asked to step down.

To summarize, prior to 1990 industrial relations in the QPS were conducted on an ad hoc basis, with the QPUE playing a pivotal role in negotiations. The industrial relations system provided for an award system that could be varied at will, and recourse to the Arbitration Commission was another option. Benefits for the union and its members were often secured through government support and often as a part of a trade-off for services rendered. Face-to-face meetings with the minister and senior police officers were commonplace, and “outcomes” were confirmed on a handshake. The influence the union enjoyed, however, was eroded following the Fitzgerald investigation and subsequent recommendations.

### UNION STRATEGY

How, then, does the union maintain a high level of union density, in the context of radical changes in police administration in the post-Fitzgerald era? What approaches does the union take in its dealings with members, and with management, and how do these approaches in turn influence the attitudes of members toward the union? What strategies does management adopt in relation to the union, given its high level of density? The answers lie partly in an analysis of the survey data, but before turning to that, we discuss the findings from our qualitative interviews. The answers are illuminated when we locate them within the framework suggested by Pocock [11] for understanding union power. Pocock indicates the importance of several elements of unionism that, in the context of the external environment, influence union power. These include a union’s organizing and mobilizing capacity (including democracy, recruitment, and delegates); discursive power (including internal and external communication of agendas); external “solidarity” (including political capacity and solidarity with other unions); structural capacity (including its financial power, membership base, internal cohesion); and its “culture and competence” (including leadership, financial management, and human resource management). The last two of these are largely beyond the scope of this paper, but, as we shall see, we can best understand how union density is maintained by seeing how the union establishes and maintains its power, a point we return to in the conclusion.

A key element of the union’s success is the perception of democracy. The union is generally believed by the members and by police management to be accurately reflecting the interests and wishes of its members. This gives it substantial credibility in dealing with police management, and this credibility is an advantage it is prepared to wield. For example, under current negotiation procedures for a new enterprise bargaining agreement, the union consulted the membership about potential changes to promotion practices. Some 93 percent of respondents asked for specific changes to be made to the promotion system. Such numbers allow the union to negotiate “from a position of strength and credibility,” and make it very

difficult for the service to reject a claim outright. The union's industrial relations team is aware of the importance of securing membership endorsement for negotiations and subsequent decisions. Members are consulted regularly, either as a whole or when an issue affects a certain area of the service (such as the Water Police). Regular trips around the state by both industrial officers and members of the union executive consolidate this consultation process. The industrial team sees consultation with members and a reputation for pursuing an issue as being useful to the union's overall credibility with the rank and file.<sup>5</sup>

A second, perhaps more important element, is the union's ability to use its power to afford protection for its members. The most significant protection is offered through the legal defense fund (LDF) administered by the QPUE and crucial to the state's police officers. The fund allows members to access finance for legal advice and representation. Lawyers for the union are available to members 24 hours a day. The overall cost to the union is considerable, with the QPUE spending up to one million dollars a year on legal costs [12]. In the immediate post-Fitzgerald climate, access to the LDF was considered crucial to the state's police officers. Even now it is still considered a key element of QPUE membership. Police officers continue to be the subjects of allegations in approximately 75 percent of complaints received by the CJC, and the number of allegations that result in a charge of misconduct remains constant [13].

Third, the union secures gains through exercising power in negotiations. At first, following the establishment of the Industrial Relations (IR) Department within the service, there was a strained relationship between the union and the service that hampered negotiations. Unused to dealing with the service in a structured relationship, the union tried to bypass the IR Department, and tensions rose. This started to change in 1993 when negotiations for the service's first enterprise agreement began. The relationship between the department and the QPUE improved dramatically as clear parameters for contact and negotiations were established.<sup>6</sup> The first enterprise agreement negotiated between the QPS and the QPUE reflected the new managerial commitments to productivity and cost efficiency. There was a strong emphasis on trade-offs with shift workers, for example, accepting a shift allowance in lieu of penalties. Subsequent agreements have had less emphasis on trade-offs, with the QPS securing commitments from the QPUE to its various policies and systems in return for wage increases. While some members feel a sense of deprivation compared to other groups within the service, whom they feel have been better treated by the agreements, the overall package of concessions in the past five years has been relatively benign and seemingly outweighed by the wage increases.

<sup>5</sup> Interview with members of the QPS industrial team, 23 September 1999.

<sup>6</sup> Interview with members of the QPS industrial team, 23 September 1999.

Fourth, the union manages cordial relations with the QPS but does so from a position of strength. It could only be said to acquiesce on those matters from which the Industrial Commission precludes it from negotiating, for example, the management development plans initiated by the QPS in 1998. The relevant officers of the QPUE adopt a nonconfrontational approach in their dealings with the service and have a “professional, mutual respect” for members of the industrial relations department. Union officers see this cordial relationship as important in the context of the union’s legal inability to take strike action.

Still, the union’s influence is not overly hamstrung by the absence of a right to strike. On the contrary, the essential service nature of police also gives police employment relations a sensitivity in public and political perceptions that goes well beyond that experienced by other employees. Media stories about the police and particularly the police union are much sought after and the union has little difficulty in raising an issue publicly if it so desires.

Moreover, the unique position of the police in public opinion has historically given the union the capacity to achieve its goals at the political level. Its most controversial campaign in the post-Fitzgerald era was the signing of a Memorandum of Understanding (MOU) between the QPUE and the National Party Opposition during a crucial 1995 state by-election. In the MOU, the Opposition agreed to consider the police union’s list of claims. The union committed thousands of dollars to the campaign, and when the non-Labor candidate was declared the victor, a change of government in Queensland ensued. A subsequent inquiry into the QPUE’s campaign and involvement with political identities found that the politicians had no case to answer. The responsibility for departmental charges against serving police officers involved with the union campaign was given to the police commissioner [14]. The officers were subsequently exonerated.<sup>7</sup> The union was extensively criticized for its role in the by-election, but it did appear to deliver lasting benefits for its members.

Since then, the union has held a much lower profile politically. But it does not mean that this level of activity is now ignored. The National Party having lost office in the 1998 general election, the union now maintains good relations with the incumbent Labor government, which traditionally has strong ties with the union movement, although the QPUE itself was deeply resented for its role in the by-election. The leadership of the union will contact the minister when an issue is important enough to warrant urgent attention. The political reality of police industrial relations is that no Minister can afford to ignore the concerns of police and of a union that has almost complete coverage of its workplace. The ability of the union to obtain media coverage and achieve its goals at the

<sup>7</sup> Interview with Gary Wilkinson, President, Queensland Police Union of Employees, October 8, 1999.



political level in turn influences the way in which the service negotiates with the union's industrial team, strengthening the hand of the union in negotiations at the industrial level. Requests and queries are dealt with promptly, and issues are not allowed to get out of proportion. Departmental staff are always available to union representatives, and every effort is made to arrive at an outcome that is agreeable for all.

### **UNION PROPENSITY AND ATTITUDES AMONG POLICE**

We turn now to the membership survey to consider the employee perspective. How has the QPUE achieved high density? How much is this a function of the LDF, and how strong would its support be without that fund? How does it relate to its members? What are the wider implications for understanding the determinants of union membership at the individual level?

First, to test how strong its support is, we include in our survey a measure of union propensity employed in several other surveys, but with a slight variation. Respondents were asked to agree or disagree with the statement: If I were totally free to choose, I would rather be in the union than not be in it. Some 73 percent of respondents agreed (39 percent strongly, 34 percent somewhat agreed), and just 15 percent disagreed with this statement.

This is a higher level of union propensity than is demonstrated in other Australian surveys of employees.<sup>8</sup> Agree responses totaled 38 percent (fairly close to the disagree responses) among employees in both the 1995 Australian Workplace Industrial Relations Survey (AWIRS) and the 1996 Australian Election Survey (AES). It was 64 percent among *union* members in AWIRS and 63 percent among members in the AES. One difference between the police surveys and other surveys is that the latter have asked employees whether they would rather belong to *a* union, whereas the police survey asks if they would rather belong to *the* union. The impact this has on measured propensity is indeterminate, but it is difficult to believe that it is a major factor in explaining the different results.

#### **Reasons for Belonging**

We asked how important various factors were in explaining why members belonged to the union, and which of these was the most important factor. By far the most important reason for membership, cited as such by over half of members, was the LDF offered by the union (Table 1). Two of the three other common

<sup>8</sup> While the police survey is a survey of members only, whereas the others are surveys of employees generally, this is not a source of bias in the comparison, as 99 percent of police employees are unionized.

Table 1. Reasons for Belonging to a Union  
(N = 970)

	% ranked as most important	Total important <sup>a</sup>	Very important	Fairly important	Not very important	Not at all important
The insurance policy the LDF offers	53	96	78	18	2	1
The role of the union in negotiating wages and working conditions	19	90	55	36	7	2
The union's ability to assist me in disciplinary matters	15	95	72	24	3	1
Protection from the possibility of unfair treatment	9	94	69	25	4	2
I can seek advice and guidance from them	1	78	36	42	14	7
Gives me a say in things that affect me	1	77	34	43	16	6
Provides the means to raise grievances	1	73	29	44	19	7
The discount services the union offers (e.g., cheaper mortgages, holidays, access to Union Shopper, and discounted entertainment)	—	38	9	29	41	20
Pressure from others to belong	—	16	5	11	29	52
Something else	1	26	5	1	0	—

Question wording: How important is each of the following factors in explaining why you belong to the union? Which of these factors is the single most important one in explaining why you belong to the union?

— indicates less than 0.5 percent

<sup>a</sup>Very important plus fairly important.

reasons—the union’s ability to assist me in disciplinary matters, and protection from the possibility of unfair treatment, which between them were cited by another 24 percent of members—also saw the union as a form of protection, though more broadly defined than just the LDF. These findings confirm the predictions of union executive members and industrial officers in relation to the question of why members belong to the union.

Some 19 percent of members cited a quite different function: The role of the union in negotiating wages and working conditions, but the six other possibilities attracted less than one percent of respondents each. Notably, the two least-important factors were pressure from others to belong, reinforcing the absence of implied compulsion as an explanation of high density, and the discount services the union offers. While the LDF is a special service not offered by many unions,<sup>9</sup> in the end it is fundamentally industrial in character, and its salience reflects the role unions have, in part, as industrial protection for their members. Nonindustrial services, by contrast, have very little salience in attracting members.

Does the availability of the LDF reduce the collectivist orientation among police? Without it, would the union lose half of its members? To address this issue, we asked members whether they would still want to be in the union if it were not for the factor that they had previously rated as most important in their decision to join the union. We refer to this as a measure of second-level propensity. As shown in Table 2, 71 percent indicated they probably or definitely would still want to be in the union. This number is almost identical to the degree of union propensity (73%) shown earlier. Only 28 percent of members said they would probably or definitely not belong (we call these people single-reason members), including 20 percent who said that the LDF was the most important reason for belonging and they would probably not belong if not for the fund. The implication is that about 80 percent of police would still belong to the union even in the absence of the LDF, indicating again a strong level of underlying support for the union.

Interestingly, respondents who said their main reason for belonging was the LDF were about twice as likely to be single-reason members than were people who gave priority to other factors, including those who had a broader conception of the insurance provided by the union (e.g., by referring to protection from unfair treatment or in disciplinary proceedings). Nonetheless, among those giving top ranking to the LDF, the majority would still want to belong even without the fund.

Members recorded relatively high levels of instrumentality and satisfaction with the union. Some 69 percent said they had benefitted from belonging to the

<sup>9</sup> The Queensland Teachers’ Union and the Queensland Nurses’ Union offer substantial insurance programs for their members.

Table 2. Second-Level Union Propensity: Whether Members Would Stay in the Union if Not for the Most Important Factor

	By most important reason for belonging					
	All members	Legal defense fund	Assist in disciplinary matters	Protect from unfair treatment	Negotiate wages and conditions	All other responses
	(as % of members citing this reason)					
Yes	42	32	50	59	49	53
Probably	29	29	28	27	33	28
Subtotal: yes and probably	<b>71</b>	<b>62</b>	<b>78</b>	<b>86</b>	<b>82</b>	<b>81</b>
Probably not	19	26	14	8	11	16
No	9	13	8	5	5	3
Subtotal: no and probably not	<b>29</b>	<b>38</b>	<b>22</b>	<b>13</b>	<b>17</b>	<b>19</b>
No opinion	1	—	0	1	1	0
Total	100	100	100	100	100	100
	(as % of all members)					
Subtotal: yes and probably	71	32	12	8	15	3
Subtotal: no and probably not	29	20	3	1	3	1
Total	100	53	15	9	19	4

union (compared to 50 percent of current union members in an earlier, cross-industry, survey referred to as SEMSE<sup>10</sup>), while 35 percent said it had made no difference, and 6 percent said they had been made worse off. Attitudes toward local union officials (union delegates) were similar to those in SEMSE—

<sup>10</sup>The Survey of Employees in Metropolitan Sydney Establishments—see [1].

48 percent were satisfied with them; 13 percent were dissatisfied.<sup>11</sup> It is common for unionists to be more satisfied with local delegates than with union leaders [1, 15, 16], so it was notable that police union members seemed to be relatively happy with their leaders (compared to other unionists): 42 percent were satisfied (compared to 32 percent in SEMSE) and 21 percent dissatisfied (35 percent in SEMSE). More unusual was the fact that both union propensity and second-level propensity were, if anything, slightly more strongly correlated with leadership satisfaction ( $r = .36$  and  $.40$ , respectively) than with local delegate satisfaction ( $r = .33$  and  $.34$ , respectively)—usually the local effect is much stronger (cf [1]). This reflected the fact that the union deals with just one employer, and the consequent important role of officials in servicewide negotiations and in operating the protective support for members.

### **Determinants of Union Propensity**

Despite the focus on leadership, the union was seen as maintaining better contact with its members than many others might have been: 43 percent of police were satisfied with how the union kept in contact with its members, and 20 percent were dissatisfied, compared to figures of 34 percent and 33 percent, respectively, in SEMSE for a similar question.<sup>12</sup> We analyzed the determinants of both union propensity and second-level propensity (see Table 3) by use of ordinary least squares regression, with attitudes on various aspects of the union as explanatory variables. The most important determinant of both was a measure of union democracy—whether respondents agreed that the union gives members a say in how the union operates. Thus, the fact that 50 percent of respondents agreed, while just 21 percent disagreed, was a significant factor behind the strong level of support for the union.

The second most important determinant of both measures of union propensity was the ability of the union to secure instrumental gains, indicated by the respondents' rating of the union on a scale measuring how effective the union was in getting good pay and other allowances for members. Here there was more division on the union's performance: Only 6 percent rated the union as very effective, but 49 percent rate it as fairly effective, compared to 31 percent not very effective and 11 percent not at all effective. This in turn reflected division on the effects of enterprise bargaining: 44 percent agreed they were better off as a result of it, but 32 percent disagreed.

<sup>11</sup> In SEMSE, the figures were 46 percent and 19 percent, respectively.

<sup>12</sup> In LCS-96 some 49 percent of employees agreed that unions at your workplace do a poor job in keeping in touch with their members; 46 percent disagreed. While we might hope that Australian unions generally would have improved their performance since 1991, and therefore comparisons with SEMSE might not be appropriate, there was little apparent movement in general attitudes on union contact up to 1996.

Table 3. Determinants of Union Propensity and Broad Propensity (OLS Regression)

	Union propensity (1)	Second-level propensity (2)	Variable details		
			Min	Max	Mean
Constant	<b>0.482***</b> (0.179)	<b>0.602**</b> (0.142)			
The union gives members a say in how the union operates.	<b>0.303**</b> (0.044)	<b>0.224**</b> (0.035)	1	5	2.12
Effectiveness of the union in getting good pay and other allowances for members.	<b>0.260**</b> (0.054)	<b>0.282**</b> (0.044)	1	4	2.48
Australian unions have too much power.	<b>-0.196**</b> (0.032)	<b>-0.137**</b> (0.027)	1	5	3.03
The union protects its members.	<b>0.198**</b> (0.049)	<b>0.206**</b> (0.039)	1	5	2.35
Effectiveness of union in administering legal defense fund.	<b>0.169**</b> (0.062)		1	4	1.76
$R^2$	0.32	0.29			
Adjusted $R^2$	0.31	0.29			
$F$	68.03	82.59			
$N$	738	799			

**Note:** Standard errors in parentheses.

\*\* Significant at 1 percent level.

A measure of the union's protection of its members—agreement with the statement, the union protects its members—was also significant. Here the union was on very strong ground: 66 percent agreed, and only 12 percent disagreed, with this statement. Perceptions of the LDF had a separate impact on union propensity. Some 31 percent indicated it was very effective and 51 percent said fairly effective, in administering the LDF. But notably, the LDF was less important in

explaining union propensity than the more general perceptions of the protection afforded by the union.<sup>13</sup>

Finally, as with other studies [1, 17-24] our regressions show union propensity is heavily influenced by union sympathy. It is measured here by responses to the statement, Australian unions have too much power, with which 31 percent agreed and 29 percent disagreed. Although overseas readers may find the level of anti-union ideology here high, there is little reason to believe police have more anti-union ideologies than other Australian employees: In SEMSE, 46 percent of employees agreed with this anti-union statement: in AES, 57 percent.

### Members' Perception of Strategy

What do members think of the union's strategies in dealing with management and its members? We asked members about their satisfaction with various aspects of management and the union. The first thing that should be noted is the lower regard in which police management was held. By significant margins, members were more likely to be dissatisfied than satisfied with the way the police executive treats its employees, police executive decision making, and how much information you are given by management about what is going on in the service generally. Closer to home, satisfaction with the way you are supervised was much higher, at 59 percent, with just 22 percent dissatisfied. Each of these, we should point out, both correlated with specific and second-level union propensity and instrumentality, and with both measures of union satisfaction. That is, there was a halo effect: When members were dissatisfied with management, they took out some of the blame on the union, and this reduced their inclination toward membership. We also asked them about the extent to which they thought the union *was* doing each of eight particular things, and the extent to which they thought it *should be* doing those same things (see Table 4).

The majority of members thought the union should be doing more than what it was doing in terms of its involvement in policy matters such as transfers and in professional development programs. The former may reflect concern about the managerialist agenda. The latter result may partly reflect frustration at the union's inability to influence the Management Development Program, which was perceived to have devalued the career-building paths of some officers but which was ruled by the Industrial Commission to be managerial prerogative. Members also believed that the union should be more publicly outspoken about police issues. They were probably contrasting the union's

<sup>13</sup> It would not make sense to use this as an explanatory variable for second-level propensity, as for the majority of employees second-level propensity measures how people would feel in the absence of the legal defense fund.

Table 4. What the Union is Doing and Should be Doing

	Involvement in management policy	Concerned with development	Outspoken on police issues	Militant in negotiations	Concerned with discipline matters	Offers discount services	Cooperates with executive	Concerned with political issues
Does a great deal	5	10	13	3	31	22	6	16
Should do a great deal	43	50	46	21	64	33	9	13
Does quite a lot	30	39	42	19	55	59	52	51
Should do quite a lot	41	40	43	36	33	45	55	35
Does not very much	39	31	35	41	10	12	21	19
Should not do very much	9	5	9	27	1	13	26	29
Does not at all	14	6	5	16	1	1	2	2
Should not do at all	5	1	1	8	—	3	3	19
No opinion (does)	12	15	5	22	3	6	20	12
No opinion (should)	2	4	2	8	1	7	7	4



<b>Should do more of this</b>	<b>67</b>	<b>62</b>	<b>56</b>	<b>56</b>	<b>41</b>	<b>25</b>	<b>23</b>	<b>17</b>
- some more	38	39	35	33	35	22	19	14
- much more	23	18	17	18	5	4	4	2
- great deal more	7	5	3	5	—	—	1	0
<b>Doing right amount</b>	<b>29</b>	<b>36</b>	<b>37</b>	<b>34</b>	<b>56</b>	<b>59</b>	<b>51</b>	<b>41</b>
<b>Should do less of this</b>	<b>4</b>	<b>2</b>	<b>7</b>	<b>10</b>	<b>3</b>	<b>16</b>	<b>26</b>	<b>43</b>
- some less	3	2	6	7	3	12	21	25
- much less	1	—	1	2	—	4	4	13
- great deal less	—	—	—	1	0	1	1	5
Correlation: dissonance and specific union propensity	-.13**	-.19**	-.18**	-.12**	-.20**	-.13**	-.16**	-.20**

**Note:** Should do more and should do less are measured by the difference between respondents' perceptions of what the union is doing and what it should be doing, as reported in the top half of the table; e.g., some more indicates a one-point gap, and a great deal more indicates a three-point gap for a respondent.

adoption of a high-profile role in the past with its contemporary profile. However, according to the President of the QPUE, the union has less reason nowadays to go public with its complaints.<sup>14</sup>

On three matters the majority of members were content with how much the union was doing—the extent to which it was concerned with disciplinary matters, was involved in offering discount services to members, and cooperated with the police executive. Among people who thought the union was not doing the right thing, there was a virtually even split between those who wanted it to cooperate more, and those who wanted it to cooperate less, with management. Net approval of the union's degree of cooperation with management did not, however, preclude most members from suggesting that it should be more militant in negotiations with management (though this was also the issue on which the largest number recorded don't know on how militant the union actually was).

On one issue there was a substantial minority of members who thought the union should be doing less: the extent to which it was concerned with political issues. This probably reflected an adverse reaction to the union's MOU with the National Party (discussed above). We did not test the political allegiance of members of the police union. However, the overall ideology of members, which was (as mentioned earlier) relatively pro-union, would not sit well with support for the National Party.

The higher the dissonance between what members thought the union was doing and what they thought it should be doing, the lower the levels of specific and second-level union propensity. We examined the correlations linking propensity with dissonance between perceptions and expectations on each of the eight issues (shown in the last row of Table 4). From these data, and from the magnitude of dissonance on the issues, it might appear that the union could improve its attractiveness to members by better aligning with members' expectations on political involvement (by doing less) and professional involvement (by doing more),<sup>15</sup> but whether these actually would have the impact implied would depend on other effects, such as on benefits gained by members through bargaining.

<sup>14</sup>Interview with Gary Wilkinson, President, Queensland Police Union of Employees, October 8, 1999.

<sup>15</sup>These factors influence specific union propensity not in their own right but through their impact on perceptions of union democracy, protection, and effectiveness in securing better wages and benefits for members. (When we enter the latter factors into regression, measures of dissonance become nonsignificant in explaining propensity.) However, an index of dissonance (across all the eight issues) has a separate impact in predicting second-level propensity in OLS regressions that include the above union-related variables.

## CONCLUSION

In the Australian public sector generally union density has fallen from 73 percent in 1982 to 48 percent in 2001 [25]. This decrease might in part be related to the increasing focus on human resource management principles that emphasize the unity of an organization and the common aspirations of all, and generally discourage the need for unions in the workplace. The application of private sector managerialism techniques and changes in legislation governing employment relations have increased the pressure on public sector unions in an environment that is not conducive to job security. Yet, this decline in density has not applied to police organizations in Australia. This has been particularly true in Queensland.

From its formation, the QPUE adapted well to an industrial environment that prevented it by law from striking or taking other industrial action. Unlike many other unions, the QPUE rarely used arbitral machinery to obtain benefits for its members. Many of its industrial gains have been achieved through informal “negotiation” and, when possible, through the strategic exploitation of political and economic opportunities. The influence the QPUE enjoyed was eroded in the late 1980s by a number of factors. The findings of the Fitzgerald Inquiry ensured that the union would no longer be in a position to resist reform in the QPS and play a pivotal role in the administrative affairs of the police. Its level of influence with government figures and senior officers was also constrained by the presence of an independent body committed to limiting that influence.

It is the move to reconstruct police organizations as corporate entities and the accompanying introduction of new managerialist techniques, however, that has effectively changed the ground rules of industrial relations in the QPS. Previously conducted on an ad hoc basis, industrial relations are now formally structured around a professional industrial relations unit within the QPS and QPUE. Additionally, new management techniques have produced divisions within the workplace as senior officers take on management roles. As a result, a much more sharply defined management/employee relationship exists than did previously. The QPUE has adapted well to this new environment and has supplied the protective features sought by its members. It provides mechanisms and avenues for members to voice any dissatisfaction and make suggestions for improvements. In a politically conducive environment, the QPUE is able to harness discontent publicly and effectively and, as our survey results suggest, increasingly, members are feeling part of that process.

QPUE’s strong underlying support is built on the foundation of the LDF. However, it seems unlikely that the house would crumble if this foundation were removed. At least four-fifths of members would remain even without the fund.

The desire for union membership is also determined by other factors on which the union performs well: its general protective functions (on which it rates highly), its capacity to secure material gains for its members (where its net advantage is smaller), and, perhaps most importantly, perceptions of union democracy—it is on balance regarded as giving members a say in how it operates. Despite the apparent importance of the LDF, these are key areas in which the union needs to continue to perform well.

Unusual for a union with such high density, workplace union activity, while present and important, is not fundamental to the union's success. The union is able to prosper with moderately strong workplace activity because the union is able to demonstrate its responsiveness, protection, and instrumentality through other mechanisms—the centrally run LDF, the frequent consultations with members, and the results achieved through political connections.

In terms of Pocock's [11] typology of union power, the union's strengths arise from several key capacities. One is clearly its political capacity (part of Pocock's external solidarity). Another is its discursive capacity, of which there are two key elements: its ability to communicate an agenda internally to its members; and an ability to communicate externally, to the general public, when the need arises (for example, in advertising campaigns in support of higher pay for police). A third area where it does reasonably well is organizing and mobilizing capacity, not so much in terms of getting members actively involved in direct action, but in terms of promoting perceptions of democracy among its members through its discursive strategy, which is clearly an area of strength and a matter that bolsters the union's negotiating power. We can best understand how union density is maintained by the union through observing how the union has established and maintained its power: As a consequence of its ability to deliver, most members feel it is worthwhile retaining their membership.

There are, of course, many aspects of this case that are unique to essential service unionism. What are the potential lessons for understanding essential service unionism? First, although many unions in essential services are not permitted to, or are reluctant to, strike, they may still be strong enough to maintain high levels of membership. This is because the political sensitivity of essential services that leads to restrictions on industrial action also gives the employees a strong bargaining chip: No government is keen for the public to be aware of disaffection in the ranks of an essential service. Unions in these areas may be able to use this political influence, overtly or covertly, to secure gains for their members that they would not be able to achieve through such mechanisms in other industries. They may also be able to slow down the introduction of new managerialism because of these same sensitivities. Indeed, it is difficult to overstate the importance of this political sensitivity in explaining the strength of essential service unions.

Second, the role of workplace culture in essential service unionism is deserving of further research. Particularly in the pre-Fitzgerald era, the old culture of the QPS was intimately bound with the union. Even post-Fitzgerald, the culture of attachment appears to remain. How important are such cultures in understanding high density in other essential services? This is a research project for another day.

Third, there is a particular form of risk for employees in essential services, and this may also influence their attachment to unionism. Because they often deal with matters of life and death—or at least matters of personal liberty—employees in some essential services may be more vulnerable to personal liability than other employees and may therefore be highly receptive to indemnity insurance. Thus, nurses have also commonly cited indemnity insurance as a reason for union membership [1]. Some other unions, such as those for firefighters and ambulance officers, do not operate such schemes, yet they continue to enjoy high density, so clearly the story goes beyond this. However, other essential services are not subject to the same degree of scrutiny by the CJC and its successors as are police, so the salience of legal defense is particularly important there.

Fourth, while the QPUE has performed well in many respects, this does not imply that it is fully secure. The converse of the likelihood that four-fifths of members would stay if the LDF were abolished or made redundant is that one-fifth would leave, creating a major financial problem for the union. Thus, essential service unions have not been able to rest on their laurels: The Police Association of New South Wales, for example, has been one of the leading unions in that state in adopting an organizing approach to workplace unionism [26], despite being in a similar position of strength to its Queensland counterpart. For such a union, it makes sense to ensure the power and membership support it has achieved is not threatened by any potential change to institutional arrangements.

Finally, factors that are key to the prosperity of unions elsewhere are also key to the prosperity of unions in essential services. Overall perceptions of union strength and democracy are central to union propensity among police, as they are important to other employees. They are areas in which essential service unions, like others, have to perform. The legal defense fund is simply the most visible of many ways the QPUE uses to demonstrate union protection of its members. The use of political links is an effective way of exercising power and achieving gains. The police union has a structure and consultative practices that enable its members to perceive that it is responsive and democratic. It is this combination of factors that gives the police union its strength. The same elements, albeit in different manifestations, influence the survival and prosperity of unions generally—just as even unions in essential services have to consider the role of organizing approaches in maintaining their positions of strength.

## ENDNOTES

1. D. Peetz, *Unions in a Contrary World*, Cambridge University Press, Cambridge, 1998.
2. J. Fleming and G. Lafferty, New Management Techniques and Restructuring for Accountability, *Policing: An International Journal of Management Strategy*, 23, 2, June, pp. 154-168, 2000.
3. J. Walsh, Building Unionism in Non-Standard Service Industries: The Case of Homecare Organising in Australia and the United States, Paper presented at the XV World Congress of Sociology, Brisbane, July 2002.
4. B. Ellem, The Power of Place and Scale, in I. McAndrew and A. Geare (eds.), *Celebrating Excellence: Proceedings of the 16th AIRAANZ Conference—Volume 2: Unrefereed Papers and Abstracts*, (pp. 117-126), Queenstown, New Zealand, Association of Industrial Relations Academics of Australia and New Zealand, 2002.
5. J. H. Skolnick and D. Bayley, *The New Blue Line: Police Innovation in Six American Cities*, Free Press, New York, 1986.
6. T. Fitzgerald, *Report of a Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct*, Government Printer, Brisbane, 1989.
7. D. Brereton, and A. Ede, What has Reform Wrought? The Impact of the Fitzgerald Inquiry on Police Integrity in Queensland, *Queensland Review*, 4, 2, October, pp. 51-58, 1997.
8. J. Fleming, Shifting the Emphasis: The Impact of Police Unionism, 1915-1932, *Labour History*, 68, May, pp. 98-115, 1995.
9. J. Fleming, Police Unionism and Law Reform in Queensland, *Queensland Review*, 4, 2, October, pp. 59-74, 1997.
10. B. Swanton, *Protecting the Protectors*, Institute of Criminology, Canberra, 1992.
11. B. Pocock, Union Renewal: A Theoretical and Empirical Analysis of Union Power, Department of Social Inquiry, University of Adelaide, South Australia, 2000. Available online:  
[http://www.arts.adelaide.edu.au/social\\_inquiry\\_download\\_Union\\_Renewal\\_No\\_12.pdf](http://www.arts.adelaide.edu.au/social_inquiry_download_Union_Renewal_No_12.pdf)
12. QPUE, *Annual Reports*, Brisbane, 1991-1999.
13. QPUE, *Annual Reports*, Government Printer, Brisbane, 1992-1998.
14. C. Lewis, The Criminal Justice Commission: A Political Football? *Queensland Review*, 4, 2, October, pp. 1-11, 1997.
15. D. E. Guest and P. Dewe, Company or Trade Union: Which Wins Workers' Allegiance? A Study of Commitment in the UK Electronics Industry, *British Journal of Industrial Relations*, 29, 1, March, pp. 75-96, 1991.
16. T. S. Simey (ed.), *The Dock Worker: An Analysis of Conditions of Employment in the Port of Manchester*, Liverpool University Press, Liverpool, 1956.
17. C. A. Schriesheim, Job Satisfaction, Attitudes Towards Unions and Voting in a Union Representation Election, *Journal of Applied Psychology*, 68, pp. 548-552, 1978.
18. J. G. Getman, S. B. Goldberg, and J. B. Herman, *Union Representation Elections: Law and Reality*, Russell Sage, New York, 1976.
19. S. Youngblood, A. De Nissi, J. Molleston, and W. Mobley, The Impact of Work Environment, Instrumentality Beliefs, Perceived Labor Union Image, and Subjective

- Norms on Union Voting Intentions, *Academy of Management Journal*, 27, 3, September, pp. 576-590, 1984.
20. S. P. Deshpande and J. Fiorito, Specific and General Beliefs in Union Voting Models, *Academy of Management Journal*, 32, pp. 883-897, 1989.
  21. V. Christie and P. Miller, Attitudes Toward Trade Unions and Union Membership, *Economics Letters*, 30, 3, September, pp. 263-268, 1989.
  22. V. Christie, Union Wage Effects and the Probability of Union Membership, *Economic Record*, 68, 200, pp. 43-56, 1992.
  23. S. Deery and H. De Cieri, Determinants of Trade Union Membership in Australia, *British Journal of Industrial Relations*, 29, 1, March, pp. 59-73, 1991.
  24. P. F. M. Grimes, "The Determinants of Trade Union Membership: Evidence from Two Australian Surveys," *Ph.D. Thesis*, Research School of Social Sciences, Australian National University, Canberra, 1994.
  25. *Australian Bureau of Statistics*, Employee Earnings, Benefits and Trade Union Membership, Catalogue Number 6310, 6323.0, Government Printer, Canberra, 2001.
  26. M. Crosby, Union Renewal in Australia—A View from the Inside, in G. Griffin (ed.), *Trade Unions 2000: Retrospect and Prospect*, (pp. 127-153), Monograph 14, National Key Centre in Industrial Relations, Monash University, Victoria, 2000.

Direct reprint requests to:

Dr. Jenny Fleming  
Fellow, RegNet  
Research School of Social Sciences  
Coombs Building (9)  
Australian National University  
Canberra, ACT 0200  
e-mail: [jenny.fleming@anu.edu.au](mailto:jenny.fleming@anu.edu.au)