



T H E  
FACTS ON FILE  
DICTIONARY  
O F

# PERSONNEL MANAGEMENT AND LABOR RELATIONS

JAY M. SHAFRITZ

**The Facts On File**  
**DICTIONARY OF**  
**PERSONNEL**  
**MANAGEMENT**  
**AND**  
**LABOR RELATIONS**

SECOND EDITION, REVISED AND EXPANDED

**JAY M. SHAFRITZ**

*University of Colorado at Denver*

**The Facts On File**  
**DICTIONARY OF PERSONNEL MANAGEMENT**  
**AND LABOR RELATIONS,**  
2ND EDITION

Copyright © 1985 by Jay M. Shafritz

All rights reserved. No part of this book may be reproduced or utilized in any form or by any means, electronic or mechanical, including photocopying, recording or by any information storage and retrieval systems, without permission in writing from the Publisher.

**Library of Congress Cataloging in Publication Data**  
Shafritz, Jay M.

The Facts On File dictionary of personnel  
management and labor relations.

Rev. ed. of: Dictionary of personnel management  
and labor relations. 1st ed. c1980.

1. Personnel management—Dictionaries. 2. Industrial  
relations—Dictionaries. I. Shafritz, Jay M.  
Dictionary of personnel management and labor relations.  
II. Facts on File, Inc. III. Title. IV. Title:  
Dictionary of personnel management and labor relations.  
HF5549.A23S52 1985 658.3'003'21 85-20823  
ISBN 0-8160-1234-2

Printed in the United States of America

10 9 8 7 6 5 4 3 2 1

**The Facts On File**  
**DICTIONARY OF**  
**PERSONNEL**  
**MANAGEMENT**  
**AND**  
**LABOR RELATIONS**

SECOND EDITION, REVISED AND EXPANDED

## PREFACE

This dictionary is a tool for all those who must be knowledgeable about the theory, concepts, practices, laws, institutions, literature, and people of the academic disciplines and professional practices of personnel management and labor relations. In short, it is a tool—a source of expertise—for all those who are faced with, or concerned about, the managing of people in organizations.

A dictionary is inherently a “work in progress.” Unless a subject is a dead language or an expired technology, its terminology is constantly changing and evolving into its future state. This is certainly true of personnel management and labor relations. Each year, for example, new Supreme Court decisions, new labor legislation, new advances in examination validation, and new personnel management processes change the language of personnel management and labor relations and advance (or impede depending upon one’s perspective) the professional practice. This dictionary seeks to capture and codify the language of personnel management and labor relations fully aware that when finished it will be incomplete. A living language does not wait on publisher’s deadlines.

While this effort may be incomplete by its nature, it is nevertheless comprehensive by design. Contained herein are all of the words, terms, phrases, processes, names, laws, and court cases with which personnel management and labor relations specialists should be familiar. And then some. Some because they are historically important. Some just for fun. The criteria for including definitions had to be rather loosely defined because the boundaries of personnel management and labor relations, both as academic disciplines and professional practices, are so wide that they overlap many other fields. It was the author’s judgment that determined just how far to go into related fields such as law, economics, psychology, statistics, management, history, and medicine, among others. As a rule of thumb, if a term was found in any of several score personnel management or labor relations textbooks, it is included here. Generally excluded were any terms whose meaning in the context of personnel management and labor relations did not differ from definitions to be found in any standard dictionary of the English language.

This dictionary is generic. It neither favors nor discriminates against the private or public sector. Everything that the author found relevant to either sector was included. In the end, it turned out that 95 percent of the definitions were relevant to the private sector and 95 percent were relevant to the public sector. This seems to be a mathematical impossibility until you consider that 90 percent of the definitions are relevant to both sectors. Each sector can then claim 5 percent of the definitions as uniquely its own. The differences between personnel management and labor relations in the private sector and public personnel management and labor relations continue to grow less significant with the passing of each year and with the passing of each new wave of federal legislation.

In general, those items which are more central to the concerns of personnel management and labor relations tend to be given more detailed coverage than those that are more on the periphery of the subject. The references given at the end of most entries serve to give an example of the usage of the term as well as to provide sources for further information. Because such references have been given as often as is possible or practical, they are in their totality a comprehensive bibliography. In order to

find all of the entries in any given subset of personnel management or labor relations, you need only find a logical large entry—bureaucracy, collective bargaining, strike, etc.—and follow the cross references.

In addition to the entries that the reader might expect to find in a dictionary concerned with personnel management and labor relations, there are some special kinds of entries that warrant a word of explanation:

- **BIOGRAPHICAL ENTRIES.** There are hundreds of identifications of individuals, both living and dead, who have been significant in the history, writing, and practice of personnel management and labor relations. Such entries are designed to merely identify an individual; that being the purpose of a dictionary. The author readily concedes that some notable individuals may have been excluded or that other individuals may have been described in words too brief to do them justice. Remember, the object was identification, not justice.
- **COURT CASES.** There are hundreds of legal decisions on issues relevant to personnel management and labor relations, including every major U.S. Supreme Court ruling in this area. Such judicial decisions are usually many pages long for good reason. So be cautious! A brief summary of a case, no matter how succinct, may not be sufficient information upon which to base formal action. These summaries were written to identify the case and its significance, not necessarily to make less work for lawyers. The full legal citation is given with each entry of this type so that the reader may readily locate the full text of any of these court cases.
- **JOURNALS.** A list of *all* of the journals and magazines that bear upon personnel management and labor relations would be almost as large as this entire dictionary. So the author included only those periodicals that most consistently address the concerns of personnel and labor relations specialists. Each periodical entry contains a statement of purpose as well as an appropriate address. A master list of all journal entries is found under the entry "personnel journals."
- **LAWS.** All federal laws that directly impact upon personnel and labor relations practices are summarized. The reader should be aware that these entries are necessarily brief summaries of complicated laws that are constantly subject to amendment.
- **ORGANIZATIONS.** All of the major governmental agencies, private organizations, and professional societies that bear upon personnel management and labor relations have been included. All such entries contain a statement of the purposes of the organization as well as its address and phone number.
- **TESTS.** Included are descriptions of the most commonly used commercial tests used in personnel selection and employee counseling. A master list of all commercial test entries is found under the entry for "personnel tests."

No one writes a dictionary alone. My various intellectual debts are acknowledged throughout this book by the bibliographic references that follow many of the entries. I am also indebted to the legions of anonymous Federal bureaucrats who prepared many of the manuals, regulations, and pamphlets that provided much of the raw material for so many entries. I am especially grateful to John W. Moore of the Moore Publishing Company, who did so much to inspire the first edition of this book and then graciously allowed me to do this second edition with Facts On File, Inc. On a more personal level many individuals encouraged me along the way. Albert C. Hyde, Daniel Oran, and David H. Rosenbloom (all sometime coauthors) were the most helpful. I am also indebted to Joseph D. Atkinson, Jr., Harry A. Bailey, Jr., Albert Bowman, Sarah Bowman, Patricia Breivik, Kay Smith Cormier, Stanley Goldstein, Mary Lou Goodyear, Robert W. Gage, Marshall Kaplan, William Kent, John W. Moore, Dail A. Neugarten, J. Steven Ott, E. Sam Overman, Thomas H. Patten, Jr., Raymond Pomerleau, Robert E. Quinn, Frank J. Thompson, Nobotoshi Umeda, and E. C. Wakham.

Finally some domestic acknowledgements. My wife, Luise, was my most severe critic, ever reminding me that the dictionary would get done sooner if I would turn off the

television. At such times I always assured her that I was in fact diligently thinking about a complex definition. My sons, Todd and Noah, assisted me enormously by advising me of when I violated the laws of alphabetical order, by telling me to "hurry up and finish," and by ever reminding me of how difficult it is to manage the personnel of even a single household.

JAY M. SHAFRITZ

**The Facts On File**  
**DICTIONARY OF**  
**PERSONNEL**  
**MANAGEMENT**  
**AND**  
**LABOR RELATIONS**

SECOND EDITION, REVISED AND EXPANDED



## CONTENTS

Preface

Entries A-Z 1-470

Appendix A: Official Names of National Unions With Their Popular  
Names and Acronyms 471

Appendix B: Popular Names of National Unions With Their Official  
Names and Acronyms 477

Appendix C: *National Labor Relations Board Style Manual* 483

## A

**AA:** *see* AFFIRMATIVE ACTION.

**AAA:** *see* AMERICAN ARBITRATION ASSOCIATION.

**AACSB:** *see* AMERICAN ASSEMBLY OF COLLEGIATE SCHOOLS OF BUSINESS.

**AAG:** *see* AFFIRMATIVE ACTION GROUPS.

**AAO:** *see* AFFIRMATIVE ACTION OFFICER.

**AAP:** *see* AFFIRMATIVE ACTION PLAN or AFFIRMATIVE ACTION PROGRAM.

**abandonment of position,** quitting a job without formally resigning.

**abdication,** giving up a public office by ceasing to perform its function rather than by formally resigning.

**Abel, I. W.** (1908- ), full name IOR-WITH WILBER ABEL, president of the United Steel Workers of America from 1965 to 1977. For biographical information, *see*: John Herling, *Right to Challenge: People and Power in the Steelworkers Union* (N.Y.: Harper & Row, 1972).

**ability,** the present power to perform a physical or mental function. *See* Stephen Dakin and A. John Arrowood, "The Social Comparison of Ability," *Human Relations* (February 1981).

**ability test,** performance test designed to reveal a measure of present ability (*e.g.*, a typing test).

**ability to pay,** concept from collective bargaining referring to an employer's ability to tolerate the costs of requested wage and

benefit increases. Factfinders and arbitrators frequently use the "ability to pay" concept in justifying their decisions.

*See also* NATIONAL LABOR RELATIONS BOARD V. TRUITT MANUFACTURING.

**Aboud v. Detroit Board of Education,** 431 U.S. 209 (1977), U.S. Supreme Court case, which held that public sector agency shops requiring nonunion employees to pay a service fee equivalent to union dues were constitutional. The court declared unconstitutional a union's use of such service fees for political and ideological purposes unrelated to collective bargaining. *See* Charles M. Rehmus and Benjamin A. Kerner, "The Agency Shop After Aboud: No Free Ride, But What's the Fare?" *Industrial and Labor Relations Review* (October 1980).

**abrogation of agreement,** formal cancellation of a collective bargaining agreement or portion thereof.

**absence,** short-term unavailability for work, lasting at least one day or normal tour of duty. If an employee is absent from the job for a lesser period, it is usually considered a lateness. For an analysis of the relationship between absence and job satisfaction, *see* Nigel Nicholson, Colin A. Brow, and J. K. Chadwick-Jones, "Absence From Work and Job Satisfaction," *Journal of Applied Psychology* (December 1976). *See also* Donald L. Hawk, "Absenteeism and Turnover," *Personnel Journal* (June 1976). For some comparative statistics, *see* Janice Neipert Hedges, "Absence from Work—A Look at Some National Data," *Monthly Labor Review* (July 1973); Carol Boyd Leon, "Employed But Not At Work: A Review of Unpaid Absences," *Monthly Labor Review* (November 1981).

**absence rate,** amount of absence, calculated by the U.S. Bureau of Labor Statistics using the following formula:

$$\text{absence rate} = \frac{\text{work days lost (per month)}}{\text{days worked plus days lost}} \times 100$$

## Absence Without Leave

**absence without leave**, absence without prior approval.

**absentee**, any worker not present for one or more scheduled days of work. See John Scherba and Lyle Smith, "Computerization of Absentee Control Programs," *Personnel Journal* (May 1973); Steve Markham and Dow Scott, "Controlling Absenteeism: Union and Nonunion Differences," *Personnel Administrator* (February 1985).

**absenteeism**, as defined by the U.S. Bureau of Labor Statistics:

the failure of workers to appear on the job when they are scheduled to work. It is a broad term which is applied to time lost because sickness or accident prevents a worker from being on the job, as well as unauthorized time away from the job for other reasons. Workers who quit without notice are also counted as absentees until they are officially removed from the payroll.

Generally, "absenteeism" is associated with unnecessary, unexcused, or habitual absences from work. For academic analyses of the problem, see R. Oliver Gibson, "Toward a Conceptualization of Absence Behavior of Personnel in Organizations," *Administrative Science Quarterly* (June 1966); J. K. Chadwick-Jones, Nigel Nicholson and Colin Brown, *Social Psychology of Absenteeism* (New York, Praeger Publishers, 1982). For "nuts-and-bolts" presentations of the problem, see Frederick J. Gaudet, *Solving the Problem of Employee Absence* (N.Y.: American Management Associations, 1963); Dan R. Dalton and James L. Perry, "Absenteeism and the Collective Bargaining Agreement: An Empirical Test," *Academy of Management Journal* (June 1981); Ronald J. Bula, "Absenteeism Control," *Personnel Journal* (June 1984). For a bibliography, see Paul M. Muchinsky, "Employee Absenteeism: A Review of the Literature," *Journal of Vocational Behavior* (June 1977). For the "no-fault" perspective, see: Darrell Olson and Ruth Bangs, "No-Fault Attendance Control: A Real World Application," *Personnel Administrator* (June

1984); Frank E. Kuzmits, "Is Your Organization Ready for No-Fault Absenteeism?" *Personnel Administrator* (December 1984).

See also REINFORCEMENT.

**absolute advantage**, an international trade concept formulated by Adam Smith which holds that one nation has an *absolute advantage* over another when it can produce more of a product using the same amount of resources than the other can.

See also ADAM SMITH, COMPARATIVE ADVANTAGE.

**Academic Collective Bargaining Information Service**, a clearinghouse and research center for information on all aspects of labor relations in higher education.

*Academic Collective Bargaining Information Service*,  
Labor Studies Center  
724 Ninth Street, N.W.  
University of the District of Columbia  
Washington, D.C. 20001  
(202) 727-2903

**Academy of Management**, nonprofit organization with primary objectives of advancing research, learning, teaching, and practice in the field of management and encouraging the extension and unification of knowledge pertaining to management. The Academy, most of whose members are college teachers, views itself as America's academic "voice" in U.S. management.

**Academy of Management Journal**, quarterly that publishes articles in the fields of business policy and planning, international management, management consulting, management education and development, management history, manpower management, organizational behavior, organization and management theory, organization development, production-operations management, social issues in management, organizational communication, and health care administration.

The *Journal* publishes original research of an empirical nature either in the form of articles or as research notes. Although

studies which serve to test either theoretical propositions or hypotheses derived from practice are of particular interest, exploratory work and survey research findings are also included. The *Journal* does not publish purely conceptual papers which do not contain any original data. Conceptual articles of this kind are published in the *Academy of Management Journal*.

*Academy of Management Journal*  
P.O. Box KZ  
Mississippi State University  
Mississippi State, MS 39762

**Academy of Management Review**, quarterly that publishes articles in the field of business policy and planning, international management, management consulting, management education and development, management history, personnel/human resources, organizational behavior, organization and management theory, organization development, production-operations management, social issues in management, organizational communication, and health care administration.

The *Review* seeks distinguished original manuscripts which (a) move theoretical conceptualization forward in the field of management, and/or (b) indicate new theoretical linkages that have rich potential for theory and research in management, and (c) provide clear implications of theory for problem-solving in administrative and organizational situations.

*Academy of Management Review*  
P.O. Box KZ  
Mississippi State University  
Mississippi State, MS 39762

**accelerating premium pay**, bonus incentive system in which pay rates rise as production standards are exceeded. For example, an employee who exceeds standard production by two percent may get just a two percent bonus, while an employee who exceeds by five percent may get a ten percent bonus.

**acceptable level of unemployment**, an acceptable level of unemployment means

that the individual to whom it is acceptable still has a job.

**acceptance theory of authority**: see ZONE OF ACCEPTANCE.

**accession**, any addition to the workforce of an organization.

**accession rate**, also called **HIRING RATE**, number of employees added to a payroll during a given time period, usually expressed as a percentage of total employment. The accession rate is a significant indicator of economic growth—an increase (decrease) tends to indicate economic recovery (recession). Statistics on the accession rates of major industries are gathered monthly by the Bureau of Labor Statistics of the U.S. Department of Labor. Accession rates can be computed using the following formula:

$$\text{accession rate} = \frac{\text{total accessions} \times 100}{\text{total number of workers}}$$

**accidental death benefit**, feature found in some life insurance policies that provides for payment of additional amounts to the beneficiary if the insured party dies as a result of an accident. When such provisions allow for an accidental death benefit that is twice the normal value of the policy, they are known as "double-indemnity" provisions.

**accident and sickness benefits**, variety of regular payments made to employees who lose time from work due to off-the-job disabilities occasioned by accidents or sickness.

**accident frequency rate**, as computed by the Bureau of Labor Statistics, the accident frequency rate is the total number of disabling injuries per million hours worked. See Paul C. Rohan and Bernard Brody, "Frequency and Costs of Work Accidents in North America, 1971-80," *Labour and Society* (April-June 1984).

**accident prevention**, total planned effort

## Accident-Prone

on the part of labor, management, and government regulators to eliminate the causes and severity of industrial injuries and accidents. For a text, see Willie Hammer, *Occupational Safety Management and Engineering* (Englewood Cliffs, N.J.: Prentice-Hall, 1976). Also see Robert A. Reber, Jerry A. Wallin, and Jagdeep S. Chhokar, "Reducing Industrial Accidents: A Behavioral Experiment," *Industrial Relations* (Winter 1984).

**accident-prone**, concept that implies that certain kinds of personalities are more likely to have accidents than others. However, psychological research supports the assertion that accident-prone is more related to situational factors than personality factors. For the classic analysis on the subject, see A. G. Arbous and J. E. Kerrich, "The Phenomenon of Accident-Prone," *Industrial Medicine and Surgery* (April 1953). Nevertheless, Joseph T. Kunce established a relationship between "Vocational Interest and Accident Prone," in the *Journal of Applied Psychology* (June 1967).

**accident severity rate**, generally computed as the number of work days lost because of accidents per thousand hours worked.

**accountability**, extent to which one is responsible to higher authority—legal or organizational—for one's actions in society at large or within one's particular organizational position. For discussion in a public administration context, see Jerome B. McKinney and Lawrence C. Howard, *Public Administration: Balancing Power and Accountability* (Oak Park, Ill.: Moore Publishing Co., 1979). For a private sector context, see Robert Albanese, *Managing: Toward Accountability for Performance*, 3rd ed. (Homewood, Ill.: Richard D. Irwin, rev. ed., 1981).

**accreditation**, the process by which an agency or organization evaluates and recognizes a program of study or an institution as meeting certain predetermined standards. The recognition is called accreditation. Similar assessment of individ-

uals is called *certification*. See PERSONNEL ACCREDITATION INSTITUTE.

**achievement battery**: see ACHIEVEMENT TEST.

**achievement drive**, also called ACHIEVEMENT NEED, motivation to strive for high standards of performance in a given area of endeavor. For the classic work on achievement motivation, see David C. McClelland, *The Achieving Society* (Princeton, N.J.: Van Nostrand Reinhold Co., 1961). Also see David C. McClelland, "Achievement Motivation Can be Developed," *Harvard Business Review* (November-December 1965); Perry Pascarella, *The New Achievers* (New York, The Free Press, 1984).

**achievement need**: see ACHIEVEMENT DRIVE.

**achievement test**, test designed to measure an individual's level of proficiency in a specific subject or task. A collection of achievement tests designed to measure levels of skill or knowledge in a variety of areas is called an achievement battery. See Norman E. Gronlund, *Constructing Achievement Tests* (Englewood Cliffs, N.J.: Prentice-Hall, 2nd ed., 1977).

**ACIPP**: see ADVISORY COUNCIL ON INTER-GOVERNMENTAL PERSONNEL POLICY.

**across-the-board increase**, increase in wages, whether expressed in dollars or percentage of salary, given to an entire workforce.

**act**, written bill formally passed by a legislature, such as the U.S. Congress. An act is a "bill" from its introduction until its passage by a legislature. An act becomes a law when it is signed, by a chief executive, such as the U.S. President.

**actionable**, an act or occurrence is actionable if it provides adequate reason for a grievance or lawsuit.

**action plan**, a description of the specific steps involved in achieving a goal. See

Waldron Berry, "An Action Planning Process for All," *Supervisory Management* (April 1984).

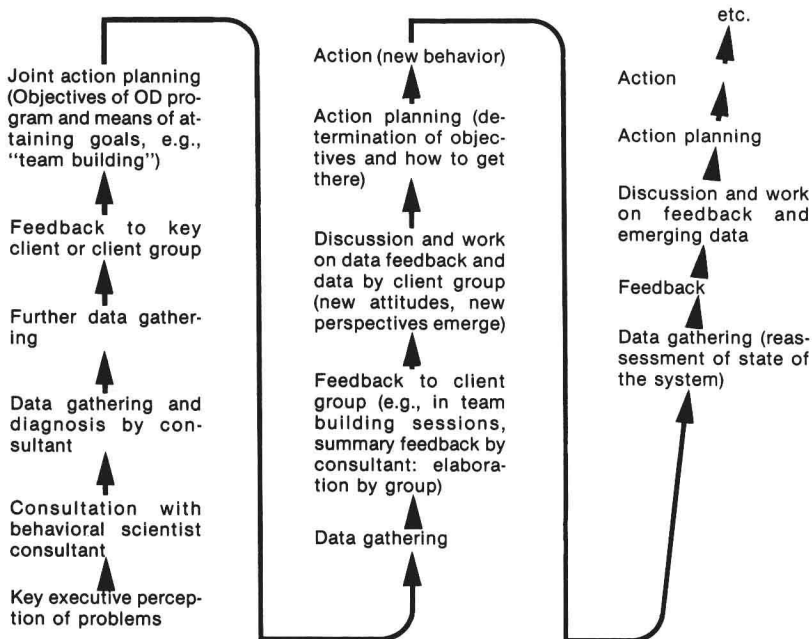
**action research**, in its broadest context, the application of the scientific method to practical problems. As the basic model underlying organization development, action research, according to Wendell L. French and Cecil H. Bell, Jr., in *Organization Development: Behavioral Science Interventions for Organization Improvement* (Englewood Cliffs, N.J.: Prentice-Hall, 1973), is:

the process of systematically collecting research data about an ongoing system relative to some objective, goal, or need of that system; feeding these data back into the system; taking actions by altering selected variables within the system

based both on the data and on hypotheses; and evaluating the results of actions by collecting more data. This definition characterizes action research in terms of the activities comprising the process: first a static picture is taken of an organization; on the basis of "what exists," hunches and hypotheses suggest actions; these actions typically entail manipulating some variable in the system that is under the control of the action researcher (this often means doing something differently from the way it has always been done); later, a second static picture is taken of the system to examine the effects of the actions taken.

For a book-length study of action research in action, see William F. Whyte and Edith L. Hamilton, *Action Research for Management* (Homewood, Ill.: Irwin-Dorsey

#### AN ACTION RESEARCH MODEL FOR ORGANIZATION DEVELOPMENT



SOURCE: Wendell French, "Organization Development: Objectives, Assumptions and Strategies," *California Management Review* Vol. 12, No. 2 (Winter 1969), p. 26. © 1969 by the Regents of the University of California. Reprinted by permission of the Regents.

## Active Listening

Press, 1964). See also Mark A. Frohman, Marshall Sashkin, and Michael J. Kavanagh, "Action Research As Applied to Organization Development," *Organization and Administrative Sciences* (Spring/Summer 1976); Melvin Blumberg and Charles D. Pringle, "How Control Groups Can Cause Loss of Control in Action Research: The Case of Rushton Coal Mine," *The Journal of Applied Behavioral Science*, Vol. 19, No. 4 (1983); Michael Peters and Viviane Robinson, "The Origins and Status of Action Research," *The Journal of Applied Behavioral Science*, Vol. 20, No. 2 (1984).

**active listening**, counseling technique in which the counselor listens to both the facts and the feelings of the speaker. Such listening is called "active" because the counselor has the specific responsibilities of showing interest, of not passing judgment, and of helping the speaker to work out his or her problems. For a discussion, see Carl R. Rogers and Richard E. Farson, "Active listening," *Readings in Management: An Organizational Perspective*, edited by C. R. Anderson and M. J. Gannon (Boston: Little, Brown and Co., 1977).

**actuarial projections**, mathematical calculations involving the rate of mortality for a given group of people. See Robert W. Batten, *Mortality Table Construction* (Englewood Cliffs, N.J.: Prentice-Hall, 1978) and Howard E. Winklevoss, *Pension Mathematics with Numerical Illustrations* (Homewood, Ill.: Richard D. Irwin, 1977).

**actuary**, specialist in the mathematics of insurance. See John H. Flittie and Andrea Feshbach, "Ten Questions to Ask Your Actuary," *Governmental Finance* (June 1981).

**Adair v. United States:** see ERDMAN ACT OF 1898.

**Adamson Act of 1916**, federal law that provided the eight-hour day for interstate railroad employees. Its constitutionality was upheld by the U.S. Supreme Court in *Wilson v. New*, 243 U.S. 332 (1917).

**Adams v. Tanner**, 224 U.S. 590 (1917), U.S. Supreme Court case that held private employment agencies could be regulated by the states but could not be prohibited.

**Adaptability Test**, The, mental ability test designed specifically for use in industrial job placements. This 35-item, spiral-omnibus test is used primarily with clerical workers and first-line supervisors. TIME: 15 minutes; AUTHORS: Joseph Tiffin and C. H. Lawshe; PUBLISHER: Science Research Associates, Inc. (see TEST PUBLISHERS).

**addiction:** see DRUG ADDICTION.

**ad hoc**, Latin meaning: for this special purpose or for this one time.

**ad hoc arbitrator**, arbitrator selected by the parties involved to serve on one case. Nothing prevents the arbitrator from being used again if both parties agree. *Ad hoc* or temporary, single-case arbitration is distinguished from "permanent" arbitration where arbitrators are named in an agreement to help resolve disputes about the agreement that may arise during the life of the agreement.

**ad hoc committee**, committee created for a specific task or purpose, whose existence ceases with the attainment of its goal.

**ad-hocracy**, Alvin Toffler's term, in *Future Shock* (N.Y.: Random House, 1970), for "the fast-moving, information-rich, kinetic organization of the future, filled with transient cells and extremely mobile individuals." Ad-hocracy is obviously a contraction of *ad hoc* (Latin for "to this" or temporary) and bureaucracy.

**Adkins v. Children's Hospital:** see WEST COAST HOTEL V. PARRISH.

**adjudication**, the formal giving, pronouncing, or recording of a judgment for one side or the other in a legal case.

**adjusted case**, according to the National Labor Relations Board, cases are closed

as "adjusted" when an informal settlement agreement is executed and compliance with its terms is secured. A central element in an "adjusted" case is the agreement of the parties to settle differences without recourse to litigation.

**adjustment assistance**, financial and technical assistance to firms, workers, and communities to help them adjust to rising import competition. While the benefits of increased trade to the importing country generally exceed the costs of adjustments, the benefits are widely shared while the adjustment costs are sometimes narrowly concentrated on a few domestic producers and communities. Both import restraints and adjustment assistance are designed to reduce these hardships. But adjustment assistance, unlike import restraints, allows the economy to enjoy the full benefits of trade expansion. Adjustment assistance is designed to facilitate structural shifts of resources from less productive to more productive industries, contributing further to improved standards of living. Under U.S. law qualified workers adversely affected by increased import competition can receive special unemployment compensation, retraining to develop new skills, and job search and relocation assistance; affected firms can receive technical assistance and loan guarantees to finance their modernization or shift to other product lines, and communities threatened by expanding imports can receive loans and other assistance to attract new industry or to enable existing plants to move into more competitive fields. See: Steve Charnovitz, "Trade Adjustment Assistance: What Went Wrong?" *The Journal of the Institute for Socioeconomic Studies* (Spring 1984).

**administrative agency**, any impartial private or governmental organization that oversees or facilitates the labor relations process. The contemporary pattern of labor relations in both the public and private sectors relies on administrative agencies to provide on-going supervision of the collective bargaining process. While generally headed by a board of from three to five members, these agencies make rul-

ings on unfair labor practices, on the appropriateness of bargaining units, and, sometimes, on the proper interpretation of a contract or the legitimacy of a scope of bargaining. They also oversee representation elections and certify the winners as the exclusive bargaining agents for all of the employees in a bargaining unit. The National Labor Relations Board is the prototype of administrative agencies dealing with labor relations. The NLRB model has been adapted to the public sector by the federal government and several states. The equivalent agency for federal employees is the Federal Labor Relations Authority. In the states such agencies are generally called Public Employment Relations Boards (or PERBs). Typically, their functions parallel those of the NLRB, as does the methods by which they are appointed, their terms of office, and their administrative procedures. One important difference in the public sector is that binding arbitration over interests may be used instead of strikes as the final means of resolving disputes. When this is the case, the PERB may have a role in overseeing the use of arbitration and even the substance of the arbitrators' rulings when they raise serious issues about the scope of bargaining or public policy.

**administrative analysis**, totality of the approaches and techniques that allow an organization to assess its present condition in order to make adjustments that further enhance the organization's ability to achieve its goals.

See also SYSTEMS ANALYSIS and STRATEGIC MANAGEMENT.

**administrative behavior**, human behavior in an organizational context. While administrative behavior tends to be used interchangeably with organizational behavior, the latter by implication restricts itself to work organizations while the former is rightly concerned with all of the organizations of society. The classic work on this subject is Herbert A. Simon, *Administrative Behavior: A Study of Decision-Making Processes in Administrative Organizations* (New York: Macmillan, 3rd ed., 1947,



## Administrative Conference of the United States

1976). See also Herbert Kaufman, *The Forest Ranger: A Study in Administrative Behavior* (Baltimore: Johns Hopkins Press, 1960) and Sidney Malick and Edward H. Van Ness, eds., *Concepts and Issues in Administrative Behavior* (Englewood Cliffs, N.J.: Prentice-Hall, 1962).

See also BUREAUCRACY and ORGANIZATIONAL BEHAVIOR.

**Administrative Conference of the United States**, a permanent independent agency established by the Administrative Conference Act of 1964. The purpose of the Administrative Conference is to develop improvements in the legal procedures by which federal agencies administer regulatory, benefit, and other government programs. As members of the Conference, agency heads, other federal officials, private lawyers, university professors, and other experts in administrative law and government are provided with a forum in which they can conduct continuing studies of selected problems involving administrative procedures and combine their experience and judgment in cooperative efforts toward improving the fairness and effectiveness of such procedures.

*Administrative Conference of the United States*

2120 L Street, N.W.

Washington, D.C. 20037

(202) 254-7020

**administrative due process**, term encompassing a number of points in administrative law which require that the administrative procedures of government agencies and regulatory commissions, as they affect private parties, be based upon written guidelines that safeguard individual rights and protect against the arbitrary or inequitable exercise of bureaucratic power.

See also DUE PROCESS.

**administrative law**, as defined by the man who has written the standard texts on the subject, Kenneth Culp Davis:

Administrative law is the law concern-

ing the powers and procedures of administrative agencies, including especially the law governing judicial review of administrative action. An administrative agency is a governmental authority, other than a court and other than a legislative body, which affects the rights of private parties through either adjudication, rulemaking, investigating, prosecuting, negotiating, settling, or informally acting. An administrative agency may be called a commission, board, authority, bureau, office, officer, administrator, department, corporation, administration, division or agency. Nothing of substance hinges on the choice of name, and usually the choices have been entirely haphazard. When the President, or a governor, or a municipal governing body exercises powers of adjudication or rulemaking, he or it is to that extent an administrative agency.

See Kenneth Culp Davis, *Administrative Law Text*, 3rd ed. (St. Paul, Minn.: West Publishing Co., 1972). Also see Bernard Schwartz and H. W. R. Wade, *Legal Control of Government: Administrative Law in Britain and the United States* (New York: Oxford-Clarendon Press, 1972); Donald P. Rothschild and Charles H. Koch, Jr., *Fundamentals of Administrative Practice and Procedure: Cases and Procedure* (Charlottesville, Va.: Michie Bobbs-Merrill Law Publishing, 1981); Kenneth F. Warren, *Administrative Law in the American Political System* (St. Paul, Minn.: West Publishing, 1982); Richard C. Cortner, *The Bureaucracy in Court: Commentaries and Case Studies in Administrative Law* (Port Washington, N.Y.: Kennikat Press, 1982).

**administrative law judge**, also called HEARING EXAMINER and HEARING OFFICER, governmental official who conducts hearings in the place of and in behalf of a more formal body, such as the National Labor Relations Board or the Merit Systems Protection Board. See Paul N. Pfeiffer, "Hearing Cases Before Several Agencies—Odyssey of an Administrative Law Judge," *Administrative Law Review* (Summer 1975).