



President's Page

C. Wood, President

More on Morale Problems

This past year many people have come to me and voiced their personal anguish at what they perceive as an inequitable, corrupt and self-serving system of managers setting friends' salaries at high levels (the spoils system) at the expense of the salaries of those who actually do the work. Frequently the managers are out of touch with the actual work that is done and are unable to judge subordinates' abilities. Thus, people with limited technical ability, who spend a lot of time bending the boss' ear telling him what he wants to hear, end up receiving larger raises than those who make significant contributions.

Salary Ideas

I have often heard that salaries here should rival the private sector for those who manage similar large budgets. The comparison is illusory. Have you ever heard of an AD being fired because he wasted money? Or because he failed to solve serious morale problems among his workers? Or because he failed to follow University guidelines in personnel matters? The public trough at LLNL appears to have no "bottom line". If these managers could command comparable salaries in the private sector, why do they hurry back at the first opportunity after trying it out there? The facts seem to belie the cover.

The Disappearing Parallel Salary Ladder

When I first came to Livermore I was told that scientists and administrators could rise on parallel salary ladders in approximately equal numbers at comparable salary levels. This situation has eroded over the past two decades. Today the workers who establish whatever reputation this laboratory retains for creativity and scientific excellence are being penalized for not moving into the only salary ladder that now goes anywhere at this lab, the administrative career ladder. Policy appears to dictate that no scientist here today shall rise in salary above that of his Division Leader, who is in turn paid below the level of the lowest paid AD staff member. Such a situation is appropriate to, say, an auto assembly plant, but has no justification in a lab peopled by professionals trained to carry out independent research.

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Suggestions for Change

I strongly believe that scientific progress is made best in an open atmosphere that fosters informed dissent. Mistakes ranging from the embarrassing¹ to the costly² to the fatal³ proliferate in situations where the boss is not a working scientist and is isolated from those with differing opinions or who might be smart enough to expose his errors. Therefore, I would recommend that an AD no longer be allowed to maintain a large personal staff, but be required to get his information from frequent talks with working scientists. The present "staff" could return to doing research at research salaries, which might hasten the return of meaningful parallel salary ladders. In addition, the raise package should be split in two so that each segment (workers/administrators) have equal percentage raise bins from which two separate zero sum games would be played out each year. (Please refer to the salary data table on page 4.)

Where Will it End?

The old guard is moving on. Will there still be a body of caring, responsible people in the future, who are willing to fearlessly examine self-serving policies of the administration and expose them to the light of public scrutiny? Only you, in the quiet of your own soul, can answer that question as it applies to your own situation. (Note that the "zero message raise" for workers last year was less than half the cost-of-living price rise on which the lab salary increase was based, the rest went to administrators and their staffs. – "I cannot hear what you say because what you do rings so loudly in my ears.")

Join SPSE Today

Fellow scientists, you are at a distinct disadvantage in this zero sum game. In unity there is strength. Solitary voices are too easily dismissed. SPSE is the only workers' game in town, but to be most effective we need more members. Heed Einstein's call (above) and join SPSE today.

If you are worried about possible reprisal for joining, there are ways to pay dues other than by Lab payroll deduction (contact us for details). Be a doer of the word, not a hearer only.

¹Cold Fusion

²BART (Bay Area Rapid Transit)

³Cold "O" Ring on the Challenger.

Grievances

R. White, Grievance Committee

Grievance Policies-Are They Fair?

About once each week, I am called by someone who wants to know about the Lab's grievance process. SPSE represents its members in grievances or administrative reviews. But, many calls are from non-members, thinking about doing their own grievance, who want to know whether the processes are effective and fair. Unfortunately, I cannot give them much encouragement.

The Lab's grievance policies, which echo the University's, are good enough. The implementation is faulty. Less than 10% of employees who file administrative reviews are given any relief whatever.

Administrative Reviews

The administrative review is a special grievance procedure that deals with salary actions and performance appraisals. It is a process by which managers review the actions of other managers to find if a mistake was made, if an action was unfair, or if a policy was violated. Seldom does one manager find that another erred.

Arbitrations are Better

The formal grievance procedure is better. Here, at least, there is an evidentiary hearing. The hearing is conducted by a professional arbitrator or by a three member hearing panel of Lab employees.

In cases with an arbitrator, SPSE has good success. We win most of these grievances. Unfortunately, arbitration costs. Typical fees are \$650 per day and a hearing plus time spent writing a decision will often take six days or more. The grievant and the Laboratory split the fee. SPSE pays arbitration fees for its members.

Lab Hearing Panels Unskilled, Biased

The other route is to have a Lab hearing panel. We prefer to avoid hearing panels. They are unskilled at making findings of fact, they tend to be biased toward management, they are trained and advised by the same people who represent the management in the grievance.*

The criteria for selecting panel members are ill-defined and dubious. In one instance, a witness for the Laboratory gave false testimony in a hearing. Under cross examination the witness was made to

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retract the testimony. Subsequently, the Staff Relations counsel who elicited the false testimony arranged for this person to become a panel member for other hearings. I think that the commission of perjury is a questionable qualification for a juror.

Who Lied? Who Cares?

In a recent grievance hearing, disinterested witnesses gave testimony which, if accurate, meant that the grievant's supervisors lied in their written documents and also in testimony the supervisors gave to the panel. The contradictions in testimony had direct bearing on the matters being contested. In their written findings, the hearing panel neglected even to mention these gross differences in testimony. They gave a decision that favored the supervisors and was nearly devoid of any factual basis.

A responsible fact finding would note the differences in testimony and would give reasons, based upon the evidence, for choosing to believe one side or the other. This is how professional arbitrators do it. My own prejudice in the case in question is that, had the hearing panel approached their decision in this way, and had they objectively weighed the evidence, they would be forced to find in favor of the grievant.

There was no opportunity for such an examination of evidence to occur in this hearing. The panel avoided the issues raised by the contradictory testimonies by simply ignoring the testimonies. This would not happen in a professional arbitration.

Panels Need Better Training

I ascribe the failure of this hearing panel to their inadequate training. In a letter to LLNL Director John Nuckolls, SPSE called his attention to the failure of this panel and urged him to require better training of hearing panels. (The Director is responsible for the decision because the panel findings are only advisory to him, except in cases involving layoff, disciplinary actions, and firings.)

We pointed out that by failing to resolve direct contradictions in sworn testimonies, the Director is, in effect, condoning perjury. His reply was a brush off, it appears he does not consider this to be a serious matter.

It is unfortunate that the Laboratory will not see the grievance procedure as a tool for equitably resolving differences. A little effort could produce a truly unbiased and reputable "in house" arbitration procedure. Perhaps our management fears this because they have seen that, when they are subjected to the unbiased judgement of professional arbitrations, they usually lose.

SPSE will continue to provide representation to its members. We feel forced to seek arbitration even in relatively minor grievances.

* Some panels do a good job and act independently. The panel that heard former AD Roy Woodruff's complaint against Director Batzel showed both courage and independence.

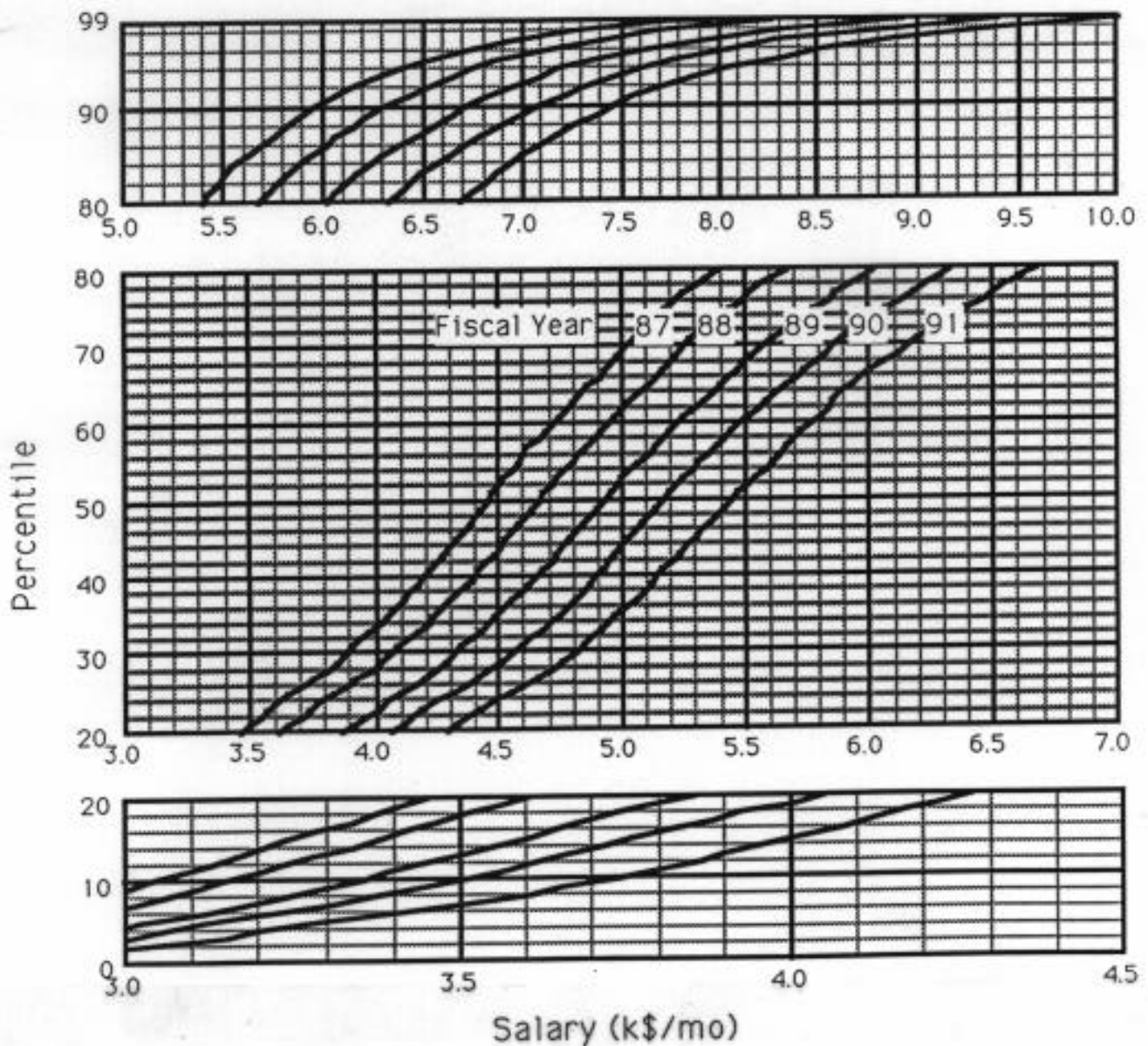
The Salary Distribution at LLNL for the 200 Series Job Class

The plots below are the "S" - Curves showing salary distributions for LLNL Scientists and Engineers for Fiscal Years (FY) 1989 through 1991. They may be useful when you discuss your FY 1992 salary with your supervision. The so-called "S" - curves are derived by taking the salaries of all the people at the Lab in the 200 series job class and ordering these salaries from the highest on down to the lowest. The percentile for a given salary represents the percent of employees with salaries that are below this particular salary.*

This data can be used the following way: Take your current (FY91) salary and that of the prior four years and plot each on the appropriate curve. By connecting your five data points you can observe the trend of your salary compared to that of all others in the 200 job class at the Lab.

This year, we have truncated the plots at the 99th percentile because salaries above that percentile need a special scale to display them. The top salary (100th percentile) is that of the Director which was as follows: (April 1987: 10,208/mo), (April 1988: 12,125/mo), (December 1988: \$12,150/mo), (April 1990: \$14,483/mo), and (April 1991: \$15,333/mo).

*NOTE: This percentile is not to be confused with the percentile figures used in connection with maturity curves where the independent variable is the Year-since-BS.



Average Salaries - Workers and Managers

Do managers get the larger percentage raises? Our last issue carried a table showing manager's raises compared to workers. A careful reader pointed out that the manager raises for 1990 seemed low at 3.7%. A review of our data showed it was not recent enough to capture the delayed implementation of many of the manager's raises. (Their approval takes several months.) Since then, we have also been able to separate all of management, group leader and above, from the rest of the professional staff. The data are shown below: **The compilation includes only salaries of persons who were LLNL employees in April 1991.** Thus, for example, the data shown for 1988 includes only those persons who were employees in 1988 who were also employees in 1991. The column labelled "non-Mgmt. Sci. & Eng." includes only those from the 200 series job classes.

Year	#non-Mgmt. Sci. & Eng.	Total Monthly Salary	#Group Leaders and above	Total Monthly Salary
1987	2231	\$9,614,764	444	\$2,495,958
	Average Salary =	\$4309.62	Average Salary =	\$5621.53
1988	2340	\$10,570,886	454	\$2,761,999
	Average Salary =	\$4517.47	Average Salary =	\$6083.70
1989	2559	\$12,141,313	467	\$3,089,508
	Average Salary =	\$4744.55	Average Salary =	\$6615.65
1990	2677	\$13,351,972	471	\$3,344,107
	Average Salary =	\$4987.66	Average Salary =	\$7100.01
1991	2685	14,060,325	471	3,577,208
	Average Salary =	\$5236.62	Average Salary =	\$7594.92