On-the-Job Study of State Government: A Unique Internship for Union Leaders

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This report describes a six-week internship for labor leaders, sponsored by the labor education department of Rutgers University's Institute of Management and Labor Relations and the New Jersey Department of Labor. Established in 1963, the program is designed to provide an opportunity for union representatives to meet agency chiefs and administrative personnel to discuss various state labor laws and their enforcement, as well as the administrative procedures for both state and federal worker benefit programs. The report tells how the program is structured and financed, gives program details, describes the intership selection process, explores the impact the program has had on interns and explains the role the department, the University, and the unions play in the program.

Historians have written of Samuel Gompers's narrow view that government should not be involved in matters between labor and management. Gompers was opposed to unemployment insurance, wage and hour regulations and workers' compensation laws, although the labor movement endorsed various legislative efforts. He feared that such statutes would be used to the disadvantage of workers and the benefit of employers.

In spite of Gompers's reservations, labor law in the United States has developed extensively at both the state and federal levels. These laws have impacted on workers and union organizations. Gompers would be aghast at the myriad of labor laws and the legal maze they have created.

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^{1.} Harold C. Livesay, Samuel Gompers and Organized Labor in America, (Boston: Little Brown and Co., 1978).

Today, union leaders and workers are covered by work place and worker benefit laws in such diverse areas as minimum wage, overtime pay, occupational safety and health, unemployment and health insurance, workers' compensation and work place standards. Often, state and federal agencies share jurisdiction for administration and enforcement of similar laws, e.g., health, safety, wage and hour, work place standards and civil rights. Some laws are federally mandated and funded, but administered at the state level; examples include job services and vocational rehabilitation. To complicate matters, laws are amended, administrative agencies change regulations, and courts differ on their interpretation of the various statutes.

Union leaders and workers are not always familiar with all of the laws and frequently are bewildered by complex regulations. Rights to significant benefit programs or appeal rights when benefits are denied are unknown to most workers and many union representatives. Moreover, labor unions have limited ability to influence legislative bodies to write laws and regulations that are totally acceptable to the labor movement.

This article describes a little-known labor internship program that was designed from its inception to deal with these problems and to acquaint union local officers with New Jersey's Department of Labor (DOL), its structure and administration, the state and federal laws it enforces, and the benefit delivery systems it maintains.

The program is currently titled the "On-the-Job Study of State Government" labor internship.² Although the term "internship" is used here to refer to the program, there is no prior course study, nor are the interns expected to work on the job, as would be the case with traditional internship experiences.

Program Origins

Developed in cooperation with the labor education department (LED) of Rutgers University's Institute of Management and Labor Relations, the first program was offered in 1963. Since then, internships have been awarded nearly annually for the past 17 years. Initially, the internship lasted for nine weeks, but in 1981 the program length was shortened to six weeks because of budgetary constraints.

Until 1976 the program was called "On-the-Job Training in State Government." Because no job training actually took place during the program, the word "training" was deleted and the word "study" inserted to reflect the study aspects of the internship.

The original planning committee was composed of the Commissioner of Labor and Industry, top administrative personnel, an LED faculty member and representatives of Region 9, International Union of Automobile, Aerospace and Agriculture Implement Workers of America, AFL-CIO (UAW). They were drawn together out of a common concern for creating a better understanding of state labor laws, the need to exchange information on gaps in existing laws and regulations, and the need for new ones. Particularly important was the opportunity for union leaders to meet with agency directors and administrative staff to discuss the procedures and results of the application of various laws. The planners believed that a full-time labor internship could best be utilized for these purposes.

As a pilot project, it was decided that only the UAW would be involved, and initially six interns were selected from that union. Interns were paid a weekly stipend in order to help replace lost wages. In most cases, fringe benefits were continued by their employers. Program costs were shared by the DOL, the university and the union. Except for instructional costs incurred by the university, the entire cost of the program is now borne by the DOL.

The first program was judged to be a success and in 1965, 10 internships were offered and applications accepted from international unions of the AFL-CIO and independent unions. Four DOL commissioners have since recommended and authorized the program's continuation.

Purposes of the Internship Program

Program objectives, set jointly by the DOL and Rutgers University are:

- 1. To provide the opportunity for unionists to study and evaluate the functions of the DOL, its divisions, bureaus and offices.
- 2. To provide the opportunity for unionists to report their recommendations for improvement of the DOL and its operations.
- 3. To provide opportunities for unionists to meet and become acquainted with those people responsible for implementing labor laws.
- 4. To gain an insight and understanding of those services available within the limits of the law.
- 5. To learn how laws are promulgated and how the legislative process works.
- 6. To study the state's labor laws and services mandated by the federal law.

7. To develop the intern's capacity to act as an informational resource for his/her union.

The New Jersey Department of Labor

New Jersey has an impressive record of enacting legislative protection for workers, starting in 1878 when it established a Bureau of Statistics, a forerunner of the Department of Labor, which was established in 1904.³ New Jersey was the first state to establish a vocational rehabilitation commission, to enact one of the country's earliest workers' compensation laws (in 1911), and to pass an unemployment insurance law (in 1938). In 1940, it established a temporary disability insurance law, one of only six states currently to have such a law.

The Department of Labor and Industry was created in 1948 when a major reorganization of state agencies resulted in consolidation of related activities into 14 departments. Many of its bureaus have rich traditions that date back to the 19th century.

Under its jurisdiction are labor laws established by both state and federal legislation. Included in the department's administrative scope are responsibilities for unemployment insurance, workers' compensation, temporary disability insurance, employment services, work place standards, vocational rehabilitation, mediation services, services for the deaf, safety and health inspection, social security determinations, income security programs and job training.

Until 1982, the department also included the Division of Economic Development, the Economic Development Authority, and Division of Travel and Tourism, as well as several other offices, which were moved to the newly created Department of Commerce and Economic Development. The department was renamed the Department of Labor.

The DOL has an estimated 4,500 employees in five major program categories: human resources development, income security, workplace standards, administration, and finance.

The Program

Structure

Interns spend the first week at the university's labor education center, where they study the structure of state government, the legislative process

^{3.} Raymond F. Male, Handbook of Labor Industry (Trenton: New Jersey Department of Labor and Industry, 1967).

and federal/state programs and relationships. Also included in the program are sessions on effective study skills and the history and development of labor laws. Background information is provided on the state and federal laws to be studied during the internship. Interns are given instruction on how to evaluate organizational structure and behavior, on how to analyze problem situations, and on procedures for observing and evaluating the DOL's operation.

The remaining five weeks of the program are spent in orientation sessions and visits to various agencies in the department's Trenton office and field offices in the area where the intern resides. During this period, interns meet with agency directors, department personnel, and the Commissioner of Labor. Interns are offered a one-week period to specialize in the administrative and enforcement procedures of one of the many agencies involved. For example, if an intern were to select workers' compensation as a specialization, he or she can spend the entire week studying the statute's content, attending informal hearings, formal court sessions and appeal hearings.

Instructional Resources

Some 80 speakers and University faculty members are involved in the program. Faculty members normally are drawn from the economics and political science departments. Other speakers come from federal and state agencies. On occasion, speakers are invited from private organizations that are active in areas in which the department is involved, e.g., coalition groups, legislative lobbyists, the AFL-CIO union representatives.

Coordination

The program has separate coordinators for the university and DOL phases of the program. The DOL's program is coordinated by its Office of Employee Development and Training. In recent years a full-time staff person has been assigned to coordinate the program. With so many agencies located in several cities, and with the need to visit and to brief a large number of speakers and agency hosts, a full-time coordinator is required. Additionally, the coordinator serves as a major linking pin between the agencies and is an on-site resource person who can monitor the needs and interests of the interns and follow up on their requests. Moreover, he or she helps the intern to implement required projects.

The university coordinator is involved in a field trip to the state legislature and meets periodically with the interns during the DOL phase of the program to discuss their experiences and the things they are learning and how they impact on unions and workers.

While on campus, the coordinator provides skilled supervision of the interns and monitors faculty presentations so that the content will have the greatest application to what the interns will be exposed to during the DOL's part of the program.

The coordinator provides an orientation to the subject and introduces the speakers to the group. He also offers psychological support for the interns and provides training to increase their reading, study, and notetaking skills.

Projects and Intern Reports

Each intern is required to propose and complete a project during the course of the internship program or upon return to the union local. The projects are designed to transmit to union members the knowledge and expertise gained during the internship. Individual projects have proved an effective way of doing so. Selected projects have included writing a workers' handbook on state labor laws, arrangement for DOL speakers at union meetings, a series of fact sheets, bulletin board posters on various state laws and benefits programs, and presentations by interns before union executive board or membership meetings.

Prior to 1981, when the program duration was reduced, projects were not included in the program but the interns were required to prepare a written report of their experiences, observations and recommendations to the Commissioner of Labor. Three days were allotted to this activity during the final week of the program. Sessions were supervised by an LED faculty member and a report-writing specialist. Thus, reports were well-organized and effectively written. The report was dissected and summaries prepared for specific actions based on the interns' recommendations. Copies were distributed to agency, division, bureau and office chiefs.

Should the program duration be increased, the report writing feature will be included since the exercise provided much useful information to the DOL, a valuable learning experience for the interns, and an opportunity to improve their writing skills.

Field Observation

There is ample opportunity for field observation. Prior to each field visit, interns receive an orientation from an agency representative. Visits are carefully planned and the host agency is briefed on who the interns are and the purpose of their visit. Interns are allowed first-hand observation and are free to question the agency representative or employee regarding the agency's purpose, procedures, type of problems encountered, and possible solutions through amended laws or changes in agency regulations. Later, they have an opportunity to meet again with the person who gave the orientation to discuss and clarify what they were told and any conflict or deviations they observed.

Examples of programs and activities observed are: an unemployment office, job services, a workers' compensation court hearing, and site visits with wage and hour or safety and health inspectors.

A highlight of the field program is an all-day visit to the New Jersey legislature. Prior to their visit, the interns receive an orientation by a representative of the New Jersey AFL-CIO. Interns are briefed on lobbying procedures and pending legislation of concern to unions and workers. Interns are then assigned to attend legislative committee meetings and later to observe a legislative body in session. Few of the interns have ever attended legislative sessions or committee meetings and even fewer have been involved in lobbying or testifying in support of proposed legislation.

The field trip is an effective method by which the student can supplement and enrich the learning he or she received while studying the growth and development of labor law and the legislative process during the oncampus phase of the program.

The Interns

Profile

The typical intern is a male, approximately 35 to 45 years old, although women and minorities have always been represented and constitute approximately one-third of each intern group. As a group, they have held union membership for an average of 17 years. At the time of their internship, all of the students held an elected or appointed union position ranging from union president to departmental shop steward. Based on a recent study of former interns, 58 percent said they still hold

an elected union position and 45 percent claimed to hold a committee post. Of those responding, 73 percent said they still belong to the union in which they held membership at the time of their internship. Sixty percent have completed high school, while 39 percent indicated one to two years of college experience.

Union Representation

Between 1963 and 1986, a total of 170 labor interns have represented 59 different AFL-CIO international unions and nine independent unions. Prior to 1978, none of the interns was drawn from public sector employment because many of the state and federal laws did not apply to public workers. State employees are now covered by unemployment insurance, the state's temporary disability law, the Worker and Community Act, and the Public Employee Right-to-Know Occupational Safety and Health Law.

Only those employed by the federal government or covered under the Railway Labor Act do not qualify for the program. These workers generally are not covered by laws for which the DOL is responsible.

Intern Selections

With the exception of the first program, interns are selected by a committee composed of DOL, LED and two labor representatives, who are invited by the LED. A conscientious effort is made to select interns from different unions, but some unions have been awarded a greater number of internships than others.

In addition to consideration of union affiliation and the geographical location of the intern, selections are based on the following criteria:

- 1. The unionist currently holds a leadership position in his/her local union.
- 2. The unionist shows potential for leadership growth within his/her organization.
- 3. The unionist is committed to activities in the union's educational program.
- 4. The unionist shows involvement in political or community activities.

Although not a part of the formal criterion, committee members consider letters of recommendation that may accompany an intern's ap-

plication, affirmative action considerations, the geographical distribution of former internship awards, and the number of internships previously awarded to eligible unions.

The Stipend

As a stipend, interns are paid the average weekly industrial wage, plus a small amount to cover travel expenses. In 1986, the payment was \$395. Often, the gap between the stipend and the average wage earned by prospective interns in selected industries and the building trades has made it increasingly difficult to recruit interns from those areas. Many interns have participated in the program in spite of earning less money than they would have had they worked.

In some cases, unions have paid the difference between the stipend and the intern's normal wage. One person was able to arrange his work schedule so as to participate in the program without loss of pay.

Several full-time union staff members have participated in the program and their union paid their normal wages. In those cases, no stipend was paid and additional interns were selected.

Fringe benefits are not paid. As temporary state workers, the interns cannot be paid for holidays that fall within the internship period. In most cases, however, while on leave, fringe benefits are continued by the intern's employer, under the intern's union-management contract. The stipend is subject to federal income tax deductions. The cost of travel to program sites is largely borne by the intern.

Expectations

Two weeks before the program starts, interns are required to attend an orientation session at which the program objectives and the interns' obligations are explained and discussed. Recognizing the need to help the intern to identify his or her needs for specific information, the interns are consulted as to what they want to see and learn. Typical requests are:

- 1. To meet those who are responsible for administering programs.
- 2. To find out how programs work and how they can be used to help workers and union members.
- 3. To learn where to go for help with problems.
- To learn how the state budget affects the department's program and law enforcement functions.

- 5. To learn how laws work for unions, members and other workers.
- 6. To learn how laws are enforced.

Because the program is designed to respond to these interests, no individual programming has been required. However, the interns are given the opportunity, as mentioned elsewhere, to select one area in which they can specialize for a three-day or week-long period.

Program Impact

Each year the DOL's and the university's phases of the program are extensively evaluated through written questionnaires, group discussion and personal interviews. The intern group prepares a written program evaluation that is presented to the Commissioner of Labor. The results show that a large majority of the interns rate the program, speakers, field trips and the total internship experience highly.

It was not until 1985, however, that former interns were surveyed to measure the long-term impact of the program.⁴ The response rate was low, 37.2 percent, but not disappointing when one consideres that 22 years have elapsed since the program was first offered. Incorrect addresses also were a problem. As might be expected, the greatest response came from people who were interns between the mid-1970s and 1985.

In brief: Selected survey results show that the interns made much use of what they had learned from their experience to deal with problems encountered by the union, co-workers and family members. When asked, 57 percent said they would not have known which agency to contact had it not been for what they learned from the program. Half of the group indicated that as many as 12 contacts were made. The most frequently contacted agencies included the Division of Workers' Compensation, the Office of Wage and Hour Compliance and the Office of Safety Compliance.

Moreover, 81 percent said they had been able to advise union officers on matters concerning the DOL. Another 30 percent said they had invited one or more department representatives to speak at a union membership meeting.

Sponsorship Consideration

There are three parties to the internship: the union, the university and the Department of Labor. Each has a vested interest in the program

^{4.} Steffen, Robert A., "Impact of the On-The-Job Study of State Government," New Brunswick, N.J.: Rutgers University, 1985 (unpublished).

and specific objectives it wishes to accomplish. In most cases, their expectations are complementary.

The Union

The union, usually at no cost to itself, has the opportunity to sponsor or encourage one of its leaders to study state and federal laws that affect the union and its members. The occasion permits the intern to meet agency representatives who may prove helpful in future DOL contacts. The internship affords an unusual opportunity to evaluate benefit delivery systems that are used by union members and other workers. The intern's individual field project is useful in developing his competencies and can be utilized by local and regional memberships.

The University

The Labor Education Department has a state mandate to provide education, training and technical assistance to workers, unions, and their leaders. The program provides a special and substantive way to do so. Its on-campus phase provides an educational setting in which to teach unionists about the growth and development of American labor law and its impact on workers and unions. In addition, it allows for the development of a group of informed citizens, knowledgeable about the social services provided by a major state agency, and one with which the LED maintains a close working relationship.

The Department of Labor

There are many ways that the DOL can educate workers about state laws and benefit delivery systems. Allowing trade union leaders to "come inside" to observe how the laws are being administered and to provide a formal opportunity to comment is a bold gesture. It is not without its benefits. The internship gives department leaders a chance to convey to union leaders its goals, to seek their counsel, to win support for changes in a law when needed, and to seek the aid of unions when declining budgets are of concern. Most important, the program gives taxpayers a rare glimpse of public employees at work and the attitudes they hold toward those they serve.

Conclusion

This paper has described a unique program believed to be the only internship of its kind in the country. The use of this kind of program and its duration are costly, but its sponsors and its recipients believe that it is worth the cost. Initially, lower-level representatives were a bit skeptical of the program's purpose and expressed concern that "outsiders" were coming to observe what they do and how well the agency and its employees fulfill their mission and tasks. While there may be some residue of suspicion, most of the department's leaders see the program in a positive light. They recognize an important opportunity to exchange ideas, share concerns and to discuss controversial issues in a non-adversarial way. Hopefully, such discussions serve labor unions, the DOL and the workers they serve.

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