It is less likely that public sector employers and unions will reach agreement at the bargaining table and more likely that a contract will be attained through litigation and political pressure during periods of economic downturn, according to speakers before the Labor and Employment Law Section of the 2009 annual meeting of the American Bar Association. Difficult economic climates lead to “less bargaining, more politics, more litigation,” according to attorney Peter Hurtgen. While political pressure always exists, politics plays a larger role when there are fewer resources to go around, Hurtgen says. He notes that police officers and firefighters have “great political clout” and will be able to convince their financially strapped employers to “take it from the other guys.” In addition, Hurtgen says that lack of resources “generates more litigation,” not just in the courts, but also in interest arbitration.

(Source: BNA, Daily Labor Report, No. 214, November 9, 2009, pp. C5-C6.)