If we recognize ourselves in Foucault’s discourse, this is because what today, for us is intolerable is no longer so much that which does not allow us to be what we are, as that which causes us to be what we are.  
(Morey cited in Gore, 1998, p. 231)

This paper analyzes relations of power between employees and managers that are specifically situated within public organizations that provide services to citizens. These organizations, identified within Public Administration as street-level bureaucracies (Lipsky, 1980) are theoretically unique for the responsibility, discretion and autonomy afforded street-level bureaucrats in their work aimed at matching government services to client needs. Within this distinct context, this project studies the relationships between street-level bureaucrats and their managers using the theories of Michel Foucault (1983, 1995) as a guide. First, Foucault’s techniques of normalization are presented. Then, this understanding is applied in the analysis of collectively bargained labor union contracts between employees and managers in public organizations in Florida. Through Ethnographic Content Analysis (Altheide, 1996) ten purposively selected contract documents are studied by coding phrases from the documents themselves. Using Foucault’s (1995) descriptions of techniques of normalization as a guide, rich illustrations from the data will be discussed toward a better understanding of how employees and managers are objectified within these documents. Finally, conclusions and implications are presented as a summary of this work.
Understanding Relations of Power and the Work of Michel Foucault

In significant contrast to conceptions of power largely in terms of legal or institutional models, Michel Foucault moves away from a perspective of internal rationality in his study of power. Instead he advances several propositions including his belief that there is no simple, predetermined relationship of sovereign ruler over ruled. Nor is power external to other types of relationships. Rather, “power is always already there..one is never outside it” (Foucault, 1980, p. 140)

Foucault (1983a) claims that the subject, or more precisely the different modes by which human beings are made into subjects, has been the objective of his work (208). To better understand this idea of individual as subject Foucault (1983a) proposes “Subject” as suggesting “a form of power which subjugates and makes subject to”(212). Through what he terms “modes of objectification” (Foucault, 1983a, 208), humans are made into subjects. These different modes include the study of types of inquiry that aspire to the status of sciences, the way in which humans turn themselves into subjects through “practices of the self” (Foucault, 1997) and finally the dividing practices wherein “the subject” is either divided from others or from within through disciplinary technologies, resulting in objectification. While Foucault presents these modes as distinct concepts for analysis, it is important to note that they are interrelated and overlapping. As Covaleski et al (1998) suggest, disciplinary techniques applied externally in defining and dividing subjects are virtually the same resources that individuals apply internally when acting on themselves. Both disciplinary techniques, as objectifying the individual from the outside in, as well as practices of the self as a subjectivization from the inside out work to
transform individuals into “subjects”. Attempts to organize these “subjects” are made within what Foucault refers to as relations of power.

Foucault further suggests that relationships of power are interwoven with other types of relations playing “at once a conditioning and conditioned role” (Foucault, 1980, p. 142). He cautions against thinking in universal binaries of domainers over dominated but instead proposes power as dispersed throughout society as something that functions only to the degree that it circulates. Foucault proposes power relations are rooted in the social networks. However “power” exists only when put into action.

It is never localized here or there, never in anybody’s hands, never appropriated as a commodity or piece of wealth. Power is employed and exercised through a net-like organization. And not only do individuals circulate between its threads; they are always in the position of simultaneously undergoing and exercising this power. They are not only its inert or consenting target; they are always also the elements of its articulation. In other words, individuals are the vehicles of power, not its points of application. (Foucault, 1980, p. 98)

Refusing to engage himself and cautioning against attempts by others toward generalizations and grand theories of power he is careful to characterize his work as specific “analytics”. As such, his work is context specific and rejects any universal application.

As one analytic, Foucault’s genealogy of disciplinary power studies “the metamorphosis of punitive methods on the basis of a political technology of the body in which might be read a common history of power relations and object relations” (Foucault, 1995, p. 24). Using the historical era of the Industrial Revolution as his context, Foucault studies emergent technologies of power for their ability to exercise themselves through social production and social service from individuals. From this perspective relations of
power not only repress what is ‘wrong’, ‘abnormal’ or ‘pathological’ but, concurrently also produce individuals whose attitudes, actions, and every day behaviors align and reinforce what is desirable: be it ‘efficiency’, ‘normal’ or ‘correct’. In this work he tracks the historical abandonment of techniques of overt punishment in favor of techniques of systematized discipline. Foucault situates the spread of these mechanisms within the context of the Industrial Revolution of the 19th Century and the expanding need for labor forces. As such, he traces the history of disciplinary techniques once applied in neutralizing “useless populations” through its gradual metamorphosis into mechanisms for fostering usefulness throughout the population at large. Through his elaboration of prisons, but also schools and factories, Foucault describes the core techniques of normalization, individualization, and panopticism.

One set of disciplinary techniques that Foucault (1995) discusses is the processes of normalization and “normalizing judgment” (p. 145). Normalization is conceptualized as having the distinct dimensions of examination, comparison, differentiation, correction and homogenization. The examination lies at the core of techniques of normalization.

Foucault (1995) describes the examination as

a normalizing gaze, a surveillance that makes it possible to qualify, to classify and to punish. It establishes over individuals a visibility through which one differentiates them and judges them. That is why, in all the mechanisms of discipline, the examination is highly ritualized. In it are combined the ceremony of power and the form of the experiment, the deployment of force and the establishment of truth. At the heart of the procedures of discipline, it manifests the subjection of those who are perceived as objects and the objectification of those who are subjected. (pp. 184 - 185)

Examination requires meticulous documentation through which individuals are made visible in their descriptions, measurements, assessments and summarizations in
comparison to the “norm”. It is the compulsory visibility of the examination that transforms individuals as subjects, and holds them in a mechanism of objectification throughout all tiers of society. Thus, through both the gaze of the examination and its detailed documentation, the individual becomes “subject”, transformed into a case which simultaneously holds a place for knowledge, and a place for power. As Foucault notes “the case” is both described, measured, and compared by knowledge, and rendered docile or excluded by power.

Comparison involves a means of situating individuals within a whole that at once offers a means of comparison, differentiation and standardization. The technique of differentiation requires a set of standards that are viewed as a minimum, average, or optimal expectation of behavior toward which movement is expected. Correction calls for corrections that, in addition to punishments (such as fines or solitary confinement) also include repetitive, intensified exercise and training to minimize gaps between actual behavior and desired or expected behavior. Through homogenization individuals are assigned value through measuring and then sorted hierarchically to identify both skills and gaps. Homogenizing techniques are applied to both reward skill and punish gaps resulting in a system of conformity. Homogenization also identifies both “normal” and “abnormal”.

Foucault describes techniques of discipline associated with normalizing judgment as being designed to magnify the “non-observance, that which does not measure up to the rule, that departs from it (Foucault, 1995, p. 178). Through techniques of examination, with its meticulous documenting of the individual, the techniques of comparison, differentiation, correction and homogenization can be applied to “normalize”. Often signaled through terms associated with “normal” (e.g. normal rate of pay or normally
assigned duties) these techniques work to both establish the standard and deviation from it. Individuals are either reinforced as ‘normal’ or pathologized as “abnormal” and thus become targets for remediation and treatment. Efforts at remediation are designed to eliminate the gaps identified in the quantitative measurement of the “abnormal” character or behavior towards “normalization”.

Techniques of Normalization in Labor Union Agreements

To understand how these techniques of normalization may be used a sample of collective bargaining agreements were selected for analysis from public organizations in Florida that exemplify ‘street-level bureaucracies (Lipsky, 1980). Ten documents were selected using purposive sampling (Maxwell, 1996). Then, Ethnographic Content Analysis (Altheide, 1996) was used to identify techniques of normalization and develop an understanding of how these techniques are used by both bureaucrats and their supervisors in relations of power.

In reviewing the selected labor union/management agreements, the techniques of normalization were found to be prevalent across all of the ten documents analyzed suggesting that normalization is woven throughout relations of power between street-level bureaucrats and their managers. Of the five techniques, the most frequently used technique was homogenization, followed by differentiation. The remaining three techniques; examination, comparison and correction, were observed in use less frequently in the documents analyzed. In the next section each of the techniques Foucault describes will be explored through document excerpts selected as illustrations of their use in constructing the “normal” as well as its deviants.

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1 As listed in Appendix A
Before turning to the examples offered however, it is important to note that the cases selected for demonstration of a specific technique of normalization often illustrate other techniques in play as well. Consistent with Gore’s (1998) analysis, the majority of passages analyzed in this research were coded as evidence of multiple techniques in use. Finding this multiplicity demonstrates “the co-incidence and rapidity with which power is enacted” (Gore, 1998, p. 235).

**Examination as Normalizing Gaze**

The following excerpts illustrate the use of examination found in analysis of the contracts:

(A) The performance of Bargaining Unit employees shall be reviewed in accordance with Section 110.224, Florida Statutes. (B) All performance reviews shall be made by the employee's immediate supervisor who shall be held accountable for assessing the employee's performance without direction or control by higher management. (State of Florida/Florida Nurses Association, p. 18)

The Employer shall establish and maintain objective promotion criteria upon which promotional examination shall be made. In order to be promoted to any rank within the bargaining unit, an employee shall have completed two (2) years of consecutive service with the Department. (City of Bellair Beach/Fraternal Order of Police, p. 58)

Physical Examinations: All employees, upon initial employment, may be required to present evidence of physical ability to perform duties assigned and of being free from communicable diseases. Such evidence, if required, shall be obtained from a licensed physician of the employee's choice. The cost of such examination shall rest with the employee. The Board may require a subsequent physical or psychological examination by a physician, or clinical psychologist or psychiatrist, respectively, licensed in Florida, when in its judgment such an examination is relevant to teaching performance or employment status. (Broward County School District/Broward Teachers’ Union, Article 6, p. 1)
Recognized FOP stewards who are current employees of the Pinellas County Sheriff’s Office will be permitted to investigate grievances or otherwise process grievances during work hours only after the express consent of their nonunion-represented supervisor has been given. (Pinellas Sheriff’s Office/Fraternal Order of Police, p. 15)

Foucault (1995) writes that “the examination” is a core technology that enables normalization through making individuals constantly visible through uninterrupted gaze for subsequent classification through application of normalizing techniques. As illustrated by the examples above, examination is used to make known employee performance of job duties, documenting employee capabilities prior to employment and employee suitability for promotion in job responsibilities. As illustrated by the example regarding investigation of grievances, the technique of examination is also used by union representatives to establish their understanding of the incident leading an alleged grievance. It is evident that while these examples demonstrate that the employee is the subject of the examination, they also clearly objectify the manager or union representative as the examiner for subsequent judgment against the norm. As Foucault (1995) writes, it is the ritual of examination that makes possible the objectification of employees as subjects.

However, and in contrast to Foucault’s context of the penal institution, observation of the employee was also restricted within the street-level organizations sampled. By limiting managers’ access the employee negotiates a degree of control in how he or she is made visible. The following excerpts are offered as examples of this restricted access:

Formal observations for the purpose of evaluation will be scheduled in advance with the teacher for a specific day and time. All visits to the classroom may be considered part of the assessment process. The formal scheduled assessment shall be for a period of not less than thirty (30) minutes in length. (Taylor County School District/Taylor Education Association, p. 10)
Employees shall be notified of all material of a negative or disciplinary nature which is to be placed in their personnel file by being provided a copy at the time of its insertion in the file. At that time, the employee will be required to initial the document to demonstrate that he/she has been so notified. (Such initialing is not an indication of agreement with the content of the document.) All departmental records concerning investigations and/or disciplinary action shall be removed from the employee’s departmental file at the written request of the employee, providing that one (1) year has passed since the last incident related to any particular subject of discipline. No member shall be deprived of a reasonable expectation of privacy during an investigation or disciplinary proceeding. (City Of Venice/Fraternal Order Of Police, p. 19)

- No firefighter shall be subjected to interrogation without first receiving written notice of sufficient detail of the investigation in order to reasonably apprise the firefighter of the nature of the investigation. The firefighter shall be informed beforehand of the names of all complainants.

- An employee organization may represent any member of the bargaining unit desiring such representation in any proceeding to which this section applies.” [questioning which could lead to disciplinary action] (City of Pembroke Pines/International Association of Firefighters, pp. 21 - 22)

As seen in the above illustrations, the core technology of examination is interrupted. It is limited by the requirement of advance notice of observation, specified time constraints, the employee’s ability to have documents removed from the field of visibility (especially when he or she is described as deviating from the norm) and the representation through someone else during the examination as the employee requests.

More specific to the context of street-level bureaucracy there were also passages in the documents examined that were interpreted as applicable to the relationship between citizens as clients and employees. The illustrations below are presented as examples in which examination by citizens is controlled as well:

No civilian-dominated police review board shall be established by the Employer.” (City of Bellair Beach/Fraternal Order of Police, p. 20)
No complaint by a parent or a student directed toward an employee shall result in formal disciplinary action without the employee first being given an opportunity to respond at an informal level. (Taylor County School District/Taylor Education Association, p. 12)

The teaching evaluation must take into account any relevant materials submitted by the employee, including the results of peer evaluations of teaching, and may not be based solely on student evaluations when this additional information has been made available to the evaluator. (University of South Florida/United Faculty of Florida, p. 23)

Foucault writes that it is the constant ability to be seen always that maintains the disciplined individual in his subjection. The boundaries illustrated above interrupt the constant gaze of examination, thereby affecting its potency as a tool toward objectification of the street-level bureaucrat.

**Techniques of Comparison, Differentiation and Correction**

All of the documents analyzed contained evidence of the techniques of comparison, differentiation and correction in use. Of these, differentiation was found most frequently. The following illustrations demonstrate these techniques as tools to evaluate an individual’s actions against some standard expectation of what is normal, to determine whether the minimum threshold of expectation is met, and if not, to correct behavior through repetitive remedial training to reduce the gap between “the permitted and forbidden” (Foucault, 1995, p. 183). The following excerpts illustrate comparison as a technique of normalization:

The hiring authority shall normally fill a permanent vacancy with the employee who has the greatest length of service in the class/occupational level and who has a Request for Reassignment Form on file for the vacancy. The parties agree, however, that other factors, such as employees' work history and agency needs, will be taken into consideration in making the decision as to whether or not the employee with the greatest length of service in the class/occupational level will be placed in the vacant position. (State Of Florida/Florida Nurses Association, p. 15)
It is the responsibility of each faculty member who is found, as part of the annual evaluation, to be deficient in oral English language skills by virtue of scoring below the satisfactory score on an examination established by statute and rule for determining such proficiency (see paragraph (a)), to take appropriate actions to correct these deficiencies. To assist the faculty member in this endeavor, the university shall provide appropriate oral English language instruction without cost to such faculty members for a period consistent with their length of appointment and not to exceed two (2) consecutive semesters. (University of South Florida/United Faculty of Florida, p. 25)

In order to maintain certification, all sworn officers will qualify with weapons issued to them on a basis which is compatible with CJSTC range course outlines. (City Of Venice/Fraternal Order of Police, p. 46)

A decision to test an employee shall be based on factors such as changes in job performance, physical symptoms commonly associated with drug usage, such as slurred speech, altered motor skills, changes in attention span or attendance, changes in appetite or sleeping habits, other mannerisms or behavior changes which imply drug usage, or reports or actual witnessing of possession or use of such substances (such reports shall be fully investigated for their reliability prior to the drug or alcohol screen test being required). (City of Bellair Beach/Fraternal Order of Police, p. 43)

In each of the examples above the individual employee’s aptitude is referenced in terms of comparison to a standard or “a minimal threshold, as an average to be respected or as an optimum toward which one must move” (Foucault, 1995, p. 183). As seen above an employee’s skill in marksmanship, work history or language mastery is individually assessed for comparison against a standard. The last example above refers to an employee’s behavior, scrutinized in terms of what is normal as a means of testing for substance abuse.

Differentiation is a technique that Foucault describes as “making it possible to measure gaps, to determine levels, to fix specialties and to render differences useful by
fitting them one to another (Foucault, 1995, p. 184). This technique is illustrated by the following examples:

In the event of a layoff or elimination of a rank within the Fire Department, the employee with the least seniority in that rank (as defined by Section 40.01A) shall be reduced to the next lowest rank, and staffing levels in that rank shall be similarly reduced. Such reductions shall continue until the lowest rank has been reached where the employee with the least seniority shall be laid off. (City of Pembroke Pines/International Association of Firefighters, p. 66)

Preference shall be given first to those fully certified employees holding a valid certificate in the content area of the vacancy and secondly to those who have been most recently employed in the same or similar employment capacity during the previous academic year. (Taylor County School District/Taylor Education Association, p. 19)

Generally, appointments to specialized assignments, i.e. any assignment other than a general patrol assignment, shall be based on the knowledge, skills, and abilities required for the assignments in accordance with the provisions of General Order 4-13, unless otherwise determined by the Sheriff or his designee due to special circumstances. (Pinellas Sheriff’s Office/Fraternal Order of Police, p. 31)

As seen in the above examples, employees are individualized and ranked for the purposes of decision making regarding job elimination, hiring to fill vacancies, or appointment to special duty assignment. What is inferred in these examples is that those individuals that most closely align with “the norm” will be rewarded with job security, stability in duty assignment and employment opportunity. It is also interesting to note in the third example regarding an employee’s appointment to specialized assignments that the Sheriff or his designee is differentiated as the authority in determining appointment, as well as what constitutes ‘special circumstances’. As Foucault (1995) writes, the technique of differentiation allows for the “shading of individual differences” (p. 184) which prove useful for future organizational decision-making.
As a point of interest within the context of this analysis in terms of differentiation, “seniority”, defined as the length of time a bureaucrat has been employed by the agency, was found across all documents as the agreed upon means for differentiating employees. Bureaucrats who have been continuously employed for longer periods of time than their peers are given recognition for this longevity through preference in promotional opportunities, exclusion from lay-offs caused by reduction in force, first choice of vacation or other leave assignments, and greater allocations of wages and other benefits. One perspective could view this ranking based on veteran employment as affirmation that techniques of normalization are effective (the employee has achieved his longevity because his behavior has been desirable or “normal” as assessed by his manager(s)). However, an alternative view suggests that instead, it is an inability to identify any other means of differentiating employees in terms of “objective measures of productivity or proficiency” due to the nature of street-level work (Prottas, 1978).

Foucault (1995) writes that normalization also involves correction. When gaps between the standard of desired behavior and individual performance are found, these gaps are reduced through punishments that “are exercise - intensified, multiplied forms of training, several times repeated” (Foucault, 1995, p. 179). The following excerpts from the documents analyzed illustrate this technique in use:

The written assessment shall cite deficiencies of performance, if any, and recommendations for correction. The evaluator shall recommend a reasonable prescribed period of time for the correction of deficiencies and provide appropriate assistance in the correction process. Each assessment shall state the consequences that may occur if deficiencies are not corrected within a reasonable, prescribed period of time. (Taylor County School District/Taylor Education Association, p. 10)
Participation in the EAP is normally voluntary and confidential. However, the Sheriff reserves the right to mandate participation in the EAP as a condition of continued employment … Mandatory participation in the EAP as a condition of continued employment will require that the employee authorize release of any records related to treatment in order that the Sheriff or his designee can monitor progress. (Pinellas Sheriff’s Office/Fraternal Order of Police, p. 42)

Disciplinary action should be appropriate and progressive and may include, but is not limited to:

a. Written Reprimand
b. Suspension
c. Demotion
d. Dismissal
e. Payment for lost or damaged equipment due to negligence, pursuant to established Department Rules and Regulations, up to a maximum of $250.00. Such payment shall be made through payroll deductions not to exceed two hours pay per payroll period.
f. Remedial Training. Training costs shall be paid by the City. Minor corrective action shall be through letters of counseling, which shall not be considered disciplinary action. (City of Bellair Beach/Fraternal Order of Police, p. 17)

As seen in the examples above, the technique of correction is applied with the implication of remediation. In the first two examples, deviant behavior is not “punished” per se. Instead, undesirable behavior is corrected through written guidance for improvement from a supervisor (as illustrated by the first example) or required participation in a remediation intervention (as illustrated in the second example). The third example could be characterized as more punitive in nature, however its ‘progressive’ context infers that in practice, the employee will be afforded time to make the required improvements and provided supervisory guidance and remediation (as referred to in paragraph f) along the way.

It is interesting to note that passages coded as evidence of these techniques were consistently framed in terms “disciplined”, “discipline” and “disciplinary action” across all
of the documents analyzed. Clearly these techniques of normalization were synonymous with discipline suggesting their institutionalization as core technologies of power within the street-level organizations reviewed. It is equally interesting to contemplate the overt reliance on these techniques to address behavior that has been determined as deviant based on limited glimpse rather than constant visibility which Foucault insists as crucial for disciplined subjects.

**Homogenization**

The technology of homogenization works through rewarding behavior that aligns with the “norm” while simultaneously penalizing behavior that deviates from that same standard. While sometimes subtle, the technique of homogenization was found interwoven throughout all of the documents analyzed, as illustrated by the following excerpts:

An initial probationary employee who does not demonstrate suitability for the classification as determined by the Sheriff or his designee shall be notified in writing of the reason(s) and may be terminated. A probationary employee who, previous to his classification as a Deputy or Bailiff Deputy, had served in another classification within the Sheriff’s Office and satisfactorily completed the probationary period for that position, shall be notified in writing of the reason(s) and shall be returned to his previous classification if a vacancy is available if approved by the Sheriff or his designee. (Pinellas Sheriff’s Office/Fraternal Order of Police, p. 32)

The Union and bargaining unit members do not assert and will not assert or advocate any right to engage in any work stoppage, slow down or strike, or to withhold services or otherwise hinder the County’s operations. Each employee who holds a position with the Union also occupies a position of special trust and responsibility in maintaining and bringing about compliance with this Article and the strike prohibition of Section 447.505 Florida Statutes and Constitution of the state of Florida, Article 1, Section 6. Any and all employees who violate any provision of the law prohibiting strikes or this Article shall be disciplined, up to
and including discharge, by the County. (Collier County /International Association of Firefighters, p. 11)

Employees will follow all written and verbal directives, even if such directives are allegedly in conflict with the provisions of this Agreement. Compliance with such directives will not prejudice the employee’s right to file a grievance within the time limits contained in the Article, nor shall compliance affect the ultimate resolution of the grievance. No employee or group of employees may refuse to follow directions pending the outcome of a grievance. (Pinellas Sheriff’s Office/Fraternal Order of Police, p. 22)

These illustrations were selected to demonstrate techniques of homogenization by clarifying the expected standard and assumptions of behavior. Power relations between managers, employees and union representatives construct and reinforce the “normal” bureaucrat as competent in the eyes of his supervisor, law abiding, and worthy of the Public’s trust. A deviation from this behavior, as illustrated in the examples, implies immediate corrective action.

These same examples also demonstrate the objectification of managers as the arbiters of the “normal” street-level bureaucrat. In all of the documents analyzed, reference was made to this authority of the manager or supervisor categorized as one area of multiple “Management Rights”. In the analysis process in this research these rights were coded as techniques of homogenization with regard to the expected, normal behavior of managers. The following examples represent the spectrum of detail found in the document analysis:

The Association recognizes that the Board has responsibility and authority to manage and direct, on behalf of the public, all operations and activities of the District and it’s employees to the full extent authorized by Law, provided that such rights and responsibilities shall be exercised by the Board in conformity with the provisions of this Agreement where possible. (Taylor County School District/Taylor Education Association, p. 27)
To select, examine, hire, classify, train, assign, schedule, direct, transfer, promote, discipline, discharge, layoff, retain and manage all employees of the department. (City of Venice/Fraternal Order of Police, p. 7)

To establish standards of conduct and work of employees; to establish or change operational standards; to determine the services to be provided by the EMS; to discipline, demote, or discharge employees for proper cause. (Collier County/International Association of Firefighters, p. 7)

Consistent with this Agreement, the Management Rights shall include, but not be limited to, the following… Direct its employees and establish standards of performance and conduct, including the right to make reasonable rules and regulations for the purpose of efficiency, safe practices and discipline. (Broward County School District/Broward Teachers Union, Article 31, p. 1)

One observation that can be made through this analysis is the clear objectification of manager as the observer or judge of the “normal”. Less clear are the practices or normalized standards on which judgment is based. While throughout the analysis it was noted that behavior standards were often described in terms of regulation and strict adherence to law (e.g. “in accordance with Florida Statute”, “in accordance with City Ordinance”, “in accordance with this Agreement”) it was less clear as to a standard being applied when behavior was assessed “in the judgment of the Sheriff”, “at the Fire Chief’s sole discretion” or “at the Principal’s discretion”.

Another means of homogenization in use involved references to behavior and practices that transcended the specific bureaucratic purpose (e.g. emergency response, education, or law enforcement) as more generalized cultural or societal expectations of normal. As is illustrated through the following excerpts, there were passages in all
contracts that overtly prohibited discrimination against employees based on race, gender or other affiliation, including union membership:

The provisions of this agreement shall be applied equally to all employees in the bargaining unit without discrimination to age, sex, marital status, race, creed, color national origin, handicap, union affiliation, nor religious or political affiliations. The Union shall share equally with the City the responsibility for applying this provision of the Agreement. (City of Longwood//International Association of Firefighters, p. 4)

The Sheriff and FOP will not discriminate against any employee covered by this Agreement because of membership in or legitimate activity on behalf of the members of the FOP. Nothing in this Agreement shall require an employee to become or remain a member of the Union or to pay any monies to the Union. (Pinellas Sheriff’s Office/Fraternal Order of Police, p. 11)

The technique of homogenization can also be seen in use through sections in each of the contracts that objectify employees as family members. Each contract analyzed included the expectation, albeit subtle, that an employee will have a family along with an overt description of what “family” was (yet each document had a slightly different definition):

Immediate family is defined as a spouse, parent, siblings, child, grandparent, grandchild, mother-in-law or father-in-law. (Taylor County School District/Taylor Education Association, p. 18)

The immediate family shall be defined as the spouse, child, parent, foster parents, sister, sister-in-law, brother, brother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepchildren, stepbrother, stepsister, half brother, half-sister, grandparents, and grandchildren. (Foster parent means the individual who provided parental care for the member or spouse during a major portion of the pre-adult years. (Pinellas Sheriff’s Office/Fraternal Order of Police, p.51)
An immediate family member shall include the following: the employee’s spouse and mother, father, children, step child, foster child, sister, half sister, sister-in-law, brother, half brother, brother-in-law, step-parents, grand parents, legal guardian or grandchild, and great grandparents of the employee or the employee’s spouse, or the employee’s domestic partner. (City of Pembroke Pines/International Association of Firefighters, p. 7)

In addition, there were examples of what behaviors might normally be expected of employees, as family members, and how managers should be expected to respond when faced with these employee behaviors.

in order to ensure the highest level of attention….children at the in-service are discouraged. If an employee must bring a child to the class he/she needs to be aware that if the child is being disruptive, the lead coordinator of the class may ask the employee and child to leave. (Collier County /International Association of Firefighters, p. 100)

At the administrator’s discretion and upon appropriate District consistent documentation, compensatory time may be reduced by the amount of released time granted for personal business (doctor’s appointments, family problems, registration, etc.). (Taylor County School District/Taylor Education Association, p. 7)

It was also interesting to note the relative presence or absence of one gender in each of the documents analyzed as another facet of normalization. Gender expectations of employees as being either male or female were not consistent across the ten documents. Nor did the differences fall along the organizational categories expected. Of the documents analyzed six of them (those associated with health care, education and one municipal police department) consistently used the phraseology “he/she” or his/her” when referencing gender. The two agreements associated with municipal fire departments also included “he/she” however this use was not consistent. There were some sections that used “he “ or “his” exclusively although there was no discernable pattern to this use. The
remaining two law enforcement agencies included the following statements to indicate that both men and women were referenced as males throughout the document:

**SPECIAL NOTE:** The personal pronouns “he,” “his,” and “him” used in this Agreement are to be interpreted to include both sexes. They are used only for convenience purposes and are not to be considered as any adverse reflection on either sex. (Pinellas Sheriff’s Office/Fraternal Order of Police, p. 3)

All references to employees in this Agreement designate both sexes, and wherever the male gender is used it shall be construed to include male and female employees. (City of Venice/Fraternal Order of Police, p. 51)

While perhaps only intended for convenience, the first example overtly recognizes the potential for adverse reflection on either sex as normalizing maleness even more so than if no statement regarding gender reference had been included in the contract. References in other contracts did shed light to a certain extent with regard to gender expectations of the organization:

Sideburns are permitted, not to exceed middle of ear length. Employees will be clean-shaven while on duty. A mustache that does not come between the sealing surface of the face piece of the respirator and the face is permissible. Employees will keep their nails neat and well groomed to a length that will not interfere with their ability to safely perform their job. Nail polish may be worn, with the exception of black. (Collier County /International Association of Firefighters, p. 80)

The City and the IAFF further agree that due to the hazardous nature of firefighting the member is encouraged by both the City and the IAFF to come off shift work as soon as possible to avoid injury to both her and her unborn child (City of Pembroke Pines/International Association of Firefighters, p. 48)

An employee may continue to be actively employed during pregnancy only so long as the employee is properly able to perform required teaching functions. (Broward County School District/Broward Teachers Union, Article 23, p. 7)
The first example above identifies what is expected as normal in terms of employees’ personal grooming. Of interest is the intersection between expectations regarding facial hair (normally associated with maleness) and the expectation of fingernail polish (normally associated with femaleness). The second and third examples above normalize the expectation that a female employee’s pregnancy will interfere with her ability to do her job. Through overt recognition of this expectation it becomes acceptable (and actually desirable in the second example) for a pregnant employee to refuse to perform certain job duties because of their ‘hazardous nature’. What was also interesting within the context of gender was the clear tendency to refer to most supervisory and top organizational leader roles as either male (e.g. the Sheriff or his designee) or genderless (the University President or designee). Finally, for the purposes of discussing the use of techniques of homogenization, there was only one manager/employee relationship that objectified employees as union members throughout the collective bargaining agreement:

> Any reference to IAFF members in this contract shall mean those classifications of those employees referred above whether or not they are members of the IAFF. (City of Pembroke Pines/International Association of Firefighters, p. 6)

As more illustrative of the norm, all ten documents included statements similar to the following excerpt that expressly prohibited discrimination by either managers or fellow employees for membership or non-membership in the bargaining unit’s labor organization.

> Neither party shall interfere with, restrain, coerce or otherwise discriminate against any employee for exercising his/her right to join or not to join the Union. (City of Longwood/International Association of Firefighters, p. 4)
This consistency of evidence suggests at least two sets of power relations as possible and co-existent within each organization. Employees may be differentiated as either “union” or “nonunion” by their union member peers and/or managers may differentiate among employees based on union membership. In either instance the employee becomes objectified as either “member” or “non-member”. Within the context of the specific organizational relationships of power in play, techniques of homogenization are subsequently applied to foster adherence to the “norm” (be it union or non-union) in each organization.

It is also important to recognize the power of the collective bargaining agreement as a tool of normalization as well. The very existence of these documents sets boundaries and expectations of both the normal and the abhorrent. Whether used as law, guide or hindrance these documents help construct and reinforce the relations of power practiced daily between managers and employees illustrating Foucault’s idea of power as productive. While “in the extreme it forbids absolutely”, relations of power also “guide the possibility of conduct and put in order the possible outcome” (Foucault, 1983, pp. 220-221).

**Summary and Conclusions**

As discussed in the previous sections, techniques of normalization closely aligned with those described by Foucault (1995) were found throughout all documents used in this analysis. In addition, there were commonalities in the way each technique was applied among all of the ten documents. There were examples of examination, comparison, differentiation, correction and homogenization within each of the contracts analyzed. Examination was used to document job performance, assess physical and mental fitness for employment and determine promotional eligibility. This technique was also used by
employees as union representatives in investigating incidents that are alleged as grievances. Comparison was used to sort employees as a result of specific certifications, exemplary job performance or employees that ‘had seniority’. This technique was also used by managers to assess the need for drug testing of an employee. Differentiation of employees was also observed through the recognition of seniority in employment or designation of different ratings of job performance, or the acquisition of ‘specialized knowledge’ that made certain employees better able to perform special duty assignments. Differentiation in terms of activities assigned to ‘managers’ exclusively, such as hiring and promotional decisions, was also seen in each of the contracts reviewed. Activities associated with correction were observed as well through the use of performance improvement plans, or employee assistance programs as a means of narrowing the gap between expected and actual employee behavior. Finally, various activities designed to homogenize were also observed. Each contract included the designation of ‘probationary’ status which, if successfully completed by the employee, led to his or her permanent employment. Conversely, if not successfully completed, termination from employment would occur. Frequent references to rules and regulations coupled with identified sanctions for noncompliance were also seen as homogenizing behaviors toward the norm of rule following and compliance with law. Also within the scope of job duties clearly managers are homogenized as the arbiters of employee behavior. Finally, the terminology used within each contract to refer to both employees and supervisors signaled what was ‘normal’ in terms of gender, or union membership.

While each of the techniques were found in the contracts, normalizing effects were also limited in different ways. Activities identified as examination were evident, but the
“constant gaze” of the manager was limited thus rendering only a partial glimpse of the employee. Even with meticulous implementation, what is observed and documented by the manager is still incomplete. Because of this partial view, the ability to fully assess individual actions against a standard is problematic.

In addition, the field or ‘whole’ for comparison purposes was not prevalent in terms of written standards, but instead found to be at the supervisor’s discretion. This reliance affirms again the supervisor as the final arbiter of employee behavior. Perhaps in resistance to the supervisor’s discretion, each contract included agreement to differentiation of employees based on seniority defined as years of employment with the organization. This agreement could be interpreted as a testament to the success of techniques of normalization. However, it could also be viewed as a lack of any other “objective” measures of determining productivity or proficiency.

Overall, evidence of examination, comparison or correction in use was not as frequently coded in the contracts studied, affording them as less frequently used techniques in power relations in the street-level organizations analyzed. The greater relative frequency in use of homogenization and differentiation found across all of the ten contracts analyzed suggests their usefulness in producing relations of power that conform to “normal” in public organizations.

Because techniques of normalization were used to reinforce expectations of street-level employees as ‘normal’ in terms of job duties and responsibilities, employees can be determined and subsequently treated as ‘normal’ or ‘deviant’. Thus, managers can make decisions in terms of employee remediation or reward. Employees can also make assessments in terms of their own actions and activities while at work. These techniques
were also used to affirm expectations associated with employees’ worthiness of public trust. Finally, cultural expectations with regard to family and gender were reinforced as well. As discussed previously, in all of the documents analyzed employees were constructed as family members (albeit with slightly different definitions of ‘family’) and they were gendered, although as noted in the discussion these gender designations were not consistent with previously held expectations (e.g. female teachers and male police officers). Alternatively however, across all documents managers were objectified as male or absent of gender entirely, consistent with what was expected (Stivers, 2002).

As illustrated with the examples presented from actual documents in use, employees are objectified as normal or in need of remediation, as compliant or resistant. Managers, hierarchically situated in a dominant position with one or more employees as subordinate, are objectified as both a source of authority and a source of approval. Once objectified, both managers and employees are incorporated as bodies within the institutionalized technical rationality of public bureaucracy. This observation is supported by Cheney and Carroll’s (1997) argument that “natural persons (i.e., real people as opposed to “corporate or organizational persons”) have come to be treated – often implicitly but sometimes quite explicitly- as mere objects” (p. 593) in the current ways of talking about the business of bureaucracy. When relations of power between managers and employees result in both subject groups acting consistently in ‘normal’ ways, bureaucracy continues to move along, providing services to clients. When actions suggest resistance to the normalized flow of behavior, techniques are available, as outlined in each of the contract documents, to quickly render these actions as recognizable and sorted into the appropriate categories for treatment. Of interest here is that these categories have been
agreed upon through the process of negotiation between employees and managers and memorialized in the documents, reinforcing them as ‘the way things are’. The negotiation process is politicized to the degree that, through its collective effort, each group is continuously working to ensure that what is accepted is their own version of this given.

Notable as well was the relative absence of any discussion or role for citizens in the collective bargaining agreements analyzed. Although an active role for citizens has been theorized (Prottas, 1978b, Lipsky, 1980) where, as informed and empowered clients, they know what services are available and to what standard of provision, the few mentions of citizens within the documents reviewed in this analysis tended to describe them in vague and collective terms (e.g. ‘the public interest’ or ‘in service to the public’). When discussed in terms of individuals, citizens were objectified as a nuisance to be avoided (e.g. ‘no citizen review board’, or parents described as potential sources of disruption or abuse).

**Limitations**

Applying techniques of power within the context of street-level bureaucracy presents challenges. While each of the documents included techniques aimed at normalizing beaucrats, the realities of street-level work (Prottas, 1978a; Kelly, 1994; Riccucci, 2005;) makes implementation of these techniques difficult. The autonomy and discretion necessary for employees to ‘slot’ unique clients into the limited categories of services available also compromises the ability of managers to efficiently apply disciplinary techniques with street-level bureaucrats. To understand this compromise requires the acknowledgement that the disciplinary goal of “automatic docility” (Foucault, 1995, p. 169) is at cross-purposes with autonomy and discretion. While the production of “subjected and practiced bodies, ‘docile’ bodies” (Foucault, 1995, p. 138) may be desirable
in terms of rational bureaucracy, as noted previously, discretion and autonomy insist on human agency; there is no room for docile bodies.

The ‘constant gaze’ of a manager is interrupted by employee responsibilities that require mobility (as in the case of firefighting, emergency response or law enforcement) or separation (as in the case of the teacher in a classroom). It is also interrupted to the extent that street-level bureaucracies are not “complete and austere institutions” (Foucault, 1995) designed to isolate employees by prohibiting them from social contact with others.

In addition to the limits of usefulness within the context of street-level bureaucracy, Foucault’s theory can also be questioned for its usefulness as informing this analysis in general. Foucault doesn’t address in great detail how his ideas should be “used” (Jóhannesson, 1998). Yet, through his genealogies he has demonstrated how studying the interplay of historic conditions, the possibility of transformation and the play of dependencies between transformations, and the multiple possibilities based on the struggles over which ideas or practices gain currency are indeed useful in reflective understanding. While Foucault’s work in relations of power informed this analysis, the documents were analyzed in isolation rather than as part of a larger project involving the analysis of other documents, and daily practices of people within street-level organizations. Foucault’s work, especially his genealogical projects, suggests a broader approach that encompasses these different sites of analysis as most beneficial. Because the negotiation process that resulted in these documents, the existence of other documents and the daily practices and conversations that construct manager and employee relationships were not included, the results of this analysis provide only partial understanding at best. Yet this analysis did result in some interesting insights and thought provoking implications.
Before considering these implications however, it is important to frame them by reiterating Foucault’s (1980) conception of power which extends beyond its “negative instance whose function is repression” (p. 119). In his view,

if power were never anything but repressive, if it never did anything but to say no, do you really think anyone would be brought to obey it? What makes power good, what makes it accepted, is simply the fact that it doesn’t only weigh on us a force that says no, but that it traverses and produces things, it induces pleasure, forms knowledge, produces discourse. It needs to be considered as a productive network which runs through the social body. (Foucault, 1980, p. 119)

From this perspective of ‘power as productive’ Foucault (1980) goes on to say that the exercise of power becomes a matter of “obtaining productive service from individuals in their everyday lives” (p. 125) that requires “access to the bodies of individuals, to their acts, attitudes and modes of everyday behavior” (p. 125). In this sense techniques of power as seen in the collective bargaining agreements analyzed serve in constructing and reinforcing what it means to be a street-level bureaucrat. This meaning is produced through the interplay of techniques of power as found in the documents as one part of the daily interactions and encounters between individuals in street-level organizations. As such and as discussed previously, in the documents reviewed street-level bureaucrats are objectified in terms such as ‘male’ or ‘female’, ‘family member’, ‘physically fit’, and ‘professional’. Within specific bureaucratic contexts, objectifications such as ‘teacher’ or ‘police officer’ also create and reinforce certain behaviors as absolute. For example, a ‘teacher’ prepares lessons, a ‘deputy’ provides expert testimony in legal proceedings, and a ‘firefighter’ responds to emergency calls “without delay” (City of Pembroke Pines/International Association of Firefighters, p. 12).
Yet, while these objectifications produce certain behaviors at the same time they constrain others, as seen in the following illustrations:

The Board and the BTU acknowledge that a teacher's primary responsibility is to teach and that all energies should be utilized to this end. Therefore, the Board agrees to strive to relieve employees of all non-professional supervisory and clerical responsibilities such as, but not limited to, playground and other school ground supervision, lunchroom supervision, hallway and restroom supervision, study hall and detention supervision, bus loading and unloading supervision, money collection or transmittal, and various and similar non-professional responsibilities. (Broward County School District/Broward Teachers Union, Article 5, p. 1)

No employee covered by this agreement shall be required to work outside of his classification except under emergency conditions as determined by the Fire Chief or any one properly acting in his capacity. It is understood by the parties that every duty connected with operations enumerated in job descriptions is not always specifically described and are to be construed liberally. The City agrees to notify the IAFF of any change in job description of any classification covered by this agreement. The City and the IAFF agree that dispatching on the Fire Department Radio shall not be part of the duties of a Firefighter. The City agrees to have an adequate staff of civilian dispatchers to operate the Fire Department radio system at all times (City of Pembroke Pines/International Firefighters Association, p. 11)

As illustrated in the first example, in overt recognition of teachers as responsible for ‘teaching’ exclusively, duties characterized as ‘supervision of students’ or ‘clerical in nature’ are immediately designated as outside of this boundary (i.e. not ‘teaching’ further described above as ‘non-professional’). The second example also illustrates that, while detailed description of duties of a firefighter is intentionally avoided (i.e. job descriptions are “to be construed liberally”), there is a clear boundary associated with duties of firefighting that specifically excludes radio dispatching.

The idea that power produces is also useful in understanding a third objectification of select groups of employees designated as union representatives which was found across
all of the documents. Rules, expectations and boundaries exclusively applicable to ‘union representatives’ were found in each contract as well as overt descriptions of the production of ‘grievant’. Once objectified as such, the employee as ‘grievant’ triggers application of an alternative set of procedures and practices for treatment of the ‘grievant’ as a product of employee voice. Yet, while producing ‘union representative’ this objectification also constrains through exclusion any voice that is not ‘union representative’ in discussing and negotiating the activities of the organization.

Techniques of power are also seen as simultaneously producing and constraining managers in these street-level organizations as well. As discussed previously managers are objectified as ‘male’ when gendered, as ‘decision-maker’, as ‘approval’ or as ‘control’. These objectifications produce the types of behaviors expected from ‘normal’ managers. At the same time however, managers’ behaviors are also constrained by these boundaries. While each of the contracts reviewed included language regarding ‘management rights’\(^2\), caveats to these ‘rights’ were designated throughout each contract. As one example, while each document provided for management ‘control’ of the organization, each document also carefully legislated how wages were to be assigned to employees within the bargaining unit. These detailed specifications, in effect, prohibited any managerial control over the process thereby limiting any ability to provide financial remuneration for individual exemplary performance. While terms such as “merit pay” and “incentive pay” were used, the subsequent language required payment based on longevity with the organization or as an “incentive” for extra duty assignment or education. In all instances the increased pay was based on objective, verifiable criteria (e.g. length of employment, proof of education,

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\(^2\) Also referred to as ‘Reserved Rights’ in the University of Florida/United Faculty of Florida Agreement
or performance of extra duties such as ‘football coach’) as opposed to any managers’ subjective judgment of what ‘merit’ might entail.

Through these documents relations between objectified ‘employees’ and ‘managers’ were produced consistent with the expectations of traditional bureaucracy (Weber, 1978). Rationalist assumptions about bureaucratic hierarchy – including managers as decision makers and employees as decision implementers were reinforced. While productive, these documents also provide evidence of a plethora of techniques of power that work to constrain any effort at employees or managers crossing boundaries.

From this perspective the collective bargaining agreements in this analysis can be looked at as fixing relationships between two objectifications that are discursively affirmed as unequal. In this discourse of inequality managers dominate and employees collectively resist in the only relationship possible. Constrained by this ‘reality’, any potential for changing relationships between managers and employees within these street-level organizations evaporates. With this insight, prescriptions such as those that ask street-level bureaucrats to be ‘leaders’; “responsible choice-makers” (Vinzant & Crothers, 1998, p. 154) rather than implementers of public policy simply carrying out management directives are largely futile in that these prescriptions fail to adequately acknowledge the constraints of both ‘employee’ and ‘manager’. As persuasive as the idea might be, within the context of this project it is impossible to think of employees in terms of ‘leader’, given the objectifications of ‘employee’ and ‘manager’ found in the documents analyzed.³

³ From this perspective the absence of citizens in collective bargaining agreements could be thought of as purposeful as well in that involved citizens encroach on established boundaries for both ‘employee’ and ‘manager’.
Within this study it is important to recognize that the legitimacy of collective bargaining agreements is affected to the degree that what managers and employees do daily is consistent with negotiated intent. Discursively put, do the daily practices in street-level organizations reinforce what is constructed in the labor agreements as dominant discourse or, are these documents largely set aside by both managers and employees in favor of practices that support alternative discursive arrangements? Gore (1998) writes that while there may be awareness that power relations function at the micro-level, this functionality “remains largely invisible in our daily practices unless we are looking for it” (p. 248). Framed slightly differently, the issues presented as being of universal concern in the collective bargaining agreements may in fact, not apply universally to all managers and employees.

Through this qualitative document analysis within the context of street-level organizations, Foucault’s work in techniques of power has demonstrated its usefulness as a means of understanding power relations and techniques of normalization in two ways. First, this analysis has demonstrated the prevalence of these techniques called upon by employees and managers in street-level organizations as documented by their use in the collective bargaining agreements analyzed. It has also provided examples from the documents themselves to illustrate differences in the way each technique is used.

The second way that this analysis provides a means of understanding is through its Foucaultian perspective. Looking at the ‘how’ of power relations from this view necessitates a characterization of power that is fundamentally and thoroughly different from previously held ideas of ‘power as commodity’. This characterization distinguishes power for its fluidity; its strategic complexity and its
always shifting confluence, too dispersed to permanently locate in individual or collective hands (Zipin, 1998). According to Foucault (1980) understanding power in this way works to:

show people that they are much freer than they feel, that people accept as truth, as evidence, some themes which have been built up at a certain moment during history, and that this so-called evidence can be criticized and destroyed. (p. 10)

This basic, yet vitally important difference makes possible a potential for change through the ability to document "what causes us to be what we are… and hence, potentially, to change what we are"(Gore, 1998, p. 249). As Gore (1998) argues “we must know who we are, and what we are doing in order to begin to address adequately how we might do things differently” (p. 248). By recognizing that relations of power through techniques of normalization as constructed and reinforced through documents such as the collective bargaining agreements studied in this project and not simply reflections of ‘the way things are’, it becomes possible “to not discover who we are, but to refuse who we are” (Foucault, 1983, p. 216); to think about these relationships for their potential for doing things differently.
References


### Appendix A. Collective Bargaining Agreement Documents Used in Ethnographic Content Analysis

<table>
<thead>
<tr>
<th>Bargaining Unit/ Public Employees Relation Commission Certificate Number</th>
<th>Employer</th>
<th>Type and Size of Street-Level Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broward Teachers Union Certificate #71</td>
<td>Broward County School Board</td>
<td>Instructional, K-12 schools County-Special District 7,000 employees in bargaining unit</td>
</tr>
<tr>
<td>Professional Fire Fighters of Pembroke Pines, Local 2922 Certificate #464</td>
<td>City of Pembroke Pines</td>
<td>Firefighters City/Municipality 39 employees in bargaining unit (median for Florida)</td>
</tr>
<tr>
<td>Pinellas County Police Benevolent Association Certificate #644</td>
<td>City of Belleair Beach</td>
<td>Police officers City/Municipality 3 employees in bargaining unit</td>
</tr>
<tr>
<td>Florida State Lodge, Fraternal Order of Police Certificate #1461</td>
<td>Pinellas County Sheriff</td>
<td>Deputies, Detectives and Corporals County 989 employees in bargaining unit</td>
</tr>
<tr>
<td>Southwest Florida Professional Firefighters Certificate #1273</td>
<td>Collier County Board of County Commissioners</td>
<td>Emergency Medical Technicians County 131 employees in bargaining unit</td>
</tr>
<tr>
<td>United Faculty of Florida Certificate #502</td>
<td>University of South Florida Board of Trustees</td>
<td>Instructional- College and University Special district/Region 392 employees in bargaining unit</td>
</tr>
<tr>
<td>Florida State Lodge, Fraternal Order of Police Certificate #348</td>
<td>City of Venice</td>
<td>Police officers City/Municipality 18 employees in bargaining unit</td>
</tr>
<tr>
<td>Florida Nurses Association Certificate #734</td>
<td>State of Florida</td>
<td>Health Care/Nurses State 235 employees in bargaining unit</td>
</tr>
<tr>
<td>Taylor Education Association Certificate #33</td>
<td>Taylor County School District</td>
<td>Instructional, K-12 schools County-Special District 200 employees in bargaining unit</td>
</tr>
<tr>
<td>Longwood Professional Firefighters Association Certificate #835</td>
<td>City of Longwood</td>
<td>Firefighters City/Municipality 8 employees in bargaining unit</td>
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