

What is Collective Bargaining?

- ▶ An ongoing and exclusive relationship
- ▶ Between employer and union
- ▶ In which a written contract
- ▶ Is negotiated, implemented, enforced
- ▶ With regard to wages, hours, terms and conditions of employment
- ▶ For employees represented by union

Bargaining vs Negotiating

- ▶ Bargaining

- ▶ Come to agreement
- ▶ Preserve relationship

- ▶ Negotiating

- ▶ Primary purpose is to craft a “deal”
- ▶ No ongoing relationship

Used interchangeably in labor relations

Stages of bargaining

Stage One: Preparation

Stage Two: At the table

Stage Three: Ratification & Enforcement

Pre-bargaining

- ▶ Check for guidelines/rules
 - ▶ Contract
 - ▶ Bylaws or Constitution
 - ▶ Local history or practices

Committee & Team

- ▶ Election vs selection vs volunteers
- ▶ Other things to consider
 - ▶ Size
 - ▶ Composition
 - ▶ Age and Gender mix
 - ▶ Shifts, full & part time, skills

Contract Action Team (CAT)

- ▶ Called by other names (Negotiation Committee)
- ▶ Helps the Negotiating Team by collecting survey information and connecting with the members
- ▶ Recognizes that Negotiations is 100% about power and provides opportunities to display power
 - ▶ More members = more power at the table
 - ▶ Ways and times to show that power

Engage the membership

- ▶ Develop survey to identify key issues
- ▶ Contact members one-on-one to discuss issues
- ▶ Identify ways for the members to be involved - Members make a difference!
 - ▶ Involvement = ownership in outcomes
 - ▶ Develops a bench for future negotiations
 - ▶ Builds solidarity within the unit
 - ▶ Sends a “united front” message to the employer

Roles within Committee and Team

- ▶ Develop overall strategies
 - ▶ Table strategies
 - ▶ Research
 - ▶ Specialized knowledge/expertise
 - ▶ Member engagement and support
 - ▶ Communications plan
 - ▶ Solidarity activities
 - ▶ Others?

Mandatory Subjects of Bargaining

- ▶ Wages
- ▶ Hours
- ▶ And Working Conditions
 - ▶ Safety
 - ▶ Grievance Procedure
 - ▶ Job Security
 - ▶ Fringe Benefits

Permissive Subjects of Bargaining

- ▶ Ground Rules
- ▶ Classification
- ▶ Makeup of the Bargaining Unit
- ▶ Union Administration
- ▶ Number of Supervisors
- ▶ Hours of operation

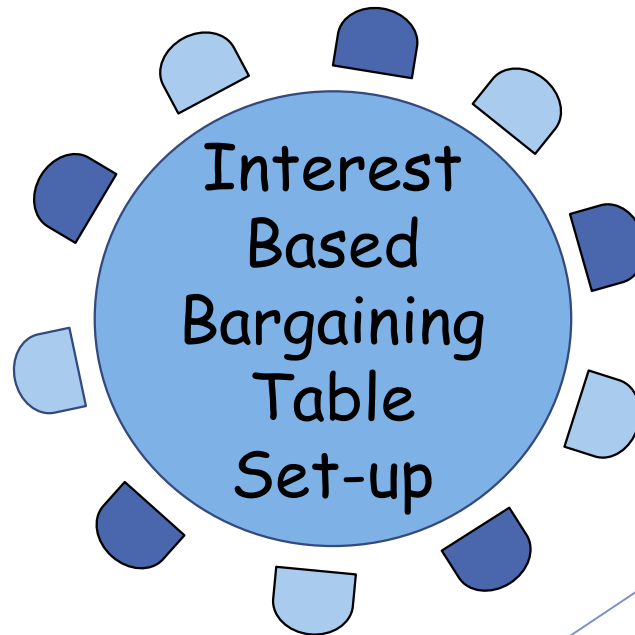
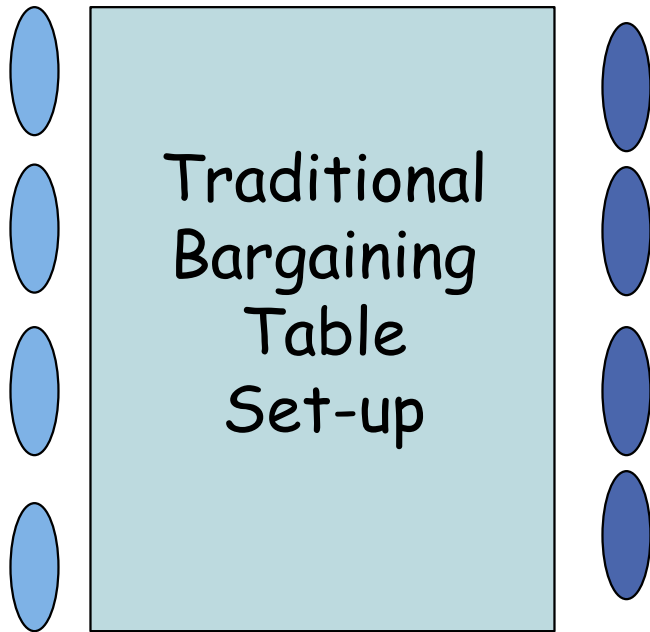
Illegal Subjects of Bargaining

- ▶ Public Employees - Mandatory Fair Share
- ▶ Discriminatory language
- ▶ Alaska- PERA - Agreement over three years.

Bargaining Styles

UNION

MANAGEMENT



Good Faith Bargaining

- ▶ Meet at reasonable times
- ▶ Listen to each other's issues and concerns
- ▶ Furnish relative information to the Union
- ▶ DO NOT request more in a proposal than previously requested
- ▶ DO NOT Agree in conversation at the table, then refuse to sign a proposal. (back-peddle)

GROUND RULES EXAMPLES

- ▶ When and where negotiations will be held (how often; how long)
- ▶ Initial exchange of proposals
- ▶ Designated spokesperson(s)
- ▶ Closed or open negotiations
- ▶ Additional participants/observers
- ▶ Caucuses

Steps of Bargaining at the Table

- ▶ Exchange proposals
- ▶ Tentatively Agree to Proposals
- ▶ Ratification by Union Members
- ▶ Ratification by Legislative Body

If An Agreement Cannot Be Reached

- ▶ The law has defined very specific steps when Contract Bargaining is stalled based on past strikes and their impact
 - ▶ Mediation - Works by helping each side better communicate and suggesting resolutions
 - ▶ Interest Arbitration - Third Party Arbitrator hears both sides and issues an award

If An Agreement Cannot Be Reached

- ▶ Strike Vote or Implementation
 - ▶ If the negotiating team has Tentatively Agreed (TA) to a contract, the membership must vote it down before a strike can be considered
 - ▶ A strike vote must consist of 50% +1 of the total members in the unit
 - ▶ If a strike vote is approved, specific notice and scheduling must occur.