

COLLECTIVE BARGAINING

Spring 2018

Labor Studies 38:578:560
Tuesdays, 4:30-7:10pm
Room 130, Labor Education Center

Professor Rebecca Givan
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Office Hours: By appointment (including before class)

This course will explore and analyze the environment, participants, process, outcomes and impacts of collective bargaining. Students are expected to complete the assigned reading prior to class meetings and be prepared to discuss the material. To facilitate the learning experience, the class will combine small group and class discussions, lectures and exercises. Additionally, students will participate in a mock contract negotiation.

Course objectives:

- Demonstrate an understanding of how to apply knowledge necessary for effective work performance
- Demonstrate an ability to interact with and influence others in a professional manner, and to effectively present ideas and recommendations.
- Work productively in teams, in social networks, and on an individual basis.
- Understand fundamentals and advanced concepts in collective bargaining and labor relations.
- Analyze key aspects of employment relations, including through the lens of current political and ideological debates.

Assignments: Note - you must complete all assignments to receive credit for the course.

Participation (Includes attendance, thoughtful participation & all in-class work): 30%

Exam 1: (February 27th): 20%

Exam 2: (April 24th) 20%

Collective Bargaining exercise (including bargaining journal) 30%

For all written assignments, please use 1" margins, double spacing and a 12-point font. All papers should be uploaded to Sakai.

Academic Integrity:

You are responsible for understanding and following the Rutgers University Policy on Academic Integrity. Information on the policy is available here:

<http://academicintegrity.rutgers.edu/policy-on-academic-integrity>. Written assignments will be submitted via Sakai and processed through Turnitin.

Class schedule:

The schedule of readings and assignments is below. We may need to move some topics (and readings) to accommodate guest speakers or adjust the emphasis as a result of class discussion. However, exam dates and assignment deadlines will not change. You should complete all readings before class, and come to class ready to discuss what you have read. Most of the class will be seminar style, and will rely on your thoughtful participation. The occasional lectures will not repeat the material in the readings, but build on this material, although you are encouraged to ask questions about the readings during class. **There will occasionally be an assignment at the beginning of class (such as a quiz or short writing assignment) based on the week's readings.**

Books:

There is a Sakai site for the course, and most readings will be posted there.

There are two books required for the class. You should have copies of both of these books (these readings will NOT be available on Sakai):

Roger Fisher and William Ury, *Getting to Yes: Negotiating Agreement without Giving In*. New York: Penguin, 1991. Widely available used. Any edition is acceptable.

Donald Spatz. *Contract Costing for Union Negotiators* (with CD). Union Communication Services, 2011. Available from Union Communication Services <http://www.laborbooks.com/index.php?app=ecom&ns=prodshow&ref=ContractCosting>

We will read excerpts from many other books, including:

- Harry Katz, Thomas Kochan and Alexander Colvin, *An Introduction to Collective Bargaining and Labor Relations* 4th Ed., abbreviated as “KKC”.
- John W. Budd *Labor Relations: Striking a Balance* (4th edition), abbreviated as “Budd”
- Michael R. Carrell and Christina Heavrin *Labor Relations and Collective Bargaining: Public and Private Sectors*, tenth edition, abbreviated as “Carrell”
- Thomas Berkeley and Arthur Colosi *Collective Bargaining: How it Works and Why*

Schedule of Assignments

Week 1 Tuesday January 16th

Introduction

Film: *At The River I Stand*

Week 2 Tuesday January 23rd

What is a collective bargaining agreement?

Collective Bargaining Agreement worksheet due.

Note: We will return to these collective bargaining agreements periodically throughout the semester. Please bring this CBA in hard copy or electronic form to every class with you.

Reading:

KKC Chapters 1 &2

Week 3 Tuesday January 30th

The bargaining environment 1: Law

Reading:

- Budd Chapter 4 (109-148)
- Colosi and Berkeley Section 5, The Battle (33-52)
- National Labor Relations Board *Basic Guide to the National Labor Relations Act* (1997)
<https://www.nlr.gov/sites/default/files/attachments/basic-page/node-3024/basicguide.pdf>

For reference, see: National Labor Relations Act <http://www.nlr.gov/resources/national-labor-relations-act>

Week 4 Tuesday February 6th

The bargaining environment 2: Public Sector bargaining

Reading:

- Alex Gourevitch "The Sound of the Police"
<https://www.jacobinmag.com/2015/01/the-sound-of-the-police/>
- Lewin, David, Jeffrey J. Keefe, and Thomas A. Kochan. "The new great debate about unionism and collective bargaining in US State and local governments." *Ind. & Lab. Rel. Rev.* 65 (2012): 749-975.
- Keefe, J. (2010) Debunking the Myth of the Overcompensated Public Employee. EPI Briefing Paper 276. Economic Policy Institute, Washington, DC.
<http://www.epi.org/page/-/pdf/bp276.pdf>
- Givan, Rebecca Kolins. 2013. "Why Teachers Unions Make Such Useful Scapegoats." *New Labor Forum*.

Week 5 Tuesday February 13th

Negotiation Basics

Reading:

- Chapters 1 and 2 from Babcock and Laschever *Women Don't Ask*. Princeton: Princeton University Press, 2003
- Fisher and Ury *Getting to Yes* (read all).
- Rebecca Kolins Givan “Your Boss’s Big Little Secret” *Jacobin* 4/2017
<https://www.jacobinmag.com/2017/04/wage-gap-pay-transparency-discrimination-unions>

Week 6 Tuesday February 20th

Bargaining Structure

Reading:

- Colosi and Berkeley: Section 6, The Table Process Examined; Section 13, Table Manners; Section 16, Table Tactics.
- Budd Chapter 7
- KKC Chapter 8

In class film: *Final Offer*

Week 7 Tuesday February 27th

1st Exam

Week 8 Tuesday March 6th

Bargaining for economics and contract costing

Reading:

- Carrell Chapters 7&8
- Spatz *Contract Costing for Union Negotiators* (read pp1-26 and bring to class).

SPRING BREAK

Week 9 Tuesday March 20th

Grievance, discipline and other non-economic issues.

Reading:

- Carrell Chapters 11 and 12
- Arbitration case (to be posted)

Week 10 Tuesday March 27th

Bargaining

Week 11 Tuesday April 3rd
Bargaining

Week 12 Tuesday April 10th
Bargaining

Week 13 Tuesday April 17th
Debrief bargaining and the current state of collective bargaining
Reading:

- Joel Cutcher-Gershenfeld, Stephen R. Sleight, Frits K. Pil “Collective Bargaining: Keeping Score on a Great American Institution” in David Lewin, ed. *Contemporary Issues in Employment Relations*. Labor and Employment Relations Association, Champaign, Illinois, 2006.
- Givan, R. K. (2007). "Side by Side We Battle Onward? Representing Workers in Contemporary America." *British Journal of Industrial Relations* 45(4): 829-855.
- Lerner, Stephen. 2010. "An Injury to All Going beyond Collective Bargaining as We Have Known it." *New Labor Forum*.

Week 14 Tuesday April 24th
2nd Exam
Peer evaluation due.

Collective Bargaining Agreement (CBA) Worksheet

Choose a collective bargaining agreement that is interesting or relevant to you. Read the ENTIRE CBA. Take notes on the following questions. Come to class with your notes as well as the CBA (in electronic form or hard copy). You must upload your notes to Sakai (the answers to these questions) no later than **noon January 23rd**. Choose a CBA that is of interest to you, as you will return to this contract throughout the semester. The CBA you choose should be currently in effect, or if expired, be the last agreement that exists for this unit (i.e. no successor agreement has been negotiated).

Note: If you have previously taken Employment Relations in Sports, you MAY NOT select a professional sports CBA.

You can find many collective bargaining agreements online by searching for the name of the employer and/or the union and “collective bargaining agreement” or “cba.” Many CBAs also appear on the employer or union local’s website. You can also find a large number of CBAs online on the US Department of Labor’s website, at <http://www.dol.gov/Olms/regs/compliance/cba/index.htm>

What is the date of the CBA?

Who are the two (or more) parties to the CBA?

What are the start and end dates of the CBA? How long is the contract?

Are there any provisions for contract re-openers or extensions in particular circumstances?

Is this work in the public or private sector?

How many job classifications are there? What are they?

Are skilled and unskilled workers treated differently?

Is there a no-strike clause in the contract?

Is there an agency fee/ agency shop clause in the contract?

Are there specific performance/productivity goals or incentives in the contract? What are they?

What are the wage increases for each year of the contract? Is the wage increase the same for all workers?

Is there a COLA (Cost Of Living Adjustment) in addition to the other wage increase/s? How is it stated/ calculated?

What is the health insurance plan- how much do employers and employees pay, what kind of coverage do they receive, are dependents covered (and at what cost)?

Is there a pension plan? If yes, how is it structured. If no, is there a 401K or other retirement plan?

Is there a provision for life insurance?

How many vacation days do workers get? Which workers, and after how many years of employment?

How many paid holidays are there?

How many sick and personal days is each worker allowed?

Is there a provision for Jury Duty?

Is there a provision for parental leave? What is the policy?

Are there any unusual provisions in the CBA?