COLLECTIVE BARGAINING & WORKER REPRESENTATION
Course Number: 38:578:560:90

Prof. Carla A. Katz, Esq.
SPRING 2023
carla.katz@rutgers.edu

This course will explore and analyze all aspects of unions, collective bargaining, including the legal and political environment, the participants, the process of negotiations, and the outcomes and impacts of collective bargaining. We will also discuss alternative forms of worker representation in the United States. The course is meant to be an overview of both conventional forms of union membership, negotiations, labor law, dispute resolution, and emerging representation and advocacy strategies.

Each week will focus on a key element or a particular specialized area and will run from Thursday morning until Wednesday evening. The class requires that you read and view all course materials within the assigned week. Additionally, students will participate in a required synchronous mock contract negotiation.

The course will start each week on Thursday morning. You will receive a weekly message outlining what the week ahead entails. NOTE: Syllabus subject to change.

Course Learning objectives

After this course, the student is able to:

VI) Application – Demonstrate an understanding of how to apply knowledge necessary for effective work performance (Part of Knowledge Theory, Practice and Application).
Course specifics: Knowledge of the role of labor unions; collective bargaining practices; basic labor law.

VII) Professional Development – Demonstrate an ability to interact with and influence others in a professional manner, and to effectively present ideas and recommendations.
Course specifics: Communication skills, influence tactics, and professionalism for union or management bargainers.

Labor Studies and Employment Relations Department:

Make an argument about a matter in the field using contemporary and/or historical evidence (Goal 4).

Work productively in teams, in social networks, and on an individual basis (Goal 13).
School of Management and Labor Relations:

Communicate effectively at a level and in modes appropriate to an entry level professional (Goal I).

Demonstrate an ability to interact with and influence others in a professional manner, and to effectively present ideas and recommendations (Goal VII).

Additional Course Objective(s) from the Instructor:

Understand and implement principles of bargaining and negotiation

Analyze key aspects of employment relations, including through the lens of current political and ideological debates.

Method of Instruction

This course is delivered online through the Learning Management System, Canvas. There will be no Face-to-Face classroom sessions. The course is delivered mostly in asynchronous mode. This means the learning activities and communication takes place outside of real-time. There is no live presentation or lecture. However, this course requires one synchronous exercise—a collective bargaining simulation—which is REQUIRED. You do not have to log in at any specific scheduled time; you may log in at your convenience. There may be times when the instructor conducts a live chat session to address questions. In that case, you will be notified in advance, so you can schedule the time.

Student Responsibilities

Online learning requires a high level of discipline, dedication, and time management skills. While online learning offers you flexibility and convenience to learn from anyplace, anytime, you are still expected to adhere to all due dates.

You are expected to:

- Have a reliable computer, and access to the Internet
- Log in to Canvas for your course on a daily basis
- Check for any announcements, update to the syllabus, assignments, and/or discussions and respond accordingly
- Actively participate in the Discussion Forum
- Complete the assigned readings
- Complete the assigned exercises and projects
- Adhere to all due dates
In case of computer failure
Make sure you have an alternative plan to access your Canvas class in case your computer crashes (it happens). An extra computer at home, your work computer, or computer at your local library are a few alternatives. *Always* backup your course documents on an external device, such as, a flash drive. It is also highly recommended that you print and keep a paper copy of each week’s activities, in case you lose access to the Internet.

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

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Info Sheet</td>
<td>10</td>
</tr>
<tr>
<td>Forum 1</td>
<td>15</td>
</tr>
<tr>
<td>Forum 2</td>
<td>20</td>
</tr>
<tr>
<td>Forum 3: Woodville</td>
<td>25</td>
</tr>
<tr>
<td>Forum 4: Zinnia Debrief</td>
<td>20</td>
</tr>
<tr>
<td>CB Worksheet</td>
<td>20</td>
</tr>
<tr>
<td>Labor Law Worksheet</td>
<td>20</td>
</tr>
<tr>
<td>Midterm Exam</td>
<td>235</td>
</tr>
<tr>
<td>Negotiation Plan</td>
<td>75</td>
</tr>
<tr>
<td>Zinnia Exercise</td>
<td>225</td>
</tr>
<tr>
<td>Zinnia MOA</td>
<td>25</td>
</tr>
<tr>
<td>Peer Evaluations</td>
<td>10</td>
</tr>
<tr>
<td>Final Exam</td>
<td>300</td>
</tr>
</tbody>
</table>

Total: 1000 points

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/academic-integrity-policy/](http://academicintegrity.rutgers.edu/academic-integrity-policy/)

Use of Artificial Intelligence (AI) is not permitted in this course
Use of AI, including but not limited to ChatGPT, is not permitted in any stages of the writing process on any assignment. All work submitted in this course must be the student’s own and created with the aid of impermissible technologies (such as AI), materials, or collaborations.

The Rutgers University Code of Conduct specifies as follows: [https://policies.rutgers.edu/10213-currentpdf](https://policies.rutgers.edu/10213-currentpdf)

Some assignments will be processed through Turnitin.
Class schedule
The schedule of readings and assignments is below. I may move some topics and/or readings to adjust the emphasis as a result of the class discussion. However, exam dates and assignment deadlines should not change. You should complete all readings for each week. Your participation will be reflected in the forum discussions.

Required Books

The following two (2) books are required. The Spatz book will be posted online.


All other readings will be posted on the site in the module for that week.

We will read excerpts from several other books, including:

- John W. Budd *Labor Relations: Striking a Balance* (4th edition), abbreviated as “Budd”

REQUIRED Bargaining Exercise: This assignment requires mandatory participation. A synchronous collective bargaining simulation in which small groups of union and management teams negotiate the terms of a new collective bargaining agreement using “The Zinnia and Service Workers Local H-56.” This exercise is accessible online. Teams for this exercise will be assigned by Prof. Katz.

Before the initial bargaining session, each team will construct a negotiation plan to be submitted to Professor Katz. Each negotiation plan should include a bargaining agenda. The bargaining agenda contains the team’s threat point (i.e., the minimum [maximum] acceptable contract changes the union [company] would accept without a strike) and also what the team reasonably hopes to settle for. Both economic and noneconomic items should be included in the agenda. Blank templates are available on the exercise’s website. Costs should be estimated for the economic items in the packages. Bargaining agendas are not binding during negotiations but are used to facilitate preparation. To help with costing various proposals, an Excel spreadsheet is available on the website. A list of sub-committee member must also be included in the negotiation plan.
Every team member should lead the team on at least one individual issue. Potential issues include wages, health insurance, retirement, notice procedures, successorship, and others.

Any pair of teams that does not complete an agreement by the end of the negotiations period will be deemed to be on strike and must write a strike paper. A full schedule and discussion regarding the process we will use for this simulation will be provided.

Schedule of Assignments

Week 1: Introduction and History of Collective Bargaining
Thursday, January 18 – Wednesday, January 24

Read:
- Chapter 2, “The Historical Evolution of the U.S. Industrial Relations System” KKC.

Film: Final Offer

Assignments:
- Create Profile in Tending to Account Associated Tasks
- Respond to Instructor Message
- Complete Student Information Sheet

Week 2: What is a Collective Bargaining Agreement (CBA)?
Thursday, January 25-Wednesday, January 31

Read: Locate and read a Collective Bargaining Agreement as described in the Collective Bargaining worksheet.

Assignment: Complete the Collective Bargaining Worksheet, It is due by the end of Week 3

Discussion: Go to Forum #1 and share your thoughts on the film “Final Offer”


Week 3: The Bargaining Environment Part 1: The Law
Thursday, February 1-Wednesday, February 7

Assignment Due: Collective Bargaining Agreement Worksheet
Read:
- Budd Chapter 4 (109-148)
- Colosi and Berkeley Section 5, The Battle (33-52)

Assignment: Complete Labor Law Worksheet

Discussion: Forum #2

Week 4: The Bargaining Environment: Political Economy
Thursday February 8-Wednesday February 14

Read:
- Katz, Kochan, Colvin, Chapter 4
- SCOTUSBLOG

View:
- Are Unions Good for the Economy? Prof. Katz on Big Think
- Labor Viewpoint on the Janus v. AFSCME case: Prof. Katz on Cavuto Live

Listen:
- Jane McAlevey on Labor Organizing after Janus

Week 5: Negotiation Basics
Thursday February 15-Wednesday February 21

Read:
- Budd, Chapter 7 (excerpt 246-268)
- Fisher and Ury Getting to Yes (read all of the book)

View: The Secret to Gaining the Upper Hand in Negotiations

Week 6: Midterm Exam
Thursday February 22-Wednesday February 28
Exam will be open on Monday, Feb. 26th from 10 a.m. through Wednesday, Feb. 28th at 11:59 p.m.

Week 7: Bargaining Structure, Economics, and Contract Costing
Thursday, February 29-Wednesday, March 6

Read:
- Budd Chapter 7
- Colosi and Berkeley: Section 6, The Table Process Examined; Section 13, Table Manners; Section 16, Table Tactics
- Carrell Chapters 7 & 8
- Spatz *Contract Costing for Union Negotiators (Book in entirety)*

Assignment:
- Forum #3: Hypothetical: Woodville HealthCare Bargaining

Week 8: SPRING BREAK March 9-March 17

Week 9: Grievance, discipline, and other non-economic issues.
Thursday March 21 -Wednesday March 27

Read:
- Carrell Chapters 11 and 12

Week 10: Alternate Forms of Worker Representation and Bargaining
Thursday, March 28 -Wednesday, April 3

Read:

Assignment:
- Review Zinnia Bargaining Simulation Materials
- Prepare Negotiation Plan
Week 11: Zinnia Bargaining Simulation Preparation
Thursday, April 4—Wednesday, April 10

Read: All materials on the Zinnia Website, including secret memos

Assignment: Negotiation Plan (created by each team and submitted by every student) is due by Midnight Wednesday, APRIL 10th

Week 12: Zinnia Bargaining Simulation
Thursday, April 11—Wednesday, April 17

Assignment: Participate in Zinnia Exercise & submit Peer Evaluations

Week 13: Debrief of Zinnia Exercise; Current State of Collective Bargaining
Thursday, April 18—Wednesday, April 24

Read:


Forum Discussion: Forum # 4: Debrief of the Zinnia Exercise

Assignment: Submit Memorandum of Agreement from Zinnia Exercise

Week 14: Final Exam. Monday, April 29 through Wednesday, May 1st