

COLLECTIVE BARGAINING

Course Number: 37:575:314:90

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Office Hours by Appointment

This course will explore and analyze all aspects of collective bargaining, including the legal and political environment, the participants, the process of negotiations, and the outcomes/impacts of collective bargaining. The course will start each week on Thursday morning. You will receive a weekly message outlining what the week ahead entails. Each week will focus on a key element or a particular specialized area of collective bargaining and will run from Thursday morning until Wednesday evening.

Course Learning objectives

After this course, the student is able to:

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. . You do not have to login at any specific scheduled time; you may login 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. **HOWEVER, this course requires one synchronous exercise—a collective bargaining simulation—which is MANDATORY**

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 anywhere, anytime, *you are still expected to adhere to the all due dates.*

You are expected to:

- Have a reliable computer, and access to the Internet
- Login 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.

Student Info Sheet:	10 points
Forum 1:	15 points
Forum 2:	20 points
Forum 3: Woodville	25 points
Forum 4: Zinnia Debrief	20 points
CB Worksheet	20 points
Labor Law Worksheet	20 points
Midterm Exam:	235 points
Negotiation Plan:	75 points
Zinnia Exercise:	225 points
Zinnia MOA:	25 points
Peer Evaluations	10 points
Final Exam:	300 points

Total: 1000 points

Academic Integrity and Plagiarism: 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/>

The extensive use of another person's ideas without proper citation is plagiarism and unacceptable. It can result in a failing grade and disciplinary action through University channels. The same is true for any other form of cheating. For information about proper citation of written and web-based material, please read, "Documenting Sources" and "Correct Forms for Citation," which is available on the Canvas site for this course. For this class we will use the Chicago Style.

Students with Disabilities: Rutgers University welcomes students with disabilities into all of the University's educational programs. In order to receive consideration for reasonable accommodations, a student with a disability must contact the appropriate disability services office at the campus where you are officially enrolled, participate in an intake interview, and provide documentation: <https://ods.rutgers.edu/students/documentation-guidelines>. If the documentation supports your request for reasonable accommodations, your campus's disability services office will provide you with a Letter of Accommodations. Please share this letter with your instructors and discuss the accommodations with them as early in your courses as possible. To begin this process, please complete the Registration form on the ODS web site at: <https://ods.rutgers.edu/students/registration-form>.

Class schedule

The schedule of readings and assignments is below. The Professor may move some topics and/or readings to adjust the emphasis as a result of class discussion. You should complete all readings for each week. Your participation will be reflected in the forum discussions.

Required Books and Equipment

Computer Requirement

- Windows Operating System Version 7 or above
- Mac OS X 10.7 or above
- Access to the internet

The following book is required and it will not be posted online.

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

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

We will read excerpts from several 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*.
- Donald Spatz. *Contract Costing for Union Negotiators* (with CD). Union Communication Services, 2011.

REQUIRED Bargaining Exercise: 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 online at www.thezinnia.com. Teams for this exercise will be assigned by Prof. Katz.

Before the initial bargaining session, each team will construct a negotiation plan. Each negotiation plan should include a bargaining strategy and agenda that 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. Blank templates are available on the exercise's website. Costs must be estimated and set out 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. 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 do 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 at a later date.

Schedule of Assignments

Week 1: Introduction and History of Collective Bargaining **Thursday September 2 – Wednesday September 8**

Reading:

- Chapter 1, "A Framework for Analyzing Labor Relations" in Katz, Harry C, Thomas A Kochan, and Alexander JS Colvin. 2015. *Labor Relations in a Globalizing World*: Cornell University Press.
- 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 September 9-Wednesday, September 15

Reading:

- Locate and read a Collective Bargaining Agreement as described in the Collective Bargaining worksheet.
- Union Workers Had More Job Security During the Pandemic, Economic Policy Institute, Washington D.C., January 22, 2021.

Assignment: Complete the Collective Bargaining Worksheet, Due Sept. 22

Discussion: Go to Forum #1 and share your thoughts on the Final Offer film (due 9/15)

**Week 3: The Bargaining Environment Part 1: The Law
Thursday September 16-Wednesday September 22**

Assignment Due: Collective Bargaining Agreement Worksheet (due 9/22)

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>

Assignment: Complete Labor Law Worksheet (due 9/22)

Discussion: Forum #2 (due 9/22)

**Week 4: The bargaining environment: political economy
Thursday September 23-Wednesday September 29**

Reading:

- 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*.
- Katz, Kochan, Colvin, Chapter 4

View: Are Unions Good for the Economy?

Week 5: Negotiation Basics

Thursday September 30-Wednesday October 6

Reading:

- Budd, Chapter 7 (excerpt 246-268)
- Introduction and Chapter 1 from Babcock and Laschever *Women Don't Ask*. Princeton: Princeton University Press, 2003
- 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 October 7-Wednesday October 13

Exam will be open Monday, October 11 from 10 a.m. through Wednesday, October 13, at 11:59 p.m.

Week 7: Bargaining Structure

Thursday October 14-Wednesday October 20

Reading:

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

Assignment:

- Forum #3: Hypothetical: Woodville HealthCare Bargaining

Week 8: Economics and Contract Costing

Thursday October 21-Wednesday, October 27

Reading:

- Carrell Chapters 7 & 8
- Spatz *Contract Costing for Union Negotiators (Book in entirety)*

Week 9: Grievance, discipline and other non-economic issues.
Thursday October 28-Wednesday November 3

Reading:

- Carrell Chapters 11 and 12
- Review Zinnia Bargaining Simulation Materials

Week 10: Zinnia Bargaining Simulation Preparation
Thursday November 4-Wednesday November 10

Negotiation Plan Due by Midnight Wednesday November 10

Reading: All materials on the Zinnia Website

Assignment: Work with your team to prepare bargaining proposals on all issues and complete and submit the worksheets provided.

Week 11: Zinnia Bargaining Simulation
Thursday November 11-Wednesday November 17 (Dates for Simulations TBD)

Assignment: Participate in Zinnia Exercise and submit Peer Evaluations

Week 12: Debrief of Zinnia Exercise; Current State of Collective Bargaining
Thursday, November 18-Wednesday, November 24

Reading:

- Harold Meyerson, Labor at a Crossroads, The Seeds of a New Labor Movement, American Prospect <http://prospect.org/article/labor-crossroads-seeds-new-movement>

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

Assignment: Submit MOA from Zinnia Exercise

Week 13: Thanksgiving BREAK
Thursday, November 25 to Wednesday, December 1

Week 14: Final Exam Thursday, December 2 to Wednesday December 8, 2020

Exam open Monday, December 6th from 10 a.m. through Wednesday December 8th at 11:59 p.m.

