

RUTGERS

School of Management and Labor Relations

Collective Bargaining

Fall 2024

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Online

Subject to Change

Course Description: This asynchronous course examines labor relations and collective bargaining using three major processes: union organizing (how unions are formed), bargaining (how contracts are developed), and dispute resolution (how bargaining disputes and grievances are resolved). To facilitate the learning experience, the class will combine small group and class discussions, lectures, and exercises. Additionally, students will either participate in a mandatory synchronous mock contract negotiation (Appendix “A,” **November 14th or November 16th**). You will be expected to be prepared with a strong internet connection and camera, or the alternate assignment will be a five-page research paper (Appendix “B”).

Course Objective: After successfully completing this course, you will be able to:

- Identify and explain key terms and various concepts, tools, and techniques relating to the negotiation process, including interest-based and positional negotiations.
- Understand and be able to apply a framework for analyzing collective bargaining and negotiations.
- Explain the role and function of management and union strategies and structures for bargaining.
- Distinguish and discuss the various factors affecting labor law and history.
- Understand and become familiar with contract administration and dispute resolution processes.
- Analyze and relate various important issues regarding unions in the past, present, and future.

Textbook: Roger Fisher and William Ury, *Getting to Yes: Negotiation Agreement without Giving In*. New York: Penguin, 2011. ISBN 9780143118756

Readings: We will read excerpts from several 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* (6th 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*.

The readings must be done before class.

Violations of academic integrity policies, including cheating, will result in penalties up to and including a 0 for the semester. I need to be notified if an issue arises throughout the course that prevents you from attending class or keeping up with the assignments. Every effort will be made to accommodate. However, you must be proactive and not wait until you are poorly performing. **The use of AI, such as ChatGPT, is not permitted at any stage of the writing process on any assignment.**

REQUIRED (if chosen) Bargaining Exercise: November 14, 7 pm-10 pm or November 16, 9 am- 12 pm (You need to be available on one of these dates). A synchronous collective bargaining simulation in which small groups of union and management teams negotiate the terms of a new collective bargaining agreement. Professor Castella will assign teams for this exercise. You will be required to have headphones with a microphone and a camera to participate in this exercise. Teams for this exercise will be assigned by myself.

Final grades are based on the following:

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

Student Info Sheet:	10 points
Forum 1:	50 points
Forum 2:	50 points
Forum 3: Unions	50 points
Woodville	25 points
CB Worksheet	20 points
Labor Law Worksheet	20 points
Midterm Exam:	235 points
Forum 4: CB Debrief (instead of UAW debrief)	20 points
Forum 4: UAW Debrief (instead of CB debrief)	20 points
UAW Paper (instead of bargaining exercise)	285 points
CB Bargaining Exercise	285 points
Final Exam:	235 points
Total:	1000 points

Grading Scale

A 100% to 90%	B+ <90% to 87%
B <87% to 80%	C+ <80% to 77%
C <77% to 70%	D <70% to 64%
F <64% to 0%	

Course Outline

Week 1: Introduction and History of Collective Bargaining September 3- September 8 (Short week)

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
- Introduce yourself in the pinned discussion
- Complete Student Information Sheet

Week 2: What is a Collective Bargaining Agreement (CBA)? September 9- September 15

Reading:

- Locate and read a Collective Bargaining Agreement described in the worksheet.

Assignment:

- Complete the Collective Bargaining Worksheet, due January 28

Discussion:

- Go to Forum #1 and share your thoughts on the Final Offer film

Week 3: The Bargaining Environment Part 1: The Law
September 16- September 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 the Labor Law Worksheet

Discussion:

- Forum #2

Week 4: The Bargaining Environment: Political Economy
September 23- 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.
- 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

Discussion:

- Forum #3: Are Unions Good for the Economy?

Week 5: Negotiation Basics

September 30- 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 the book)

View: The Secret to Gaining the Upper Hand in Negotiations

Week 6: Midterm Exam

October 7- October 13

The exam will be open Saturday, October 12, through Sunday, October 13, at 11:59 p.m.

Week 7: Bargaining Structure

October 14- October 20

Reading:

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

Assignment:

- Hypothetical: Woodville HealthCare Bargaining assignment

Attend:

For those who chose the Bargaining Exercise, there will be a mandatory WebEx on Sunday, October 20th, at 7 pm.

Week 8: Economics and Contract Costing

October 21- October 27 (Short week due to spring break)

Reading:

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

**Week 9: Grievance, Discipline, and Other Non-Economic Issues.
October 28- November 3**

Reading:

- Carrell Chapters 11 and 12
- Review Bargaining Simulation Materials

**Week 10: Bargaining Simulation Preparation
November 4- November 10**

Negotiation Plan Due by 11:59 pm, November 6th

Reading:

- All materials are in the Collective Bargaining section

Assignment:

- Work with your team to prepare bargaining proposals on all issues and complete and submit the worksheets provided.
- If you chose the paper assignment, I would strongly suggest you start it, if you haven't.

**Week 11: Bargaining Simulation (If you chose this assignment)
November 11- November 17**

Assignment:

- Participate in one of your assigned Bargaining Exercise times and submit Peer Evaluations.
 1. Thursday, November 14, 7 pm -10 pm or
 2. Saturday, November 16, 9 am – 12 pm
- Submit the UAW paper by November 17, 11:59pm

**Week 12: Debrief of Collective Bargaining Exercise
November 18- November 24**

Forum Discussion:

- Forum # 4: Debrief of the Collective Bargaining Exercise or
- Forum #4 Debrief of the UAW Paper

Assignment:

- Submit MOA from Collective Bargaining Exercise
- Submit Peer Evaluations

Week 13: Catch up Week

November 25- November 27 (Short week. Thanksgiving Recess)

- Submit remaining outstanding assignments for a reduced (50%) grade

Week 14: Current State of Collective Bargaining

December 2- December 8

Reading:

- Harold Meyerson, Labor at a Crossroads, The Seeds of a New Labor Movement, American Prospect

Week 15: Final Exam

December 9- December 15

- The exam will be available from December 11- December 15

Appendix “A”

A synchronous (live at a particular time) team-based collective bargaining exercise that requires planning with the team and then bargaining with the opposing union or management team online. I highly recommend this option. But if your internet connection is not fast and reliable or if you live in a different time zone, this probably won't work out well. You must have a strong internet connection and a good personal computer with a microphone and camera to bargain online – a cell phone, Chromebook, or working in a student computing center won't be sufficient. There will also be times leading up to bargaining when you will need to schedule group meetings.

Meet ONLINE Thursday, November 14 --from 7:00 p.m. -10:00 p.m.

or

Meet ONLINE Saturday, November 16—from 9:00 a.m. - 12:00 p.m.

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 for the monetary items in the packages. Bargaining agendas are not binding during negotiations but are used to facilitate preparation. An Excel spreadsheet is available on the website to help cost various proposals. Every team member should lead the team on at least one individual issue. Potential issues include wages, health insurance, retirement, notice procedures, successorship, etc. Any pair of teams that do not complete an agreement by the end of the negotiation 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 later.

Appendix “B”

The 2023 United Auto Workers strike was a labor strike involving automobile workers involving the United Auto Workers (UAW) and the three unionized automakers in the United States—General Motors, Ford, and Stellantis. The three automaker factories combined employ about 145,000 UAW members. They also produce approximately 50 percent of the vehicles manufactured annually in the United States. The strike began on September 15, 2023, when the union could not reach a deal with the three automakers. It was the first trilateral strike against the three automakers in the union's history.

The hardline stance taken by the newly elected UAW president, Shawn Fain, contributed to the UAW's decision to strike. Specifically, he has cited stagnant wages as one of the significant topics in bargaining.

You are to write a five-page paper (double-spaced, Times New Roman 12) laying out the issues leading up to the strike. Also, please explain in detail how the UAW effectively utilized the strength of its membership and all aspects of the media to mount such a historic campaign. You will also write about the ratification process and why some groups disagreed with the tentative agreement.

This paper is to be the product of mainly research with a closing of your opinion. I am not looking for just your opinion. I am looking for facts supporting your opinion.

You must properly cite everything you take from the Internet (APA). You will lose points for not correctly citing. When submitted, this paper will be checked for plagiarism.