

RUTGERS

School of Management
and Labor Relations

Collective Bargaining

Spring 2022

Instructor: Professor John Castella
E-mail: john.castella@rutgers.edu

37:575:314:90
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 participate in a mandatory mock contract negotiation.

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 to include 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, 1991.

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 prior to class.

Violations of academic integrity policies, including cheating, will result in penalties up and including a 0 for the semester. If an issue arises throughout the course which prevents you from attending class or keeping up with the assignments, I need to be notified. Every effort will be made to accommodate. However, you must be proactive and not wait until you are poorly performing.

REQUIRED Bargaining Exercise: **April 14, 7pm-10pm or April 16, 9am-12pm** (You need to be available 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. Teams for this exercise will be assigned by Professor Castella. You will be required to have headphones with a microphone to participate in this exercise. Teams for this exercise will be assigned by myself.

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.

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:	15 points
Forum 2:	20 points
Forum 3: Unions	10 points
Woodville	25 points
CB Worksheet	20 points
Labor Law Worksheet	20 points
Midterm Exam:	235 points
Negotiation Plan:	75 points
CB Exercise:	225 points
Forum 4: CB Debrief	20 points
CB MOA:	15 points
Peer Evaluations	10 points
Final Exam:	300 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
January 18- January 23 (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
- Complete Student Information Sheet

Online Class Meeting:

- Sunday 7pm-8pm (Introductions and syllabus review)

**Week 2: What is a Collective Bargaining Agreement (CBA)?
January 24- January 30**

Reading:

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

Assignment:

- Complete the Collective Bargaining Worksheet, due January 30th

Discussion:

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

**Week 3: The Bargaining Environment Part 1: The Law
January 31- February 6**

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

Discussion:

- Forum #2

Week 4: The bargaining environment: political economy
February 7- February 13

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
February 14- February 20

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
February 21- February 27

Exam will be open Saturday, February 26 through Sunday, February 27 at 11:59 p.m.

Week 7: Bargaining Structure
February 28- March 6

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

Week 8: Economics and Contract Costing

March 7- March 11 (Short Week)

Reading:

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

Spring Recess March 12- March 20. Enjoy!

Week 9: Grievance, Discipline and Other Non-Economic Issues.

March 21- March 27

Reading:

- Carrell Chapters 11 and 12
- Review Bargaining Simulation Materials

Week 10: Bargaining Simulation Preparation

March 28- April 3

Negotiation Plan Due by Midnight Sunday April 3

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.

Week 11: Bargaining Simulation

April 11- April 17

Assignment:

- Participate in the Bargaining Exercise and submit Peer Evaluations
 1. Thursday, April 14th 7pm-10pm
 2. Saturday, April 16th 9am-12pm

Week 12: Debrief of Collective Bargaining Exercise
April 18 April 24

Forum Discussion:

- Forum # 4: Debrief of the Collective Bargaining Exercise

Assignment:

- Submit MOA from Collective Bargaining Exercise

Week 13: Current State of Collective Bargaining
April 25- May 1

Reading:

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

Week 14: Final Exam
May 2- May 8

- The exam will be available from May 2- May 8