

# **Basics of Collective Bargaining Negotiations**

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# Outline of Presentation

- Nuts and Bolts of Negotiations
- Contract Campaigns – Internal
- Contract Campaigns – External
- Strategies to Build Union
- Strikes; Interest Arbitration
- Involvement of ULPs, Courts, ERB, & NLRB



# When you can Negotiate

- New Bargaining Unit
- Contract Renewal
- Interim Changes
- Contractual terms trigger negotiation



# What you can Negotiate

- Permissive subjects
- Mandatory subjects
- Prohibited subjects
- Similarities/ differences in how these terms are defined in the public vs. private sectors



# Choosing your Bargaining Team

- Ideal characteristics
- Ideal diversity
- Time commitment
- Things you can do to increase participation & diversity of your team



# Bargaining Timelines

- Public Sector:
  - New contract/ renewal
  - Re-openers
  - Interim changes
- Private Sector
- Contract Specific



# Gathering Information

- Timing of Requests
- Type & Scope of Information
  - Private Sector
  - Public Sector
- Strategy of Requests; Goal
- Source of Law
  - Public Sector (PECBA; Public Records Law)
  - Private Sector (NLRA; Public Records Law (sometimes))





# Types of Bargaining Proposals

- Bargaining for the Common Good
- Union Building Language
  - New employee orientation
  - Access
  - Membership Cards
  - Union business
- Removing unintended barriers for women, minorities
- Drug Testing





# Table Tactics

- Lead Spokesperson
- Caucuses
- Note taking
- Presenting Proposals and Counter Proposals

# Contract Campaigns – Internal

- Communication
- MAT Teams
- Outreach to members
- Workplace Actions



# Contract Campaigns – External

- Appeals to Quality or Customer/Public Service Concerns
- Role of Media & Publicity
- Involvement of Community Partners
- Role of Elected Officials



# Issues to Consider as you approach Impasse

- Declaration of Impasse
- Final Offers & Costing (public sector)
- Implementation by Employer
- Whether disputed proposals involve prohibited or permissive subjects
- Whether you can get a strike vote
- Whether you can succeed at interest arbitration (public sector)



# Strikes

- Notices required
- Legal actions to stop strikes
- Replacement workers
- Unemployment benefits
- Sympathetic Strikes & Crossing Picket Lines
- Legality (or illegality) of rolling or intermittent strikes



# Interest Arbitration

- Process
- Factors considered by arbitrator
- Jurisdiction of arbitrator
- Decision & award



# Unfair Labor Practices

- Examples of when they may occur
- Examples of when they may be alleged
- Use of ULP threat as a bargaining tool
- Resolving ULP complaints before, during, and after bargaining





# Once You Reach a Deal

- Tentative Agreements
- Ratification Process
- Execution of Final Contract
- Training
- Retention of Bargaining Materials

# Questions?

