

COLLECTIVE BARGAINING
Course Number: 37:575:314:90

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FALL Session 2017---Online
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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. 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 *entirely* online through the Learning Management System, Canvas. There will be no Face-to-Face classroom sessions. The course is delivered 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 login at your convenience. However, 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 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 (due to weather or any other reasons).

Assignments

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

Forum Posts/Debates:	100 points (Varying point values)
Student Info Sheet:	10 points
CB Worksheet:	30 points
Midterm Exam:	235 points
Final Exam:	300 points
Negotiation Plan:	75 points
Collective Bargaining:	250 points

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/policy-on-academic-integrity>. Assignments will be submitted in the shell and 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 class discussion. However, exam dates and assignment deadlines will not change. 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 two (2) books are required and they will not be posted online.

1. Roger Fisher and William Ury, *Getting to Yes: Negotiating Agreement without Giving In*. New York: Penguin, 1991. Widely available used. Any edition is acceptable.
2. Donald Spatz. *Contract Costing for Union Negotiators* (with CD). Union Communication Services, 2011. Available from Union Communication Services
<http://www.laborbooks.com/index.php?app=ecom&ns=prodshow&ref=ContractCosting>

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*.

Bargaining Exercise: A 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 must construct a negotiation plan (to be submitted to Professor Katz by August 10th). 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 one sub-committee focused on each individual issue. The subject which each sub-committee will address must be agreed to by both the union and management teams, although potential sub-committees include wages, health insurance, retirement and other subjects (could be mandatory or non-mandatory).

Prior to the bargaining session, the subcommittee leads from the union and management should "meet" try to narrow in on potential options for their subjects. This interim step allows everybody on the team to gain experience in negotiating and while the outcomes are not binding, they can help to improve the possibility of settlement.

Any pair of groups 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 Sept. 7- Wednesday Sept. 13

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 Sept. 14-Wednesday Sept. 20

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

Assignment: Complete the Collective Bargaining Worksheet, Due Sept. 20 midnight

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

Week 3: The Bargaining Environment Part1: The Law

Thursday Sept. 21-Wednesday Sept. 27

Assignment Due: Collective Bargaining Agreement Worksheet

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

Thursday Sept. 28-Wednesday Oct. 4

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?

Film: *American Dream*

Week 5: Negotiation Basics

Thursday Oct. 5-Wednesday Oct. 11

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 Oct. 12-Wednesday Oct. 18

Week 7: Bargaining Structure

Thursday Oct. 19-Wednesday Oct. 25

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

Week 8: Economics and Contract Costing

Thursday Oct. 26-Wednesday Nov. 1

Reading:

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

Week 9: Grievance, discipline and other non-economic issues.

Thursday Nov. 2-Wednesday Nov. 8

Reading:

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

Week 10: Zinnia Bargaining Simulation Preparation

Thursday Nov. 9-Wednesday Nov. 15

Negotiation Plan Due by Midnight Wednesday November 15th

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 Nov. 16-Wednesday Nov. 22

Assignment: Participate in Zinnia Exercise and Submit Memorandum of Agreement

Week 12: Thanksgiving Break Thursday, Nov. 23-Wednesday, Nov. 29

Week 13: Debrief of Zinnia Exercise; Current State of Collective Bargaining
Thursday Nov. 30-Wednesday Dec. 6

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: Debrief of the Zinnia Exercise

Assignment: Submit Peer Evaluations

Week 14: Final Exam
Thursday Dec. 7-Wednesday Dec. 13