**COLLECTIVE BARGAINING**

Labor Studies 37:575:314:91

Fall 2020

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Office Hours: Thursdays 1pm-2pm (or by appointment)

This course will explore and analyze the environment, participants, process, outcomes and impacts of collective bargaining. Students are expected to complete the assigned reading (and/or viewing) each week and incorporate the course material into class discussions and assignments. To facilitate the learning experience, the class will combine discussion forums, written assignments, and exercises. Students will also complete a midterm exam and participate in a mock contract negotiation at the end of the semester.

**Books:**

There is one required book for this course:

Steven Greenhouse, [*Beaten Down, Worked Up: The Past, Present and Future of American Labor*](https://www.penguinrandomhouse.com/books/246798/beaten-down-worked-up-by-steven-greenhouse/). Knopf Doubleday, 2019. Abbreviated as “Greenhouse.”

We will read excerpts from several other books, including:

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* (10th edition), abbreviated as “Carrell”

Harry Katz, Thomas Kochan and Alexander Colvin, *An Introduction to U.S. Collective Bargaining and Labor Relations* (5th edition)

All readings and film/video for the class (with the exception of Greenhouse) will be posted on the course Canvas page.

**Assignments:**

Online discussion forums: 30%

Exam: 25%

Collective bargaining exercise: 20%

Worksheets (i.e., collective bargaining agreement/negotiation/strike): 15%

Labor law quiz: 5%

News assignment: 5%

Each “week” will begin (and end) **Tuesdays at noon.** That is, all materials for the upcoming week will be posted at that time under the week’s module on Canvas. I encourage you to start each week with the “instruction” page, which will consist of my overview of the week’s material and some key words/lessons/questions to focus on as you engage with the material. Then, move onto the readings/videos before completing the assignments.

All assignments will likewise be due the following Tuesday at noon (unless otherwise noted). Assignments are listed below in **red** under the week they will be completed. For all assignments other than the discussion forums, due dates have also been listed for convenience. To receive full participation credit in discussion forums, you must respond to the initial prompt by Friday at noon, and respond to **at least two classmates’ posts** by Tuesday at noon. So, for example, your initial response to discussion forum #1 will be due at noon on Friday September 4th, and your two responses will be due at noon on Tuesday, September 8th. **You can either skip one discussion forum OR have your lowest discussion forum grade dropped from your final grade calculation.** Complete guidelines for receiving full credit on discussion forums are posted on Canvas.

For the bargaining exercise, students will participate in a mock contract negotiation between the United Food and Commercial Workers (UFCW) Local 400 and the Kroger Mid-Atlantic Division set during the current COVID-19 crisis. Students will be divided up into pairs of teams representing the “union” and “management,” and will take part in a 3-hour bargaining session the week of December 1st. Each team will be given a set of materials several weeks before the bargaining session to better understand the bargaining landscape and establish their priorities for the new contract. 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 15-page strike paper. A full schedule and discussion regarding the process we will use for this simulation will be provided at a later date. **Students must participate in the bargaining exercise in order to receive credit for this course.**

The midterm exam for this course will be held the week of **October 27th**. More information on the exam will be provided at a later date.

For more information on all other assignments, please see the “assignments” tab on the course Canvas page.

**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.

**Academic Integrity:**

You are responsible for understanding and following the Rutgers University Policy on Academic Integrity. Information on the policy is available at <http://academicintegrity.rutgers.edu/> .

Written assignments will be submitted via Canvas and processed through Turnitin.

**Accessibility:**

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>.

**Title IX Resources and Mandated Reporting:**

Rutgers faculty are committed to helping create a safe learning environment for all students and for the university as a whole. If you have experienced any form of gender or sex-based discrimination or harassment, including sexual assault, sexual harassment, relationship violence, or stalking, know that help and support are available. Rutgers has staff members trained to support survivors in navigating campus life, accessing health and counseling services, providing academic and housing accommodations, and more. The University strongly encourages all students to report any such incidents to the University. Please be aware that all Rutgers employees (other than those designated as confidential resources such as advocates, counselors, clergy and healthcare providers as listed in Appendix A to [Policy 10.3.12](http://policies.rutgers.edu/sites/policies/files/10.3.12-current.pdf)) are required to report information about such discrimination and harassment to the University. This means that if you tell a faculty member about a situation of sexual harassment or sexual violence, or other related misconduct, the faculty member must share that information with the University’s Title IX Coordinator. If you wish to speak to a confidential employee who does not have this reporting responsibility, you can find a list of resources in Appendix A to University Policy 10.3.12. For more information about your options at Rutgers, please visit [endsexualviolence.rutgers.edu](http://endsexualviolence.rutgers.edu/get-help/)

**Class Schedule:**

The schedule of readings and assignments is below. Some topics (and readings) may be changed to adjust the emphasis as a result of class discussion. However, exam dates and assignment deadlines will not change.

**Week 1 Tuesday September 1st**

**Introductions**

**Film:** *At the River I Stand*

**Discussion Forum #1**

**Student Information Sheet (due 9/15, noon)**

**Week 2 Tuesday September 8th**

**What is collective bargaining?**

Reading:

Greenhouse, Chapter 7

Chapter 1 in Harry Katz, Thomas Kochan and Alexander Colvin, *An Introduction to U.S. Collective Bargaining and Labor Relations* 5th Ed. (2017).

**Collective Bargaining Agreement worksheet (due 9/15, noon)**

Recommended reading: Chapter 2 in Harry Katz, Thomas Kochan and Alexander Colvin, *An Introduction to U.S. Collective Bargaining and Labor Relations* 4th Ed.

**Week 3 Tuesday September 15th**

**20th and 21st century collective bargaining**

**Film:** *Final Offer*

Reading:

Budd, Chapter 7 excerpt (236-246)

Chapter 4, “Are Unions Still Relevant” in McAlevey, Jane *A Collective Bargain: Unions, Organizing and the Fight for Democracy*, New York: HarperCollins, 2020.

Sneiderman, Marilyn, and Secky Fascione. “Going on Offense During Challenging Times.” *New Labor Forum,* January 2018. <https://newlaborforum.cuny.edu/2018/01/18/going-on-offense-during-challenging-times/>

**Discussion Forum #2**

Recommended: Greenhouse, Chapter 2

**Week 4 Tuesday September 22nd**

**The bargaining environment: law**

Reading:

Greenhouse, Chapters 11 & 15

Budd, Chapter 4 (109-148)

Reference material: National Labor Relations Act <https://www.nlrb.gov/guidance/key-reference-materials/national-labor-relations-act>

**Labor Law Quiz (due 9/29, noon)**

**Week 5 Tuesday September 29th**

**The bargaining environment: political economy**

Reading:

Greenhouse, Chapters 13 & 18

Alex Gourevitch, “The Sound of the Police,” *Jacobin,* January 11, 2015. <https://www.jacobinmag.com/2015/01/the-sound-of-the-police/>

Givan, Rebecca Kolins. 2019. “How Democrats learned to stop worrying and love teachers” *The Hill*, April 3, 2019. <https://thehill.com/blogs/congress-blog/education/437263-how-democrats-learned-to-stop-worrying-and-love-teachers>

**Discussion Forum #3**

**Week 6 Tuesday October 6th**

**Negotiation basics**

Reading:

Budd, Chapter 7 excerpt (248-260)

Selections from Babcock and Laschever *Women Don’t Ask*. Princeton: Princeton University Press, 2003. Introduction and Chapter 1.

Selection from Roger Fisher and William Ury, *Getting to Yes: Negotiating Agreement without Giving In.* New York: Penguin, 1991 (pages 17-106)

**Negotiation Worksheet (due 10/13, noon)**

**Week 7 Tuesday October 13th**

**Bargaining for economics**

**Film:** *American Factory*

Reading:

Greenhouse, Chapter 17

Carrell, Chapters 7 & 8

**Discussion Forum #4**

**Week 8 Tuesday October 20th**

**Grievance, discipline and other non-economic issues**

Reading:

Carrell, Chapters 11 & 12

Arbitration case

**Study for exam!**

Recommended: Avendaño, Ana. “Sexual Harassment in the Workplace: Where Were the Unions?” *Labor Studies Journal* 43(4), 245-262.

**Week 9 Tuesday October 27th**

**Exam (due 11/3, noon)**

**Week 10 Tuesday November 3rd**

**Strikes**

Reading:

Greenhouse, Chapters 6 & 20

Loomis, Erik. 2018. Chapter Ten “Justice for Janitors (Los Angeles, 1990)” in *A History of America in Ten Strikes*. New Press.

Sara Nelson “People Are Ready to Fight” *Jacobin* May 2019. <https://jacobinmag.com/2019/05/sara-nelson-flight-attendants-strikes>

**Strike Worksheet (due 11/10, noon)**

**Bargaining groups assigned- read bargaining materials**

**Target and resistance sheet (due 11/24, noon)**

**Week 11 Tuesday November 10th**

**Bargaining in the low wage economy**

**Film:** *Occupation*

Reading:

Greenhouse, Chapters 3 & 16

Hanauer, Nick. “Confronting the Parasite Economy: Why low-wage work is bad for business, and all of us.” *The American Prospect,* May 16, 2016. <http://prospect.org/article/confronting-parasite-economy>

Fernandez Campbell, Alexia. “Marriott workers just ended the largest hotel strike in US history” *Vox,* December 4, 2018. <https://www.vox.com/policy-and-politics/2018/12/4/18125505/marriott-workers-end-strike-wage-raise>

**Discussion Forum #5**

**Week 12 Tuesday November 17th**

**Collective bargaining during COVID-19**

Engdahl, Lora. “Unions are giving workers a seat at the table when it comes to the coronavirus response.” *Economic Policy Institute,* March 31, 2020. <https://www.epi.org/blog/unions-are-giving-workers-a-seat-at-the-table-when-it-comes-to-the-coronavirus-response/>

Slaughter, Jane. “In a Pandemic, Finding New and Old Ways to Fight New and Old Foes.” *LaborNotes,* May 26, 2020. <https://labornotes.org/blogs/2020/05/pandemic-finding-new-and-old-ways-fight-new-and-old-foes>

Greenhouse, Steven. “Covid-19 puts workers in danger. It’s another reason we need unions.” *The Guardian,* July 24, 2020. <https://www.theguardian.com/commentisfree/2020/jul/24/covid-19-workers-dangers-unions>

**News Assignment (due 11/24, noon)**

**Week 13 Tuesday November 24th**

**Thanksgiving break!**

**Week 14 Tuesday December 1st**

**Bargaining**

**Week 15 Tuesday December 8th**

**Bargaining deadline and debrief; final reflection**

Reading:

Greenhouse, Chapter 21

Sarita Gupta, Stephen Lerner and Joseph A. McCartin “It’s Not the 'Future of Work,' It’s the Future of Workers That’s in Doubt” *The American Prospect* August 31, 2018. <https://prospect.org/article/its-not-future-work-its-future-workers-doubt>

**Discussion Forum #6**

Recommended: Mark Zuckerman *Finding Workers Where They Are: A New Business Model to Rebuild the Labor Movement* The Century Foundation, February 6, 2019.

<https://tcf.org/content/report/finding-workers-new-business-model-rebuild-labor-movement/>