



School of Management
and Labor Relations

Collective Bargaining

Fall 2023

Instructor: Professor John Castella

37:575:314:90

E-mail: john.castella@rutgers.edu

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 synchronous mock contract negotiation (**November 14th or November 16th**).

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 prior to class.

Violations of academic integrity policies, including cheating, will result in penalties up to 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 (if chosen) Bargaining Exercise: November 14, 7 pm-10 pm or November 16, 7 pm- 10 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. Teams for this exercise will be assigned by Professor Castella. You will be required to have headphones with a microphone and video 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:	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 September 5- September 10 (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, September 10 @ 6 pm (Introductions and syllabus review) No longer than ½ hour

Week 2: What is a Collective Bargaining Agreement (CBA)? September 11- September 17

Reading:

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

Assignment:

- Complete the Collective Bargaining Worksheet, due September 17

Discussion:

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

Week 3: The Bargaining Environment Part 1: The Law **September 18- September 24**

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 **September 25- October 1**

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

October 2- October 8

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 9- October 15

The exam will be open Saturday, October 14, through Sunday, October 15, at 11:59 p.m.

Week 7: Bargaining Structure

October 16- October 22

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

October 23- October 29

Reading:

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

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

October 30- November 5

Reading:

- Carrell Chapters 11 and 12
- Review Bargaining Simulation Materials

Week 10: Bargaining Simulation Preparation
November 6- November 12

Negotiation Plan Due by Midnight, November 8

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
November 13- November 19

Assignment:

- Participate in one of your assigned Bargaining Exercise times and submit Peer Evaluations
 1. Tuesday, November 14th 7pm -10 pm
 2. Thursday, November 16th 7pm -10 pm

Week 12: Debrief of Collective Bargaining Exercise
November 20- November 22 (Short week, Thanksgiving recess)

Forum Discussion:

- Forum # 4: Debrief of the Collective Bargaining Exercise

Assignment:

- Submit MOA from Collective Bargaining Exercise
- Submit Peer Evaluations

Week 13: Current State of Collective Bargaining
November 27- December 3

Reading:

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

**Week 14: Catch up Week
December 4- December 10**

- Submit remaining outstanding assignments for a reduced grade

**Week 15: Final Exam
December 15- December 22**

- The exam will be available from December 15- December 22

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.**

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

or

Meet **ONLINE** Thursday, November 16—from 7:00- 10:00 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 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.