



## School of Management and Labor Relations

Collective Bargaining

Spring 2023

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Online

### **Subject to Change\* Updated January 22, 2023**

**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 either participate in a mandatory synchronous mock contract negotiation (April 13<sup>th</sup> or April 15<sup>th</sup>) or visit a museum of my choice (Appendix B).

**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, 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* 4<sup>th</sup> 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:** April 13, 7 pm-10 pm or April 15, 9 am-12 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 January 17- January 22 (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 6 pm (Introductions and syllabus review)

#### **Week 2: What is a Collective Bargaining Agreement (CBA)? January 23- January 29**

##### Reading:

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

##### Assignment:

- Complete the Collective Bargaining Worksheet, due January 29th

##### Discussion:

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

### **Week 3: The Bargaining Environment Part 1: The Law January 30- February 5**

#### 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 6- February 12**

#### 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 13- February 19**

#### 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 20- February 26**

The exam will be open Saturday, February 25, through Sunday, February 26, at 11:59 p.m.

**Week 7: Bargaining Structure**  
**February 27- March 5**

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 6- March 10 (Short Week)**

Reading:

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

Spring Recess March 11- March 19. Enjoy!

**Week 9: Grievance, Discipline, and Other Non-Economic Issues.**  
**March 20- March 26**

Reading:

- Carrell Chapters 11 and 12
- Review Bargaining Simulation Materials

**Week 10: Bargaining Simulation Preparation**  
**March 27- April 2**

Negotiation Plan Due by Midnight Sunday, April 2

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 10- April 16**

Assignment:

- Participate in the Bargaining Exercise and submit Peer Evaluations
  1. Thursday, April 13<sup>th</sup>, 7pm-10 pm
  2. Saturday, April 15<sup>th</sup> 9am-12 pm

**Week 12: Debrief of Collective Bargaining Exercise**

**April 17 April 23**

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**

**April 24- April 30**

Reading:

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

**Week 14: Final Exam**

**May 1- May 7**

- The exam will be available from May 1- May 7

### 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** Thursday, April 13 --from 7:00-10:00 p.m.

Meet **ONLINE** Sunday, April 15—from 9am-12pm. from 9:00 am-12:00 noon.

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.

## Appendix "B"

### Labor-related Museum Visit and Paper.

- Visit one of the following locations listed below. **Take a picture of yourself at the location or scanned program from the location to document you were physically there. You will upload this separately.**
- Write a five-page (double-spaced) paper in which you describe your experience and the content of the museum exhibit. In your essay, address some of the following questions:

Why did you choose to visit that place?

What did you learn from your visit?

What did you like most about the museum?

What did you like most about the exhibits? What would you have changed if you could?

How is the location connected to the course or a specific part of the course?

How did your knowledge and background of labor studies change the lens in which you viewed the exhibits?

What readings from this course were helpful for viewing and understanding the exhibits?

Would you recommend visiting to other students in the class? Why or why not?

Please feel free to comment on other aspects of the visit that may not be addressed in the above questions.

#### **Locations to visit (choose any one):**

1. The Tenement Museum in NYC. Go to <http://www.tenement.org/>(Links to an external site.) [Links to an external site.](#) for information. There are a variety of tours and you may need to sign up in advance.
2. The American Labor Museum at the Botto House in Patterson, NJ. Go to <http://www.labormuseum.net/>(Links to an external site.) [Links to an external site.](#) for information. There are also good walking tours in Patterson.
3. Ellis Island. Go to [http://www.ellisland.org/genealogy/ellis\\_island\\_visiting.asp](http://www.ellisland.org/genealogy/ellis_island_visiting.asp)(Links to an external site.) [Links to an external site.](#) for information.
4. Roebling Museum in Burlington County -- <http://roeblingmuseum.org/>(Links to an external site.) [Links to an external site.](#) If you go to this one be sure to also investigate the big strikes that occurred in this company town.
5. Seabrook Museum -- in far South Jersey near Vineland - <http://www.seabrookeducation.org/>(Links to an external site.) [Links to an external site.](#)



- [site](#). The history of Seabrook includes a united black/white Communist-influenced 1934 strike, battles with the Klan, the owner's use of every group possible to keep down labor costs (Japanese internees, Estonian refugees, German POWs, etc.).
6. Philadelphia History Museum (formerly the Atwater-Kent) in downtown Philly - <http://www.philadelphiahistory.org/>(Links to an external site.) Links to an external site. -- A general history museum, but includes ethnic and worker-related exhibits. They have a lot of the material objects (most not displayed) from the late great Balch Ethnic Institute and some suggested walking tours of city neighborhoods. Visit a part of the museum related to labor studies. (This museum may be closed... see #8 and #9 for other museums close to Philadelphia).
  7. Nearer to the Lehigh Valley Area, Pennsylvania, the Bethlehem Steel Stacks, in Pennsylvania, runs tours. If you do this one, also investigate the history of the union there. Go to <http://www.historicbethlehem.org/>(Links to an external site.) Links to an external site. for information.
  8. Camden Shipyard Maritime Museum is more promising: <https://www.camdenshipyardmuseum.org/exhibits>(Links to an external site.) Links to an external site.. The Camden museum seems to have limited hours, but it should be open (it is a relatively new museum): <https://www.camdenshipyardmuseum.org/exhibits> (Links to an external site.)Links to an external site.
  9. (Links to an external site.) Links to an external site.The African American Museum in Philadelphia also has a permanent exhibit on African Americans in Philadelphia from 1776-1876, which would of course touch on the themes of race, civil rights, and social class: <https://www.aampmuseum.org/current-exhibitions.html>