

THE CITY UNIVERSITY OF NEW YORK
SCHOOL OF PROFESSIONAL STUDIES
Collective Bargaining LABR 604
Spring 2013
Monday 6:15-8:45 P.M.

PROF. JOSHUA E. BIENSTOCK

SYLLABUS

Students will be required to collectively bargain and draft a public sector and a private sector collective bargaining agreement. During the course of negotiations students will be taught the history and legal basis of collective bargaining and skills and tactics needed to be a successful advocate. Emphasis will also be placed on knowledge of the law, formulating proposals, negotiation techniques and contract drafting skills.

Course Outline and Assignments

READING LIST:

1. Labor Relations and Collective Bargaining, Michael R. Carrell and Christina Heavrin, Pearson 10th edition
2. Handouts, including contracts to be used in mock collective bargaining sessions

ASSIGNMENTS:

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|---------|----|---|
| Session | 1: | History of the Laws Governing Collective Bargaining
Readings: <u>Carrell</u> , pp. 1-38, 39-78. |
| Session | 2: | The Duty of Fair Representation
The Duty to Bargain in Good faith
Readings: <u>Carrell</u> , pp. 359-405. |
| Session | 3: | The Collective Bargaining Process
Organizing Campaign |

Recognition
Maintaining the Status Quo During Initial
Negotiations (NLRB v. Katz) I
mpasse
Ratification and Execution of a Contract

Session 4: Readings: Carrell, pp. 117-244.
Duty to Bargain In Good Faith

Subjects of Bargaining

- o Mandatory Subjects
- o Illegal Subjects
- o Permissive Subjects

Good Faith Bargaining
Bad Faith Bargaining
Surface Bargaining
Hard Bargaining
Boulwarism

Readings: Carrell, pp. 359-405.
Handouts

Session 5: Rules Theory and Practice of Collective bargaining

Collective Bargaining Glossary
Collective Bargaining Process
Different types of Collective Bargaining
Relationships
Non Union Negotiations
A Contract With the Employer
Contents of A Union Contract

Readings: Handouts

Session 6: The Dynamics of Collective Bargaining

Trapped Beneath the Sea Exercise
Group Behavior/Patterns
Conflict Resolution Questionnaire

Readings: Handouts

Session 7: Negotiation Skills/Attributes of a Successful
Negotiator

The Rules of negotiation
Attributes of A Good Negotiator
Negotiation Styles
Bargaining homilies
Negotiation Skills
Negotiation Techniques (Reaching A mutually
Acceptable Resolution)
Effective Communication
Controlling anger
Dealing with Anger
Anger management Quiz

Readings: Handouts

Session 8: MIDTERM EXAMINATION

Session 9 Public Sector Collective Bargaining

Readings: Carrell, pp. 79-116.

Session 10: Collective Bargaining Video and Analysis
Mediation Video and Analysis

Session 11: Process and Structure of Collective Bargaining

Collective Bargaining Continuum
Strategic Contract Campaign
Bargaining Committees
Request For Information
Initial Contract Proposals
Establishing rules at the bargaining table
Anticipating Employer's Moves at the Bargaining table
Keeping Records of the Negotiations
Good Faith bargaining
Impasse Exercise

Readings: Handouts

Session 12: Formulating Contract Proposals

Proposals
Costing out a Contract
Contract Language Analysis (Drafting
Considerations)
Contents of the Collective Bargaining Agreement
Drafting Contract Language for:

- o Recognition
- o Union Security
- o Discipline
- o Promotion
- o Layoff/Recall
- o Health and Safety
- o Grievance/Arbitration
- o Management Rights
- o Other Critical Provisions

Readings: Handouts

Session 13: Collective Bargaining Exercise

- o Private Sector

Readings: Handouts

Session 14: Collective Bargaining Exercise

- o Public Sector

Readings: Handouts

Session 15: Contract Administration/Grievance Arbitration

Readings: Carrell, pp.406-464.

FINAL EXAMINATION

TEAM COLLECTIVE BARGAINING EXERCISE

During the term, the Class will be divided into teams and presented with a contract. They will engage in the various stages of negotiations until they reach an agreement and execute a contract

Pecks Beer Exercise –

Draft Proposals Exchange
Proposals Negotiation Sessions

Teams will conclude negotiations and must execute an agreement.

Examinations

A midterm and final examination will be administered

GRADING FORMULA ASSESSMENT METHODOLOGY

Instrument

Class Participation	20%
Midterm Exam	40%
Final Exam	40%
Total.....	100%