

Collective Bargaining

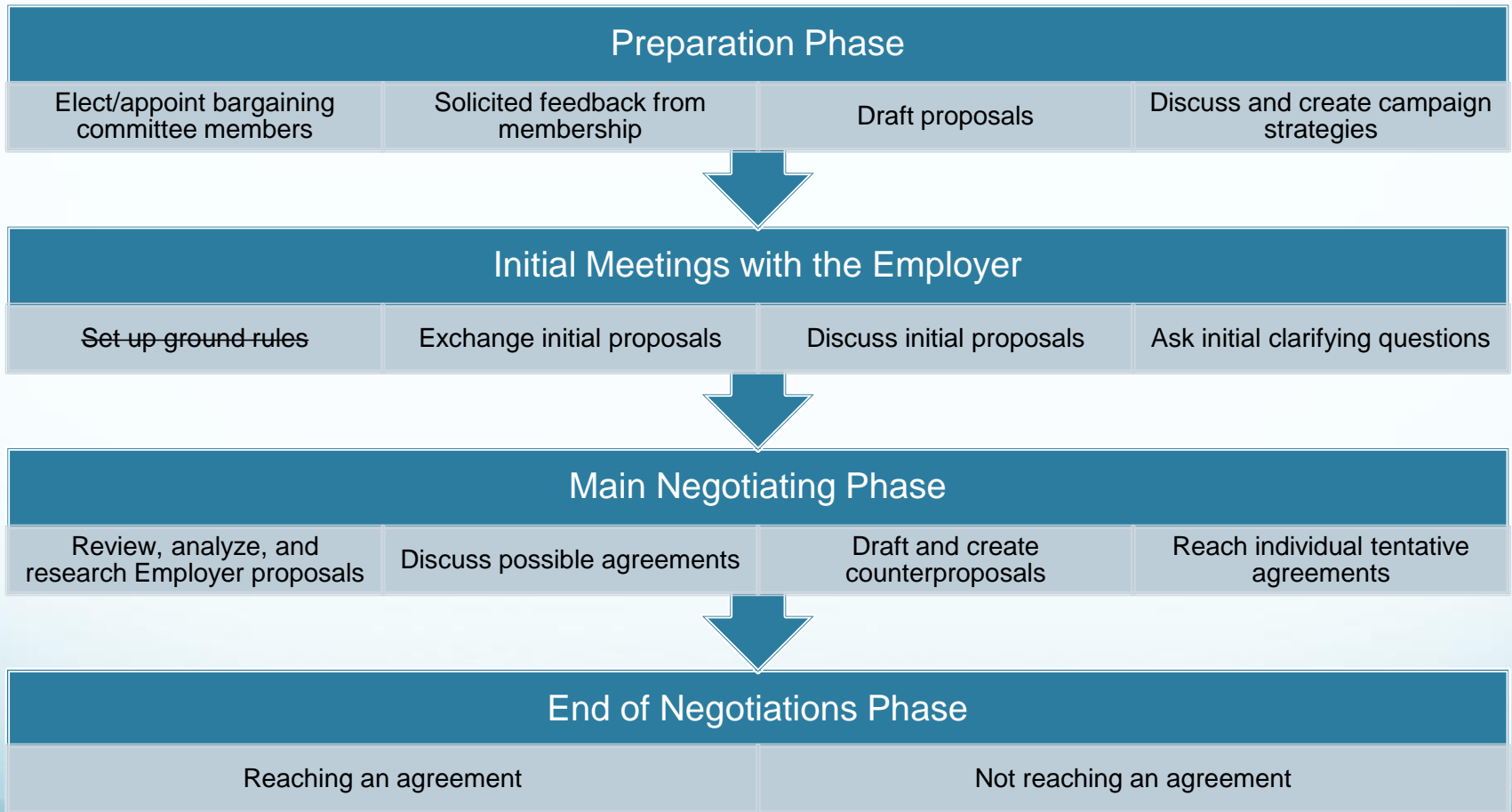


Agenda

- Collective Bargaining Timeline/Process
- Collective Bargaining Styles
- Common Terms
- Table Etiquette
- Pitfalls to Avoid
- Responsibilities of Collective Bargaining Team
- Members of the Collective Bargaining Team
- Bargaining for the Common Good
- Developing a Contract Campaign



Collective Bargaining Timelines



Collective Bargaining Styles

Position Based Bargaining

- Approach where bargaining teams exchange proposals based on 'positions'.
- Adversarial by default. Each party naturally represents different positions.
- Arguments are made to educate or convince the other party to accept their position
- Sit on the opposite sides of the table

Interest Based Bargaining

- Proposals are stated in terms of interest.
- Can, but not guaranteed, to be perceived to be a problem solving approach
- Parties discuss concepts and ideas and once consensus is reached, those concepts are reduced to writing
- Sometimes sit mix to represent a collaborative energy



Chief Spokesperson – The person who is identified by each party as the authorized representative. In our case it is Caryn Laflamme, Field Representative, AFT Massachusetts

TA/Tentative Agreement – When the parties have agreed to an individual proposal. This agreement is set aside and not usually revisited until there is a complete deal. This agreement is tentative and is subject to change and approval.

Hold/Reject/Accept – Terms that are used when expressing the position of the party about the other party's proposals (i.e. The Union rejects the Employer's proposal for wage concessions; the Union will hold on the Employer's proposal regarding class size until further review; the Employer accepts the Union proposal for professional development).

Counterproposal – Most common action taken during collective bargaining. It is when one party makes modifications to a proposal from the opposing team and presents it back to them. Sometimes the parties will not make a proposal because they desire to just make a counter proposal (i.e. the Employer didn't offer us a wage increase and when pressed during bargaining, they expressed they would make their proposal by means of a counter).

Caucus – When one party requests to discuss privately away from the other party.



Good Faith/Bad Faith Bargaining – Standards set forth in applicable law to how the parties must conduct themselves during negotiations.

Mandatory Subject of Bargaining – A topic that is required by both parties to negotiate in good faith. Commonly referred to as ‘wages, hours, and working conditions’.

Permissive Subject of Bargaining – A topic that either party can propose, but there is no obligation to bargain. The parties cannot reach impasse over a permissive subject. Example: Academic calendar.

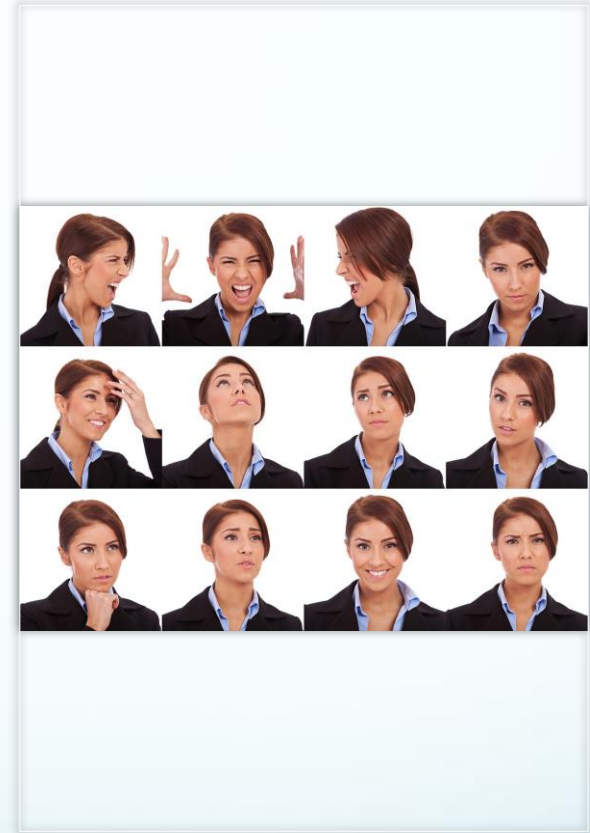
Illegal Subject of Bargaining – A topic that has been identified by the appropriate governing law (NLRA, 150E, etc.) cannot be agreed to even if the parties are okay with it. Example: Agency fee in right to work states (private sector), striking rights (public sector).

Off the Record – A proposal or conversation that is had that cannot be used or referenced later. Important technique used when discussing potential compromises.



Table Etiquette

- Chief spokesperson speaks for the group
- Limit body language
- Take notes
- Show unity in public
- If disagreement exists (which it will), we will discuss it privately(caucus)and attempt to reach consensus
- Majority rules



Pitfalls to Avoid

- Employer proposals are often insulting, don't let it catch you off guard
- The Lawyer representing the school committee is not interested in the well being of either party. His/her job is to provide guidance to the school committee. However, it would not be unheard of for an attorney to prolong negotiations.
- Remember there are larger politics at play between the school committee and the municipality. School Committee members are elected officials.



Responsibilities of the Collective Bargaining Team

Advance the interests of the Union

Set goals to achieve the most for the greatest amount of members

Address workplace concerns

Represent the Union

Present a unified front



Members of the Collective Bargaining Team

What is open bargaining?

Open bargaining means all SFoP members have the right to attend every single bargaining session. ... Open bargaining gives us a home court advantage, allowing us to bring our key source of leverage as workers—our numbers—to the bargaining table

- Lead negotiators
- Extended negotiators
- Special interest negotiators



Bargaining for the Common Good is an innovative organizing approach where public sector unions use contract fights as an opportunity to organize local stakeholders around a set of demands that benefit not just the bargaining unit, but the wider community as a whole. In these campaigns, labor and community are equal partners who work together to build public support for revenue solutions that will allow us to rebuild our communities, adequately fund public services, and protect quality middle class public sector jobs.

Education is an ideal stage for Bargaining for the Common Good campaigns. The services provided by public schools and public universities are vital to our communities but have suffered deep budget cuts in recent years, while educators have been scapegoated for budget shortages and their unions targeted. Advocating for common sense reforms that improve our schools and universities draws the backing of crucial stakeholders such as parents, students, and the many community groups that focus on education. By aligning their bargaining interests with the common, educators can restore public support and go on the offensive.



Specific to K-12 education

- ❖ • Smaller class sizes and universal access to pre-kindergarten and full-day kindergarten.
- ❖ • Healthier food options and fully or partially subsidized meals for low-income students.
- ❖ • Family engagement through home visit programs and resources to facilitate parent-teacher communication.
- ❖ • Access to supporting professionals such as counselors, nurses, social workers, librarians, psychologists, and teaching assistants.
- ❖ • Robust programs for ESL students and students with special needs.
- ❖ • Improved school facilities and quality maintenance.
- ❖ • Free bus transportation to students who cannot otherwise attend school.
- ❖ • High-quality professional development for teachers and relief from standardized testing requirements.
- ❖ • Address inequities such as the discriminatory application of discipline policies, disparities in resources for public schools, as well as racial and socioeconomic segregation in our education system.
- ❖ • Increased number of foreign language, art, music, and physical education classes.
- ❖ • Supervised in-school suspensions rather than out-of-school suspensions for troubled students.



Developing a Contract Campaign

A contract campaign is where the Union escalates its pressure through collective action as time progresses during bargaining

- Contract campaign tactics include:
 - Button/Tee Shirt Days
 - Petitions
 - Community Engagement
 - Rallies at school committee and the town
 - “Packing the Room”
 - Political Engagement



Speak Out at the School Committee

March 12th 6:00 pm

We identified our priorities as:

- ☐ Wages that recognize our value and reflect our worth
- ☐ Staffing diversity that provides a pathway to success for every student
- ☐ Staffing levels that support a safe learning environment
- ☐ Relevant quality professional development that promotes achievement and growth.



Questions/Comments

- Outstanding questions?
- Are you ready and excited to start negotiations?

