

## Preparing for Collective Bargaining

### A Management Checklist

#### **Prepare the Negotiating Team**

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|  | <ul style="list-style-type: none"> <li>▪ Determine the size and composition of the bargaining team</li> </ul>   |
|  | <ul style="list-style-type: none"> <li>▪ Bargaining Committee will consist of representatives from                             <ul style="list-style-type: none"> <li>• Key Service Areas</li> <li>• Human Resources</li> <li>• Finance</li> <li>• Legal Counsel</li> </ul> </li> </ul> |
|  | <ul style="list-style-type: none"> <li>▪ Distinguish the experienced and skilled negotiators</li> </ul>   |
|  | <ul style="list-style-type: none"> <li>▪ Determine the roles and responsibilities of the team members</li> </ul>  |
|  | <ul style="list-style-type: none"> <li>▪ Obtain and maintain clear negotiating mandate</li> </ul>   |
|  | <ul style="list-style-type: none"> <li>▪ Determine expectation and objectives of both Union and Management</li> </ul>   |

#### **Identify Management Proposals and Objectives**

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|  | <ul style="list-style-type: none"> <li>▪ Proposals identified through                             <ul style="list-style-type: none"> <li>• Issues arising through term of existing agreement, letters of understanding</li> <li>• Review of the grievance and arbitral history</li> <li>• Review of existing practices, policies</li> <li>• Operational problems, issues</li> <li>• Interpretation issues</li> <li>• Consultation with key personnel, input from stakeholders (senior managers, front-line supervisors/managers)</li> <li>• History of past negotiations</li> <li>• Review union's organizing-campaign promises in first collective agreement situation</li> <li>• Review union publications</li> <li>• Review unmet demands from last round of negotiations</li> </ul> </li> <li>▪ Have proposals reviewed by legal counsel – ensure compliance with legislation</li> </ul> |
|  | <ul style="list-style-type: none"> <li>▪ Gather information on any current and/or anticipated changes to                             <ul style="list-style-type: none"> <li>• Business conditions, practices, policies</li> </ul> </li> </ul>  |
|  | <ul style="list-style-type: none"> <li>▪ Cost containment/productivity improvements</li> </ul>   |
|  | <ul style="list-style-type: none"> <li>▪ Establish strategies to improve labour relations                             <ul style="list-style-type: none"> <li>• Review meetings with Human Resources and front-line supervisors</li> </ul> </li> </ul>  |

| <b>Compile Internal Data Chart (Content)</b> |  |
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|  | <ul style="list-style-type: none"> <li>▪ Chart overall compensation per employee                             <ul style="list-style-type: none"> <li>• Number of employees by classification and by shift</li> <li>• Minimum and maximum pay in each classification</li> </ul> </li> </ul>  |
|  | <ul style="list-style-type: none"> <li>▪ Wages                             <ul style="list-style-type: none"> <li>• Regular wages</li> <li>• Overtime wages</li> <li>• Additional compensation                                     <ul style="list-style-type: none"> <li>• Call-Back</li> <li>• Stand-By Pay</li> </ul> </li> </ul> </li> </ul>             |
|  | <ul style="list-style-type: none"> <li>▪ Shift differential, emergency recall and other special pay                             <ul style="list-style-type: none"> <li>• Overall cost</li> <li>• Cost by classification</li> <li>• Cost by shift</li> </ul> </li> </ul>  |
|  | <ul style="list-style-type: none"> <li>▪ Paid Holidays</li> </ul>  |
|  | <ul style="list-style-type: none"> <li>▪ Vacation Cost                             <ul style="list-style-type: none"> <li>• Overall</li> <li>• By years of service</li> <li>• Amount of vacation</li> </ul> </li> </ul>  |
|  | <ul style="list-style-type: none"> <li>▪ Leave                             <ul style="list-style-type: none"> <li>• General Leave</li> <li>• Sick Leave</li> <li>• Bereavement Leave</li> <li>• Marriage Leave</li> <li>• Pregnancy Leave</li> <li>• Parental Leave</li> <li>• Education Leave</li> <li>• Jury and Crown Witness Duty</li> </ul> </li> </ul> |
|  | <ul style="list-style-type: none"> <li>▪ Allowances                             <ul style="list-style-type: none"> <li>• Mileage Allowance</li> <li>• Education Allowance</li> <li>• Overtime Meal Allowance</li> <li>• Uniform and Clothing Allowance</li> </ul> </li> </ul>  |
|  | <ul style="list-style-type: none"> <li>▪ Accident Rate                             <ul style="list-style-type: none"> <li>• Per worker</li> <li>• By classification</li> <li>• By shift</li> </ul> </li> </ul>   |

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|  | <ul style="list-style-type: none"> <li>▪ Health and Welfare plan                             <ul style="list-style-type: none"> <li>• Overall cost</li> <li>• Cost per worker</li> <li>• By classification</li> <li>• Long-Term Disability</li> <li>• Pension</li> <li>• Hospital and Medical Insurance</li> <li>• OHIP</li> <li>• Semi-Private Care</li> <li>• Extended Health Care Plan</li> <li>• Extended Health care Benefits</li> <li>• Dental</li> <li>• Group Life Insurance</li> </ul> </li> </ul> |
|  | <ul style="list-style-type: none"> <li>▪ Cost of duration of lunch and other breaks</li> </ul>  |
|  | <ul style="list-style-type: none"> <li>▪ Demographic data on bargaining unit (sex, age, seniority)</li> </ul>   |
|  | <ul style="list-style-type: none"> <li>▪ Outline of incentive, progression, evaluation, training, safety and promotion plans</li> </ul>   |

| <b>Determine Costing</b> |  |
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|                          | <ul style="list-style-type: none"> <li>▪ Review the cost of each applicable item in the collective agreement</li> </ul>                              |
|                          | <ul style="list-style-type: none"> <li>▪ Gather information from accounting department</li> </ul>  |
|                          | <ul style="list-style-type: none"> <li>▪ Present the total cost and average cost per employee for wages, benefits and union activity time</li> </ul> |
|                          | <ul style="list-style-type: none"> <li>▪ Estimate the cost of all proposed changes</li> </ul>  |

| <b>Finalize Strategy</b> |  |
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|                          | <ul style="list-style-type: none"> <li>▪ Develop a bargaining agenda</li> </ul>                          |
|                          | <ul style="list-style-type: none"> <li>▪ Identify possible strike/lockout issues</li> </ul>              |
|                          | <ul style="list-style-type: none"> <li>▪ Finalize listing of issues and alternative solutions</li> </ul> |
|                          | <ul style="list-style-type: none"> <li>▪ Outline a bargaining action plan</li> </ul>                     |

## **KNOWLEDGE OF UNION**

### **Anticipate Union Demands**

- Determine the Union bargaining team
- Determine Union negotiation practice
- Determine organization structure of Union representatives
  - This includes the formal and information power structure
- Examine the financial strength of the Union
- Review any internal problems that exist
- Explore bargaining history
- Discuss Union demands with counterparts

### **Develop a Strike/Lock-Out Plan**

- Develop a strike/lock-out plan
  - Form strike/lock-out committee
  - Establish policy recommendations and action plan in event strike or lock-out occurs
  - Consider plan to protect and maintain business assets and equipment
  - Use of management/replacement workers
  - Picket line issues
  - Prepare notices to government agencies and police, as well as students
  - Examine any potential liability
    - Contractual commitments
    - Insurance review
    - Steps to minimize liability
- Develop a publicity/communication strategy
  - Nature and extent of employee communications

### **Prepare Possible Informal Resolution of Issues**

- Review Union issues
- Hold informal discussion with Union representatives
- Propose pre-negotiations with Union representatives of a formal or informal nature
- Develop and consider alternative solutions

## **BARGAINING PROCESS**

### **Bargaining Notice and Schedule of Meetings**

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|  | <ul style="list-style-type: none"><li>▪ Send formal notice to Union</li></ul>  |
|  | <ul style="list-style-type: none"><li>▪ Arrange for negotiation meetings with Union<ul style="list-style-type: none"><li>• Place</li><li>• Schedule</li><li>• How the facilities is to be paid</li><li>• Pay for negotiators<ul style="list-style-type: none"><li>• Regular pay</li><li>• Overtime pay</li><li>• Special pay</li></ul></li></ul></li></ul> |