

Introduction to Collective Bargaining

'The Bargaining Unit'

Philosophies Of Trade Unions and Management

- Unions generally believe that management exploits labour and is more interested in making a profit than in furthering the welfare of its employees
- Management often feels that trade unions are:
 - Unnecessary
 - Disruptive
 - Promote Inefficiency
 - Help to reduce profits
 - Attempt to exercise their dominance and reduce power and authority of management

Reasons For Joining Trade Unions

- For representation / To have their grievance represented
- Economic reasons: This primarily relates to negotiation for higher wages and salaries
- Improved and better working conditions
- Welfare benefits: job security and better fringe benefits
- Political reasons: Democratization of the workplace so that workers have a voice at work
- More meaningful work
- Fairer rules and procedures for determining promotions and discipline,
- Opportunity to be recognized

Reasons For Not Joining A Union

- Distrust for unions
- Hold the view that union protects mediocre workers
- Belief by workers that they will not automatically benefit from any collective bargaining agreement.
- Persons want to progress into management

- Avoidance of loss of income through the payment of union dues and strikes

Union Organization/ The Bargaining Unit

- Through a 50 + 1 membership in an enterprise, the union becomes the exclusive bargaining representative of the employees within the bargaining unit.

Collective Bargaining

- This is the process by which a contract is negotiated, written, administered and interpreted. The contract represents the understanding between labour – management as to the what constitute the terms and conditions of employment.

Negotiation Of The Contract

- Labour and management each present their initial demands
- The parties discuss the individual issues and undertake to resolve them by way of compromise or through reaching an amicable agreement
- The parties are expected to bargain in good faith
- Key issues are usually not resolved until near the strike deadlines
- Sometimes where there is a deadlock in the negotiation, a mediator is used to help the parties reach an agreement

Administering The Contract

- The contract is a legal document that can be upheld by a court of law
- Most disagreements are resolved through the established grievance procedure
- Generally, management attempts to settle complaints and grievances
- If the union and management cannot reach an agreement, a mediator is sought.
- Arbitration is usually the final step in resolving matters. The arbitrators decision is final

Management's Role In Protecting The Collective Bargaining Agreement

- Ensure that middle managers, supervisors and heads of departments, uphold the commitments of management under the contract
- Practices to be avoided:
 - Restraining or deterring employees from joining a union
 - Discriminating against an employee who is organizing on behalf of a union
 - Attempts to interfere or restrict the shop steward in performing his/her role
 - Arbitrary changes to the collective bargaining agreement by management without consultation
 - Change wages or fringe benefits during a unionization attempt