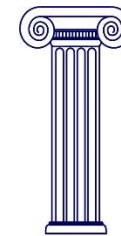


Bargaining 101

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WLUFA
Wilfrid Laurier University
Faculty Association

The Team

- Chief Negotiator(s) (CN) appointed by Executive Committee
- Negotiating Team selected by CN and Executive
- Team training and development
 - Often meetings with CAUT, OCUFA

Bargaining Phase I

Information Gathering

- Member surveys
- Member meetings
- Review of LOUs and JLC notes
- Review of grievance files
- Review of notes in Negotiations File and current Collective Agreement

Bargaining Phase II

Priority and Mandate Development

- The Negotiating Team
 - Reviews information from Phase I
 - Determines top priorities and other needs
 - Not at level of language, but general points
 - Presents these to Executive for approval
 - Presents these to Membership for approval

→ MANDATE

Bargaining Phase III

Language Development

- Editorial changes to current Collective Agreement (CA) language
- Refine current language to address goals of mandate
- Propose new language to address goals of mandate
- Develop rationale for proposals

Bargaining Phase IV

Protocol

- The two sides agree to a bargaining protocol
 - Sets out how often and where teams will meet
 - Logistics of exchanging language proposals
 - States who teams can communicate with
 - Mandates who will buy treats when meetings are in person

Bargaining Phase V

At the Table

- Proposal exchange
 - At Laurier – complete proposals, including compensation
- Meetings scheduled
 - Traditionally across the table
 - More recently on Zoom
- WLUFA team and Admin team meet regularly
 - Presentation of proposals, rationale
 - Back and forth as language evolves

Bargaining Phase V

At the Table – cont'd

- Bargaining bulletins
 - Keep members informed as bargaining continues
 - What articles are tentatively settled
 - Where issues may be
- Blast surveys
 - Keep negotiating team informed about members' opinions on evolving issues
- Regular updates to Executive Committee

Bargaining Phase V

At the Table – cont'd

- As the teams work through the negotiations, Articles and clauses are tentatively agreed to and set aside
- The team moves on to other Articles
- Sometimes Articles or clauses are “parked” and revisited at a later stage

Bargaining Phase V

At the Table – cont'd

- Eventually:

- All “open” Articles are tentatively agreed to, or proposals are withdrawn
- TENTATIVE AGREEMENT

OR

- The Parties can't reach an agreement on one or more Articles
- IMPASSE

Bargaining Phase VI(a)

Tentative Agreement

- Tentative agreement is presented to Executive
 - They endorse it and move that it be ratified
 - The Executive does have the option to reject the tentative agreement and move that it not be ratified
- Tentative agreement is presented to Bargaining Unit members, along with Executive motion
 - Members vote on whether to ratify the agreement
 - Secret ballot
- If ratification vote fails, team returns to the table

Bargaining Phase VI(b)

Impasse

- If a tentative agreement is not reached, then:
 - Strike enabling vote usually taken at this point
 - If successful, enables Executive to call a strike if a deal can't be reached by a certain date
 - If strike enabling vote fails, team's bargaining power is drastically reduced
 - Continued talks between the Parties

Bargaining Phase VI(b)

Impasse – cont'd

- Conciliation
 - Provincially mandated stage of collective bargaining
 - Provincially appointed conciliator assists both sides as they continue to work towards an agreement
 - If no agreement, conciliator writes a “no-board” report to the Minister of Labour
- **STRIKE CLOCK STARTS TO TICK**
- 17 days from no-board, legal strike/lock-out position

Bargaining Phase VI(b)

Impasse – cont'd

- Talks usually continue during this time
- Mediation – more time with outside assistance
 - Optional, must be agreed to by both sides
 - We have found this quite useful
- Arbitration – “hard bargaining” with a paid professional arbitrator
 - Optional, must be agreed to by both sides
 - WLUFA and the Administration have never used arbitration

Bargaining Phase VI(b)

Impasse – cont'd

- If there is no agreement by the deadline:
 - Members can legally strike
 - Administration can legally lock out members

Bargaining Phase VI(b)

Impasse → Tentative Agreement

- Eventually, with or without a strike, there will be a tentative agreement
- See Bargaining Phase VI(a) Tentative Agreement
 - Executive endorses tentative agreement
 - Members have a ratification vote
- If members reject the tentative agreement, it's back to the table