

AMERICAN PUBLIC TRANSPORTATION ASSOCIATION  
TRANSIT CEOs SEMINAR

# COLLECTIVE BARGAINING NEGOTIATIONS 101

Collective bargaining is an art . . . not a science

# THE NATURE OF COLLECTIVE BARGAINING NEGOTIATIONS . . .

- ⦿ . . the process is *evolutionary*, not revolutionary.
- ⦿ . . the CBA *restricts* management rights.
- ⦿ . . *both* sides are in a *political* environment.
- ⦿ . . collective bargaining is a *power relationship*.
- ⦿ . . the *actors* are dynamic.
- ⦿ . . part of a *compromise* process.
- ⦿ . . characteristic of process is *communication*
- ⦿ . . there's no place for the term "*final*" (99%).
- ⦿ . . be open to *explore* new approaches.

# PRE-BARGAINING PREPARATION

(in no particular order)

- Begin when you settle the contract. Track data.
- Impact of impasse procedure.
- Prepare your board and other political players.  
What to expect and what are their roles?
- Research current bargaining trends: locally and in transit. Regardless of what you may think, you don't exist in a vacuum.
- Develop data to support your objectives.
- Research, data & knowledge = flexibility.

# DO's AND DON'Ts

## Do's:

(in no particular order)

- Be *flexible*. The side best prepared to make quick and accurate responses has the advantage.
- Set *goals* and objectives. Know where you intend to go and how you intend to get there – before you start. Reassess goals and strategy as negotiations continue. Don't counter-punch: be proactive.
- Be aware of the *union's goals*, priorities, and real intents. Why are they proposing that?
- Pay close attention to the *wording* of every clause negotiated. Source of grievances.

## More Do's:

- ⦿ Economic issues are negotiated only as a *package*.
- ⦿ Control *emotions*; use as a tool, not an obstacle.
- ⦿ Consider the impact of present negotiations on negotiations in *future* years.
- ⦿ Your committee needs a “*higher authority*” outside the room. (CEO, board, politicians)
- ⦿ Mutual *respect*. Build a reputation for being fair but firm.

# Don't:

(in no particular order)

- ⦿ Be in a *hurry*. Patience. When in doubt, caucus.
- ⦿ Believe in, or create *false deadlines*.
- ⦿ Send a TA back for membership vote without the union committee *recommendation* for ratification.
- ⦿ Waste time *costing* union proposals that no sane management would ever agree to.
- ⦿ Allow the union to *run around the end* of your negotiating committee.

# MANAGEMENT PROPOSALS

- Contract negotiations is NOT an exercise in grammatical construction or the ultimate precision in expression.
- Do not make a proposal which is intended to give you a right which you contend you already have.
- Look at your grievances and grievance arbitrations – what needs to be fixed?
- Make only those economic demands which a fair-minded person (conceding full management bias) can support and can justify on some ground other than pure cost.
- Concentrate on economic demands where excess or abuse are clearly present, or where changed circumstance warrant a change.