

MASON'S COTTAGE COLLECTIVE BARGAINING SIMULATION

Collective bargaining is a key activity in industrial and labour relations. It is the regular negotiation process that takes place between the union and management bargaining teams to determine the terms and conditions of the Collective Agreement. This Collective Agreement then sets the rules for the workplace until the next bargaining round.

The best way to learn about collective bargaining is to do it!

We will be using a collective bargaining simulation designed by Dr. Kelly Williams-Whitt of the University of Lethbridge, AB. The simulation is called Mason's Cottage and can be found at:

<http://negotiationsimulation.wordpress.com/>

This site contains information that is critical to your preparation for and success in bargaining. Some information is shared and some is password restricted (i.e., it can only be accessed by one side – management or the union). I will provide each team with the necessary password. Leaking your password or other bargaining information to the other side could be extremely detrimental to your bargaining success.

We will allocate 7.5 hours of in-class time to this assignment. The negotiation at the table will consist of 4.5 hours held over 2 classes (3 hours one week and 1.5 hours the next). There will also be group work time in two classes for you to work on your bargaining book (1.5 hours each time). This simulation will also require considerable preparation outside of class time.

Step 1: Determine whether you are playing the union or the management role (I will give you this information). Make contact with your group members.

Step 2: Identify the roles of the bargaining team members at the table. For example, you could use these common roles, but also share roles:

- Chief Negotiator - This is the person who does the talking at the bargaining table. Other team members can speak on specific topics or issues, but only when directed to do so by the Chief Negotiator. Your team might decide to have a Chief Negotiator and a Deputy Chief Negotiator to share the job if you like.
- Financial Specialist - This person is in charge of costing out all of the elements that have a financial or monetary component. This is needed to understand how much the changes you propose will cost (or will save) and how much the changes proposed by the other side will cost (or save). This person is the reference person at the bargaining table and in caucus for all of these details. This role could also be shared.
- Secretary I - This person takes detailed notes of what is said at the table during bargaining. It is very important to have as close to a verbatim record as possible of what was said or

implied. These serve as a reminder in long and complicated bargaining and can be relied upon in legal challenges about the intent of the Collective Agreement language.

- Secretary II - This person closely observes and notes body language and tone of the opposing side to determine weakness, indecision, strength of argument, etc. This person might also find counter information to the other side's argument 'in the moment' and give it to the Chief Negotiator.

You could also assign individuals to specific clauses or issues for research and speaking purposes. All team members will be involved in preparing for bargaining – see below.

- Research and Bargaining Book Preparation – **All will be involved in this process.** During the research phase students could divide research on issues such as: membership opinion, financial forecasting, economic forecasting, political forecasting, review of the law, review of collective agreements from other similar workplaces/industries, specific topical issues, etc.

Step 3: Log-on to the simulation website (see above) and start reviewing the material located there. You may also want to conduct research outside of this site. You will note that the Collective Agreement expiry date is Dec 31, 2018. Please use this date for any research you conduct for financial forecasting and trends.

Step 4: Using the textbook, the information provided through the simulation website, the information provided through videos and lecture in class, and any other relevant information (i.e., other collective agreements) write your Bargaining Book.

In your Bargaining Book you must include the following for each changed clause that you propose (see Appendix 1 for a sample template):

- Accurate costing of economic implications (if applicable)
- Issue ranking with rationale
- Opening offers, target points and resistance points (as applicable to your strategy). These should all be written in "Collective Agreement language" – that is as it would appear in a final collective agreement.
- Argument development (i.e., document how you will convince the other side to agree with you – these are the speaking notes for the Chief Negotiator)
- Identification of strategic approaches and tactics (distributives, integrative, individual issues, grouped issues, trading of issues, when topics will be brought up at the table, etc.)
- Anticipation of opposition argument and solutions for addressing it

For each of the items above you must show evidence of appropriate and thorough research (i.e., it must be current, based on the appropriate market, use more than one source where possible)

For your economic costing **DO NOT give me a copy of your spreadsheets** with embedded (and therefore hidden) calculations. You will need to write this out by hand (at least one example of

the formula/thought process for each calculation) so I can see your numbers and the formulas you used.

Consider your Bargaining Book as your template or your road map for what you hope to achieve in bargaining. In bargaining this road map will change and you might not get everything you want or in the way that you planned. You do not need to give me an updated Bargaining Book.

Step 5: Bargain!

****Note:** In order to simulate the pressure of a potential strike/lockout situation, teams who fail to reach an agreement on all clauses by the end of the bargaining period will lose a portion of their grade from this assignment (10%)**

The Bargaining Book must be submitted in hard copy to me on the first day of bargaining (you will likely want to have a printed copy for yourself as well to use as a guide during your bargaining)

I strongly recommend that you do not reach agreement at the end of the first bargaining session.

Step 6: Within 48 hours following the last bargaining session one (1) copy of the final Collective Agreement Clauses for each bargaining pair must be submitted to me via OWL. You only need to provide the language for the changed clauses, not the whole Collective Agreement. There is no page length for this document as it depends on the language and number of clauses, etc.

Regarding the Collective Agreement Clauses each team will be evaluated based on:

- Unambiguous contract language (the two sides will receive the same marks for this as contract language is established jointly)
 - The ability to stay within resistance points and achieve targets (this will be evaluated separately for each team based on the material presented in the Bargaining Book for each team)
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Step 7: Individual teams must also prepare a Reflection document. This is due in hard copy one week following the last bargaining session.

The Reflection document should include the following and need not exceed 6-7 double-spaced pages:

- A **candid and truthful** analysis of the bargaining process and outcomes such as:
 - What strategies worked? What didn't work? Any idea why or why not?

- Would you do things differently if you had to do this again? What would you change? Why or why not?
- Are you as the bargaining team happy with your final Collective Agreement? How did you do vis a vis your targets as set out in your bargaining book? Would you feel comfortable giving this to your boss (if management side) or recommending this to your membership (if union). Why or Why not? What items might be problematic? Why?
- Were you adequately prepared for the bargaining session? Why or why not?
- How did you get along as a bargaining committee? How were the relations with the other side? How did these interpersonal items impact the bargaining session?

Step 8: Self and Peer Evaluation. Each student must submit an evaluation of themselves and their group members. We will conduct this evaluation in class following the final bargaining session. You will lose 10% of your mark on this assignment if you do not submit a self and peer evaluation.

Appendix 1: Sample Template for Bargaining Book

Clause Number and Name

Issue ranking and explanation of that ranking:

Existing Language: (include the section of the current CA to which you propose changes)

Opening Proposal: (write out full proposal as you would to exchange with the other side on the first day of bargaining)

Target Language: (write out full clause in proper language)

Resistance Proposal: (write out full clause in proper language)

Economic Costing: (as applicable, show the steps of all math, do not just insert a completed spreadsheet. In some instances you might want to provide costing for a range of proposals)

Your Argument: write out how you will convince the other side of the merits of your proposal

Counter-Argument: write out any counter-arguments that you anticipate that the other side might raise and include your solutions for addressing those arguments

Strategy: discuss any particular approaches or tactics that you will use with this clause (i.e., grouping with others, trading off for particular items, distributive or integrative approach, bluffing)

Sources: Use a footnote style with references to all sources used at the bottom of the page (review proper format for web sources)

Appendix 2: Summary of Deliverables and Due Dates

All assignments must be submitted in hard copy except the Collective Agreement Clauses which can be sent to me via email. All assignments must contain the group number, group role (i.e. management or union), and the names of all group members.

	Due	Other Details	Assignment %	Final Grade %
Bargaining Book	At the start of class on the day of the first bargaining session.	1 book per group	50%	12.5%
CA Clauses	Within 48 hours following bargaining	1 set of language changes per bargaining pair	10%	2.5%
Reflection	1 week following bargaining	1 reflection per group	40%	7.5%
			100%	25%

There is also a peer and self evaluation which we will do in class following bargaining. This will be applied to your final bargaining grade and have the effect of increasing it, decreasing it or keeping it the same.