Instructor: Ryan Lamare, Associate Professor at LER

Class Schedule: Thursday, 2:00pm – 4:50pm, Room 331 Armory Building

Office Hours: Tuesday, 2pm – 3pm, and by appointment

Contact Info: Office: 247D LER Building; Phone: 217-244-6241; e-mail: rlamare@illinois.edu

Course Purpose and Description

This course examines the theory and practice of dispute resolution in unionized and nonunion workplaces. A primary goal of this course is to introduce students to a variety of workplace dispute resolution practices and processes, including: the resolution of conflict through direct bargaining as well as situations in which bargaining may fail; mediation and arbitration in unionized settings (labor mediation/arbitration covering impasses involving contract negotiation failures and contract interpretation disputes); and alternative dispute resolution in nonunion settings (primarily employment mediation/arbitration covering rights-based disputes). Throughout the semester, the course will also explore policy issues and debates surrounding various developments in the field of workplace dispute resolution.

A key objective of the course is to enable students to both understand and think critically about different alternative dispute resolution procedures and their role in labor and employment relations. As part of achieving this objective, the course will include simulated exercises to provide students with hands-on experience in using workplace dispute resolution techniques. The course will require active participation and attendance throughout the semester.

Required Material Used in the Course


3. Additional articles and chapters assigned bellow will be available on the course website on Compass.

Code of Academic Integrity

The University of Illinois “Academic Integrity-All Students” policy in the Code of Policies and Regulations Applying to all Students applies to this course and will be strictly enforced. Adhering to
the highest academic integrity standards is expected from all students in this course. Violations of academic integrity will result in appropriate penalties.

**Requirements**

1. In addition to the required reading assignments, there will be two examinations and a final paper. Final grades will be determined on the basis of the following weights:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Weight</th>
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<tbody>
<tr>
<td>Class participation</td>
<td>15 percent</td>
</tr>
<tr>
<td>Final paper</td>
<td>25 percent</td>
</tr>
<tr>
<td>Exam #1</td>
<td>30 percent</td>
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<tr>
<td>Exam #2</td>
<td>30 percent</td>
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2. **Class participation.** This course is designed to be interactive in nature and will rely on student participation. Throughout the course, students will be involved in a variety of mock role-plays, games, and exercises, and are expected to fully participate. Additionally, attendance is required at all class sessions. If you know ahead of time that you cannot attend class due to illness or any other excused reason, please notify me before class starts.

3. **Final paper.** Each student will also write a final term paper. Term papers will represent 25 percent of the final grade. Details regarding this paper as well as the specific assignment instructions will be handed out in class later in the semester.

4. **Examinations.** There will be one exam (take home) due on October 23. Please mark your calendar. More specific guidelines for the exam will be announced later in the course. There will also be a second exam due during finals week.

**Course Grades**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Points</th>
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<tbody>
<tr>
<td>A</td>
<td>93-100</td>
</tr>
<tr>
<td>A-</td>
<td>90-92</td>
</tr>
<tr>
<td>B+</td>
<td>87-89</td>
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<tr>
<td>B</td>
<td>83-86</td>
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<tr>
<td>B-</td>
<td>80-82</td>
</tr>
<tr>
<td>C+</td>
<td>77-79</td>
</tr>
<tr>
<td>C</td>
<td>73-76</td>
</tr>
</tbody>
</table>

2. Final grades will be based on each student’s total points in the class. Grades will NOT be based on a curve.
COURSE OUTLINE AND SCHEDULE

PART I: INTRODUCTION

Week 1 August 29

Introduction to Workplace Dispute Resolution

Podcast: How To Manage Conflict In The Workplace

Exercise: Sally Soprano

PART II: CONFLICT RESOLUTION THROUGH BARGAINING AND ITS FAILURES

Weeks 2-5 September 5-26

Common Approaches to Workplace Bargaining


Podcast: Good Guys, Prologue and Act 1

Podcast: Cold War

Exercise: Chiptech

[NO CLASS SEPTEMBER 12 DUE TO LER CELEBRATION EVENT]

Week 6 October 3

How Bargaining Failures Can Occur


Podcast: The Big Man Can’t Shoot

Podcast: You v. You

Exercise: Hiring A Newtonian
PART III: RESOLVING WORKPLACE CONFLICT THROUGH MEDIATION

Week 7 October 10  
**Introduction and Process of Mediation**


**Podcast: Stuck In The Middle (Prologue)**

**Podcast: Let No Court Put Asunder**

Exercise: Dirty Laundry

Week 8 October 17  
**Mediation in the Unionized and Non-Union Settings**


Jeffrey J. Beaton. “Practical Tips for Mediating Employment Disputes.”

Sara Adler, "Strategies for a Successful Employment Mediation."

**Podcast: The Neutral**

**MIDTERM EXAM – TAKE HOME (POSTED OCTOBER 17, DUE OCTOBER 23)**
PART IV: RESOLVING WORKPLACE CONFLICT THROUGH ARBITRATION

Weeks 9-10 October 24, 31

Introduction and Process of Arbitration

Labor and Employment Arbitration in a Nutshell, Ch. 1-6


14 Penn Plaza LLC et al. v. Pyett et al., 556 US ___ (2009)

Exercise: Theft or Common Misunderstanding?

***ADR SCRIMMAGE VS CORNELL: MONDAY, OCT. 28 (6-8PM)***

Week 11 November 7

The Common Law of Labor Arbitration

Labor and Employment Arbitration in a Nutshell, Ch. 7-9

Week 12 November 14

Meetings in LER 247D to Discuss Paper Topics

Weeks 13-14 November 28, December 5

Arbitration and ADR in Nonunion Settings

Labor and Employment Arbitration in a Nutshell, Ch. 10-12


Podcast: Have We Lost a Constitutional Right in the Fine Print?

Exercise #5: Broken Benches

Exam #2 (Take Home) Due Sunday, December 15

Final Papers Due Monday, December 16