

LER 542 FALL 2021

COLLECTIVE BARGAINING

School of Labor and Employment Relations, University of Illinois at Urbana-Champaign

**Seminar: Tuesdays, 11:00am-1:50pm
LER 35/43**

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Course Topic and Objective

This course will examine the contemporary system of collective bargaining (sometimes referred to as industrial or labor relations) in the United States. Labor relations are defined as the workplace-based interactions and relationship between employers and employees. The objective of labor relations is to balance the goals and rights of these different actors, which we will talk about in terms of efficiency, equity, and voice. Collective bargaining is the process in which labor and management negotiate the terms and conditions of employment. Collective bargaining is central to labor relations and will be the focus of much of this class.

We will spend the first four weeks of the course diving into the history, regulation, and structures of collective bargaining—all elements that set the context for understanding processes of labor relations. We will cover these processes, from the formation of bargaining units to the administration of agreed-upon contracts, in both the private and public sectors in subsequent weeks. We will end the term with two sessions focused on contemporary issues in collective bargaining and labor relations. Throughout, we will examine labor relations and collective bargaining through a number of industry case studies and bargaining exercises, and will document current issues in the field as they unfold over the course of our time together.

The course objective is for you to gain a working knowledge of, and think critically about, labor relations and collective bargaining. As labor relations are constantly undergoing change, you should leave this course with an understanding of pressures and challenges affecting labor relations today. You should also be able to critically apply insights regarding the objective of labor relations (balancing different actors' goals and rights) in your current and future workplaces, whether unionized or non-unionized.

Course Requirements

1. Readings and reading reflections

Readings for this seminar are drawn primarily from: Budd, John W. 2018. *Labor Relations: Striking a Balance*. **Sixth Edition**. McGraw-Hill Education.

You can obtain the text from a number of sources:

- New and used copies are available at the student union bookstore.
- Used and/or rental copies are available from external sources like Amazon.
- The publisher (McGraw-Hill Education) sells and rents ebook versions of the text; just be sure to secure the Sixth Edition.
- The text is also on reserve at the library's Main Stacks.

Additional materials come from journals, newspapers, podcasts, and other sources in an effort to examine significant and timely issues in the field in more detail.

A note for PhD students: PhD students taking 542 will periodically be assigned additional reading. The selected pieces are from both theoretical and empirical work in employment relations/industrial relations, and serve as a basis for the material we cover in the Budd text and other sources. I will be in touch with more detail on these readings separately.

Reflections

Each week, you will be expected to submit a short reflection (roughly one paragraph) on the reading. The reflections are intended to help you capture big-picture or key ideas from each topic and help prepare you for our class discussion. Question prompts for each week will be available on Canvas, along with instructions for how to submit your reflection, which are due by the Monday prior to class, at 12:00pm. Of the 10 possible reflections due during the term (noted in the syllabus), only eight are required (you have two skips), but please note that the reflection for Week 15 is required. Reflections will be worth 10% of your final grade.

2. Participation

You are expected to play an active role throughout the course. Attendance at each class session, from start to finish, is required. The success of our seminar discussions will depend on your participation; as such you should come to each session with the readings completed and ready to participate. Contributing to seminar discussions, weekly break-out groups, and our online discussion forum (more on this below) all count towards participation. At the end of the term, you will receive a participation grade worth 10% of the final grade.

Course discussion board and CBNs

Part of your class participation will involve bringing current events in labor relations to our discussions. To this end, one (1) Collective Bargaining in the News (CBN) post and brief presentation is required from all students during an assigned week. This involves a short write-up of a current event on our course discussion board (on Canvas) and a reflection on how the event relates to a reading, discussion, or theme of the course. More detailed

instructions are posted on our discussion board. You should also come to the seminar ready to give a 2-3 minute oral summary of your post.

You are encouraged to leave comments, questions, or points for discussion on your classmates' posts. At any point in the term, you may share also additional collective bargaining news items on our discussion forum. These comments, questions, and items count toward your participation grade, but you are not required to present them orally.

3. Facilitating class discussion: Labor relations and collective bargaining cases

Each week we will hear from 3-4 students who will lead us in a 15-minute discussion of an assigned collective bargaining case. Cases reflect current and recent events in labor relations and collective bargaining, and touch upon many of the course topics we'll cover each week (e.g., organizing drives, labor law). Prompts for each case will be posted on Canvas. In general, presentations should provide a brief overview of the case or central event; your reactions to specific questions given in your prompt; and at least two discussions questions posed to the seminar. You are free to use Powerpoint (although it is not required) or any other materials or activities you would like. Grades will be based on the quality of the presentation and the accompanying discussion. The discussion facilitation will be worth 10% of the final grade.

4. Simulations

Over the course of the semester, we will hold two mock collective bargaining sessions; each will be worth 10% of the final grade. The class will be divided into multiple union and management teams for each simulation, and grades will be assigned based on the quality of bargaining preparation (details given in class), participation in the simulation itself, and team peer review.

5. Take-home exams

Both the midterm and final are take-home exams; each is worth 25% of your course grade. Our midterm will be due on March 16, and our final on May 11. We will discuss the details of each in class. There will be no make-up exams for either the midterm or final except for extraordinary circumstances. In these cases, arrangements must be made at least one week prior to the exam.

A note for PhD students: PhD students taking 542 will have different exam prompts. These are intended to align more closely with the kinds of activities (e.g., critical reviews) you undertake in the course of your doctoral studies. I will be in touch with you with more details.

Grading

Students' final grades will be based on reading reflections, class participation, facilitation of a class discussion, simulations, and two exams. For the purposes of assigning a final grade this work is weighted as follows:

Course grade		Grading Scale	
Reading reflections	10%	A	93-100%
Class participation	10%	A-	90-92%
Facilitating class discussion	10%	B+	87-89%
Mock simulations	20%	B	83-86%
Midterm	25%	B-	80-82%
Final exam	25%	C+	77-79%
		C	73-76%

University Policies and Resources

Please see the end of this syllabus for relevant university policies and resources.

Overview of Schedule and Topics

Week	Date	Topic
1	Aug. 24	Introduction and overview of labor relations
2	Aug. 31	Evolution of the labor relations system
3	Sept. 7	Introduction to labor law
4	Sept. 14	Labor and management strategies and structures
5	Sept. 21	The organizing process: Establishing the collective bargaining relationship
6	Sept. 28	Collective bargaining: The negotiations process, part 1
7	Oct. 5	Collective bargaining: The negotiations process, part 2: The Zinnia simulation Take-home midterm released
8	Oct. 12	Take-home midterm due; <i>American Factory</i> viewing and discussion
9	Oct. 19	Impasses, strikes, and dispute resolution
10	Oct. 26	Administration of collective bargaining agreements
11	Nov. 2	Public sector collective bargaining, part 1
12	Nov. 9	Public sector collective bargaining, part 2: The Queen City simulation
13	Nov. 16	Contemporary issues, part 1: Flexibility, employee empowerment, and global forces
14	Nov. 23	Break
15	Nov. 30	Contemporary issues, part 2: Political and social dimensions of labor relations and collective bargaining Take-home final released
16	Dec. 7	Take-home final due

Detailed Schedule of Topics

As of 8.2.21. Subject to change.

Week 1 | Aug. 24 Introduction and overview of labor relations

Key questions: What do we mean by labor relations and collective bargaining? What is the objective of labor relations, and what frameworks can we use to evaluate these objectives?

Learning objectives:

1. Define labor relations and collective bargaining.
2. Define the objective of labor relations and identify relevant actors and their goals.
3. Describe two major frameworks and four schools of thought used to analyze labor relations.

Readings/materials:

- Budd, Chapter 1: Contemporary labor relations and Chapter 2: Labor unions: Good or bad?
- Katz, H.C., Kochan, T.K., and Colvin, A.J.S. 2017. A framework for analyzing collective bargaining and labor relations. Chapter 1 in *An Introduction to U.S. Collective Bargaining and Labor Relations*. Ithaca: ILR Press. [on Canvas]

Week 2 | Aug. 31 Evolution of the labor relations system ***Reflection 1 due Monday 12:00pm***

Key questions: What are the important features of major historical eras of labor relations? How does this historical perspective inform our understanding of labor relations today?

Learning objectives:

1. Identify the overarching eras of labor relations in the U.S.
2. Identify major events and figures of each era.
3. Describe key features of these eras using IR frameworks.
4. Understand how the historical record shapes labor relations today.

Readings/materials:

- Budd, Chapter 3: Historical Development
- Podcast: [A Brief History of the Labor Movement](#). NPR Weekend Edition Sunday, September 3, 2006.
- Podcast: [The Middle Class Took Off 100 Years Ago ... Thanks To Henry Ford?](#) NPR All Things Considered, January 27, 2014

Week 3 | Sept. 7 Introduction to labor law
Reflection 2 due Monday 12:00pm

Key questions: How does the legal system shape labor relations? What are the major provisions of U.S. labor law and their underlying logic or rationale?

Learning objectives:

1. Understand how a legal system can either promote or repress unionization.
2. Identify major provisions of U.S. labor law and their underlying rationale/logic.
3. Understand the role of the NLRB and similar agencies.
4. Assess whether or not labor law reform is necessary.

Readings/materials:

- Budd, Chapter 4: Labor law
- [“The Haves and Have-Nots: How American Labor Law Denies a Quarter of the Workforce Collective Bargaining Rights”](#) Report by American Rights at Work, November 2008 [on Canvas]
- Podcast: [Sara Nelson: The world’s most powerful flight attendant](#). *Talking Points* July 10, 2019. www.thepointsguy.com.

Case Discussion 1

Week 4 | Sept. 14 Labor and management strategies and structures
Reflection 3 due Monday 12:00pm

Key questions: What are the strategies and structures used by employers and labor unions to balance efficiency, equity, and voice?

Learning objectives:

1. Compare traditional strategies with alternatives.
2. Understand the organizational structure of unions and the U.S. labor movement.
3. Discuss labor relations strategies pursued by employers and their connection to human resource management and business strategies.

Readings/materials:

- Budd, Chapter 5: Labor and management: Strategies, structures and constraints
- Hertel-Fernandez, A., Kimball, W., and Kochan, T. 2019. How U.S. workers think about workplace democracy: The structure of individual worker preferences for labor representation. Working Paper, Columbia and MIT Sloan.
- Podcast: [The Roots of The Modern Anti-Union Movement](#) Working History, 2016.

Case Discussion 2

Zinnia team assignments released

Week 5 | Sept. 21 The organizing process: Establishing the collective bargaining relationship
Reflection 4 due Monday 12:00pm

Key questions: What are the procedural steps and legal standards of organizing a union? How do labor and management engage in the organizing process?

Learning objectives:

1. Understand the sequence of events and legal issues involved in the organizing process.
2. Identify tactics and processes of both unions and management in an organizing campaign.
3. Assess whether reform of the union certification process is necessary.

Readings/materials:

- Budd, Chapter 6: Union organizing
- Podcast: “A union drive at Amazon.” The Daily from *The New York Times*, April 1, 2021. Links posted on Canvas.
- Election outcome update on NPR: “It’s a no: Amazon warehouse workers vote against unionizing in historic election.” *NPR Morning Edition*, April 9, 2021. Online: <https://www.npr.org/2021/04/09/982139494/its-a-no-amazon-warehouse-workers-vote-against-unionizing-in-historic-election>

Case Discussion 3

Week 6 | Sept. 28 Collective bargaining: The negotiations process, part 1
Reflection 5 due Monday 12:00pm

Key questions: What is the process for collective bargaining? What are its legal, strategic, and behavioral elements?

Learning objectives:

1. Articulate the general timeline of collective bargaining and its different structures.
2. Explain the legal parameters of collective bargaining.
3. Discuss determinants of bargaining power.
4. Discuss the four subprocesses of collective bargaining, including their purposes, strategies and tactics, and outcomes.

Readings/materials:

- Budd, Chapter 7: Bargaining
- Scheiber, Noam. 2 Feb 2020. The great Google revolt. *New York Times Magazine*,

Case Discussion 4

Week 7 | Oct. 5 Collective bargaining: The negotiations process, part 2

Mock Collective Bargaining Exercise #1: The Zinnia
Take-home midterm released after class; due Tuesday Oct. 12 at 10:00am

Week 8 | Oct. 12 *American Factory* viewing and discussion

Midterm due by 10:00am

Week 9 | Oct. 19 Impasses, strikes, and dispute resolution
Reflection 6 due Monday 12:00pm

Key questions: What happens when labor negotiations do not result in an agreement? What are options for addressing an impasse?

Learning objectives:

1. Explore options for resolving bargaining disputes and impasses.
2. Understand different types of strikes and lockouts, and their controversies.
3. Identify other pressure tactics, beyond strikes and lockouts, for addressing disputes.
4. Compare major third-party dispute resolution mechanisms.

Readings/materials:

- Budd, Chapter 8: Impasses, strikes and dispute resolution
- Podcast: [How Labor Strikes Work](#) Stuff You Should Know, April 7, 2016.

Case Discussion 5

Queen City team assignments released

Week 10 | Oct. 26 Administration of collective bargaining agreements
Reflection 7 due Monday 12:00pm

Key questions: Once agreed upon, how are union contracts administered? What are the parties' rights and obligations, and how are disputes resolved?

Learning objectives:

1. Understand the key elements and nature of U.S. union contracts.
2. Explain the importance of different contractual provisions that define rights and obligations.
3. Describe the general process for grievance resolution and the importance of grievance arbitration.

Readings/materials:

- Budd, Chapter 9: Contract clauses and their administration

- Katz, H.C., Kochan, T.K. & Colvin, A.J.S. 2017. Contract terms and employment outcomes. Chapter 10 in *An Introduction to U.S. Collective Bargaining and Labor Relations*. Ithaca: ILR Press. [on Canvas]

Case Discussion 6

Week 11 | Nov. 2 Public sector collective bargaining, part 1
Reflection 8 due Monday 12:00pm

Key questions: What is the nature of public sector collective bargaining? How does it differ from collective bargaining in the private sector?

Learning objectives:

1. Articulate the ways in which public sector bargaining differs from that in the private sector.
2. Understand the legal framework, bargaining environment, and bargaining approaches of public sector unions.
3. Explain how the nature of stakeholders in public sector bargaining is distinct from collective bargaining in the private sector.
4. Discuss how collective bargaining in the public sector seeks to balance efficiency, equity and voice.

Readings/materials:

- Review Budd excerpts on public sector bargaining: pages 97 (development of firefighters' unions); 99-100 (public sector union density); 103 (PATCO strike); 136-140 (public sector labor law); 225 (union organizing in the public sector); 258-260 (bargaining in the public sector); 274-278 (strikes); 288 (slowdowns); 290-294 (dispute resolution, esp. 294)
- Skim: Katz, H.C., Kochan, T.K. & Colvin, A.J.S. 2017. Collective bargaining in the public sector. Chapter 13 in *An Introduction to U.S. Collective Bargaining and Labor Relations*. Ithaca: ILR Press. [on Canvas]
- Issa, N. 4 Nov 2019. Why the Chicago teachers' strike lasted so long. *Chicago Sun Times*
- News segment: "[Labor clout takes a hit in Supreme Court ruling on dues.](#)" NPR News, June 20, 2018.

Case Discussion 7

Week 12 | Nov. 9 Public sector collective bargaining, part 2

Mock Collective Bargaining Exercise #2: Queen City

Week 13 | Nov. 16 Contemporary issues in labor relations, part 1: The evolving nature of work
Reflection 9 due Monday 12:00pm

Key questions: How are union strategies for representation linked to work organization? What pressures are changing this relationship today?

Learning objectives:

1. Understand how the organization and structure of work is important to labor relations and union strategies for representation
2. Explain contemporary pressures on organizations and how they affect the employment relationship
3. Compare how these pressures subsequently affect union representation strategies to that of the past
4. Understand the debates around representation and flexibility, empowerment, and labor-management partnerships

Readings/materials:

- Budd, Chapter 10: The evolving nature of work

Case Discussion 8

Week 14 | Nov. 23 Fall Break

Week 15 | Nov. 30 Contemporary issues in labor relations, part 2: Political and social dimensions of labor relations and collective bargaining
Reflection 10 due (special instructions to be posted on Canvas)

Key questions: How do labor relations and collective bargaining reflect political, social, and economic current events?

Learning objectives:

1. Discuss labor relations and collective bargaining as they relate to current social, political, and economic events.
2. Evaluate current events using key analytical frameworks developed during the semester.

Readings/materials: [TBD]

Final exam released after class

Week 16 | Dec. 7 Take home final exam due by 5pm

University Policies and Resources

Request for Special Accommodations

To obtain disability-related adjustments and/or auxiliary aids, students with disabilities should contact the course instructor and the Disability Resources and Educational Services (DRES) as soon as possible. To contact DRES, you may visit 1207 S. Oak Street, Champaign; call 217.333.4603; email disability@illinois.edu; or go to the DRES website, <http://disability.illinois.edu>. Please also schedule a private meeting with the course instructor to discuss your needs and requirements. All accommodations will try to be met once you self-identify. Please note accommodations are not retroactive to the beginning of the semester but begin the day you contact your professor with a current letter of accommodation from DRES.

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.

Writing Resources

The UIUC’s Center for Writing Studies provides free workshops and writing assistance. The Writers Workshop’s mission is to support the University of Illinois community by providing free writing assistance for students, faculty, and staff from all disciplines and at all stages of the writing process. The Workshop has multiple locations and offers both face-to-face and online tutoring. Find more information at writersworkshop.illinois.edu.

Support Resources and Supporting Fellow Students in Distress

As members of the Illinois community, we each have a responsibility to express care and concern for one another. If you come across a classmate whose behavior concerns you, whether in regards to their well-being or yours, we encourage you to refer this behavior to the Student Assistance Center (333-0050) or online at odos.illinois.edu/community-of-care/referral/. Based upon your report, staff in the Student Assistance Center reaches out to students to make sure they have the support they need to be healthy and safe.

Further, as a Community of Care, we want to support you in your overall wellness. We know that students sometimes face challenges that can impact academic performance (examples include mental health concerns, food insecurity, homelessness, personal emergencies). Should you find that you are managing such a challenge and that it is interfering with your coursework, you are encouraged to contact the [Student Assistance Center \(SAC\)](#) in the Office of the Dean of Students for support and referrals to campus and/or community resources. The SAC has a Dean on Duty available to see students who walk in, call, or email the office during business hours. For mental health emergencies, you can call 911 or walk-in to the Counseling Center, no appointment needed.