

Management 254: Negotiations and Labor Relations

Fall 2008 – Monday 6:10-8:00pm (and 4 hours arrange)

Instructor: Professor Patrick McHugh

Phone: (202) 994-3712

Office Hours: Thursday 1:30 – 3:00pm or by appointment

Office: 315G Fungler Hall

e-mail (mchughp@gwu.edu)

Course Objectives:

- 1) To develop an understanding of the process and substance of employment relations in the U.S. in both the public and private sectors, as well as among the union and non-union workforce. International comparisons will be drawn.
- 2) To provide students with opportunities to enhance their negotiation skills. The course integrates both the experiential and theoretical components of negotiation.
- 3) To expose students to the literature in employment relations, dispute resolution, and negotiations.
- 4) To have a positive learning experience.

Reading:

- 1) Selected Chapters from McGraw-Hill/Irwin --- Only available at the GW Bookstore (MHI)
Katz-Kochan-Colvin. *An Introduction to Collective Bargaining & Industrial Relations, 4th Edition*
Lewicki. *Negotiation, 4th Edition.*
Lewicki-Barry-Saunders. *Negotiation: Reading, Exercises and Cases, 5th Edition*
- 2) Class Handouts. (H)

Course Requirements:

- 20% of grade --- 40 points, negotiations exercise
- 25% of grade --- 50 points, labor contract analysis **OR** term paper
- 30% of grade --- 60 points, class participation
- 25% of grade --- 50 points, final exam

Grading:

184 points or higher (92%) = A	155-159 points (above 77%) = B-
178-183 points (above 89%) = A-	140-154 points (above 70%) = C
170-177 points (above 85%) = B+	below 140 points = F
160-169 points (above 80%) = B	

Class Participation: (30 percent of grade)

Given the nature of this course, your participation is absolutely critical. This is reflected in the relatively heavy weight assigned to it in the overall grading scheme. Moreover, I prefer active classes to passive ones. You learn more when you are a participant, rather than an observer. When you can articulate and utilize concepts, learning has taken place. The final exam is not an ideal moment to discover that you are confused.

I will provide you with some study questions to help guide your reading. I will expect that you will be able to engage in discussion based (at minimum) on these questions (do not hand in answers).

Each day at the outset of class I will circulate a sign up sheet. If you are giving me permission to call on you that day, then sign the paper. Your signature indicates that you can either answer the study questions for the day (study questions not covered from prior classes become part of the study question agenda for the subsequent class) or can tell the class where you diligently searched for an answer. Do not wait until the end of the class period to sign the sheet. Please do not attempt to feign preparation. Such behavior wastes the time of the entire class. Everyone is invited to participate in class whether or not they sign the paper.

This is a "no-fault" class discussion system. I am not interested in why you did not sign the sheet (e.g., minor illness, interviews, vacation, working, car wouldn't start, dog ran away, etc.), only that the sheet is unsigned. If a legitimate situation arises (e.g., religious holiday, major illness), **contact me quickly** so that we may discuss your situation.

You may refrain from signing the sheet 2 times throughout the term without an adverse effect on your grade. If you do not sign the sheet 3 times your points will decrease to 37 and so on as indicated below. If I feel that your answers to the study questions are inadequate (e.g. "I didn't do that one." or "I couldn't find that one."), then you will not be given credit for signing the sheet.

2 or less = 40 points	6 times = 30	10 times = 20
3 times = 37	7 times = 27	11 times = 10
4 times = 35	8 times = 25	12 times = 05
5 times = 32	9 times = 22	13 times = 00

The second component is the instructor's subjective judgment of your contribution to class discussion and engagement in class exercises (worth 20 points). This will be based on the extent to which the student: contributed to the learning experience for the class; **made comments which followed from and added to rather than distracted from those made by others; contributed to in-class exercises;** stated opinions which were well thought out and substantiated with data from experience, class, and outside readings.

If you are concerned about the status of the class discussion portion of your grade, please talk with me about it. Do not wait until a week or two before the end of the term.

Negotiations Exercise: (20 percent of your grade)

On November 10, I will review the arrangements for the collective bargaining negotiations simulation. It is a group exercise -- you will be divided into teams of two, three or four people and designated either management or labor. The negotiations will take place outside of class during the week of 11/10 (this is the 4 hours arrange).

If you are not going to be available during the week from 11/10 through 11/16 then you should consider dropping this course. If you think you have a potential schedule conflict, please talk with me after class. The grade for this exercise will be based on a combination of your target and resistance points, my observations, your relative point score, peer assessment by your teammates and bargaining partners, and the clarity of your contract. The key to any collective bargaining negotiations is preparation!

Labor Contract Analysis or Term Paper (25 percent of your grade)

You can choose one of the two assignments. However, you must make a choice by the end of class on 9/29. Also, this assignment can be completed individually or with a partner.

Labor Contract Comparison Analysis:

You may select your own labor contracts to analyze or you may be assigned labor contracts (labor contract choice deadline is 9/29). **The assignment is due December 11 by 6pm (do not send electronic copies, place a hard copy in my mailbox along with the labor contracts or hand in a hard copy in class).** The paper should be no longer than 10 total pages, and no shorter than 7 pages. Make sure that your student ID number and the names of the labor contracts that you compared are on the top of the first page (DO NOT PUT YOUR NAME ON THE PAPER). **Labor contracts must be handed in with the paper. I will keep the contracts.** Do not write in or make notes in the contracts. The paper must be double-spaced, pages numbered, 12-point font, with 1-inch margins. You will be comparing two labor contracts, negotiated after 1990 (involving different labor-management relationships), using two of the following topic areas:

1. Family leave, flexible scheduling
2. Union security and management rights
3. Training and worker education
4. Grievance procedure and arbitration
5. Seniority and job security
6. Teams, pay-for-skills
7. Drug testing, smoking policy
8. Joint committees, employee involvement, labor-management cooperation

Hint: Do not simply list aspects of the contractual language. Do not extensively quote contract language. Rather, indicate what page/section number from the contract that you are referring to in your paper. The purpose

of the assignment goes beyond documenting differences. You must explain which contract has better language for the employer or the employees and why. Discuss the implications of the differences. Speculate as to why there are differences. Use your textbook (and other sources), to support your position. It is critical that there are differences so that you can compare and contrast. Thus, the selection of your contracts is an important element of this assignment.

Term Paper:

You may select a topic from those listed below (the deadline for topic choice is 9/29). **The assignment is due December 11 by 6pm (do not send electronic copies, place a hard copy in my mailbox or hand in a hard copy in class).** The paper should be no longer than 10 total pages, and no shorter than 7 pages. The paper must be double-spaced, pages numbered, 12-point font, with 1-inch margins. Make sure that your student ID number is on the top of the first page (DO NOT PUT YOUR NAME ON THE PAPER). Proper citations are critical. Where appropriate, you should relate the issues associated with your topic to course material.

- What has research shown regarding gender differences in negotiations? What are the implications for individuals and organizations?
- According to existing research, how effective are third-parties (such as mediators) in negotiations? When would you want a third-party involved in a dispute? When would you not want a third-party?
- Pick two professional associations. Compare and contrast how these professional associations deal with collective bargaining issues among its members. Are there lessons to be learned for other professional associations that are just now having members that work in unionized settings?
- What do we know and what don't we know about non-union grievance procedures? What are the implications for practice and public policy?
- Review the existing research regarding salary negotiations. What are the implications for employees and employers?
- Provide an analysis and narrative regarding the historical development of the part-time faculty union at GW. Is part-time faculty unionization a growing trend?
- Compare and contrast the National Football League Players Association and the Major League Baseball Player's Association in terms of the key developments in their collective bargaining relationships. What accounts for these differences and similarities?
- Compare and contrast the development of the Society for Human Resource Management (SHRM) and other professional associations (pick one or two). Does SHRM represent its membership in the same ways as other professional associations? Why? Why not?
- Pick any one of the following countries: India, Vietnam, Argentina, or Spain. You have been tasked by your employer (the employer is planning on establishing a production facility and technology center in that country) with preparing a report on the key facets associated with union-management relations for that country, as well as key aspects regarding individual and collective negotiations in that country.
- Are SHRM and the AFL-CIO (or Change-to-Win) typically in agreement in terms of public policy recommendations and lobbying activity? Provide examples. What is their respective position on the examples you have provided? What do you think accounts for any differences in their support for specific public policies?

Final Exam: (25 percent of grade) Information regarding the comprehensive final exam will be forthcoming.

Social Contract Issues:

1. Have respect for each other (one person speaks at a time). Turn off cell phones and pagers.
2. Class will BEGIN ON TIME and end on time.
3. Any form of academic dishonesty will result in a failing course grade and any other academic sanctions that are allowed for in the Academic Integrity Code. Review the code at <http://www.gwu.edu/~ntegrity/code.html>
4. Late work is not acceptable (grade lowered 25% each day the work is overdue) and no extra credit projects will be allowed.
5. If you believe you deserve a higher mark on an assignment, please write down your concerns. I will review your written request and give you a written response.
6. Keep at least one or more back-up copies (and a hard copy draft) of any working document. Note that the excuse, "my computer ate my paper" is as unacceptable as "my puppy ate my paper." Likewise, it is unacceptable to blame lateness in handing in an assignment on technology --- don't wait to the last minute.
7. All assignments to be handed in must be typed, double-spaced, 12-point font. All page guidelines are strictly enforced. Environmentally friendly papers are required (e.g., no binders or plastic covers). While I am primarily interested in the content of your assignments, I am also interested in the quality of your writing (e.g., page numbering, ordered thoughts, accurate spelling, and proper referencing).
8. An alphabetical ordered list of references cited in the text should be included at the end of a paper. A complete guide is available in the Academy of Management Journal, February 1995, Vol. 38 (1) 304-309. Entries in the list of references should be alphabetized by the last name of the author or editor, or by the corporate author (U.S. Census Bureau or Wall Street Journal) if there is no indication of individual authors. Citations to references should be designated throughout the text by enclosing the authors' names and the year of the reference in parentheses.

Example:

Several studies (Adams, 1974; Brown & Halas, 1975) support this conclusion.

Citations to the source of a direct quotation must give a page number or numbers.

Example:

Adams has said that writing a book is "a long and arduous task" (Adams, 1974: 3).

9. I am more than willing to accommodate religious observances. However, any accommodation only refers to the day or days of the observance of a holiday. In addition, you must let the instructor know before the end of the second class session when you will be requesting an accommodation.

10. Any student who feels s/he may need an accommodation based on disability should contact me privately to discuss specific needs. Please contact Disability Support Services to establish eligibility and to coordinate reasonable accommodations.

Course Schedule:

The following is an outline. I may add (delete) readings, guest lecturers or films as the term progresses. **You** are responsible for keeping informed of changes in the syllabus. **Note: For MHI, the page numbers are the circled numbers at the top of the pages.**

Conflict Assumptions & Historical Perspective

- 00. Mon. 9/8 - no reading (relax)
- 01. Mon. 9/15 - MHI (pp. 1-14; pp. 15-32)
 - Schultz & Francis (2008) Companies Tap Pension Plans to Fund Executive Benefits, *Wall Street Journal*. (H)
 - Herbst (2007), "Starbucks: More Charges of Union-Busting," *Business Week*. (H)
 - Leahy (2008) The Pain Game, *Washington Post Magazine* (H)
 - Adler et al. "Ergonomics, Employee Involvement, and the Toyota Production System: A Case Study of NUMMI's 1993 Model Introduction" *Industrial & Labor Relations Review*, pp.416-425, 435-436. (H)
 - Matewan (film in class)
- 02. Mon. 9/22 - MHI (pp. 32-45; pp. 46-63)
 - Matewan (film in class)

Management & Employee Strategies

- 03. Mon. 9/29 - MHI (pp. 75-90; pp. 91-120)
 - **Labor Contract Choices and Term Paper Topic Deadline**
- 04. Mon. 10/6 - MHI (pp. 121-157)
 - AFL-CIO (2005), Summary of Employee Free Choice Act
 - Greenhouse (2007). Labor Board Restricts Union Use of E-Mail, New York Times.

The Negotiations Process

- 05. Mon. 10/13 - MHI (pp. 320-348; pp. 349-369; pp. 632-642)
- 06. Mon. 10/20 - MHI (pp. 369-392; pp. 158-171)
- 07. Mon. 10/27 - MHI (pp. 171-198; pp. 393-431)
- 08. Mon. 11/3 - MHI (pp. 432-465)
- Cutcher-Gershenfeld. "Bargaining Over How to Bargain in Labor Management Negotiations." *Negotiation Journal*, 1994, pp. 323-335 (H).
- 09. Mon. 11/10 - MHI (pp. 466-507; pp. 580-587; pp. 588-590; pp. 591-594)
- **Set up Teams for Negotiation Exercise**

11/11-11/16 Negotiation Exercise 4 Hour Arrange

Dispute Resolution and Third-Party Roles

- 10. Mon. 11/17 - MHI (pp. 199-217; pp. 218-251)
- 11. Mon. 11/24 - MHI (pp. 595-606)

Ethics and Global Negotiations

- 12. Mon. 12/1 - MHI (pp. 508-550; pp. 607-616)
- 13. Mon. 12/8 - MHI (pp. 252-284; pp. 551-579)
- Graham & Lam (2003) *The Chinese Negotiation*, Harvard Business Review (H)

Thur. 12/11 - **Labor Contract Comparison Analysis and Term Paper Assignments Due 6pm
(Prof. McHugh's mailbox in 315 Fungler Hall)**

- **Final Exam -- DATE _____, TIME _____, LOCATION _____**

Recommendations for Success:

- 1) Do not fall behind. See me if you are having problems (the sooner the better).
- 2) Read the material and use the study questions as a reading guide.
- 3) Work on the study questions with others. However, don't be a free rider in your study group because someone will not be there during the exam to answer questions for you.
- 4) Be an active participant in class exercises and discussions.

SAMPLE

Classroom Emergency Preparedness and Response Information

To Report an Emergency or Suspicious Activity

Call the University Police Department at 202-994-6111 (Foggy Bottom) or 202-242-6111 (Mount Vernon). If the line is unavailable or you are calling from another University location, dial 911.

Shelter in Place – General Guidance

Although it is unlikely that we will ever need to shelter in place, it is helpful to know what to do just in case. No matter where you are on campus, the basic steps of shelter in place will generally remain the same:

- If you are inside, stay where you are unless the building you are in is affected. If it is affected, you should evacuate. If you are outdoors, proceed into the closest GW building or follow instructions from emergency personnel on scene.
- Shelter-in-place in an interior room, above ground level, and with the fewest windows. If sheltering in a room with windows, keep away from the windows. If there is a large group of people inside a particular building, several rooms may be necessary.
- Shut and lock all windows (locking will form a tighter seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans. Close vents to ventilation systems as you are able. (Facilities staff will turn off ventilation systems as quickly as possible).
- Make a list of the people with you and call the list in to UPD so they know where you are sheltering.
- Visit GW Campus Advisories for incident updates <http://campusadvisories.gwu.edu> or call the GW Information Line 202-994-5050. If possible, turn on a radio or television and listen for further instructions. If your e-mail address or mobile device is registered with Alert DC, check for alert notifications.
- Make yourself comfortable and look after one other. You will get word as soon as it is safe to come out.

Evacuation

An evacuation will be considered if the building we are in is affected or we must move to a location of greater safety. We will always evacuate if the fire alarm sounds. In the event of an evacuation, please gather your personal belongings quickly and proceed to the nearest exit. Do not use the elevator.

Once we have evacuated the building, proceed to our primary rendezvous location (**Smith Center**). In the event that this location is unavailable, we will meet at (**Wellness Center**).

Alert DC

Alert DC provides free notification by e-mail or text message during an emergency. Visit GW Campus Advisories for a link and instructions on how to sign up for alerts pertaining to GW. If you receive an Alert DC notification during class, please share the information immediately.

GW Alert

GW Alert provides popup notification to desktop and laptop computers during an emergency. You are encouraged to download this application to your computer. Visit GW Campus Advisories to learn how.

Additional Information

Additional information about emergency preparedness and response at GW as well as the University's operating status can be found on GW Campus Advisories <http://campusadvisories.gwu.edu> or by calling the GW Information Line at 202-994-5050.