

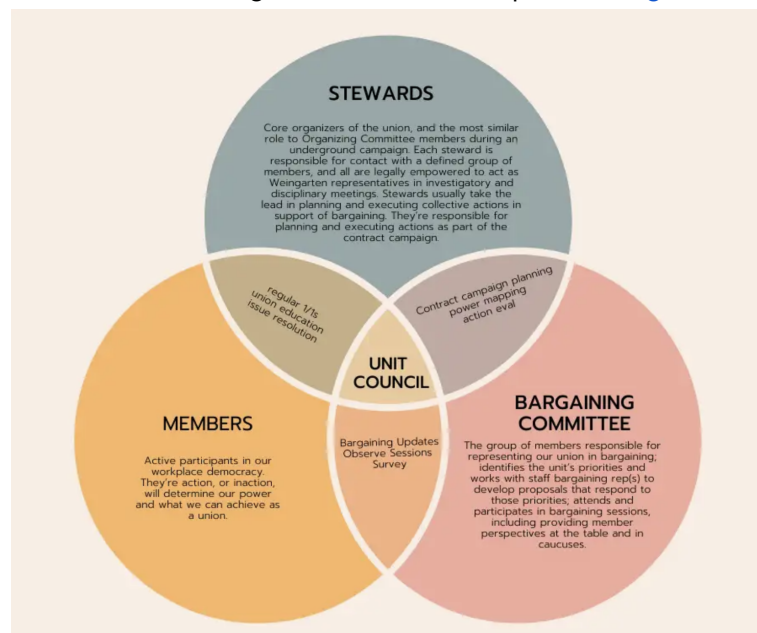
Clean Water Action Guild Bargaining 101

Attendees: Hunter, David & Maddy from PLOS, James, Mac, Emily, Maher, Ellie, Christian, Gage

Opening (5 minutes, 12:05-12:10): **What drew you to serve on the Bargaining Committee?**

- James: has been part of bargaining in MN for a while, but excited to get more context/foundational info and different perspectives
- Maher: fits skillset - and was asked
- Emily: same - good at picking things apart and looking at details
- Mac: very glad to be a representative for coworkers who aren't at the table
- Ellie: this is why she was organizing in the first place - making sure the policies work
- Mercedes: similar ^
- Gage: lots of experience working with unions, politics, etc and loves speaking up and out
- Christian: 3x bargaining with MN - loves standing up for coworkers and pushing for more from leadership. Interested in getting perspectives from others across the country

- Bargaining Committee (BC) Structure (15 minutes, 12:10-12:25)
 - BC's role within larger Union Structure | [Venn Diagram](#)



- The group of members responsible for representing our union in bargaining
- Identifies the unit's priorities and works with staff bargaining rep(s) to develop proposals that respond to those priorities
- Attends and participates in bargaining sessions, including providing member perspectives at the table and in caucuses
- What makes a good BC member?

- Level-headed, calm under pressure, keen eye for detail, veracity, punctuality, adaptability and accountability, diverse team of people willing to compromise and willing to go for the throat
- Time Commitments
 - Expect **3-6 months to complete negotiations**, but it can take longer
 - Depends on how far our proposals are from management, and extent of push-back our union members are willing to do
 - **Weekly one-hour** prep sessions
 - Individual work on proposals — This becomes more time-consuming in the buildup to the start of negotiations
 - Drafting language, getting feedback from members, etc
 - Table time — This can vary, but we ideally want at least **2-3 days of bargaining per month**. Negotiations will be virtual. Likely 4-8 hours per day. Does Clean Water treat bargaining as work time? Are you paid by Clean Water for that time?
 - In MN bargaining previously, it's been paid - salaried work of course needs to make up tasks, but clocked in for hourly - CV may need to adjust days being worked
 - When it's not possible to be paid as usual, union can reimburse
- BC Roles
 - Facilitator - puts together agenda/run of show, bring up proposals, etc, can rotate who is facilitator
 - Note taker - very important to have a record of what was achieved, what the interpretations of different parts are, etc. - may return to a proposal after months of not touching it
 - Subject matter “experts” - someone who deep-dives into a particular aspect like FCV/PCV/etc especially across different offices
 - Trackers & Folder organizers - google drive with ALL documents so someone who misses a few weeks can easily catch up
- Staff roles
 - PMWG / MNG, TNG, CWA — Provide resources, staff, materials and training to support you through bargaining. The Guild will also provide final approval of your contract.
 - Staff reps: We're not here to negotiate for you. You are the union and make decisions leaning on our advice and expertise, but YOU are leading this process.
- **What to expect in bargaining (20 minutes, 12:25-12:45)**
 - James/Christian: How have negotiations gone in the past with Clean Water?
 - James: Has varied a lot over the years (leadership turnover, in-person vs virtual negotiations). Hopefully longer sessions (over 2hrs, maybe 4-5) because it's hard to get everyone in the same room and it's easier to keep momentum and get things done. But limiting to a week from in-person meetings introduced a deadline that wasn't good

- Christian: often flow goes: submit line-item changes, then discuss/caucus/discuss, etc - would be nice to get a couple rounds of this in one session. Also, memorandums of understanding are common - an agreement that's not contractually guaranteed - like with health insurance, hybrid working, etc. Make sure we keep in touch with admin/program staff about getting promised raises/etc.
- How might negotiations be different with a “national” union?
 - Tons of unwritten rules/practices being used across all our offices - need to keep an eye out and make sure policies are being enforced/being followed consistently
- Who do we expect to be on Management's Bargaining Committee? | [Power mapping](#) -- Who are we going against, who has influence who might not be at the actual table, how can we influence them?
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- Bargaining happens “at the table” — On the record, sharing proposals, engaging in discussion, asking clarifying questions; It's important to be strategic and thoughtful with what you say at the table
 - Off-the-cuff comments/thoughts can come back to bite you, or undermine a coworker's argument
- [Written proposals](#) are presented at the table by walking through the key provisions and highlighting your priorities
 - [Counter proposals](#) are redlined to track changes
 - Can be more clear if one person is making tracked changes in the document at a time
 - New document every time management sends back a new proposal
 - Avoid “supposals” — saying something like “well would you agree if we proposed this instead...”
 - Keep to the points you included on paper in the proposal
- Bargaining doesn't just happen at the table
 - Caucuses: Each side is entitled to call for a break — or “caucus” — at any time to go into their own room and have private, internal conversations. The majority of time is often actually spent in caucuses
 - Sidebars: Side conversation between attorneys and reps and/or a unit leader; More informal with freedom to pose potential compromises
 - Off the record: To discuss sensitive issues — like the org's finances, or a particular employee's disciplinary issue; This shouldn't happen often, but can be useful to get a more transparent conversation with management
 - External pressure: A union's bargaining strength starts with solidarity among the members and support from the community
- Tips & Terms to know
 - **Equity Principle — At the table you are EQUALS to management**
 - Good faith vs Bad faith — [NLRB explainer](#), take care w this term
 - NLRB is extremely slow, so usually better to handle “bad faith” techniques with pressure from union members

- Impasse — When one party believes they're done negotiating over a particular topic because there's no more progress that can be made. If negotiations reach an impasse, an employer can impose terms and conditions so long as it offered them to the union before impasse was reached.
 - Usually handle by leaving proposals/points open and returning to them at a later point, can then be used in negotiating other points
 - James: often historically avoided by settling on MOUs
- Regressive bargaining
- Mandatory, Permissive & Illegal subjects of bargaining. Mandatory-economic, directly impact work.
 - Mandatory: Wages, vacation time, etc. (economic items). Mgmt legally has to respond.
 - Permissive: Insert members into decision-making (non-economic). Mgmt can reject proposals on permissive subjects.
- Economic vs Non-Economic
- So how do we finish this contract?
 - Tentative Agreements (TAs) on every article
 - PMWG/MNG & TNG approvals
 - Member ratification of contract - vote
 - Signatures put it into effect
- Length of contract can depend, but aim for ~3 years. 1 year long contract would be mainly if we're happy with current conditions and are just signing off on another year. Timeline to re-open negotiations on contract is dictated in the contract, but can always open negotiations on points and develop MOUs, etc - don't want to crack open the contract ahead of schedule too much

● Materials, Documents, Trackers (15 minutes, 12:45-1)

- Google Drive folder
 - Create folders for each bargaining session
 - Download / add all proposals and counters to respective folders
- Proposal Tracker: Sample | Template
- Notes (Sample): Create a running doc for notes with a tab for each bargaining session, share this with members so they can follow along
 - Your notes will be the record of what was said during bargaining, it doesn't have to be a complete transcript, but it should capture as much as possible.
 - Document interpretation and intent!! And document points in arguments/disagreements
- Clean Water Guild CBA — this is your starting point, identify the articles you want to address / change / improve during these negotiations **[add doc version to Drive]**
 - Other samples: All PMWG Contracts [password: guild]

- We also have access to all TNG-CWA contracts, if there's a particular one you want to use, we can get it for you - reading other contracts is important!

- **Building & Exerting Power in Bargaining (10 minutes, 1-1:10)**

- This is not Debate Club — just having a really strong argument doesn't mean the employer will agree; You need to build solidarity and pressure to influence decision making
- Be prepared to hear NO! Don't let it discourage you, use it to motivate you
- Legal recourse (Unfair Labor Practice charges) are an option, but never your most reliable action
- [Escalation Mountains & Turning Up The Heat](#)
- Be Prepared! [Run of Show Template](#)
- Engaging Members
 - Open Bargaining — Employers try to keep negotiations behind closed doors, Guilds demand to allow members to observe for themselves
 - Operationally: pass around zoom link, but make sure observers are muted and it's clear who the bargainers are
 - Member Testimonials — Invite members to speak at bargaining about issues that directly impact them
 - Bargaining Bulletins ([Example](#)) — Update your members after each session so they know what was discussed
 - Town Halls — Invite members to hear directly from the BC, use these as opportunities to mobilize your members over key issues
 - Balance "too many cooks" with transparency & member engagement
- Contract Action Team ([Secrets to Success](#)) — Typically stewards who work alongside the BC to create contract campaigns, escalation plans and mobilize the membership to action
 - You want members to feel familiar with the final product when it's time to vote on it

- **Next Steps (5 minutes, 1:10-1:15)**

- Establish a regular weekly meeting time for BC preparation.
- Review Bargaining Survey results to determine priorities
- Review Request for Information response from management
- Form a Steward Network / Contract Action Team
- Schedule this: Contract Walkthrough / Priority Items TBD

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- **Questions / Re-Reviews (15 minutes, 1:15-1:30)**