The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries (The Wagner Act (1935), Section 1).

This course examines labor relations and collective bargaining, especially the three major processes: union organizing (how labor unions are formed), bargaining (how union contracts are produced), and contract administration (how grievances are resolved). To understand the operation of these processes, the first part of the course analyzes the framework in which collective bargaining takes place—the legal, historical, economic, and global environment, the structure and goals of the participants, and alternatives models of the employment relationship. The latter part of the course examines international comparisons and important changes that have occurred in the last few decades, such as pressures for employee involvement and flexibility. The course concludes with prospects for the future. The focus of the course is private sector labor relations, but public sector comparisons are highlighted where appropriate.

Course Goals: The basic goals of this course are to develop an understanding of:

Why employees, employers, and society may or may not desire unions (past, present, and future), and the relationship between these views and fundamental assumptions about markets and employment relationship conflict.
How worker representation impacts the operation of the workplace, firm, economy, and society.

The major labor relations processes (union organizing, bargaining, and contract administration) and how they are influenced by a variety of factors (legal, economic, demographic, etc.).

Required Textbooks and Other Materials


Recommended Supplementary Reading


Electronic Information Sources: There are numerous electronic information sources relevant to this course. On the World Wide Web, the AFL-CIO, Industrial Workers of the World, NLRB, and numerous unions and professional associations have informative sites. Many U.S. laws and court decisions are available at www.law.cornell.edu. Course materials, links, and the online discussion forum can be accessed from ClassNet and the HRIR 8071 website at www.hrir8071.info/

Grading

<table>
<thead>
<tr>
<th>Participation: Class Discussion</th>
<th>continuous</th>
<th>10%</th>
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</thead>
<tbody>
<tr>
<td>Debate</td>
<td>various</td>
<td>20%</td>
</tr>
<tr>
<td>Labor Law Exam</td>
<td>October 31, 2005</td>
<td>20%</td>
</tr>
<tr>
<td>NLRB Decision Posting</td>
<td>November 14, 2005</td>
<td>15%</td>
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<tr>
<td>Bargaining Exercise</td>
<td>various</td>
<td>15%</td>
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<tr>
<td>Final Exam</td>
<td>TBA</td>
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Attendance and Participation: Our common objective in this class is to increase your understanding of the nature and relevance of labor relations through participation and involvement. Attendance in general, and participation in class discussions specifically, are important components of the learning process in this course. Please read the appropriate materials before class and *bring those materials with you to class* for discussion. It is important to bring the textbook to class each meeting. Attendance at all class meetings earns a participation grade of “B.” This grade can be reduced by excessive absences and can be increased by relevant contributions to class discussions.
Debates: An in-class debate between two teams on a specific issue (see the course outline for specific weeks and topics). For each debate, one team will be assigned to argue the affirmative case and one side will argue the negative. The debate will follow this structure:

- Affirmative opening (5 minutes)
- Negative opening (5 minutes)
- Affirmative rebuttal (5 minutes) (by the team member who did not present the opening)
- Negative rebuttal (5 minutes) (by the team member who did not present the opening)
- Class questions and discussion

Prior to the debate, each team must hand in a 1-2 page argument sheet which outlines your major arguments and the facts supporting each argument. This sheet should also outline the anticipated major arguments of the other side and your rebuttal.

NLRB Decision Posting: A briefing of a National Labor Relations Board (NLRB) decision posted electronically to the HRIR 8071 ClassNet Class Discussions forum by 4:00 p.m. on November 14, 2005 (week 10). The class will be divided into small groups and each group assigned an NLRB decision. Each group is required to write a brief of this decision summarizing the facts of the case, the important points of law, and the significance (legal and practical). This brief is to be posted in the HRIR 8071 ClassNet discussion area so that the rest of the class can read and respond to it. The group is responsible for responding to questions about the posting and monitoring the discussion in a timely fashion.


An initial bargaining session must take place no later than November 7, 2005. Before this meeting, each team must construct a negotiation plan. Each negotiation plan should include a bargaining agenda which contains the team's threat point (i.e., the minimum [maximum] acceptable contract changes the union [company] would accept without a strike) and also what the team reasonably hopes to settle for. Both economic and non-economic items should be included in the agenda. Blank templates are available on the exercise’s website. Costs should be estimated for the economic items in the packages. These bargaining agendas are not binding during negotiations, but are used to facilitate preparation. To help with costing various proposals, an Excel spreadsheet is available on the website. Each team must submit their negotiation plan to Professor Remington by November 21, 2005 (week 11).

The strike deadline is 11:59 p.m. on December 9, 2005 (week 13). Any pair of groups that does not complete an agreement by 48 hours before the deadline must seek mediation from Professor Remington. Failure to mediate and/or failure to reach agreement by the strike deadline will result in a grade of C for the exercise for both teams.
Key Terms: A list of key terms and concepts for the course will be posted weekly on ClassNet. Students are encouraged to download this list and create their own glossary of terms. This will help you understand the important elements of the course, and is a good study aid for the tests.

Classroom Expectations: Professors and students are expected to behave professionally at all times. The professors will respect the students, and each student is expected to be respectful of the professors and their fellow students. Professional behavior includes, but is not limited to, the following:

Honesty. Do your own work. Plagiarizing from other students, books and journals, the internet, and other sources is a serious offense and is not acceptable. Be sure to fully cite your work. Make honest contributions to your group projects (do not be a free rider).

Preparation. Come to class prepared to listen, learn, and participate. Attend group meetings prepared to make full contributions and to help other group members make valuable contributions.

Politeness. Ask questions and contribute to class discussions in a positive, inclusive, and respectful manner. Respond to dissenting views with respect and reason. Respect your classmates and your group members.

Attentiveness. Turn off and do not answer your cell phone. Laptop computers are welcome for class-related purposes such as note taking. Other activities are inappropriate and exhibit disrespect towards the instructors and other students. Limit individual conversations, eating, and other distractions to break times. Focus on the tasks at hand during group meetings.

Timeliness. Complete assignments on time. Be on time for group meetings and for class. Unforeseen events occur and students have multiple demands on their time (such as interviews). If you must arrive late or leave early, do so without walking in front of any speakers. Provide advance notice to the instructors whenever possible. Reserve the seats by the door for those who must arrive late or leave early.
Course Outline

I. Introduction: The Objectives, Practices, and Challenges of Labor Relations
Week 1 (September 12)


II. Intellectual Foundations: The Labor Problem and Labor Unions
Week 2 (September 19)


III. Labor Relations Outcomes: The Environment, Individuals, and Ethics
Week 3 (September 26)


Debate 1: Resolved that a legal union avoidance campaign is consistent with the SHRM Code of Ethics.

IV. The Evolution of the American Labor Relations System
Week 4 (October 3)

*Labor Relations: Striking a Balance*, Chapter 4.

Debate 2: Resolved that the absence of a strong class structure in 19th Century America inhibited the development of radical (Marxist) unions.

V. U.S. Labor Law
Week 5 (October 10)


Debate 3: Resolved that U.S. soldiers should be allowed to join unions.

Case Discussion:

Let’s Do Lunch: Insubordination or Protected Activity? (Box 5.23)
Fired for Poor Driving, or Talking with a Union Organizer? (Box 5.24)
Is Body Language Protected Activity? (Box 5.25)
VI. Labor and Management: Strategies, Structures, and Rights
Week 6 (October 17)

_Labor Relations: Striking a Balance_, Chapter 6.

*Debate 4:* Resolved that the “Slave Labor Act” is an accurate moniker for the Taft-Hartley Act.

VII. Union Organizing
Week 7 (October 24)

_Labor Relations: Striking a Balance_, Chapter 7.

*Debate 5:* Resolved that closing a plant after a successful union organizing campaign is ethical.

*Case Discussion:*
- Does a Meeting with a Supervisor Interfere with Employee Free Choice? (Box 7.6)
- Does Community Activity Interfere with Laboratory Conditions? (Box 7.7)

VIII. Globalization
Week 8 (October 31)

_Labor Relations: Striking a Balance_, Chapter 12.

IX. Bargaining: Process, Structure, and Impasse
Weeks 9-10 (November 7 and 14)

_Labor Relations: Striking a Balance_, Chapters 8 and 9.

*Case Discussion:*
- Does the Duty to Bargain Preclude Unilateral Wage Increases? (Box 8.11)

*Debate 6:* (Week 9) Resolved that seniority systems are necessary to provide workers with meaningful job security.

*Debate 7:* (Week 10) Resolved that the National Labor Relations Act should be repealed.

X. Contract Clauses, Administration, and Grievance Handling
Weeks 11–12 (November 21 and 28)

_Labor Relations: Striking a Balance_, Chapter 10.
Debate 8: (Week 11) Resolved that the United States should ban permanent strike replacements.

Debate 9: (Week 12) Debate: Resolved that the NAFTA side agreement (the North American Agreement on Labor Cooperation) is an effective mechanism for protecting worker rights in a global economy.

Case Discussion: Grievance Discussion Cases 1-10 (Boxes 10.11 – 10.20)

XII. Comparative Industrial Relations; Employee Involvement
Week 13 (December 5)

Labor Relations: Striking a Balance, Chapters 11 and 13.

Debate 10: Resolved that mandatory works councils should be adopted by the United States.
STATEMENT ON COURSE REQUIREMENTS

1. The instructor will determine the conditions, if any, under which an "Incomplete" will be assigned instead of a grade. The instructor may set dates and conditions for makeup work, if it is to be allowed.

2. A student may not negotiate the submission of extra work in an attempt to raise his or her grade unless the instructor has made such opportunities available to all students.

3. Academic misconduct is a very serious issue with potential consequences ranging from failure in the course in question to dismissal from the University. Academic misconduct is defined broadly as any act that violates the rights of another student in academic work or that involves misrepresentation of your own work. This includes (but is not limited to) cheating on assignments or examinations; plagiarizing, which means representing as your own work any part of work done by another; submitting the same paper, or substantially similar papers, to meet the requirements of more than one course without the approval and consent of all instructors concerned; depriving another student of necessary course materials; or interfering with another student's work. Instructors may define additional standards beyond these.

4. Students with disabilities that affect their ability to participate fully in class or to meet all course requirements should bring this to the attention of the instructor during the first week of class so that appropriate accommodations can be made. Similarly, students for whom English is not their native language may request accommodation (such as additional time for examinations).

5. Student complaints or concerns about some aspect of a course sometimes arise. If possible, it is hoped that these can be resolved through an informal meeting between student and instructor. However, if a student feels this is not feasible, or if such discussion does not remedy the problem, the student may consult with the Director of Graduate Studies in 3-300 Carlson School of Management (if a graduate student) or the Director of the Industrial Relations Center, also in 3-300 Carlson School of Management (if an undergraduate student).

6. University policy prohibits sexual harassment. Copies of the University policy on sexual harassment are available at 419 Morrill Hall. Complaints about sexual harassment should be reported to the University Office of Equal Opportunity at 419 Morrill Hall.

7. Materials for this course are available in alternative formats upon request. Please contact the Director of Graduate Studies, 3-300 Carlson School of Management, (612) 624-2500.