

Bargaining Team Roles and Responsibilities

Your negotiations team is invested with considerable authority and responsibility. The team will need time to work together to form a cohesive group, to receive adequate training, to build skills, and to learn the role that each person is expected to play.

Bargaining team makeup:

1. Consider a size for your team that makes sense:
 - Be practical.
 - The recommended number of members is three to five members out of consideration for training time, scheduling meetings, and the need for people to play different roles.
2. The composition of your team can create buy-in from the membership and help the whole team to ensure they are representing all members. Consider team representation across grade levels, job groups, sites, and demographics.
3. Bargaining requires a range of abilities, skills, and personal characteristics. When selecting members of your team, some criteria include:
 - Sound judgment, problem-solving skills, and common sense
 - Strong written, verbal and listening skills
 - Objectivity and impartiality
 - Willingness to learn new skills, commit time, and perform assigned tasks in a timely manner
 - People who are respected by other members
 - Commitment to communicating on a regular basis with members of the LCAT or organizing committee

Method of selecting a bargaining team

Your local Constitution and Bylaws will govern the selection of your team. The bargaining team may be selected by the Union president based on the above criteria, with the approval of other union leaders or the membership. Some teams are elected, and others are formed through a hybrid of appointment, election or other selection method.

Bargaining team responsibilities

The bargaining team must have full authority to bargain a comprehensive agreement with the employer, subject only to ratification by the full union membership. This authority includes the right to make proposals and counterproposals on behalf of the union, to accept employer proposals, and to drop or modify union issues at the table. This broad authority is essential if the bargaining team is to operate effectively and with the respect of the employer team. This authority must be clearly delineated and understood by the team, the Executive Committee/Board, the Bargaining Committee/Advisory Council, and the membership.

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Other, specific responsibilities include:

- Securing input necessary to develop formal proposals
- Writing and researching proposals
- Developing rationale, organizing data and calculating costs in support of proposals
- Planning strategy for effective bargaining
- Reaching agreement with the employer subject to member ratification
- Communicating on a regular basis with the union president, executive committee, and membership. Communication includes seeking input from members in addition to regular updates to members.

Roles associated with the bargaining team

- Spokesperson
- Note-taker or recording secretary
- Costing and finance expert
- Subject matter expert
- President
- LCAT or organizing committee member

Spokesperson

The spokesperson chairs the bargaining team and when engaged in traditional bargaining, does all the speaking on behalf of the union/organization, unless a specific delegation is made to another member. A bargaining team member should pass written notes to the spokesperson or ask for a caucus if team discussion is necessary. The spokesperson must be alert, assertive, and intelligent. A team may elect to have a different spokesperson designated on different issues; that person should be deputized to run the negotiations session as needed.

Responsibilities:

1. Assemble the issues to bargain.
2. Understand and explore the other side's issues.
3. Know the bargaining history between the parties.
4. Establish faith, trust, and credibility.
5. Understand and plan to address external issues.
6. Pick bargaining strategy, timeline, bottom line, and worst-case scenario.
7. Attend meetings with members throughout negotiations.
8. Be innovative.
9. Serve as spokesperson at the table.
10. Pick a style for negotiating that works for you.
11. Serve as liaison to the LCAT or Organizing Committee

Note-taker or recording secretary

Bargaining history is an important outcome of the negotiations process. Our records can determine not only what ends up in the final contract but the intent and interpretation of the language. Note-takers are responsible not just for recording each session but ensuring that a continuous archive of bargaining records is maintained by the local.

Responsibilities:

1. Take notes at actual bargaining sessions and otherwise gather information.
2. Gather and organize documents before/during/after bargaining.
3. Retrieve information upon request.
4. Assist in typing/reproduction of proposals/counterproposals.
5. Data/documents to watch for, gather, organize, preserve:
6. Written proposals
7. ULP evidence (memorandums, newsletters, newspaper articles, management/governance minutes (e.g. Executive Committee/Board minutes))
8. Finances (audit, salary schedule, training and experience grids, budgets, etc.)
9. Tentative Agreements
10. Summary of contract changes (given to general membership at ratification)
11. Surveys/survey results
12. Miscellaneous data (e.g. grievance documents, information from members, etc.)
13. Take notes at the bargaining table:
14. Ensure it will be of use
15. Get quotes: Who said it, date, and time. If possible, record it on the proposal to which it pertains
16. Information to watch for, gather, organize, preserve:
17. Date, time, author of proposals
18. Rationale for proposals
19. What the languages means, doesn't mean, change in meaning
20. ULP evidence
21. Why was a specific proposal withdrawn? Was there a condition stated upon withdrawal?
22. Definitions of words used in proposals or existing contract
23. Proposals made that weren't achieved
24. Mediation-related information
25. Information needed upon request during bargaining (current proposals, meeting date, positions, etc.)
26. Mechanics to achieve above:
27. Organize a "filing" system in advance
28. Maintain documents in a format from which copies can easily be made
29. What to do with records after settlement?
30. Murphy's Law: As soon as you throw something away, you'll need it!
31. Maintain in such a manner it can be accessed for arbitrations over language disputes

Costing and finance expert

Successful negotiations will require knowing not just the financial cost of your proposals, but that of the employer. Running cost estimates should be done on an ongoing basis, using whatever technology is most expedient. In almost all cases, the costing expert uses spreadsheets to maintain cost estimates on each proposal, and may also be responsible for showing the affordability of a proposal based on research of the employer's finances.

Responsibilities:

1. Maintain costing spreadsheets for all union and district proposals.
2. Research district finances, both current and historical.
3. Understand conversational school finance.
4. Educate members about the district financial position in order to leverage a settlement.

Subject matter expert

Negotiations is an increasingly complicated process, requiring deep knowledge of both professional issues like evaluation, curriculum, and training, and traditional bargaining issues like compensation and benefits. Members of the bargaining team may be designated as “expert witnesses” on a particular subject, such as insurance benefits. Bargaining teams may also bring in members from outside the team to serve as subject matter experts as warranted by a particular proposal, such as inviting a special education teacher to present proposals on caseload and paperwork issues.

Responsibilities:

1. Research a particular issue or set of issues from both an objective perspective and a member perspective.
2. Understand the issue thoroughly
3. Understand how the issue affects members
4. Assist with creating rationale for proposals for which you serve as an expert
5. Present proposals and provide documentation, research, and member voice in support of proposals

Local Union President

Generally, local presidents do not serve on bargaining teams. The team and president complement and supplement each other in the goal of winning an effective contract. The team bargains while the president provides support and resources to the team. In some cases, a local may choose to include the president on the team. It’s a good idea to consider the pros and cons of including the local president on the team.

Pros:

- Knows the overall needs of the local
- Privy to many issues that may need to be discussed in bargaining
- Has positional power within the local
- Has relationships with the employer that may assist the bargaining team in reaching agreement

Cons:

- Serving on the team makes the president unavailable to mediate disputes later in the bargaining process
- Workload should be shared by other leaders
- Failure to delegate means difficulty recruiting leaders to the president position

Responsibilities

1. Serves as the chief administrative officer
 - Ensure constitution provisions are enforced
 - Implement bargaining policy
 - Chief decision-maker within the local
 - Chairs meetings of the local
2. Provides direction and leadership
 - Does not allow the union to use tunnel-vision.
 - Maintains control and order – ultimate authority
 - Stays clean on the issues

Relationship of Team and Local Union President

The crucial role of the president in relation to the team is to think organizationally by:

1. Coordinating the overall program and action of the union so they are in concert with the strategy, tactics, and priorities used by the bargaining team.

2. Communicating with the membership as the union leader following receipt of information from the bargaining team.
3. Delegating responsibilities so that the bargaining team needs are met (e.g., support teams, information, research, etc.).

The role of the team via the spokesperson is to think organizationally by:

1. Keeping the president informed at every step.
2. Utilizing efficiently the resources provided by the president.
3. Planning ahead so the president can provide the best possible support to the team.
4. Asking for interim opinions from the membership as to the language being negotiated and the membership's view of the bargaining team's efforts. (This is to ensure that members feel that the team is working for their benefit and also gives the team a sense of how members may react during ratification.)

LCAT or Organizing Committee Member

Local & Community Action Team (LCAT) or Organizing Committee (OC) members do not serve on the bargaining team, but rather facilitate communication between members and the team, coordinate actions and events in support of the bargaining team, and demonstrates a united, powerful front to the employer. Close communication between the bargaining team and the LCAT/OC is critical, but the responsibility for creating and carrying out a member mobilization plan in support of negotiations lies with the LCAT or OC.

Responsibilities:

1. Talk to the members in buildings
2. Assess support in each site
3. Encourage member involvement
4. Help plan and carry out events in support of the bargaining team
5. Maintain consistent, two-way communication with other LCAT members and the bargaining team.