

LEARNING.
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THE LILLIE LABOR LAW FIRM P.C.

STUDY GUIDE

Labor Negotiations:
Process, Preparation & Strategy

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1. What is “bargaining in good faith”?
2. What should the Employer consider when selecting its bargaining team?
3. What to do to properly and thoroughly prepare for negotiations.
4. What is appropriate bargaining table conduct?
5. How do I make proposals?
6. How do I support the proposals with effective arguments?
7. What are the classic arguments for topics such as promotions, overtime, drug testing, attendance issues, etc.
8. What are all the possible outcomes of negotiations?
9. In collective bargaining, is it legal for the Employer to advance their final offer on the first day of negotiations?
10. Is it legal for the employer to bargain through “package proposals” as the exclusive method of bargaining?
11. Can the employer routinely walk-out on negotiations if negotiations are “rough” or if there are insults being communicated?
12. When is the Union entitled to “look at the books”? Please explain the difference between the private sector and the public sector.
13. What is a “waiver”? Where in the collective bargaining agreement is a “waiver” most likely to exist? Please give one example of a waiver.

14. What should be the major consideration as to whether or not the Employer bargains for a broad definition of a grievance or a narrow definition of a grievance in the grievance procedure, and how does that affect the no-strike provision?
15. Show the cash-out value and the roll-up value a 3% wage increase given three (3) times over a three (3) year period with employees who average \$10 per hour and work full time (2080 hours per year). Please show your work below.
16. How far in advance of a contract's expiration should the Employer initiate strike preparations?
17. Prior to a strike or during a strike, can the Employer put up video cameras in the employee parking lot to observe striker conduct?
18. What are unfair labor practices?
19. What is the National Labor Relations Board and how does it operate?
20. Describe the differences in the rights between the parties during an unfair labor practice strike versus an economic strike?
21. What is "pocket strike authorization" and how does it work?
22. If employees file a petition for decertification, must the employer continue to bargain in good faith?