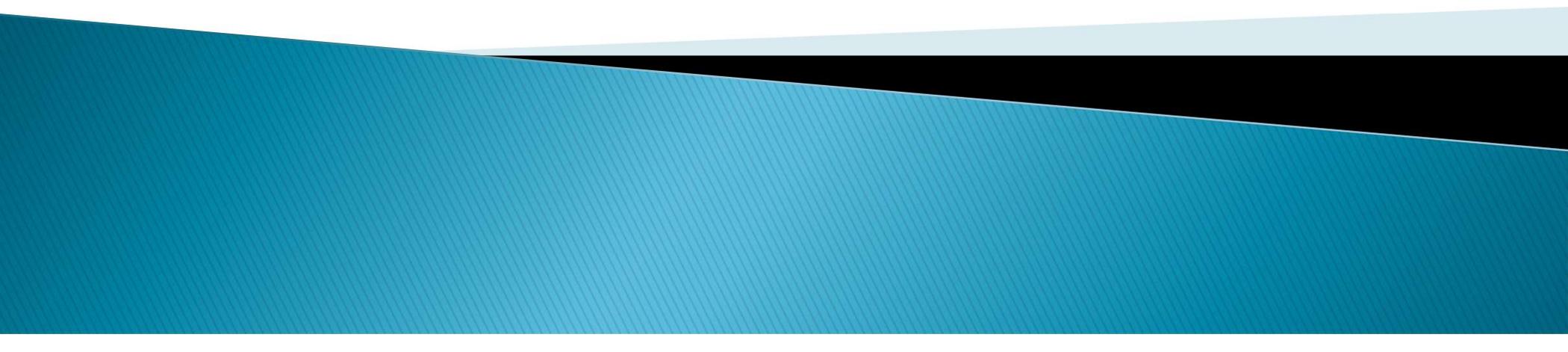


COLLECTIVE BARGAINING



MEANING:-

Collective bargaining is a process between employers and employees to reach an agreement regarding the rights and duties of people at work.

Collective bargaining aims to reach a collective agreement which usually sets out issues such as employees pay, working hours, training, health and safety, and rights to participate in workplace or company affairs.

DEFINITION:-

Collective bargaining is an agreement between a single employer or an association of employers on the one hand and a labour union on the other, which regulates the terms and conditions of employment. (Tudwig Teller)

OBJECTIVES OF COLLECTIVE BARGAINING

- Collective bargaining has benefits not only for the present, but also for the future.

The objectives of collective bargaining are:

- 1. To provide an opportunity to the workers, to voice their problems on issues related to employment.
- 2. To facilitate reaching a solution that is acceptable to all the parties involved.
- 3. To resolve all conflicts and disputes in a mutually agreeable manner.
- 4. To prevent any conflict/disputes in the future through mutually signed contracts.
- 5. To develop a conducive atmosphere to foster good organizations relations.
- 6. To provide stable and peaceful organization (hospital) relations.
- 7. To enhance the productivity of the organization by preventing strikes lock – out ect.

CHARACTERISTICS OF COLLECTIVE BARGAINING

- It is a group process, wherein one group, representing the employers, and the other, representing the employees, sit together to negotiate terms of employment.
- 2. Negotiations form an important aspect of the process of collective bargaining i.e., there is considerable scope for discussion, compromise or mutual give and take in collective bargaining.
- 3. Collective bargaining is a formalized process by which employers and independent trade unions negotiate terms and conditions of employment and the ways in which certain employment-related issues are to be regulated at national, organizational and workplace levels

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- Collective bargaining is a process in the sense that it consists of a number of steps. It begins with the presentation of the charter of demands and ends with reaching an agreement, which would serve as the basic law governing labor management relations over a period of time in an enterprise. Moreover, it is flexible process and not fixed or static. Mutual trust and understanding serve as the by products of harmonious relations between the two parties.
 - 5. It a bipartite process. This means there are always two parties involved in the process of collective bargaining. The negotiations generally take place between the employees and the management. It is a form of participation.
 - 6. Collective bargaining is a complementary process i.e. each party needs something that the other party has; labor can increase productivity and management can pay better for their efforts.



7. Collective bargaining tends to improve the relations between workers and the union on the one hand and the employer on the other.

- 8. Collective Bargaining is continuous process. It enables industrial democracy to be effective. It uses cooperation and consensus for settling disputes rather than conflict and confrontation.
- 9. Collective bargaining takes into account day to day changes, policies, potentialities, capacities and interests

Principles of collective bargaining

- **For union and management:-**

- CB should be an education as well as a bargaining processes.
- There must be mutual confidence and good faith and a desire to make collective bargaining effective in practices.
- There should be an honest and responsible leadership for only this kind of leadership will make collective bargaining effective and meaningful

For the management

- Management must develop and consistently follow a realistic labour policy which should be accepted and carried out by its representatives.
- Management must grant recognition to the trade union without any reservations and accept it as a constructive force in the organization
- Management should not wait for the trade union to bring employee grievance to its notice but should rather create the condition employee can approach
- Management should deal only with one trade union in the organization



For trade union :-

- Trade union leaders should be appreciate the economic implication of collective bargaining for their demands are generally met from the income and resources of the organisation
- Trade union should resort to strikes only when all the other methods of the settlement of a dispute have failed
- trade union leaders should not imagine that their only function is to secure higher wages ,shorter hours of work and better working conditions for their members

National labour relations act

- It is here declared to be the policy of the united states to eliminate the causes of certain substantial obstructions to the free flow of commerce by encouraging the practice and procedure of collective bargaining....
- For the purpose of negotiating the terms and conditions of workers employment or the other mutual aid or protection .”
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Legal frame work for collective bargaining

Employee have the right to :-

- Form to join or to assist a labour organisation of their choice ,
- Bargain collectively through that labour organisation
- Engage in concerted activities an mutual aid
rafrain(avoid doing) from any of the activities .

Protects employees by defining and prohibiting unfair labour organisation

- Discriminating against employees for engaging in or refraining from union activities.
- Refusing to bargain with the union that is the lawful representative of its employees.

Governance and collective bargaining :-

the board of regents is prohibited from bargaining on diminution (become a less) of tenure (form of right), statutory governance rights and academic freedom

Supervisor –dominance

- It shall be an unfair labor practice for an employer to dominate or interfere with the formation or administration of any labour organisation or contribute financial or other support to it.

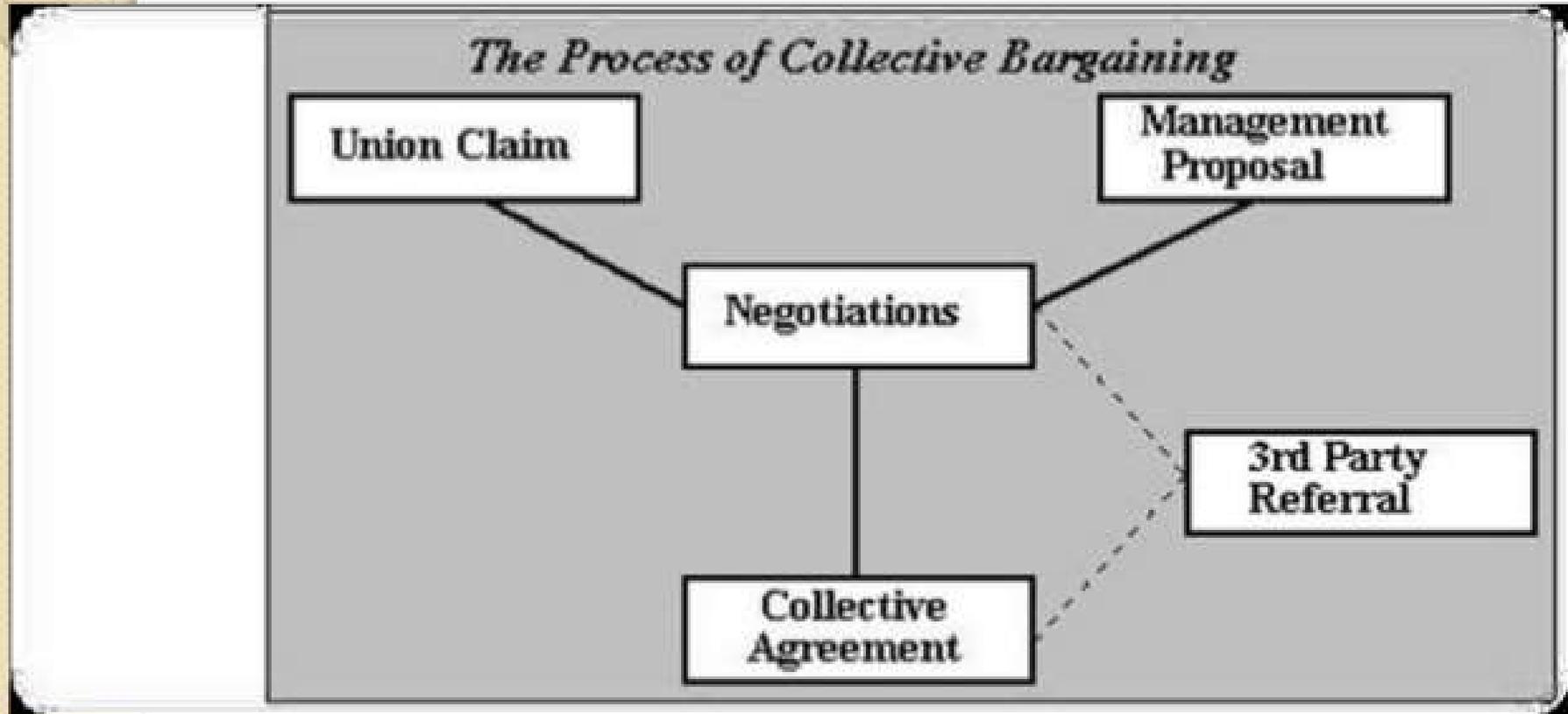
Professional –supervisor –manager

- A decision reached by the supreme court in February 1980 may provide opportunities for new challenges by hospital administrators
- As nurses continue to emphasize their rightful place as professional member of the health care team

To Organize Or Not

- As Registered Nurse become more knowledgeable about collective bargaining activities they will be faced with a variety of decisions. the first decision is whether to organize. if nurses are seeking improvement in wages, hours and working conditions and have found nursing and hospital administrators unwilling to listen ,then collective bargaining may be the best alternative

COLLECTIVE BARGAINING PROCESS

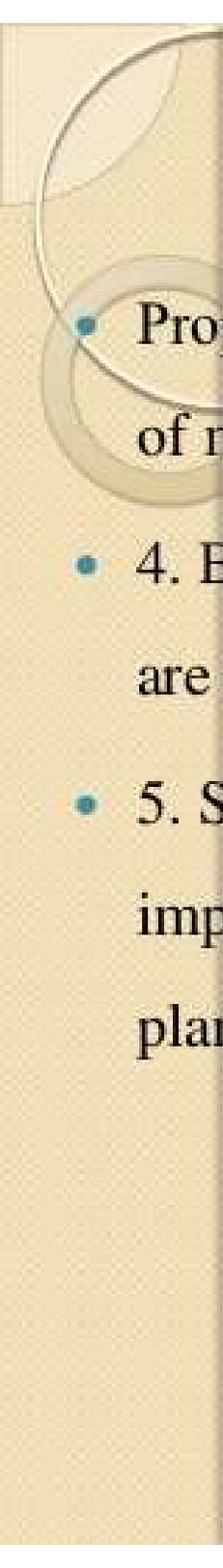




Collective bargaining generally includes negotiations between the two parties (employees' representatives and employer's representatives). Collective bargaining consists of negotiations between an employer and a group of employees that determine the conditions of employment. Often employees are represented in the bargaining by a union or other labor organization. The result of collective bargaining procedure is called the collective bargaining agreement (CBA). Collective agreements may be in the form of procedural agreements or substantive agreements. Procedural agreements deal with the relationship between workers and management and the procedures to be adopted for resolving individual or group disputes.

Collective bargaining process comprises of five core steps:

- 1. Prepare: This phase involves composition of a negotiation team. The negotiation team should consist of representatives of both the parties with adequate knowledge and skills for negotiation.
- 2. Discuss, the parties decide the ground rules that will guide the negotiations.

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- Propose:, this phase could be described as brainstorming‘. The exchange of messages takes place and opinion of both the parties is sought.
 - 4. Bargain:.. This stage comprises the time when what ifs‘ and supposals‘ are set forth and the drafting of agreements take place.
 - 5. Settlement:.. This stage is described as consisting of effective joint implementation of the agreement through shared visions, strategic planning and negotiated change.