

Audio Script: Bargaining 220

Joint Labor-Management Committees

This is the actual audio that was recorded for Bargaining 220. Use it for a reference or study guide.

Welcome to Bargaining 220

This course should take you about 30 minutes to complete.

It is an elective course in the Bargaining track.

The prerequisite course for this course is Bargaining 100.

The sections in this course are:

The Structure of JLMCs, and

Participating in a JLMC

Section 1: The Structure of JLMCs

What is a JLMC?

A JLMC, or Joint Labor-Management Committee, is a team from both the state and the union that comes together to address a specific issue or issues. It can be either an ongoing committee or a temporary group, although even a temporary group can exist for a long period of time.

The committee can be formed for one particular worksite or for a group of worksites across the state.

The JLMC works to engage the employees together with management to problem-solve the issue.

Article 5.10: Labor/Management Committees

Article 5.10 of Local 1000's current contract, or MOU, with the state of California defines a worksite Labor/Management Committee as follows:

A. The State and SEIU encourage the use of Labor Management Committees to address issues of mutual concern in a problem solving context. Upon request of either party, a Labor/Management Committee (JLMC) shall be established to address specific or ongoing issues such as:

1. Workload
2. Productivity
3. Making the worksite more efficient and effective, or
4. Improving the quality of service

B. An established worksite JLMC shall adhere to the following guidelines:

1. The JLMC will consist of equal reasonable number of management representatives selected by the department head or designee and Union representatives selected by the Union.
2. JLMC recommendations, if any, will be advisory in nature.
3. JLMC meetings shall not be considered contract negotiations and shall not be considered a substitute for the grievance procedure or professional practice groups.
4. Employees who participate on such a committee will suffer no loss in compensation for attending meetings of the committee.
5. Dates and times of meetings and agendas of the JLMCs shall be mutually determined by the members of the JLMC.”

This is the contract language. As you can see the Union can be the moving party in establishing the worksite JLMC.

2011 Contract Language

Local 1000's contract, or MOU, with the state of California spells out the union's right to have a worksite JLMC. This kind of meeting between the union and management is designed to be a collaborative, informal way to address labor-management issues. It saves time in the problem-solving process when compared to grievance resolution, and is more effective because of the collaborative nature of the process itself.

The contract further states that either the union or the state can request a Joint Labor/Management Committee. When one party makes that request, and the issue is appropriate for a JLMC, the committee must be formed and begin working on the defined issue.

Section B of Article 5.10

Section B of Article 5.10 contains the guidelines for the committee:

As you can see in B1 the words 'equal and reasonable' appear. This is to create balance on both sides of the committee. If management tries to bring 10 managers and you only have 5 on your team this is not an 'equal' number. A way to prevent this from happening would be to ask that both sides submit a list of team members before the first meeting. Participation must be equal and reasonable on both sides.

B2 and B3 are extremely important- the worksite JLMC does not negotiate agreements. The objective of a worksite JLMC is to improve issues that are outside the scope of the contract. For example, if management tries to discuss a new departmental policy, this is outside the scope of a worksite JLMC. Agreeing on an

agenda *before* the meeting will prevent discussing items outside the scope of the worksite JLMC.

B4 - Attendance at committee meetings is state release time - not union leave and not time off. Before you meet with management, check with the committee members to make sure they have been released. If they have not received release time, contact management right away to prevent any problems.

B5 - Work with your committee to gather several different dates to propose for your meetings with management.

In the Local 1000 Policy File it states that worksite JLMC members, like members of other DLC committees, are appointed by their DLC President.

The DLC President will work with the DLC Executive Board to ensure a consistent appointment process for JLMCs within their DLC.

Statewide JLMCs

Note that there are also statewide JLMCs that operate under similar principles. The major difference is that they deal with issues that impact members statewide. They can, however, be specific to a department or to a job classification.

Section 1 Review

Having a Joint Labor/Management Committee at every worksite is mandatory.

- a) True
- b) *False*
- c) Depends on the department

The answer is B - According to Article 5.10 (A) of the contract, "Upon request of either party, a Labor/Management Committee (JLMC) shall be established..."

Committees make recommendations that are:

- a) Binding for all parties
- b) *Advisory only*
- c) Incorporated into the contract

The answer is B - According to Article 5.10 (B) of the contract, "JLMC recommendations, if any, will be advisory in nature."

Worksite Labor/Management Committees are established to discuss

- a) Contract negotiations
- b) Weather conditions
- c) Pending grievances
- d) *None of the above*

The answer is D - according to Article 5.10 (A) of the contract, "...a

Labor/Management Committee (JLMC) shall be established to address specific or ongoing issues such as: workload, productivity, making the worksite more efficient and effective, and improving the quality of service.”

Section 2: Participating in a JLMC

Does every worksite need a JLMC?

Does every worksite need a JLMC? When deciding whether or not a JLMC could be an effective tool for empowering the employees at a site these criteria are considered:

Do employees have issues that are deeply felt and widely held? Do they have issues that are not contract violations and are not the subject of current negotiations?

Do employees have the desire to resolve their issues through dialogue and working with management? And, are managers willing to participate?

If management does not want to meet, file a grievance over failure to establish the committee. Then, work *with* the JLMC committee to develop organizing strategies to support it.

Keep in mind the spirit of the worksite JLMC is to foster communication between the parties, and to serve as a forum to discuss issues of concern with the employees. It is a great organizing tool.

Steps to Set up a Worksite JLMC

Here is a brief overview of the steps necessary to initiate a worksite JLMC.

Members have identified appropriate issues at their worksite either through a survey, questionnaire, or by individual request. The DLC President then appoints members to the committee, and the committee selects a chair or spokesperson.

The appointed committee then meets with the impacted members to discuss and prioritize their issues. The committee then assembles their issues into an agenda for the initial meeting.

The Union will next approach management to set up a JLMC at the worksite.

The meeting location should be at the worksite to show the employees that the union is meeting to review their issues as discussed and surveyed, and to avoid the perception that a deal is being made ‘behind the scenes.’ Be sure to confirm the date, time and location with management and all committee members.

Give committee member names to management to ensure that the department gives the committee members release time for the period of the meeting and for a reasonable amount of preparation time before the meeting.

Hold any JLMC meetings during employee work hours with no loss of compensation and no ‘make up’ work required before or after the meeting.

Both sides can prepare more effectively if they know in advance what the discussion will be, so be clear in stating the issue and provide an agenda ahead of time.

The Committee Chair

The committee chair is selected by the committee – they can be a member leader from a worksite, or any other member of the worksite JLMC team.

The committee chair is responsible for setting up a meeting with the committee to prepare for the worksite JLMC meeting and to identify roles and assignments for team members. The chair will also follow up with all committee members to make sure all meeting preparation work is done. The chairperson sets up the worksite JLMC meeting with management - the time, date, and location - and may serve as spokesperson during the meeting. They may delegate this responsibility to another committee member if it is appropriate or necessary.

The committee chair does NOT make independent decisions without the agreement of the committee. All decisions are group decisions. The chair does not limit the discussion to issues of personal interest but stays with the issues outlined in the agenda. And, the chairperson never meets with management separate from the committee.

The chairperson may change depending on the circumstances. For example, if one team member has expertise on an issue, or another member has an existing relationship with the department's management staff.

The Committee Members

Serving on a worksite JLMC is a commitment to the employees at that location to address *their* concerns. Showing up prepared and on time makes it clear that the committee member takes his or her role seriously.

JLMC members respect the role of the committee chair – and they support the need for that role to be held by different committee members as needed.

Committee members are responsible for preparing for each meeting, representing their co-workers and their issues, maintaining open communication throughout the JLMC process, and respecting the other committee members, the committee chair and the process itself.

Committee members must abide by majority decisions and carry them out regardless of personal opinion.

Negotiating Tactics

Members of the committee work together to use effective negotiating tactics. For instance, the time to disagree with the spokesperson is during a separate caucus session, never during the JLMC session, and never in front of management.

Also, maintaining professional demeanor is required throughout the process – committee members are representing their coworkers and their issues.

The most effective JLMCs are those who work together to resolve the issues that are deeply felt by a large number of employees.

The Problem-Solving Process

In a JLMC meeting the goal is to find a solution that all parties can ‘live with.’ This means finding solutions that meet the interests of both employees and management.

To find the solution have open discussions about what the real needs are and why the current situation isn’t meeting those needs. The committee produces several options that give all parties the opportunity to weigh the outcomes.

This problem-solving process can be described as first, defining the issue according to input from the employees. Then, second, describing the underlying concerns, causes or interests that will clarify the problem.

Once the problem is thoroughly defined, it’s time to generate possible solutions and options to those solutions. The committee evaluates the proposed solutions and options and selects the preferred solution for the issue in the workplace.

First Meeting

The first topic for discussion at the initial meeting with management should be setting the ground rules for all later meetings. These ground rules should include:

Who is responsible for reserving the room

The fact that all union representatives are equal to management and are protected against retaliation for their participation on the committee

That the spokesperson may alternate from one meeting to the next

That both teams can call for a caucus. A caucus is time spent separate from management to have internal discussions, to resolve disagreement among committee members or to revise strategy. Return time from a caucus should be agreed to if possible. Sending a note to the team spokesperson during a JLMC meeting will request a caucus.

Tips for Meeting with Management

Each JLMC team is responsible for keeping notes and these notes are distributed to their constituency following each meeting.

This is why having an assigned note taker is important. In addition, if informal agreements are reached, it is equally important to have notes to enforce these commitments and clarify their intent.

Committee member input for the discussion, or request for a caucus, should be written in a note to the spokesperson.

Schedule a number of meeting dates in advance to ensure the continuation of the process.

Once the ground rules are set and the meetings have started, a more successful outcome is achieved by following these guidelines.

All committee members need to arrive at the prearranged location prepared and on time. Be sure there is an assigned note taker for each meeting, and have copies of the agenda and of any handouts for *all participants* on both sides.

As we just stated, agree on ground rules for subsequent meetings. This will save time and make the process comfortable and stable.

Use the 'caucus' process when necessary to show unity at the bargaining table.

Each meeting ends with setting a date and time for the *next* meeting. Put this in your notes and confirm with all members, especially any members who might have missed this meeting.

A couple of things team members are careful of during the JLMC meetings include not reacting to management's statements. Stay calm, keep facial expressions neutral, and take good notes. The committee can address conflicts or disagreements within the process more effectively.

And, do not limit management's focus to their own issues. This is a JOINT labor-management committee and part of the committee's job is to keep that focus.

Communicate with the Membership

The key to member empowerment through worksite joint labor management committees is clear, ongoing communication with impacted employees. So, the team will plan out methods to use to involve members.

Some ideas include holding worksite meetings, distributing fliers, sending email updates, and inviting impacted members to testify during JLMC meetings.

The chairperson should consider appointing one committee member to be the point person for communication with the membership.

This committee member should establish a communication plan and get the committee's input and support to carry it out. The chair should also follow up with this committee member to make sure they are keeping up with the communication.

If the committee does not communicate with the membership during the process, it is likely that there will be less member support, fewer people to participate, and a less favorable outcome.

JLMCs are one of many tools to engage our members and resolve issues at the worksite. Other tools to resolve worksite issues are filing a grievance, filing a ULP, and worksite actions such as a solidarity break.

It is crucial for each participant on a JLMC to educate their co-workers about this process. Many members may not even know that it is happening. If the whole worksite understands what is taking place, there is a higher chance of support and, therefore, a higher chance of success.

This is an overview of the worksite JLMC process and you may want further training or more resources before you take on or participate in a JLMC. As a leader you should begin to identify potential issues for these committees at your own worksite.

Summary

What is the value of a JLMC at a worksite? One real significance is that through the use of a JLMC all employees will begin to see the power of the union at the worksite, whether they are Local 1000 members or not. They can observe first-hand the power of the labor management process.

This process openly addresses and resolves issues that impact employees, thus saving time and energy and improving productivity. A side benefit is that you can identify new leaders at the worksite by observing how committee members work, and which employees respond to the process.

A JLMC will, over time, engage more employees in the process of protecting their rights and provide a non-threatening setting and a clear process for approaching management with concerns.

JLMCs are a powerful method of creating positive change.

Section 2 Review

What is a JLMC?

- a) Joint Labor Modulating Committee
- b) *Joint Labor-Management Committee*
- c) Justice Labor Maximization Code
- d) Jury List Modernized Collaboration

The answer is B - JLMC stands for Joint Labor-Management Committee.

What is one important benefit of a JLMC?

- a) *It can encourage collaboration*
- b) It is guaranteed to solve the problem
- c) A JLMC looks good on your resume
- d) It solves contract violations

The answer is A - This kind of meeting between the union and management is designed to be a collaborative, informal way to address labor-management issues.

It can save time in the problem-solving process when compared to filing a grievance, and can be more effective because of the collaborative nature of the process itself.

How can communicating with worksites about a JLMC be important?

- a) It can save time
- b) *It can give the negotiations a higher chance of success*
- c) Communicating is always effective
- d) It is required

The answer is B - It is crucial for each participant on a JLMC to educate their co-workers about this process. Many members may not even know that it is happening. If the whole worksite understands what is taking place, there is a higher chance of support and, therefore, a higher chance of success.

End of Course

This completes Bargaining 220.

Your next step is to take and pass the Final Exam to complete this course.

If you would like to earn the Certificate of Completion in Bargaining, take the required courses in the Bargaining track: Bargaining 100, 110, 200, 210, and 250.