

Audio Script: Bargaining 210 - Meet and Confers

This is the actual audio that was recorded for Bargaining 210. Use it for a reference or study guide.

Welcome to Bargaining 210

This course should take you about 30 minutes to complete.

It is one of the required courses for the Certificate of Completion in the Bargaining track.

The prerequisite for this course is Bargaining 100.

The sections in this course are:

- What is a Meet and Confer? And,
- Serving on a Committee

Section 1: What is a Meet and Confer?

The Law on Bargaining and Meet and Confers

Section 3517 of the Dills Act describes a meet and confer as it pertains to the contract between Local 1000 and the state as follows:

“The governor or his representative shall meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations, and shall consider fully such presentations as are made by the employee organization on behalf of its members prior to arriving at a determination of policy or course of action.”

This means...

- That the governor, or his representatives, and the union are obligated to meet and confer in good faith over specific issues such as wages, hours and terms of employment when either party asks for it.
- Also, this means the parties will exchange information, opinions, and proposals, with the intent to reach a mutual agreement.
- And there should be enough time allowed to work out any problems.

It's a Right

Both the Dills Act and our contract with the state provide the legal rights to meet and confer, or bargain, with the state over wages, hours, and other terms and conditions of employment.

The ability to meet and confer is guaranteed, not just during bargaining of the contract, but also throughout the life of the contract for these same issues of wages, hours, and other terms and conditions of employment as they arise.

Bargaining Tool

Meet and confer committees are powerful bargaining tools used to negotiate the impact of changes to wages, hours and working conditions that are made or proposed by management.

If management has initiated some sort of change at a worksite – such as moving employees, or changing hours or parking for instance, holding a meet and confer can result in reducing the impact of the change on the employees statewide, in a department, in a program or classification, or at a worksite.

Local and Statewide Meet and Confers

Meet and confers are held for either local or state-wide purposes.

For example, if a department wants to close one office in downtown Sacramento and move the employees to another office three blocks away that is a local meet and confer.

One example of a statewide meet and confer would be a department-wide layoff due to a budget reduction that affects several different offices around the state.

Proposals and Meetings

The central role of a meet and confer committee is to develop proposals to resolve worksite issues. These proposals are based on research, survey responses, and other member input. Proposals are developed to solve individual problems that arise. The goal of the proposals is to bring together the concerns and priorities of both the employees and management and work together as a team to resolve those issues.

A meet and confer committee could hold several different meetings as they work toward that solution. Initially there are planning meetings. As bargaining progresses there are bargaining meetings with management held at the bargaining table. At times during bargaining Local 1000's meet and confer committee might call for a side meeting such as a caucus.

What is a caucus? The dictionary defines a caucus as, "a group of people who unite to promote a particular policy or particular interests." The committee would call for a caucus, excuse themselves from the bargaining table, and have the caucus in another room with just the meet and confer committee members present.

Responsibilities of Committee Members

Members of a meet and confer committee have specific responsibilities that are crucial to a successful outcome.

One basic responsibility that might seem obvious is to attend all meetings: meet and confer bargaining sessions, caucus meetings, planning meetings, and membership meetings. Sometimes meetings are held at irregular times or go late into the evenings or on weekends.

Nevertheless, team members have been elected by their own co-workers who are counting on them to represent by being present at all meetings.

Another basic responsibility is to follow-up after these meetings – the meet and

confer committee is an important communications link between the bargaining table and the membership. Committee members provide uniform information for Local 1000 members about the progress of negotiations and other meetings with management. Likewise, committee members will find out how *members* feel about particular issues and take those concerns back to the rest of the committee for discussion.

Meet and confer committee members are in a great position to help build support for the union team: depending on the specific meeting, one role of committee members is to help build as much support as possible. This includes helping with turnout for union actions and meetings and distributing newsletters or other communications.

Committee members prepare carefully for the process. Bargaining or other committee meetings with management are an important responsibility, and committee members have particular knowledge about issues to be discussed. At the same time, committee members should be prepared to expand their knowledge and expertise, including how to develop bargaining proposals and how to come up with other solutions to issues.

Committee members act as a team when reaching any collective decisions before signing or rejecting any tentative agreements.

Meet-and-Confer Rules

There are guidelines for each participant in the meet and confer process that are examples of best practices for bargaining. They are followed to keep the meetings on task, relevant and efficient.

Across the state the DBURs and CBURs elect the BUNC to do the negotiating for all employees. The BUNC can then determine the appropriate issues that need to be addressed during negotiations.

The BUNC will work with DLC leaders in the field if a meet and confer issue has the potential to engage members at the worksite. Worksite leaders then distribute updated information to the membership and convey members' concerns and attitudes back to the meet and confer committee. This maintains union visibility *at the work site* and depending on the issue, organizes support for bargaining *outside* the workplace - in the community, in the political arena, and in the legislature.

If it is warranted or needed, worksite leaders also plan and implement escalating worksite actions. These same worksite leaders are responsible for getting members to turn out for these actions.

Staff negotiators serve in different capacities depending on the needs of the individual unit. They can be responsible for more of the direct presentation pieces of the meet and confer process, they can be facilitators or spokespeople. They often do research, write proposals, speak at the table, and provide similar support.

Experienced staff negotiators also provide ongoing training to help committee members develop and improve their leadership skills.

Summary

In summary, when management initiates a change in a worksite, department or other group, a meet and confer is held to reduce the impact of the change on employees at that site. The meet and confer committee provides information and formulates proposals that move the process along.

They survey the membership, assist in research and help formulate the initial proposals. The committee also maintains communication between members and attends all meet and confer sessions.

The meet and confer committee wields both strategy and power throughout the bargaining process. They are continually defining and redefining the end results of the meet and confer.

The committee decides what success is in this situation. That success, those end results, define what it means to 'win' these negotiations.

Section 1 Review

The two places you can find our legal meet and confer rights spelled out are:

- a) *The Dills Act and our MOU*
- b) SBAC and Field Office
- c) Council and BUNC
- d) Assembly and Senate

The answer is A - Both the Dills Act and our MOU address the legal rights of members to meet and confer, or bargain, with the state over impacts on wages, hours, and other terms and conditions of employment.

One crucial responsibility of meet and confer committee members is to:

- a) Report to the Vice President for Organizing and Representation
- b) Prepare the budget
- c) *Attend all meetings*
- d) Schedule council sessions

- b) The answer is C - One basic responsibility is to attend all meetings: the bargaining meetings, the caucus meetings, the planning meetings, and any meetings with membership.

A 'caucus' for a meet and confer committee is:

- a) A social meeting
- b) Where the SBAC meets
- c) *A group of people who unite to promote a particular policy*
- d) Any meeting held by a meet and confer committee

The answer is C - The dictionary defines a caucus as, "a group of people who unite to promote a particular policy or particular interests."

Section 2: Serving on a Committee

How do I get on a Committee?

According to the SEIU Local 1000 Policy File, the elected 'chairs of each BUNC shall appoint all members to the meet and confer negotiations...'

So, to become part of a meet and confer committee, you need be appointed by the unit-specific Bargaining Unit Negotiating Committee, or BUNC.

Challenges

Serving on any committee can be challenging. Some issues that can come up as part of a committee include:

Committee members working in their own self-interest instead of thinking about the bargaining unit or union as a whole...

Or, the committee doesn't trust the chief negotiator so the entire process falls apart and even becomes damaging to the union.

Another issue could be that committee members don't trust each other so nothing really gets done and the process comes to a complete stop.

There is also the possibility that members feel pitted against each other because of past history, mistrust, or lack of experience.

Lack of communication can cause the bargaining committee to not feel supported by the membership or union leadership – possibly without the membership or leadership even knowing that the committee does not feel supported.

Inexperience, lack of understanding or other issues can cause committee members to fail to attend meetings or bargaining sessions.

Most of these issues can be connected to more basic problems, such as issues of trust, issues of accountability and responsibility, or of not knowing how to make decisions.

Let's look more closely at some of these issues and how they might be solved by the meet and confer committee.

Overcoming Challenges - Lack of Trust

If a committee is experiencing divisions, or lack of trust between committee members or between committee members and the chief negotiator, the committee members can meet and write a common 'goal statement' and then sign a commitment pledge for the task at hand. This will create a sense of unity in the group that may be lacking.

The committee should develop ground rules that include when and how specific parts of negotiations will be conducted, such as 'side-bars.' A side-bar is officially defined as an 'off-the-record,' informal discussion between representatives of the parties to seek non-binding positions on issues – away from the bargaining table.

The side-bar process is exploratory and does not change table positions on bargaining issues. Side-bars are usually conducted between the chief negotiators, the spokespersons or specialists in certain areas of expertise. They are often used in an effort to expedite the more formal bargaining process at the bargaining

table.

To increase the understanding between committee members, pair up people from different departments, job classifications, units, or other categories and ask them to interview each other. Then have them argue the *other* person's position on the issue.

Another effective way to increase trust is for people to visit each other's worksites. They can see firsthand what the different jobs are like and everyone who participates will understand other ways to approach and discuss the committee issues.

Overcoming Challenges - Unclear About Responsibilities

The committee chair should explain up front what being on this committee will involve so the committee members are clear about their responsibilities from the beginning. They discuss roles, responsibilities and rules of the committee with the committee members, the chief negotiator and the worksite leaders. All participants will take notes during this conversation and keep them around for future reference.

At the end of each meeting the responsibilities and the deadlines should be clear to everyone, and committee members should be comfortable with their assignments.

Overcoming Challenges - Does Not Understand the Process

Perhaps there are members of the committee who don't understand the meet and confer process:

The chair of the committee can help committee members understand the process by offering an overall field campaign training for everyone involved, such as key worksite leaders and/or staff. A more specific and tailored meet and confer training would be appropriate just for the committee.

New committee members can be paired with more experienced members someone the new person can call with questions or for advice and can act as a mentor.

Before the actual bargaining starts the chair will anticipate potential problems at the bargaining table and have the committee establish internal ground rules.

Each meet and confer session is followed by a committee debriefing. This helps new members with their understanding and will also help with future planning and development.

Overcoming Challenges - Out of Touch

If union members have not kept up with developments, the chair of the meet and confer committee will ask committee members to tabulate surveys or get other union member input. This will give the committee a clear vision of the problems and concerns identified by union members for the committee's work.

Committee members are paired with worksite member leaders to establish regular reporting sessions between the two. They keep each other current on what happened at the table, and what's going on in the field.

Also, regular worksite meetings are held and meet and confer committee members report on the progress at the table and get feedback from the membership.

Summary

Legal authority for the right to bargain over changes to wages, hours and working conditions comes from both the Dills Act and our Memorandum of Understanding, or MOU, with the state of California. This MOU is also referred to as Local 1000's contract with the state.

The state is required to notify SEIU Local 1000 when they propose changes impacting the terms and conditions of our employment and we use a committee process to seek resolution with the state.

Serving on a meet and confer committee is a challenging task that requires flexibility and hard work. Each committee member must think beyond their own personal interest while working on the committee.

For a meet and confer to be successful, it is critical that the committee work with members in the impacted areas to build support for its bargaining position.

Section 2 Review

If your committee is having problems trusting each other, one solution would be to:

- a) Go on a retreat
- b) Replace everyone on the committee and start again
- c) Hold a special SBAC meeting
- d) *Pair up committee members to get to know one another better*

The answer is D - To help increase understanding between committee members, pair up people from different departments, job classifications, units, or other categories and ask them to interview each other.

If your committee does not seem to understand the meet and confer process, you can...

- a) Provide training
- b) Pair new committee members with more experienced members
- c) Establish internal ground rules
- d) *All of the above*

The answer is D - All of these are good strategies to help committee members develop a better understanding of the meet and confer process.

End of Course

This completes Bargaining 210.

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

Take the other required courses to earn the Certificate of Completion in the Bargaining Track.