The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries (The Wagner Act (1935), Section 1).

This course examines labor relations and collective bargaining, especially the three major processes: union organizing (how labor unions are formed), bargaining (how union contracts are produced), and contract administration (how grievances are resolved). To understand the operation of these processes, the first part of the course analyzes the framework in which collective bargaining takes place—the legal, historical, economic, and global environment and the structure and goals of the participants. The latter part of the course examines international comparisons and important changes that have occurred in the last few decades, such as pressures for employee involvement and flexibility. The course concludes with prospects for the future. The focus of the course is private sector labor relations, but public sector comparisons are highlighted where appropriate.

Course Goals: The basic goals of this course are to develop an understanding of:

- The major labor relations processes (union organizing, bargaining, and contract administration) and how they are influenced by a variety of factors (legal, economic, demographic, etc.);
- The effect of worker representation on the operation of the workplace, firm, economy, and society;
- Why employees, employers, and society may or may not desire unions (past, present, and future).

www.laborrelations.cc/hrir8071/
Required Textbooks and Other Materials (available at the H.D. Smith Bookstore)


A packet with additional required readings, documents, and materials.


**Readings:** Except for optional readings marked with an asterisk (*), all readings on this list are required. Optional readings are available on reserve in the IRC Reference Room (280 HHH).

**Supplementary Textbooks:** If you find it helpful to refer to a traditional textbook during the course for clarification or more details, the following (among others) are available in the IRC Reference Room (280 HHH):


**Electronic Information Sources:** There are numerous electronic information sources relevant to this course. On the World Wide Web, the AFL-CIO, Industrial Workers of the World, NLRB, and numerous unions and professional associations have informative sites. Many U.S. laws and court decisions are available at [www.law.cornell.edu](http://www.law.cornell.edu). Course materials, links, and the online discussion forum can be accessed from ClassNet and the HRIR 8071 Web page at [www.laborrelations.cc/hrir8071/](http://www.laborrelations.cc/hrir8071/).
Grading

Participation: Class Discussion    continuous    10%
Debate    various    20%
Labor Law Exam    section 1: March 10, 2003    20%
section 2: March 6, 2003
NLRB Decision Posting    March 28, 2003    15%
Bargaining Exercise    various    15%
Final Exam    TBA    20%

Participation: Participation in class discussions is an important component of the learning process in this course. Attendance at all class meetings earns a participation grade of “B.” This grade can be reduced by excessive absences and can be increased by relevant contributions to class discussions.

Debates: An in-class debate between two teams on a specific issue (see the course outline for specific weeks and topics). For each debate, one team will be assigned to argue the affirmative case and one side will argue the negative. The debate will follow this structure:

- Affirmative opening (5 minutes)
- Negative opening (5 minutes)
- Affirmative rebuttal (5 minutes) (by the team member who did not present the opening)
- Negative rebuttal (5 minutes) (by the team member who did not present the opening)
- Class questions and discussion

Prior to the debate, each team must hand in a 1-2 page argument sheet which outlines your major arguments and the facts supporting each argument. This sheet should also outline the anticipated major arguments of the other side and your rebuttal. Additional guidelines, instructions, and hints are on the course Web site at www.laborrelations.cc/hrir8071.

NLRB Decision Posting: A briefing of a National Labor Relations Board (NLRB) decision posted electronically to the HRIR 8071 ClassNet Class Discussions forum by 4:00 p.m. on March 28, 2003 (week 9). The class will be divided into small groups and each group assigned an NLRB decision. Each group is required to write a brief of this decision summarizing the facts of the case, the important points of law, and the significance (legal and practical). This brief is to be posted in the HRIR 8071 ClassNet discussion area so that the rest of the class can read and respond to it. Please read Professor Budd’s example in the ClassNet discussion area. The group is responsible for responding to questions about the posting and monitoring the discussion in a timely fashion.
**Bargaining Exercise:** A collective bargaining simulation in which small groups of union and management teams negotiate the terms of a new collective bargaining agreement using “The Zinnia and Service Workers Local H-56.” This exercise is on the Web at [www.laborrelations.cc/zinnia/](http://www.laborrelations.cc/zinnia/). The strike deadline is 4:00 p.m. on May 2, 2003 (week 14). Any group that has not reached a settlement by that time must write a 25 page paper critically examining the current legal status of striking workers in a comparative analysis.

An initial bargaining session must take place no later than April 8, 2003. Before this meeting, each team must construct a negotiation plan. Each negotiation plan should include a bargaining agenda which contains the team’s threat point (i.e., the minimum [maximum] acceptable contract changes the union [company] would accept without a strike) and also what the team reasonably hopes to settle for. Both economic and noneconomic items should be included in the agenda. Costs should be estimated for the economic items in the packages. These bargaining agendas are not binding during negotiations, but are used to facilitate preparation. To help with costing various proposals, an Excel spreadsheet is available. Each team must submit their negotiation plan to Professor Remington by April 4, 2003 (week 10).

**Team Teaching:** Both sections of HRIR 8071 are co-taught by Professors Budd and Remington. We are jointly responsible for the entire course, but Professor Budd will generally focus on the first half of the course and Professor Remington will generally focus on the second half. Professor Budd will lecture, lead classroom discussions, hold office hours, and grade the in-class exercises in the first half (before Spring break); Professor Remington will assume these responsibilities for the second half (after Spring break). Professor Budd will handle the Labor Law Exam and the NLRB Decision Posting Exercise; Professor Remington will handle the Bargaining Exercise and the Final Exam.

**Class Meetings:** Our aim in this class is to increase your understanding of the nature and relevance of labor relations through participation and involvement. Consequently, please read the appropriate materials before class and bring those materials with you to class for discussion. Materials to bring to class include, but are not limited to, the Hilgert and Dilts casebook. Attendance is very important.
Course Outline


Budd, chapters 3 and 4.

Rosenblum, chapter 2.

Exercise: Mapping the bargaining environment at Phelps Dodge.
Discussion: Is a legal union avoidance campaign is consistent with the SHRM Code of Ethics?


Debate (week 4): Resolved that U.S. soldiers should be allowed to join unions.
Debate (week 5): Resolved that the “Slave Labor Act” is an accurate moniker for the Taft-Hartley Act.

Case Discussion: Hilgert and Dilts, Case Numbers 12, 16, 24, and 26.

V. Union Organizing (week 7: March 4 – March 10, 2003)


Debate (week 7): Resolved that closing a plant after a successful union organizing campaign is ethical.

Case Discussion: Hilgert and Dilts, Case Numbers 2, 5, and 6.

University Medical Center.
VI. Globalization (week 8: March 11 – March 13, 2003)

Budd, chapter 12.

Debate (week 7.5): Resolved that the NAFTA side agreement (the North American Agreement on Labor Cooperation) is an effective mechanism for protecting worker rights in a global economy.


Rosenblum, chapters 3-7.


Case Discussion: Hilgert and Dilts, Case Numbers 20, 29, and 30.
VIII. Contract Clauses, Administration, and Grievance Handling (weeks 11 – 13, first half: April 7 – April 24, 2003)

Rosenblum, chapter 8 and epilogue.


Debate (week 11): Resolved that the United States should ban permanent strike replacements.

Debate (week 12): Resolved that Minnesota should pass a right-to-work law.

Case Discussion: Hilgert and Dilts, Case Number 28 and selected cases from Part II.

IX. Employee Involvement and Flexibility (weeks 13, 2nd half and 14, 1st half: April 24 – May 1, 2003)


Debate (week 13): Resolved that the TEAM Act should be enacted by the United States.

Case Discussion: Hilgert and Dilts, Case Numbers 11 and 27.

X. Comparative Labor Law and Industrial Relations (week 14, 2nd half: April 30 – May 1, 2003)

Budd, chapter 13.


Debate (week 14): Resolved that mandatory works councils should be adopted by the United States.

XI. Concluding Thoughts (week 15: May 5 – May 8, 2003)

Rosenblum, conclusion.


STATEMENT ON COURSE REQUIREMENTS

1. The instructor will determine the conditions, if any, under which an "Incomplete" will be assigned instead of a grade. The instructor may set dates and conditions for makeup work, if it is to be allowed.

2. A student may not negotiate the submission of extra work in an attempt to raise his or her grade unless the instructor has made such opportunities available to all students.

3. Academic misconduct is a very serious issue with potential consequences ranging from failure in the course in question to dismissal from the University. Academic misconduct is defined broadly as any act that violates the rights of another student in academic work or that involves misrepresentation of your own work. This includes (but is not limited to) cheating on assignments or examinations; plagiarizing, which means representing as your own work any part of work done by another; submitting the same paper, or substantially similar papers, to meet the requirements of more than one course without the approval and consent of all instructors concerned; depriving another student of necessary course materials; or interfering with another student's work. Instructors may define additional standards beyond these.

4. Students with disabilities that affect their ability to participate fully in class or to meet all course requirements should bring this to the attention of the instructor during the first week of class so that appropriate accommodations can be made. Similarly, students for whom English is not their native language may request accommodation (such as additional time for examinations).

5. Student complaints or concerns about some aspect of a course sometimes arise. If possible, it is hoped that these can be resolved through an informal meeting between student and instructor. However, if a student feels this is not feasible, or if such discussion does not remedy the problem, the student may consult with the Director of Graduate Studies in 3-300 Carlson School of Management (if a graduate student) or the Director of the Industrial Relations Center, also in 3-300 Carlson School of Management (if an undergraduate student).

6. University policy prohibits sexual harassment. Copies of the University policy on sexual harassment are available at 419 Morrill Hall. Complaints about sexual harassment should be reported to the University Office of Equal Opportunity at 419 Morrill Hall.

7. Materials for this course are available in alternative formats upon request. Please contact the Director of Graduate Studies, 3-300 Carlson School of Management, (612) 624-2500.