

## Chapter 1 : MEMORANDUM OF AGREEMENT

*The purpose of this document is to help association leaders, members, and affiliate staff understand the collective bargaining and advocacy opportunities in ESSA, explain what rights ESSA protects, and help local associations navigate ESSA at the local level and insert their voice into developing and implementing the provisions of the new law.*

Follow this link for a review on Critical Preparations for Bargaining. Current legislation on labor unions and collective bargaining is available in a searchable database. You can search all collective bargaining or labor union related bills by leaving the boxes blank or select specific topics from the topic list. The most relevant reports are included below: State Collective Bargaining Policies for Teachers. This ECS State Note provides data on collective bargaining in the states, including which states have such legislation, who is covered, the scope of coverage, impasse procedures and whether or not strikes are permitted. Report from Education Commission of the States. Twenty-one states have statewide salary schedules. In most cases these schedules set minimum salaries for teachers throughout the states. Local districts are allowed to pay teachers more than these minimum amounts. The chart is not intended as a complete summary of the case law. From the NEA, this chart identifies the type bargaining rights for K teachers, community college and higher education faculty and support staff in the states. It also identifies the method by which employees may organize, the dispute resolution process used and whether there is a right to strike. Source is reported to be: This essay explains how the Supreme Court of Canada has interpreted and applied the Charter of Rights and Freedoms to the law of work. It is intended as an introduction to this complex legal field for an audience unfamiliar with the Charter. The paper provides a snapshot of the state of the law as of summer Teacher Education in Canada. Society for the Advancement of Excellence in Education. By Robert Crocker and David Dibbon. This first baseline study of teacher education in Canada attempts to fill that gap, providing an overview of programs across 56 institutions and data obtained from surveys of representative samples of recent graduates, school principals and education faculty members. This website is maintained by the Government of Canada and provides a list of the titles of the collective bargaining statutes in each of the provinces. It does not have links to the relevant statutes, however. Canadian School Boards Association. They represent over school boards serving more than four million elementary and secondary school students. CSBA advocates excellence in public education and promotes the value of locally elected school boards through collaboration, research and information sharing with other partners. Teacher bargaining is specifically outlined in the PSA, in sections to Teachers do not have the ability to strike. Bargaining is conducted on a local basis, with 38 separate School Boards. Other pertinent statutory frameworks for education in Manitoba are:

### Chapter 2 : Claiming Our Voice: Local-Level Bargaining + Advocacy Opportunities in ESSA - My School M

*Chapter 5 COLLECTIVE BARGAINING: LEVELS AND COVERAGE\* A. INTRODUCTION AND MAIN FINDINGS*  
*Industrial relations systems, operating at national, sectoral and local levels, play an important role in deter-*

United Kingdom Collective Bargaining Collective bargaining takes place at national, industry and company level and at each level there are detailed rules about who can negotiate and the requirements for an agreement to be valid. Industry level agreements are the most important level for negotiation in terms of numbers covered, although the rates they set are generally well below what is actually paid. The framework Collective bargaining can take place at three levels: The framework for collective bargaining has been changed by legislation, approved in May , January and in August In essence, the legislation made it easier for company agreements to diverge from industry level agreements, and this was extended into the area of working time by the legislation; the legislation dealt with national negotiations; and both the and legislation changed the rules on who on the union side is entitled to sign valid agreements see below. The position of national level bargaining has been enhanced by the legislation, passed in January , which gave unions and employers a much clearer role in the development of legislation in the areas of industrial relations, employment and training. Under its terms, when the government wishes to make changes in these areas, it must first consult with employers and unions on the basis of a document setting out its analysis of the situation, aims and potential options, and allow them, if possible, to reach an agreement on the issue. The government must also formally consult on the draft legislation. An indication of the significance of this level of negotiation is provided by the fact that the legislation reforming the rules on the representative status of unions see sections on unions and workplace representation was in line with a common position reached by the CGT and CFDT, although not the other unions, and employers in these national level discussions. Figures from the report on collective bargaining produced each year by the ministry of labour indicate that 44 national level texts were agreed in , although 32 of these were amendments to existing agreements. The new agreements reached in included the major accord on employment security, which lead to significant legislative changes, as well texts on complementary pensions, health and safety and occupational training. Industry level bargaining is the most important level for collective bargaining, in terms of the numbers of employees covered. Other subjects covered in included occupational training agreements , bonuses , complementary pensions and health coverage , employment contracts , gender equality and health and safety Each agreement may cover several subjects. In the past, some of the agreements signed had only limited importance in determining pay, as the rates they set were below the national minimum wage, which therefore superseded them. The government has recently encouraged the negotiation of new industry level agreements and has had some success. This was shown by the fact that a 2. At company level there is also a requirement for the employer to negotiate annually on pay, working time and other issues see below where there is a trade union delegate “ essentially companies with more than 50 employees ” and in contrast to the obligation at industry level, this is backed up by penalties in case of non-compliance. In the past, company level agreements could not provide worse terms and conditions than those set by the appropriate industry agreements. However this has changed over time. Legislation introduced in allows company level agreements to diverge from the industry agreement in areas where this is not specifically prohibited by the industry agreement, with the exception of a number of key issues such as minimum pay rates, where divergence is prohibited. And the legislation gave primacy to company level rather than industry level agreements in the area of working time. New legislation passed in June , which implemented an agreement on employment security signed by three of the five nationally representative union confederations in January , introduces a new type of company agreement on job protection. This widens the possibilities for companies in financial difficulties to reduce some pay rates, although not the very lowest, and also to make changes to working time in exchange for employment guarantees. However, these agreements need the support of unions representing a majority of employees and can only last a maximum of two years. So far the use of this type of agreement has been limited. Figures from the annual report on collective bargaining, show that only 70 such agreements were signed between the date the law came into force June and

the end of the year, out of a total of around 39, agreements see below. Of these, the largest group dealt with pay and bonuses, followed by working time and employment. This was partly because earnings include other elements such as bonuses and overtime, and partly because company level agreements were providing higher pay. However, this gap also reflects the widespread use of individualised pay. Overall, the gap between the industry level rates and actual earnings increases with the size of the company. However, the rules setting out precisely who has a right to negotiate and the circumstances under which agreements are valid are complex. Legislation introduced in and produced important changes in the rules for bargaining at all levels – national, industry and company. In the past, it was sufficient to get just one representative union to sign for an agreement to be valid, but this is no longer the case. There are five large national union confederations, which are nationally representative: However, in calculating levels of support and opposition, only the results of the five national representative confederations are included; the votes for the other confederations like UNSA and Solidaires are ignored. This means that the current voting strength in national negotiations is as follows: The automatic representative rights of the industry federations of nationally representative confederations only last until . After that date, the rules will be the same as those which apply at national level. The government also generally extends the terms of an agreement making it binding on all employers. Since , around agreements have been extended in this way each year. The figure for was , although only half of these dealt with pay. However, although the right to negotiate is generally reserved for the union delegate, in some cases, where there are no union delegates, other representatives of the employees are able to negotiate and reach agreements. Since January , all companies with fewer than employees, where there is no union delegate, have been able to reach agreements with either the existing employee representatives, or with employees specially mandated for this task by the union. Under legislation passed in on social dialogue and employment, it is employees mandated by the union who take precedence. However, the right of the representative of the union grouping to negotiate is very limited and depends on there being no union delegate, and there being no legislation or agreement allowing existing employee delegates or specially mandated employees to negotiate. In any case any agreement negotiated by a representative of the union grouping, must be supported by the majority of the workforce in a vote to be valid. In practice the vast majority of company agreements are signed by union delegates. And as at national and industry level, these rules have changed because of the legislation. However, at company level, the pace of change has been faster. The support in both cases is as shown by the most recent election results for works councils or employee delegate elections. The law requires that at company level, where there is a union delegate which is a legal obligation only in companies with more than 50 employees , there should be annual negotiations on a wide range of issues see next section. In companies with more than employees there should also be negotiations every three years on long-term staffing plans and career development. It should again be emphasised that at both levels there is only an obligation to negotiate, not to reach agreement. The subject of the negotiations National level negotiations for the whole economy cover a wide range of issues, including social security and industrial relations. Other issues covered recently have included stress, the modernisation of the labour market, life-long learning and dealing with occupational risks. Industry level and company negotiations cover pay, pay structures, equality between men and women, financial participation, working time and a range of other working conditions. Company level negotiations should also cover a wide range of topics. In companies with a union delegate there is an obligation to negotiate not just on the central issues of pay, hours of work and work organisation, but also occupational equality between men and women, employee savings schemes, maintaining employment for older workers, measures to aid disabled workers and gender equality, as well as long-term staffing plans and career development in larger companies. The legislation on social dialogue and employment attempted to simplify the process of negotiation by grouping the 12 separate topics where the employer had a duty to negotiate into three blocks. These are pay, working time and the distribution of the value added by the company; gender equality and the quality of working life; and, in companies with at least employees, long-term staffing plans and career development. Employers and unions are also free to negotiate on other issues such as leave or training. Unions at company level can also be involved in negotiating redundancy agreements see section on workplace representation. In addition, the state plays a very direct and important role by setting a national minimum

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wage SMIC. This is updated at least annually, based on the inflation experienced by the poorest fifth of French households, plus half the increase in purchasing power of all employees. In addition the government can, and sometimes does, increase it by more than this. Fulton Worker representation in Europe. Produced with the assistance of the SEEurope Network , online publication available at [http:](http://)

### Chapter 3 : Negotiating and bargaining | What we do | UNISON National

*Note: Citations are based on reference standards. However, formatting rules can vary widely between applications and fields of interest or study. The specific requirements or preferences of your reviewing publisher, classroom teacher, institution or organization should be applied.*

This ensures that the NEA members have input when new curriculums are considered and implemented as part of a LEA or school improvement plan. A joint instructional committee is hereby established. The joint committee shall initiate and establish policies affecting the design, development, and implementation of district instructional programs and curriculum. Develop and maintain a comprehensive district-wide curriculum. Develop procedures and criteria for the continuous evaluation of all district instructional programs. Research, review, and issue recommendations regarding any proposed change or revision in instructional programs or curricula in the district. Develop and disseminate appropriate policies relating to all district instructional programs and curricula. Establish, alter, or otherwise modify district curricula as appropriate. Approve, reject, or modify all recommendations of the textbook committee. The committee will review and approve all changes in existing or proposed instructional programs or curricula prior to implementation, and ensure that materials and texts will be available to the teacher, within a reasonable period of time, prior to the time the teacher is expected to implement the curriculum. School Board Resolution ESSA contains language requiring local school districts to meaningful consult or partner with teachers and other educators on various aspects of its implementation. For affiliates in states without bargaining law protections, this language provides associations with the opportunity to play a central role in developing plans and approaches with the school district. The following sample school board resolution can be used as a basis for establishing and publicly promoting a collaborative process within a school district. Sample School Board Resolution: The law also sets forth requirements for LEA Plans. The plans also must describe how the LEA will identify and address any disparities in teacher quality and qualifications for low-income and minority students as well as how the LEA will reduce the overuse of discipline practices. Through the consultation requirement, educators will have an opportunity to provide input on any decisions regarding instruction methods and programs, staff assignments, and student discipline. Title I also covers Schoolwide Programs to upgrade the entire educational system of a school that serves a large population of low-income students. The educator voice authorized in this section can be used to make decisions on such things as increasing the amount of quality learning time e. Finally, Title I creates a pilot program which will grant up to 50 LEAs with the flexibility to consolidate eligible federal funds and state and local funding to create a school funding system based on weighted per-pupil allocations for low-income or otherwise disadvantaged students. In this instance, educators must use their voice to guard against arbitrary or misguided decisions that, if unchecked, could erode their rights, decrease services for students with special needs, and increase class sizes. Professional growth and career advancement for teachers and paraprofessionals. Training and professional development and improvement for teachers. Fair, rigorous, and transparent evaluation systems. Incentives to attract and retain teachers. Differential and incentive pay which may include, but does not require, performance-based pay in high-need academic subject areas and specialty areas. Parent and community engagement. Enriched and accelerated curriculum. The ESSA also establishes a Teacher and School Leader Incentive Program, which essentially replaces the former Teacher Incentive Fund, authorizing comprehensive performance-based compensation systems or human capital management systems for raising student achievement and closing the achievement gap. The law defines performance-based compensation systems to include differentiated compensation including bonuses based on the employment responsibilities and success of effective teachers in hard-to-staff schools or in high-needs subject areas and on recognition of skills and knowledge as demonstrated through successful fulfillment of additional responsibilities or job functions such as leadership roles , evidence of professional achievement and mastery of content knowledge, and superior teaching and leadership skills. Under the ESSA, human capital management systems are defined as decisions on teacher preparation, recruitment, hiring, placement, retention, dismissal, compensation including

performance-based compensation , professional development, tenure, and promotion. See the sample language on joint curriculum committees later in this document. In addition, assure that there is a fair process for selecting parent members of this group and incorporating their voices into decision making. As described earlier at pages , full-service community school grants are available under Title IV. A sample agreement on community schools can be found in Appendix 1. Attracting teachers to priority schools continues to be challenging for local associations and school districts, and goes beyond the ESSA. Your state bargaining law, if any, together with interpreting cases, will indicate whether and under what circumstances, transfer and assignment are mandatory subjects of bargaining. Should the circumstances prompt the negotiation “ with or without bargaining statutes ” of an agreement relating to the assignment and transfer of members, it should include specific provisions that: Define transfers and specify how voluntary transfers may occur. Allow involuntary transfers only when there is a change in a school due to student enrollment, program, or redistricting. Bar layoffs or involuntary transfers resulting from ESSA or provide parameters and limitations on transfers and layoffs. NEA locals will need to determine what compensation alternatives, if any, they may wish to consider. Professional Development and Advancement Language relating to professional development and learning, collaboration time, mentoring and coaching, etc. Evaluation NEA has developed resources to assist affiliates and their members understand and bargain teacher assessment and evaluation. See the link below for existing materials: Class Size In addition to typical class size language specifying maximum class sizes by grade level or student needs available from CBMA , locals may want to work with their districts to get funding through ESSA to help with class size reduction. A local may also want to form a joint class size reduction subcommittee of their ESSA implementation steering committee to recommend class size limits. Student-centered advocacy fuses organizing, collective bargaining, and other collective action with community engagement and social justice activism to enhance student learning and improve educator working conditions. Student-centered advocacy does not supplant our traditional advocacy roles. Rather, it augments these roles, building a culture and implementing practices that place the needs of students at the forefront of our cause. Across the country, we are seeing affiliates bargain over and advocate for the schools our students deserve. CBMA has highlighted numerous examples of student-centered advocacy in practice. These stories, along with suggested steps and resources can be found here: Rather than including specific language, we are providing guidance as to the principles associated with each of these major areas. The following research and organizing steps will also facilitate a smoother transition: Find out from your state affiliate when they anticipate the state legislature may consider legislation related to ESSA. This will tell you if you need to prepare quickly or have a bit more time. Learn more about the provisions of the law, and how they relate to your state collective bargaining law ” especially those that impact bargaining and advocacy at the local level. Review your contract for language on exclusive representation, joint committees, and association rights under the former ESEA, transfers, and other key provisions to ensure that where ESSA protects contractual and collective bargaining rights, the employer is not acting unlawfully in implementing the new statute. This review may also prompt your association to conclude that new language needs to be negotiated. Talk to educators in your local about the new law and find out what they hope to see and how they want to participate. Be sure to reach out to a diverse group of educators, including those who may be relatively new to the profession. Talk to parents and community partners and determine how you can work together to make sure ESSA is implemented in the best possible way for your students. Determine the most effective mechanisms for educator engagement in the ESSA implementation process and how, in bargaining states, this may intersect with collective bargaining. Ensure that the school district knows that you know about the educator consultation requirements under ESSA and that you are ready to work with them on implementation. Community Partnership Schools will be established to meet the following purposes: Help schools create clear understanding of expected results to meet the unique needs of their students and families. Develop a site-based educational model that includes academics, the arts, physical and emotional health, engagement of youth, critical family resources and support, health and social services, community development and leadership. Collaboratively develop a shared vision of positive academic results for every student. Engage instructional programs organized around a challenging curriculum with high standards and expectations for students.

Provide motivational learning opportunities that take place in both school and community settings. Create conditions where mutual respect is demonstrated by local decision making, effective collaboration, shared trust and meaningful relationships. Recognize and nurture the basic emotional, physical, mental and intellectual needs of all students. Create a safe, respectful, and supportive school environment that promotes interactive student, family and community engagement. Both the District and the Union agree that flexibility and meeting unique site and program needs is a core component of Community Partnership Schools. Therefore the parties to this MOU support the creation of Community Partnership Schools within the school district to provide innovative and site-focused experience for all students in the school. Community Partnership Schools do not need to pursue all the flexibilities outlined below, but rather should be looking for the top areas needed to meet unique site needs. Community Partnership Schools will be able to hire, recruit and retain staff using year-round interview and select process and will have no forced placements unless by mutual agreement of the teacher and the site. Curriculum design, including Focused Instruction. Assessments of students to measure success. Design of academic plans. Design of school days, weeks and school years up to two hundred and eleven duty days. Redesign of collaboration and preparation time. Budget flexibility to meet the unique needs of the site as developed in their plan. If the District and Union cannot agree on two 2 community members, each will appoint one 1 community member to the CPS Advisory Committee. Help to develop a clearly defined needs assessment process that involves self-assessment by the site to capture the voice of all affected stakeholders. Review proposals for schools to participate in the needs assessment and eventually launching the schools. Provide feedback on plans for newly created schools that include any of the flexibilities outlined above. Review regular reports from Associate Superintendents on quality of implementation and design of school plans. Actively participate in a process for school families and community to have a voice in the development of Community Partnership Schools. Ensure Community Partnership School plans are developed by the site through a collaborative process to establish buy-in and commitment to the model. The District in collaboration with the Union will develop a Needs Assessment to review the potential capacity of each school as to whether they can utilize any of the outlined flexibilities. The CPS Advisory Committee will ensure a clear process that includes buy-in from site staff and the school community. To measure staff buy-in, at least one indicator will be a vote of the licensed teaching staff of the site on the CPS plan. A site seeking CPS status will develop a site plan, outlining which flexibilities outlined in paragraph 2 d they request. The plan must explain in detail how these requested flexibilities will improve student achievement. The plan must also include detailed descriptions of the following: Parent and community involvement in developing the plan. Staff involvement in developing the plan.

### Chapter 4 : North American Association of Educational Negotiators - Collective Bargaining

*Bargaining at The Local Level by Collins, John J. and a great selection of similar Used, New and Collectible Books available now at [calendrierdelascience.com](http://calendrierdelascience.com)*

This page, along with our in-depth bargaining guides and training courses , gives you the tools you need for effective negotiating and bargaining with employers. What is collective bargaining? Collective bargaining is the process of negotiation during meetings between reps and their employer, often to improve pay and conditions. The collective bargaining process allows workers to approach employers as a unified group. The aim of collective bargaining is to reach an agreement between employers and workers. Members can contribute to discussions by talking to their reps while negotiations take place. Workplace bargaining and negotiating is also a golden opportunity to build a strong local union. Claims and agreements are a great way of recruiting new members and getting more members involved in the union. A group of UNISON reps may form a collective bargaining group to reach an agreement for better pay or changes to pensions, for example. This may happen at either a local or national level. They may also negotiate over non pay-related issues, such as working hours, planned redundancies or the right to flexible working for carers and parents. This is usually achieved through a recognition agreement which sets out the procedures for negotiations between management and the unions, and the facilities such as time off available to the unions. Training and support Negotiating is not always a skill that comes naturally, which is why UNISON provides regular training courses, through the regions, to help support reps and improve their skills in this vital work. Many branches have negotiating teams made up of branch officers and stewards so you will not normally be asked to conduct a negotiation alone. However, skilful negotiators can turn consultation into negotiation. Stewards do not normally negotiate alone, but as part of a team with complementary skills. They then meet management to present the case. A series of meetings may follow to discuss the issue in depth. If you attend one of these meetings, it is as important to listen carefully and ask questions as it is to present your case well. Clear, effective communication during negotiation is important as it can help others to understand your point of view. The negotiation process tends to follow a standard pattern, which falls into four recognised stages. You need to do careful preparation and research, especially in canvassing the views of your members. One side tables a proposal and the other side responds. This stage can involve adjournments to collect further information and test out arguments. Both sides trade things in order to move from fixed opening positions to an agreement: This stage builds consensus and narrows down the areas of disagreement. This should include a phase where the final proposal is put to the members and ends with the agreement being documented for future reference. To reach an agreement, both sides must be open to new ideas and willing to accept changes. If no agreement is made, negotiations can break down and unions may resort to industrial action. If industrial action is required, UNISON regional offices get involved and provide advice on the correct procedures to follow. Once workers and employers have reached an agreement, it is signed and kept in place either for a set time or until replaced. Your role As a steward you should:

### Chapter 5 : Collective bargaining, private-public sector differences - Ballotpedia

*The issue of bargaining level and the right to strike is an important one if the coverage of collective bargaining is to increase in Australia.*

### Chapter 6 : Rank-and-File Bargaining Committee Approves Tentative Contract Agreement | APWU

*Now, when reading about this scenario/optimization problem I see two cases in the academic literature: The first one is called local (or firm-level) wage bargaining and the other is called central (or national) wage bargaining.*

### Chapter 7 : Enforcing the Collective Bargaining Agreement in Small Offices | APWU

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*Laws governing public employee unions and collective bargaining in the public sector (all levels of government, including local school districts) are often modeled on similar legislation governing collective bargaining between unions and private companies, which were legalized in*