

## 15.9: Collective Bargaining

### Learning Objectives

- Describe the collective bargaining process

Once a union has been certified, both union representatives and management prepare for contract negotiations. The collective bargaining process is the process by which the parties arrive at a contract. The process involves five steps, from preparation through contract administration, as follows:

1. **Preparation.** This step includes a range of activities from electing a bargaining committee to conducting research, identifying and prioritizing issues and developing a negotiation strategy
2. **Contract negotiation.** Contract negotiations are conducted between the bargaining committee and management. Negotiations generally start with the union presenting management with an extensive list of demands to allow for negotiation and trade-offs.
3. **Proposed contract agreement.** Once a tentative agreement is reached, union members vote to accept or reject the proposed contract.
4. **Union ratification.** Voting on the proposed contract is conducted by secret ballot, with each union member having one vote. The collective agreement is considered “ratified” by the bargaining unit if a majority (50% +1) of the voting members accept the terms of the agreement. If the proposed contract isn’t ratified, the parties return to the bargaining table.
5. **Contract administration.** Once the contract is ratified, it is legally binding and is finalized and implemented.

### Practice Questions

<https://assessments.lumenlearning.co...essments/18215>

As is true in the union organization phase, collective bargaining is governed by the NLRB rules. Specifically, the parties are required to “bargain in good faith about wages, hours, vacation time, insurance, safety practices and other mandatory subjects.”<sup>[1]</sup> Potential operational changes that may impact bargaining unit employees—for example, subcontracting or relocation—must be bargained, even though they aren’t mandatory subjects.<sup>[2]</sup> See the United Auto Workers’ (UAW) [Collective Bargaining—The Basics](#) page for additional perspective on the process from the member standpoint<sup>[3]</sup>.

It’s worth noting that NLRB rules don’t require the parties to reach an agreement or make concessions. Also, it’s important for the bargaining committee to be intentional in its presentation of an offer. If, despite good faith efforts, no agreement is reached, the employer may declare an impasse and move to implement the last offer the union presented. If the union disputes the impasse and claims the employer failed to bargain in good faith, the NLRB will make the determination, either confirming the impasse or asking the employer to return to the bargaining table. When a contract expires, the parties are obligated to bargain in good faith for either a succeeding contract or contract termination; the terms of the expired contract are in force during this negotiation period.<sup>[4]</sup>

1. "[Employer/Union Rights and Obligations](#)." National Labor Relations Board. Accessed July 19, 2019. ←
2. Ibid. ←
3. "[Collective Bargaining – The Basics](#)." UAW. Accessed July 19, 2019. ←
4. "Employer/Union Rights and Obligations." National Labor Relations Board. Accessed July 19, 2019. ←

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