

Labor Relations – Syllabus

Winter Quarter 2018 – 2 Credits

Instructor – Sean Leonard, email: leonards@evergreen.edu

Schedule:

Weekend Intensive – January 19, 2018 (5-9 PM), January 20 and 21, 2018 (9 AM-5 PM)

Course Description

In this course, we will explore general labor relations concepts as well as specific provisions of Washington State public sector labor relations law. We will examine labor relations from the establishment of union representation, through the collective bargaining process and the administration and enforcement of union contracts. We will focus on subjects of bargaining, discipline of union-represented employees, and unfair labor practices. We will also discuss and critique the policy choices embodied in current labor law, as well as explore likely future changes to the law and possible consequences. The goal of this course is for students to gain a framework for understanding labor relations concepts to prepare for future work in areas relating to public sector labor relations in Washington.

In this course, students will learn about:

- The historical context for labor relations law
- How American unions are organized
- How unions become representatives of public employees
- Subjects for collective bargaining
- Collective bargaining process
- Discipline and termination of union-represented employees
- Grievance and arbitration procedures
- Unfair labor practices
- Trends in labor relations

Course Reading

*Note that many of the decisions involving Washington law reference provisions of the Revised Code of Washington. The RCW can be found here: <http://app.leg.wa.gov/rcw/default.aspx>.

Washington Supreme Court Decision:

- *Killian v. Seattle Public Schools*, No. 93655-2 (October 12, 2017) – available [here](#).

Public Employment Relations Commission decisions:

Note – if you want to print one of these documents, it may turn out better if you open the PDF version first, by clicking on the PDF icon on the right-hand side of the gray information box at the top of the decision.

- Bargaining Units: *State – Social and Health Services*, Decision 12542-B (PSRA, 2016) - available [here](#).
- Duty of Fair Representation: *City of Seattle (Seattle Police Officers' Guild)*, Decision 11291-A (PECB, 2012) - available [here](#).
- Duty to Bargain in Good Faith: *City of Snohomish*, Decision 1661-A (PECB, 1984) - available [here](#).
- Interference: *Warden School District*, Decision 12778 (EDUC, 2017) - available [here](#).
- Mandatory Subjects: *King County*, Decision 11319-A (PECB, 2013) – available [here](#).

Collective Bargaining Agreements:

It is not necessary to read these in any great detail. Please take a look at these contracts just so you have some familiarity with what public sector collective bargaining agreements look like. Take note of anything that you find interesting, unusual, or unexpected.

- *Klickitat County and Council 2, Washington State Council of County and City Employees, Local 1533DC, AFSCME, AFL-CIO* (2015-2017) – available [here](#).
- *State of Washington (Washington State Ferries) and Puget Sound Metal Trades Council* (2017-2019) – available [here](#).

Labor Arbitration Decisions:

- *State of Washington (Dept. of Natural Resources)*, AAA 75 390 00355 06 LYMC (Teather, 2007) – available [here](#).
- *Washington State Department of Transportation*, AAA Case No. 75 390 00155 06 LYMC (Whalen, 2006) – available [here](#).

I will e-mail copies of the following decisions to you about a week before the class.

- *Spartan Stores, Inc.*, 84 LA 1138 (Daniel, 1985)
- *Gemala Trailer Corp.*, 108 LA 565 (Nicholas, 1997)
- *Lancaster Bd. of Education*, 114 LA 673 (Feldman, 2000)

The Lexicon of Labor, available in the Evergreen Bookstore.

A disclaimer – this book is written by some folks who are clearly “union side,” and that point of view comes through in some of the content. Although a more “neutral” text might be preferable for this class, *The Lexicon of Labor* is much more accessible and colorful than the closest “neutral” text, *Robert's Dictionary of Industrial Relations*. As you read through this material, consider that “neutral” or “management-side” folks might describe some of these concepts in a different way.

At a minimum, please review and understand the following terms from *The Lexicon of Labor*. Students are also encouraged to review other entries in the text for additional learning about labor relations concepts and history.

AFL-CIO	Grievance	Permissive subjects of bargaining
Agency fee payer	Illegal subjects of bargaining	Picketing
Arbitration	Impasse	Rank and file
Authorization Cards	Industrial union	Ratification
Bargaining in good / bad faith	Industrial Workers of the World	Reopening clause
Beck rules	Informational picket	Representation election
Boys Markets case	Injunctions	Retroactive pay
Bumping	International union	Right-to-work law / state
Business agent	Job action	Scab
Business unionism	Labor movement	Seniority
Checkoff	Layoff	Shift
Closed shop	Local	Shop steward
COLA	Management-rights clause	Sit-down strike
Collective bargaining	Mandatory subjects of bargaining	Strike
Company union	Mediation/conciliation	Sunshine bargaining
Confidential employees	National Labor Relations Act	Two-tiered wage structure
Contracting out	No-strike clause	Unfair labor practice
Contract worker	Open shop	Union security
Craft union	Organizing	Union shop
Decertification	Overtime	Unit clarification
Differential pay	Past practice	Weingarten rights
Duty of fair representation	PERC	Work by the book
Exclusivity		Zipper clause
Fringe benefits		

Films:

- If possible, please watch *Office Space (1999)* some time prior to the class. We will use some scenarios from this film in class exercises and discussions.

- I would encourage you to watch at least one labor-related film if you get the chance. The Evergreen library may have some of these. Here are a few possible choices:
 - *Hoffa*
 - *On the Waterfront*
 - *Norma Rae*
 - *Harlan County USA*
 - *Salt of the Earth*
 - *Matewan*
 - *Silkwood*
 - *Final Offer*

Writing Assignments

Before the class, please write a 3-5 page seminar paper about one of the above PERC, Court, or Arbitration decisions. For example, do you agree with the decision? What was puzzling or interesting about the decision? You can e-mail me the paper prior the start of class, or else you can bring a copy with you to submit at the beginning of the class on January 19, 2018..

After the class, please write an 8-10 page paper about your learnings and reflections from a topic, discussion or exercise from the class. Please e-mail me to let me know that subject you have chosen for your paper by January 26, 2018. The paper is due February 9, 2018.

Credit Requirements

For credit in this class, students are required to:

- Complete all the assigned readings
- Complete all the writing assignments
- Attend all classes
- Actively participate in all class discussions and activities
- Complete a self-evaluation and an evaluation of the instructor