



What to do Before Negotiations Begin

2016



1. Beginning of Process; Establish Credibility

- Start one year before expiration of current CBA.
- Know your own contract.
- Know your units titles and job duties.
- Understand your duty of fair representation.

2. Form Negotiating Team

Considerations:

- Size of unit
- Number of negotiating team members
 - Odd Number is recommended.
 - How many are needed? How many is too many?

- Representation

E.g. Elementary / Middle / Secondary
Certificated / Non-certificated
Tenured / Non-tenured
Numbers person

- Desired role of SAANYS
 - Negotiator
 - Attorney

3. Establish Negotiating Team Procedures

- First review unit constitution / by-laws to ensure conduct consistent with governing documents.
- Identify Chief Spokesperson, note taker, and numbers person.
 - Note taking should start right at the beginning of the preparation to assist in keeping the team on task.
 - Note taking in caucus should be circumspect.
- Establish procedure for unit communications.
 - Method and frequency of unit updates.
 - Need for message control.
 - Identify what, if anything, will remain confidential.
- Develop procedures for making, accepting or rejecting proposals. Also, for declaration of impasse.
 - Majority? Super-majority?
Note that consensus, or unanimity, gives every negotiating team member a veto right.
- Define a quorum.
- Note duty of negotiating team members to support ratification of agreement unless opposition has been clearly stated throughout negotiations.

4. Preparation

- Review current contract for clarity, functionality and relevancy.
- Review management / labor relations over the term of the contract for issues that may need to be addressed.
- Survey unit members. Establish wish list. Prioritize.
- Research
 - Identify who is going to do what.
 - Intra – district – identify contract changes for central office administrators including the superintendent, the teachers' unit and other units.
 - Inter – District – Identify comparable nearby districts and analyze their contracts.
 - Taylor Law right to information from the employer needed to make or respond to proposals.

5. Form Proposals

- Understand mandatory, permissive and prohibited topics of negotiations.
- Be careful of cherry picking.
- Limit the number of proposals. Generally more proposals means more negotiating.
- Cost out proposals. Know what it is you are asking for.

- Compounding
 - Roll-ups
 - Base / Non-base
- Be precise with language.
 - Base / Non-base
 - Health Insurance
 - Health Insurance in Retirement
- Anticipate rebuttals / reactions before presenting proposals.
- Be able to articulate a justification for each proposal. Can that justification survive the scrutiny of one or two pointed follow-up questions?

6. **Maintain Credibility**

- Best accomplished by having done your homework and establishing a command of the facts.
- Quantify changed working conditions such as increased hours, days, events, observations, and sources of increased responsibilities (APPR; DASA).
- Try to avoid being positional with respect to proposals.
- When required, demonstrate a willingness to fully employ the regulatory process.