Collective Bargaining (Part I)
OSBA Summer Board Workshop
Sunday, July 17, 2016

Definition of Collective Bargaining Under ORS 243.650:

Performance of the mutual obligation of a public employer and the representative of its employees to meet at reasonable times and confer in good faith with respect to employment relations for the purpose of negotiations concerning mandatory subjects of bargaining, to meet and confer in good faith in accordance with law with respect to any dispute concerning the interpretation or application of a collective bargaining agreement, and to execute written contracts incorporating agreements that have been reached on behalf of the public employer and the employees in the bargaining unit covered by such negotiations. The obligation to meet and negotiate does not compel either party to agree to a proposal or require the making of a concession.

Common Terminology:

- good faith
- permissive
- final offer
- mandatory
- impasse
- self-help
- proposals
- status-quo
- tentative agreement (TA)
- cooling off
- counter-proposal

The Players:

Board members, superintendent, business managers, administrators, UniServ/Representative, bargaining unit members, consultants, Employment Relations Board

Bargaining Preparation:

Bargaining goals set by the Board outline the manner in which they will conduct themselves in the process and the priorities that will be considered by the Board throughout the process.

Bargaining parameters set by the Board prior to start of negotiations establish and guide the negotiation process for the District team.

There are several bargaining models to choose from that cross a spectrum from adversarial to collaborative. There is no particular best model to use and many Districts use a hybrid model. The relationship between the District and Association, contract maturity, and external factors will influence the negotiation model most suited to the parties. The same influences combined with bargaining goals and set parameters should be considered when drafting the initial proposal.