

## ***GBUS 844: Labour Relations and Collective Bargaining Summer 2019 (August 12-16)***

### ADMINISTRATION

<b>Instructor</b>	Dr. Andrew Stevens, PhD
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<b>Office location</b>	ED 565.11
<b>Office hours</b>	By appointment (...or whenever you see me around the office. Drop-ins are fine.)
<b>Office phone</b>	306-585-4711
<b>Class times</b>	Monday, August 12 to Friday, August 16, 8:30 AM – 4:30 PM
<b>Location</b>	TBA

### COURSE INFORMATION

<b>Course objectives</b>	<p>GBUS 844 introduces students to the practices, theories, concepts, and historical accounts of labour-management relations in Canada from the perspective of employees and employers. By the end of the course students will possess an understanding of:</p> <ol style="list-style-type: none"> <li>1. Labour relations legislation, specifically the <i>Saskatchewan Employment Act</i></li> <li>2. Current political, legal, and social developments in labour-management relations</li> <li>3. How labour-management relations function in the public and private sectors</li> <li>4. Methods used by unions and management in resolving rights and interest disputes</li> <li>5. The union certification process</li> <li>6. Collective bargaining and negotiations</li> <li>7. Grievance and arbitration processes</li> <li>8. Implications court decisions for workers, employers, and unions</li> </ol>
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### RESOURCES

<b>Readings</b>	<p><b>(GD)</b> John Godard (2017) <i>Industrial relations, the economy, and society</i> (5<sup>th</sup> ed.) Captus Press. The text was selected because of its relatively inexpensive cost, comprehensiveness, and depth. <b>GD</b> will provide a foundation for the concepts and theories we discuss in lecture.</p> <p><b>(SEA)</b> <i>Saskatchewan Employment Act</i>. Available on UR Courses.</p> <p>Additional readings will be assigned for the course and posted UR Courses. A detailed list can be found below. Our class discussions will be based primarily on these readings.</p> <p><b><i>Readings must be completed by the time class begins on Monday, August 12.</i></b></p>
<b>Content</b>	<p>In addition to conventional lectures and discussion, the course will include documentary film(s) and guest lectures by labour-management relation professionals who represent the side of unions/employees and management. The purpose of guest lectures is to introduce students to policy makers and professionals working in the field.</p>
<b>UR Courses</b>	<p>UR Courses will be used to post additional course readings and information, such as lecture slides, when available.</p>

**COURSE REQUIREMENTS & DESCRIPTION**

<b>Overview</b>	<p>Class contribution &amp; discussion questions (questions due August 5) 15%</p> <p>Research paper (due August 26) 30%</p> <p>Collective bargaining exercise: Strategy report (August 16) 15%</p> <p>Collective bargaining exercise: Memorandum of agreement (August 16) 10%</p> <p>Collective bargaining exercise: Negotiation process (August 16) 15%</p> <p>Short essay (July 12) 15%</p>
<b>Class contribution</b>	<p>At the graduate level class contribution is a must. This does not mean you need to have an answer or comment for every issue discussed in class. Class contribution is assessed based on the quality and thoughtfulness of your questions and discussion points. For example:</p> <ul style="list-style-type: none"> <li>• Citing relevant personal examples</li> <li>• Debating and disagreement with the instructor and peers in a professional and collegial manner</li> <li>• Working with others in and outside of the classroom</li> <li>• Listening with an open mind and responding to what others have to say</li> </ul>
<b>Collective bargaining exercise</b>	<p>The collective bargaining exercise is a centerpiece of GBUS 844. Students will be divided into Management and Union teams. Your job is to get the best deal you can in the upcoming negotiations given your mandate. You will use the concepts from this course to prepare for bargaining and to negotiate with the other side. Collective bargaining cases will be distributed on the first day of class.</p>
<b>Research essay</b>	<p>The research essay may cover any number of issues, debates, legislation, or rulings related to labour-management relations that are addressed in the course. Please consult the “GBUS 844: Writing Assignment Guide” for further instructions. Papers must be 12-15 pages in length. <b>Topics must be cleared with the instructor no later than August 16. You are encouraged to consult with the instructor at any point before course start date.</b></p>
<b>Short essay</b>	<p>The short essay must cover one of the assigned readings or films, as per the “GBUS 844: Writing Assignment Guide” instructions. Papers must be 4-5 pages in length <b>and must be submitted through UR Courses no later than July 12.</b></p>

**CLASS PROTOCOL**

<b>Academic integrity</b>	<p>The core principles of <b>academic integrity</b> – honesty, trust, fairness, respect and responsibility – should be at the forefront for all of the activities you do as a student and as a professional.</p> <p>It is <b>your responsibility</b> to understand the university’s policies on academic integrity and misconduct. Academic misconduct is a very serious issue with potential consequences ranging from failure in the course to dismissal from the university. Academic misconduct is defined broadly as any act that violates the rights of another student in academic work or that involves misrepresentation of your own work. A breach of academic integrity will be dealt with in a manner consistent with the policies of the University of Regina. <b>Cases of academic misconduct will be forwarded to the Associate Dean (Graduate Studies) without exception.</b></p> <p>University of Regina policies can be found on-line:  <a href="http://www.uregina.ca/presoff/secretary/disciplinecommittee.shtml">http://www.uregina.ca/presoff/secretary/disciplinecommittee.shtml</a></p>
<b>Class preparation</b>	<p>This course involves discussion, class exercises, and guest lecturers. Every class requires your active participation. It is expected that you will have completed the assigned readings prior to class.</p>

**Personal technology**

I understand that there are pedagogical reasons for laptops to be used in class. You are encouraged to use your laptop in ways that will enhance, and not detract from, your classroom experience and the experience of those around you. Using cell phones, smartphones, etc., in class for personal reasons is rude, and you'll be asked to put these devices away. Do I text when you are speaking? No.

**Grades and grading**

I am happy to answer any questions about grading and your assignments, but please note that grades **are not negotiable**. If you feel that an assignment has received an unfair grade, you are expected to make a case for why it should be re-assessed. This involves a short written submission (a paragraph or two) and taking the time to meet with the instructor to talk about the assignment. **You should consider that grades could go down upon review.**

Medical notes are required for students who fail to hand in assignments on-time and/or are unable to write exams during the scheduled time and date. You will automatically be assigned a zero on missed exams and assignments without proper documentation and reason.

**Centre for Student Accessibility**

If students have any special needs that could impact their performance, the instructor must be made aware of this **at the beginning of term**. Students are encouraged to consult with the Centre for Student Accessibility for information regarding relevant policies and assistance programs (<http://www.uregina.ca/studserv/disability/servicesavailable.shtml>).

**TEACHING PHILOSOPHY & EXPECTATIONS**

**Professionalism**

Students and instructors both come to class with ideas about topic issues and expectations of appropriate conduct. Regardless of your point of view on the subjects addressed in class, it is important to be mindful of the need to ask questions and to make comments in a manner that respects everyone – fellow students, instructors, and guests. There is no reason to interrupt others when they are speaking or to make personal remarks. Talking out of turn or interrupting the class with private conversations is equally inappropriate. It is also important to acknowledge the right of everyone to be in an environment free from discrimination and harassment. If you are unsure about what constitutes discrimination or harassment, please see the Saskatchewan Human Rights Commission website (<http://www.shrc.gov.sk.ca>) or visit the University of Regina's Human Resources page to find out more about the Respectful University policy (<https://www.uregina.ca/policy/browse-policy/policy-GOV-100-015.html>).

**Teaching philosophy & expectations**

I have developed my teaching around three guiding philosophies: (1) the importance of drawing from theories, concepts, grounded research, and practices in the classroom; (2) including multiple political and academic perspectives in developing lectures and facilitating class discussion; (3) actively engaging with course material to provoke reflection and the development of original insights.

In my view the classroom is a place to facilitate student participation and discussion, as well as a lecture platform. We all have our own political and academic viewpoints, which are to be respected as well as open to debate. I take what you say seriously. Because this is a university course, you will be expected to think through the theories, concepts, policies, and practices **as practitioners and scholars.**

Discussion number & topic	Readings
<p><b>Introduction to industrial &amp; labour relations</b></p>	<p>GD Chapter 1</p> <p>CBC series, “Labour Pains: Do unions still matter?”, <a href="http://www.youtube.com/watch?v=pl7S-V8vzM">http://www.youtube.com/watch?v=pl7S-V8vzM</a></p> <p>Galarneau, Diane and Thao Sohn (2013) “Long term trends in unionization”. <i>Insights on Canadian Society</i>. Statistics Canada.</p> <p>SLRB (2019) <i>Annual Report: 2017-2018</i>. Saskatchewan Labour Relations Board, pages 1-7.</p> <p><u>Supplemental resources:</u></p> <p><i>Saskatchewan Employment Act</i>, Part VI, Division 1 (page 142-143)</p>
<p><b>1. Current events &amp; topical debates</b></p>	<p>Charles Smith and Andrew Stevens (2018) “The architecture of modern anti-unionism in Canada: Class struggle and the erosion of workers’ collective freedoms.” <i>Capital &amp; Class</i>. On-line.</p> <p>Foster, Jason, Alison Taylor, Candy Khan (2015) ‘The dynamics of union responses to migrant workers in Canada’, <i>Work, Employment and Society</i>, 29:3, 409-426.</p> <p>‘Basic Income: A Way Forward for the Left?’ (2017) <a href="http://www.socialistproject.ca/leftstreamed/ls346.php">http://www.socialistproject.ca/leftstreamed/ls346.php</a></p> <p>Kostyshyna, Olena and Corinne Luu. 2019. <i>The Size and Characteristics of the Informal (“Gig”) Work in Canada</i>. Bank of Canada.</p>
<p><b>2. The history of labour &amp; industrial relations in Canada</b></p>	<p>GD Chapter 4</p> <p><i>Ford Motor Co. of Canada v. International Union United Automobile, Aircraft and Agricultural Implement Workers of America (U.A.W.-C.I.O.) (Union Security Grievance)</i> (“Rand Decision”)</p> <p>Wells, Donald M. (1995) ‘Origins of Canada’s Wagner Model of Industrial Relations: The United Auto Workers in Canada and the suppression of “rank and file” unionism, 1936-1953’, <i>The Canadian Journal of Sociology</i>, 20:2, 193-225.</p> <p>Brennan, J. William (2013) “‘The common people have spoken with a mighty voice’: Regina’s Labour City Councils, 1936-1939,” <i>Labour/Le Travail</i>, Spring, 49-86.</p> <p>NFB, “As Friend and Foe”, <a href="https://www.youtube.com/watch?v=9K9HZ_40H0M">https://www.youtube.com/watch?v=9K9HZ_40H0M</a></p> <p><i>Saskatchewan Employment Act</i>, Part VI, Division 2 (page 146-147)</p>

<p><b>3. Labour legislation and the courts</b></p>	<p>GD Chapter 10 &amp; 11</p> <p>Sangster, Joan (2004) “We no longer respect the law”: The Tilco strike, labour injunctions, and the state. <i>Labour/Le travail</i>, Spring, 47-87.</p> <p>Johnston, Hannah (2017) “Workplace gains beyond the Wagner Act: The New York Taxi Workers Alliance and participation in administrative rule making”, <i>Labor Studies Journal</i>, 1-12.</p> <p><i>Saskatchewan Federation of Labour v. Saskatchewan</i>, 2015, SCC 4. (page 5-16 in the PDF)</p> <p>Savage, Larry and Charles W. Smith (2017). “Introduction: Law, Workers, and Courts,” <i>Unions in Court: Organized Labour and the Charter of Rights and Freedoms</i>.</p>
<p><b>4. Collective bargaining &amp; negotiations</b></p>	<p>GD Chapter 12</p> <p>Smith, George C.B. (2006) ‘Strategic negotiations: Perspectives from a road well-travelled’, Don Wood Lecture in Industrial Relations. Queen’s University: Kingston, Ontario.</p> <p>Arruda, Natalie and Monica Haberl (2019) “Executive Summary” and “Chapter 4: Negotiation Issues.” <i>Labour relations outlook 2019: Finding stability in a shifting landscape</i>. Conference Board of Canada.</p> <p>Thompson, Leigh (2011) <i>The mind and heart of the negotiator</i>, 5<sup>th</sup> edition. Prentice Hall, chapters 1 &amp; 2.</p> <p><i>Saskatchewan Employment Act</i>, Part VI, Division 6-7 (page 155-158)</p>
<p><b>5. Union certification &amp; union impacts</b></p>	<p>GD Chapter 7 &amp; 8</p> <p>Slinn, Sara (2007) “Anti-union intimidation is real”, <i>National Post</i>.</p> <p>Riddell, Chris (2004) “Union certification success under voting versus card-check procedures: Evidence from British Columbia, 1978-1998”, <i>Industrial and Labor Relations Review</i>, 57:4, 493-517.</p> <p>Chun, Jennifer Jihye (2016) “Organizing across divides: Union challenges to precarious work in Vancouver’s privatized health care sector”, <i>Progress in Development Studies</i>, 16:2, 173-188.</p> <p>SLRB (2019) <i>Annual Report: 2017-2018</i>. Saskatchewan Labour Relations Board, pages 8-13.</p> <p><i>Saskatchewan Employment Act</i>, Part VI, Division 3-5; Division 9, Subdivision 2; Division 10 (page 147-155; 164-166; 174-176)</p>
<p><b>6. Strike &amp; lockouts</b></p>	<p>GD Chapter 13</p> <p>Stevens, Andrew and Andrew Templeton (2016) “Collective action and labour militancy interrupted: Back-to-work legislation and the state of permanent exceptionalism at Air Canada”, <i>Economic and Industrial Democracy</i>.</p> <p>Film: CUPW, “Memory and Muscle”, <a href="https://www.youtube.com/watch?v=Ka6ams6dEmo">https://www.youtube.com/watch?v=Ka6ams6dEmo</a></p> <p>Peters, John (2010) ‘Down in the Vale: Corporate globalization, unions on the defensive, and the USW local 6500 strike in Sudbury, 2009-2010’, <i>Labour/Le Travail</i>, 66, 73-106.</p> <p><i>Saskatchewan Employment Act</i>, Part VI, Division 8 (page 158-162)</p>

<p><b>7. Grievance &amp; arbitration</b></p>	<p>GD Chapter 14</p> <p>Haiven, Judy (2006) 'Zero tolerance. Can it work in a unionized environment?', <i>Labour/Le Travail</i>, 58, 169-202.</p> <p>Winkler, Warren (2010) 'Labour arbitration and conflict resolution: Back to our roots', <a href="http://irc.queensu.ca/articles/labour-arbitration-and-conflict-resolution-back-to-our-roots">http://irc.queensu.ca/articles/labour-arbitration-and-conflict-resolution-back-to-our-roots</a>. (film or reading, your choice... the link is periodically inactive)</p> <p>Lancaster House (2016) "Mining company's mandatory random drug and alcohol testing policy an unreasonable exercise of management rights, arbitrator rules".</p> <p>GRJ (2019) "Basic legal framework for workplace rules and drug and alcohol policies".</p> <p><i>Saskatchewan Employment Act</i>, Part VI, Division 9, Subdivision 2 (page 166-171)</p>
<p><b>8. Grievance &amp; arbitration</b></p>	<p>Case: "Nadler Enterprises"</p> <p><i>The Current</i> (2017) 'Saskatchewan nurse fights \$26K fine for criticizing grandfather's care on Facebook', CBC, April 17. <a href="http://www.cbc.ca/radio/thecurrent/the-current-for-april-17-2017-1.4071273/saskatchewan-nurse-fights-26k-fine-for-criticizing-grandfather-s-care-on-facebook-1.4071276">http://www.cbc.ca/radio/thecurrent/the-current-for-april-17-2017-1.4071273/saskatchewan-nurse-fights-26k-fine-for-criticizing-grandfather-s-care-on-facebook-1.4071276</a> (read and listen to the coverage)</p> <p>Lancaster House (2012) "Social media in the Canadian workplace: A live exchange".</p>

**Class schedule and discussion topics**

\* The following schedule is tentative and might change slightly throughout the week.

<b>Time</b>	<b>Monday, August 12</b>	<b>Tuesday, August 13</b>	<b>Wednesday, August 14</b>	<b>Thursday, August 15</b>	<b>Friday, August 16</b>
8:30 – 10:15	Introduction	Discussion 4: Collective bargaining	Film: “24 Days in Brooks”	Guest speaker(s)	Preparation for collective bargaining
10:15 – 10:30	Break	Break	Break	Break	Break
10:30 – 11:45	Discussion 1: Current events & topical debates	Film: “Final Offer”	Discussion 5: Union certification & union impacts	Discussion 7: Grievance & arbitration	Collective bargaining exercise
11:45 – 1:00	Lunch	Lunch	Lunch	Lunch	
1:00 – 2:15	Discussion 2: Labour history	Guest speaker(s): collective bargaining	Discussion 6: Strikes & lockouts	Discussion 8: Grievance & arbitration (in class exercise)	
2:15 – 2:30	Break	Break	Break	Break	Break
2:30 – 4:30	Discussion 3: Labour legislation & the courts / Preparation for collective bargaining	Preparation for collective bargaining	Preparation for collective bargaining	Initial Union-Management meeting / preparation for collective bargaining	Collective bargaining & course wrap up