

# ECCFA Negotiation Glossary

## **Bargaining unit**

The ECCFA. Those employees and job categories that will be covered by the provisions of the contract. Often, not all employees at a work site will be included in the bargaining unit. Supervisors, typically, are excluded by law.

## **Bargaining committee**

The union representatives who meet with management representatives to negotiate a contract. The committee is often elected by the union membership, may include a union staff person, and speaks for the membership during negotiations. This committee may also draft the contract proposals and counter-proposals. Also known as Negotiation Committee or Team.

## **Collective bargaining**

The process whereby union and management representatives meet in good faith and attempt to come to mutual agreement on conditions of employment. In most situations, management is required by law to engage in good-faith collective bargaining with a union that has been certified as representing that organization's employees. (See Negotiations)

## **Contract**

A written document that spells out the terms and conditions of employment as well as the rights and responsibilities of employer and employee. This document applies to a specified group of employees for a specified period of time. Adherence to the terms of the contract is enforceable under the provisions of the National Labor Relations Act or appropriate public sector law.

## **Negotiations**

The process of discussion between the employer and the union for purposes of coming to an agreement on the provisions of a contract governing employment conditions and the rights and responsibilities of labor and management.

## **Chief Negotiators**

Each side will have a chief negotiator who is charged with the authority to speak for his/her side and to sign agreements resulting from the negotiation process.

## **Proposal**

Language to be included in the new contract. May be presented by either side.

## **Counter-proposal**

The other side's response to a proposal.

## **Caucus**

An informal and private meeting of the bargaining committee during a negotiating meeting; a brief time-out to share reactions or to plan strategy in a closed and confidential setting.

## **TA**

A tentative agreement to a proposal signed by both chief negotiators.

## **Informational picketing**

Members march with picket signs to indicate the issues. Can be done on school property.

## **Work-to-rule**

Refusing as a unit to perform any voluntary activities can send a strong message. It is particularly effective in a college or university setting, where certain management functions depend in part on voluntary unit member work.

## **Impasse**

The point at which no further progress can be made toward a contract agreement.

**Impasse resolution**

Any one of several methods (including arbitration, mediation and factfinding) used to end a stalemate in contract negotiations. Laws on impasse resolution differ significantly from state to state.

**Mediation**

A voluntary process which occurs when a third party neutral assists the two sides in reaching agreement in contract negotiations.

**Mediator**

Federal mediators have provided these services for fifty years, including initial contract negotiations, which take place between a school and the Union representing the employees. The mediator have no authority to impose settlements. Federal mediators are committed to confidentiality and neutrality in the collective bargaining process.

**Binding arbitration**

This is a legal remedy for the resolution of contract disputes outside the courts. In it both parties agree to be bound by the decision of an arbitrator.

**Strike**

This is the withholding of services by unionized employees after they have exhausted all other means of resolving disagreement. By Illinois law, employees may only strike after having made good-faith efforts at bargaining and having attempted resolution through mediation. If mediation is deemed a failure, a union may file a 10-day intent-to-strike notice. After 10 days, a strike may be called.

**Picketing**

Picketing is organized demonstration by either striking employees or those for whom a strike is imminent. The purpose is to alert the public to the grievances union workers are trying to resolve and to win some measure of support.

**Ratification**

The formal approval of a proposed contract by union members, often by secret ballot.

**Grievance**

A formal process for investigating and correcting an employer violation of the terms of the contract. Individual union members, with the help of their union representative, can file a grievance with their employer. The grievance procedure to be followed is one of the items to be negotiated and specified in the contract between the union and management.

**Just cause**

Just cause is a burden of proof or standard that an employer must meet to justify discipline or discharge.

**CPI**

A **consumer price index** (CPI) measures changes through time in the price level of consumer goods and services purchased by households.

**PERB**

Public Employment Relations Board, a state agency that administers the law in matters related to public strike negotiation. (For us, the ILLRB)

**Unfair Labor Practice**

Any activity on the part of an employer or the employee that violates the provisions of the National Labor Relations Act. A charge of an unfair labor practice may be filed with the National Labor Relations Board. The NLRB will investigate the charge, and if it is found to have merit, an NLRB attorney will prosecute the case on behalf of the charging party. ECCFA can file with the state LRB.