

December 2011

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Interest-based Bargaining Explained

By Grant Sterling

On November 16, the UPI-EIU Executive Board unanimously agreed to participate in Interest-based Bargaining (IBB) for EIU's upcoming negotiations. The current bargaining team, along with the administration's team, has participated in several IBB workshops with the Federal Mediator, Conrad Bowling. In January, UPI-EIU officers and representatives will be soliciting members' opinions on key negotiating issues in preparation for negotiations, which will likely begin in February. In this article, bargaining team member Grant Sterling briefly explains how IBB will work at EIU.



A union is a group of people working together: there's a role for each of us.

Ann Fritz & Fern Kory

The details of Interest-based Bargaining (IBB) may differ slightly depending on one's training, but the version of this method that was presented in our training works as follows.

Before bargaining proper begins, the two teams meet to agree on ground rules. Included in those ground rules will be transitional ground rules that will be employed if at some point IBB breaks down and the two sides must revert to traditional bargaining. (For example, the two sides may agree that anything that has been tentatively agreed to during IBB will be considered settled and will not be reopened in traditional bargaining.) While we may hope that the two sides will follow through with IBB to the end, it is not uncommon for negotiations to begin with IBB but revert to traditional bargaining at a later point (especially when the discussion of compensation is reached).

IBB begins with each team presenting a list of issues that they hope to resolve. We have been asked to limit our list to at most ten issues. In presenting these issues, the side that raises the point must clearly explain why they regard this issue as a problem that needs to be resolved—why isn't the current contract sufficient? When all the issues have been explained, they will be prioritized by the two teams working together,

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UPITalk

Editor: Terri Fredrick

Take Your Department or Unit Rep to Lunch!

By Ann Fritz and Fern Kory

On October 27, UPI-EIU hosted a luncheon at Pantera to celebrate the contributions of our college, department and unit representatives by giving them an opportunity to enjoy good food (generously provided by former at large UPI-EIU Exec Board member, Kathy Rhodes) and collegial conversation about issues affecting members in their units. Ellie Sullivan, UPI President, extended her appreciation as well, answered questions about developments in Springfield, and provided the latest in UPI t-shirts to attendees. Ellie remarked upon the number of new representatives she had the opportunity to meet during the festivities, and thanked both new and long-standing department representatives for their tireless service to UPI-EIU's members.

Ann Fritz, on behalf of the Executive Board, expanded upon the vital contributions of department and unit reps in four areas (adapted from *Department Rep Handbook: An Outline for Effective Union Democracy*):

Reaching out to potential bargaining unit members

A key role of UPI-EIU department representatives is providing personal contact between members and UPI's infrastructure, serving as point persons in their departments. As departmental colleagues, UPI-EIU department representatives can respond to immediate questions, note informal observations or concerns, or update members on unfolding events. Since department representatives serve as an important conduit for information between members and UPI leadership, their recognition and visibility is key to effectively performing their duties. Recognition and visibility were highlighted through recognizing each representative's contributions during luncheon introductions. Additional ways of becoming more visible to members were discussed, such as displaying the Department Rep door signs (with original art by Jenny Chi) provided at the luncheon.

Assisting members

Department Representatives are key in defending

our contract and are often the first to encounter member concerns with workload or working conditions within a department or college, or to learn of a contractual issue affecting a specific member. Important roles for UPI-EIU department representatives include alerting chapter and local leadership to issues of concern within departments and facilitating communications about contractual questions to our chapter grievance officer, Tim Shonk, and our chapter's associate grievance officer, Jon Blitz. Department Representatives also educate members about the scope of UPI's grievance processes, from the chapter through the local level. Should a grievance progress beyond our chapter, UPI Local 4100's grievance officers would oversee further action through vice president/local grievance officer, David Carpenter and local associate grievance officer, Janet Grange.

Organizing members

Department representatives are important in identifying specific knowledge and expertise within our membership, forwarding member contact information for those who might appreciate being asked to join task forces or committees, and making connections between opportunities for involvement and members of their own departments. With contract negotiations beginning this spring, there will be lots of jobs to do, and many opportunities for involvement which UPI-EIU department representatives can highlight for members.

Communicating information

Department representatives have an especially important role in communication of information, concerns and ideas from departments to UPI's leadership and vice versa. Department Representatives can communicate invitations to join in conversation and discussion of current issues within UPI by attending Executive Board meetings, attending panel discussions, and joining colleagues at the UPI-EIU Roc's socials.

The role of department representatives in the preparations for negotiations is especially important in identifying constituencies' concerns. By attending our chapter's Negotiations Agenda Committee (NAC) meetings and encouraging colleagues to voice their concerns, UPI-EIU department representatives play an important role in assuring issues important to members are brought to the forefront. When negotiations begin, department representatives will be an important hub of information in their departments by working in concert with the Contract Campaign Committee (CCC).

Among the most heartening aspects of the event were the list of roles veteran department reps have played as union members and the sense of purpose displayed by newer faculty and staff who have taken on these new responsibilities. Many of our department representatives have served as delegates to the UPI House of Delegates, the Illinois Federation of Teachers (IFT) convention, or the American Federation of Teachers (AFT) national convention. Additionally, our Department Reps have sponsored important resolutions in guiding UPI's future goals, participated in task forces, and publicly defended healthcare, collective bargaining, and pension issues to name but a few instances of their service to UPI's members.

John Allison, UPI-EIU president, made closing remarks, re-emphasizing the importance of the work done by department and unit reps in making sure that information and ideas flow in both directions: members' concerns are brought to the attention of appropriate members in leadership positions, and members get the information they need to protect their rights and to participate productively in union activities.

Several departments and units lack representation, so if you are looking for meaningful union work that you can do close to home, this might be the job for

you. Or maybe you'd like to start—or continue—to contribute as a delegate, as a member of the Executive Board, or as a member of a standing committee or a committee that is active during negotiations. Soon a call for nominations in the upcoming election will be made—and all members who would consider serving in the representative governance of UPI should consider nomination. A union is a group of people working together: there's a role for each of us.

Department or Unit	Representative
Admissions and Records	Vacant
Academic Advising	Jennifer Reed
Art	Jenny Ke-Hsin Chi
Biological Sciences	Dan Johnson, Henry Owen
Booth Library	Karen Whisler
Business	Thomas Costello, Ayse Costello
CDS/Counseling	Toni Chambers, Brenda Wilson
Chemistry	Barbara Lawrence
Communication Studies	Olaf Hoerschelmann
Counseling & Stu. Dev.	Gloria Leitschuh
Economics	Timothy Mason
Elementary Education	Timothy Croy, Jeff Duck, Linda Reven
English	Fern Kory
Family & Consumer Sci.	Karla Kennedy-Hagan
Foreign Languages	Carlos Amaya
Geology/Geography	David Viertel
Health Studies	Sheila Simons
History	Ed Werhle
Journalism	Brian Poulter
Kinesiology & Sports St.	Jon Oliver
Math	Peter Wiles
Music	Vacant
Nursing	Jane Scheer
Philosophy	Gary Aylesworth
Physics	Don Pakey
Political Science	David Carwell
Psychology	Anu Sharma
Recreational Admin.	Peggy Holmes
Sec. Ed. & Foundations	Dawn VanGunten
Special Education	Vacant
Sociology/Anthropology	Darren Hendrickson
Technology	David Melton
Theater	Chris Mitchell

based on how difficult we perceive them to be. (Compensation will be left for last, as it is the most difficult area to negotiate using IBB.) Negotiations will begin with an issue that we think will be easily resolved, but then one of the difficult issues will be tackled next.

As each issue is brought forward, each side will explain the interests relevant to this issue. For example, if the issue has to do with the hiring of adjunct instructors through the School of Continuing Education, UPI will doubtless state that they have an interest in protecting the integrity of the bargaining unit, an interest in ensuring that all classes are taught by qualified instructors, etc. The Administration will likely share at least the second of these interests, and will surely advance an interest in making these classes financially beneficial to the university. This process will continue until both sides have listed all of their interests relevant to this issue, and have identified which of these interests are shared (and which are not).

Once all interests have been identified, the process turns to the creation of options. Everyone in the room is encouraged to throw out ideas regarding how the issue can be resolved. Unlike in traditional bargaining, where any proposal must be brought forward by one side or the other and is legally binding upon that side, in IBB the suggested options are simply listed and discussed without reference to their origin. This is designed to encourage creativity in finding solutions to a problem that may turn out to be mutually beneficial. The teams are asked to create as many options as they reasonably can.

When the options have been identified, they are evaluated. This process involves asking “Is this option feasible?” That is, is this option legal? Is it manageable? If an option fails this test, if it cannot reasonably be implemented, then it is rejected. Of the (hopefully many) options that pass this first test, we then ask “Is it beneficial?” Does it solve the problem that made this an issue in the first place? Would it appear to make the University better off? Does it meet the shared interests of the two sides, and as many of

their separate interests as possible? Finally, we ask “Is this option acceptable?” That is, would the two sides each be willing to endorse and defend this way of doing things?

In this form of IBB, any person in the room has the right to reject any option that is put forward. However, the objector must state the reasons for rejecting this option and must suggest some modification of the option that might resolve the worry that led to the rejection. In this way, neither side can simply arbitrarily refuse to discuss an issue or an option, and even objections to an option may spur the development of new possibilities.

Once an option is found which both sides find acceptable, then it is signed as a tentative agreement, and the discussion proceeds to the next issue. Again, this process is unlike traditional bargaining, where proposals are often tied together such that one side agrees to a certain solution of problem 1 only if the other side agrees to certain proposals regarding problem 2. In IBB, issues are tied together only in the sense that some options that are accepted with regard to various issues may contain financial costs (or produce financial savings) which will affect the amount of money available when the issue of compensation is negotiated.

The most significant difference between this version of IBB and the version used at EIU in the past is that in this case the Federal Mediator who trained us, Conrad Bowling, will be present during the negotiations. He will not be acting in his official role as a mediator, but rather as a facilitator—making sure that the process of IBB is understood and honored. I think his presence and his leadership could be critical in making IBB, and these negotiations in general, a success.

Find out more about UPI - EIU
online at www.eiu.edu/~eiuupi

To join the UPI-EIU listserv, follow
the “Join the UPI listserv!” link on
the chapter homepage

Roc's Social

December 09
4:30-6:00 pm

Roc's Blackfront
in the square