

**INTER AMERICAN UNIVERSITY OF PUERTO RICO
METROPOLITAN CAMPUS
BUSINESS FACULTY
GRADUATE DEPARTMENT
LABOR RELATIONS PROGRAM**

SYLLABUS

I. GENERAL INFORMATION

Course Title : LABOR RELATIONS AND COLLECTIVE BARGAINING
LEGISLATION

Code and Number : LARE 5010

Credits : 3 credits

Academic Term :

Instructor :

Office Location and Hours

Office Telephone :

E-mail :

II. DESCRIPTION

Examination of the legislation that impacts collective bargaining processes and the construction of relationships of trust. Historical analysis of union management in society and understanding of collective bargaining strategies in daily business labor management. Application of alternative strategies, theories, models, tactics, and processes of collective bargaining.

III. OBJECTIVES

It is expected that upon completion the course, the student should be able to:

1. Evaluate the substantive aspects of collective bargaining.
2. Apply theoretical and legal concepts and negotiation policies that affect decision-making in various work contexts.
3. Analyze the content and administration of collective agreements.

5. Apply oral and written communication skills in negotiation processes for decision making

6. Evaluate the jurisdiction of the different laws in the processes of Collective negotiation

V. CONTENT

A. Background to the emergence of collective bargaining

1. Definition of concepts and conceptual framework

- a. Collective negotiation
 - b. Patron
 - c. Union and union representative
 - d. Collective agreement
- e. Clause

2. Legal framework of collective bargaining

- a. Constitutional Rights
- b. Legal framework of collective bargaining in the government sector
- d. Legal framework of collective bargaining in private companies
- e. Rights of employees who are members of an organization
labor

B. Basic differences between the public sector and the private sector for purposes of Collective negotiation

1. Objectives
2. Way of exercising power over employees
3. Strikes or conflicts and their consequences
4. Ability or authority to negotiate
5. Appropriate bargaining unit
6. Scope and content of the negotiation

C. Strategy, theories, models, tactics and processes of collective bargaining

A. Philosophies and models of negotiation

1. Unionism as a partner of the company
2. Unionism to win power
3. Unionism to promote revolutionary political action
4. Adversative or Traditional Model

5. Cooperative or Participatory Model

6. Globalized Negotiation

D. Factors that give rise to collective bargaining

1. Natural interests of employers and workers

a. The employers

b. Unions

c. Interest shocks

2. Need for negotiations

a. Necessary conditions for successful negotiations

b. Favorable political climate

c. Syndical freedom

d. Stability of labor organizations

E. Exclusive representatives

1. Certification of representatives

2. Voluntary recognition

F. Obligation to negotiate

1. Negotiation in good faith and / or bad faith

2. Determining factors for good faith negotiation

3. Power of negotiation or bargaining (Bargaining Power)

G. Behavior and attitude of the parties towards the negotiation

1. Conduct of the parties

2. Behavior modification through negotiation

3. Constructive relationships

H. Content of the negotiation

1. General areas of negotiation

2. Maintaining the union

3. Protection of the contract

4. Protection of individual workers
5. Fundamental economic area
6. Rights and prerogatives of the employer
7. Paid area during recess or rest time
8. Social security and welfare area (fringe benefits)

I. Mandatory areas of negotiation under labor law

1. Salaries
2. Types of pay
3. Hours
4. Working conditions
5. Others

J. Prohibited areas of negotiation under Labor Legislation

1. Workshop closed
2. Secondary boycott
3. Hot Cargo
4. Others

K. Emergence of stagnations (Impasse) and unilateral changes

1. Ways to solve deadlocks

L. Classification of clauses

1. Clauses that express guarantees of existence in office for the employer and the union
 - a. Managerial prerogatives clauses
 - b. Union security clauses

LL. Preparation of the negotiation

1. Planning
 - a. Analysis and collection of economic and personnel data suitable
 - b. Characteristics that negotiators must have

- c. Appointment of the negotiating committee
 - d. Anticipation and formulation of proposals and. Setting goals and objectives
 - F. Development of positions and strategies
 - g. Notifications
- O. Agreed procedure to govern the negotiations
- 1. Meeting place or place
 - 2. Authority of the parties
 - 3. Calendar
 - 4. Rules of the game
 - 5. Procedure or rules to follow
 - 6. Records
 - 7. Caucus
 - 8. Forms or ways of proceeding in the approval of clauses
 - 9. Ratification of agreements
 - 10. The right to relevant information
- Ñ. Stages of worker-employer relations during negotiation
- 1. Waiver
 - 2. Acceptance under protest
 - 3. Acceptance
 - 4. Cooperation and mutual respect
- P. Administration of the collective agreement and practical laboratory
- 1. Compliance and administration of the agreement
 - 2. Complaints and grievances procedure
 - 3. Arbitration
 - 4. Legal remedies
 - 5. Disciplinary actions
 - 6. Damages
 - 7. Termination of contract
- Q. Preparation of a collective bargaining in the classroom
- 1. Negotiation and preparation of a collective agreement

VI. LEARNING ACTIVITIES

1. Critical analysis according to the instructions received from the teacher.
 2. Live collective bargaining workshop in the classroom. The students they set up a negotiation to be evaluated by the teacher.
 3. Final exam: Exercise of analysis of a situation of facts to apply knowledge and skills learned in the course.
 4. Conferences and discussions in the classroom and / or virtual discussion forums

VII. EVALUATION

	Punctuation	Score% of the Final Grade
Critical analysis	100	20
Negotiation workshop	100	35
Final exam	100	35
Forums 3 of 10 pts. each	30 base 100 $30 \div 30 = 100$	10%
Total	400	100%

VIII. SPECIAL NOTES

A. Auxiliary services or special needs

All students who require auxiliary services or special assistance must request them at the beginning of the course or as soon as they become aware that they need them, through the corresponding registry, in the Office of the Coordinator of services for students with disabilities, Dr. María de los Ángeles Cabello. She is located in the Counseling and Counseling Program, office 111, on the first floor of the John Will Harris building, extension 2306

B. Honesty, fraud, and plagiarism

Dishonesty, fraud, plagiarism and any other inappropriate behavior in relation to academic work constitutes major infractions sanctioned by the General Student Regulations. The major infractions, as stated in the General Student Regulations, may

have as a consequence, suspension from the University for a definite period greater than one year or the permanent expulsion from the University, among other sanctions.

C. Use of electronic devices

Cellular telephones and any other electronic device that could interrupt the teaching and learning processes or alter the environment leading to academic excellence will be deactivated. Any urgent situation will be dealt with, as appropriate. The handling of electronic devices that allow students to access, store or send data during evaluations or examinations is prohibited

D. Compliance with the Provisions of Title IX

The Federal Higher Education Act, as amended, prohibits discrimination because of sex in any academic, educational, extracurricular, and athletic activity or in any other program or function, sponsored or controlled by a higher education institution, whether or not it is conducted within or outside the property of the institution, if the institution receives federal funds.

In harmony with the current federal regulation, in our academic unit an Assistant Coordinator of Title IX has been designated to offer assistance and orientation in relation to any alleged incident constituting discrimination because of sex or gender, sexual harassment or sexual aggression. The Assistant Coordinator Sr. George Rivera can be reached by phone at extension 2262 o 2147, or by e-mail griverar@metro.inter.edu.

The Normative Document titled **Norms and Procedures to Deal with Alleged Violations of the Provisions of Title IX** is the document that contains the institutional rules to direct any complaint that appears to be this type of allegation. This document is available in the Web site of Inter American University of Puerto Rico (www.inter.edu).

IX. EDUCATIONAL RESOURCES

Book (s): Textbook is not recommended. However, students who do not come from the baccalaureate in Labor Relations or have not taken courses labor relations it is recommended:

Supplementary reading

Carrel, Michael R. And Heaving, Christina (2013). Labor Relations and Collective Bargaining: Private and Public Sector. 10th Edition. Prentice Hall.

Audiovisual Resources: (At the teacher's discretion)

Electronic Resources

LexJuris of Puerto Rico <http://www.lexjuris.com>

National Labor Relation Board <http://www.nlr.gov/>

La Red Obrera <http://www.labournet.Org.uk/Spanish/>

JTS Publications www.pub-jts.com

X. **BIBLIOGRAPHY (OR REFERENCES)**

Legislation:

Constitution of the Commonwealth of Puerto Rico, 1952

Act No. 130 of May 8, 1945, as amended.

Act No. 45 of January 26, 1998, as amended, by Act No. 96 of August 7, 2001, as amended

Taft-Hartley Act of 1947, as amended

P. de la C. 1404 of January 24, 2018

2018 Department of Labor reorganization plan

Journals

HR Focus

Industrial and Labor Relation Review

International Labor Review

Negotiation Journal

Review of Public Personnel Administration

The Labor Lawyer

Audiovisual Resources (At the discretion of the Teacher)

Electronic Resources

http://www.pon.harvard.edu/news/2003/pon_iwer.php3

<http://bargaining2005.org/bkgr/bkgr.html>

<http://www.negotiarormagazine.com>

<http://www.degerencia.com>

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