Commerce 4BC3
Collective Bargaining
Winter 2025 Course Outline

Human Resources & Management Area
DeGroote School of Business
McMaster University

COURSE OBJECTIVES

Collective bargaining takes place in some shape or form in most parts of the globe. It represents the cornerstone of worker democracy, a counterweight to corporate power and globalization, and is a critical form of workplace regulation. Given the salience of issues like economic inequality, precarious work, stress and anxiety, and algorithmic management during the current pandemic, there is no better time than now to explore the features and functions of collective bargaining. The intent of this course is to provide students with an in-depth understanding of the contexts, institutions, processes, and strategies that shape bargaining dynamics and outcomes. Students are expected to develop foundational knowledge of how collective bargaining operates in theory and practice, as well as a critical understanding of its problems and limitations in the Canadian context.

INSTRUCTOR AND CONTACT INFORMATION

Tue 11:30am – 2:20pm
Dr. Sean O'Brady
Instructor
obradys@mcmaster.ca
Office: DSB 406
Office Hours: By appointment

Student TA
Name: Sally Elsadek
Email: elsades@mcmaster.ca
Office Location/Hours: Zoom, by appointment

COURSE ELEMENTS

Credit Value:	3	Leadership:	Yes	IT skills:	No	Global view:	Yes
A2L:	Yes	Ethics:	Yes	Numeracy:	No	Written skills:	Yes
Participation:	Yes	Innovation:	No	Group work:	Yes	Oral skills:	Yes
Evidence-based:	Yes	Experiential:	Yes	Final Exam:	Yes	Guest speaker(s):	Yes

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COURSE INFORMATION

Lectures: every Tuesday from 11:30am to 2:20pm
Tutorials: None
Course Delivery Mode: In person
Course Description:

A survey of the nature, determinants, and impact of collective bargaining in Canada. Both the procedural and substantive aspects of collective bargaining will be studied.

IMPORTANT LINKS

- Mosaic
- Avenue to Learn
- Student Accessibility Services - Accommodations
- McMaster University Library

LEARNING OUTCOMES AND GOALS

Upon successful completion of this course, students will have:

- Developed an appreciation for collective bargaining, both as a tool for regulating conflict in the workplace and for its societal outcomes
- Understood core trends in collective bargaining and negotiation in Canada
- Analyzed how environments, structures, processes, and strategies impact bargaining outcomes in a range of settings
- Recognized the importance of values and ethics to the negotiations process
- Practical skills in collective bargaining and negotiation, acquired by participating in a bargaining simulation, group discussions, and observing guest lectures

COURSE MATERIALS AND TEXTS

Doorey, D., and Braley-Rattai, A. (2020). *Canadian Labour Relations: Law, Policy, and Practice*, 2nd Edition. Toronto: Emond Publishing.

Additional readings will be made available on Avenue to Learn.

CLASS FORMAT

The class will consist of weekly 3-hour in-person meetings. Class time will be dedicated to lectures and exercises. Students will be provided with a short break (approximately 15 minutes) during each session.

COURSE EVALUATION

Missed tests/exams will receive a grade of zero unless the student has submitted and been approved for a Notification of Absence or MSAF. Late assignments will be penalized 10% for each day they are late. Your final grade will be calculated as follows:

EVALUATION

GRADE COMPONENT	WEIGHT	DESCRIPTION
Participation	**15%**	Class participation in the form of attendance, reading assigned material, and engagement in exercises and class discussions
Midterm	**18%**	Completion of a midterm exam during class-time
Bargaining Simulation	**12%**	Bargaining book and participation in a mock bargaining simulation
Individual Report	**20%**	Submission of a 10–12 page report on the bargaining simulation
Final Exam	**35%**	Completion of a final exam scheduled in the exam period

COURSE OVERVIEW AND ASSESSMENT

Participation

Participation is worth **15%** of your final grade. Students are expected to attend class, to have read the assigned material, and to come prepared to engage in class discussions and exercises.

Midterm

The midterm covers material from sessions 1-5 and is worth **18%** of your final grade.

Bargaining simulation and book

There will be a bargaining simulation, including a bargaining book worth **12%** of your final grade. It involves a fictitious case-analysis of collective bargaining in *The County Beer Company* on pages 413-424 in your course book.

The goal of the simulation is to negotiate a new collective agreement. Students in the course will be separated into groups of four to six, depending on the class size. Each group will be assigned a side (management or union) and will be provided with a mandate containing instructions for the negotiation by email (to be received no later than January 21st, 2025). The instructions given to each team will differ for the purpose of the exercise - please don't share with your opponent!

Each group will need to submit a bargaining book to the teaching assistant and instructor by February 25th, 2025 (bargaining proposals are to be sent to the other team after the teaching assistant has approved – more on this in the forthcoming instructions). The principal grading component will be the bargaining book. It is worth 15% of your final grade (no grade will be assigned if the student does not participate in the simulation). The simulation will take place during class-time on March 25th, 2025. External sources are not required for the bargaining simulation. The bargaining book is to be submitted on A2L. While each team member will normally receive the same grade, the professor reserves the right to deduct points from a team member who has not effectively contributed to the assignment. Students may be asked to resubmit the bargaining book if the teaching assistant deems it unsatisfactory.

Individual report

A final report worth **20%** of your final grade is due on April 8th, 2025. This is directly related to the simulation. Students will analyze *The County Beer Company* negotiation from their side's perspective (management or union) and provide a comprehensive analysis of the case and how the new collective agreement was negotiated. This entails conducting analyses akin to that of negotiators in the field.

This analysis is to be separated into two parts. The first part involves analyzing the elements that your team considered when preparing for the negotiation. This includes an analysis of the negotiating context (legal and economic), bargaining structure, power (both yours and your counterparty's), and your choice of bargaining strategies/tactics (what you chose and why). The second part involves reflecting on the negotiation itself. This will include an analysis of the negotiation process in practice, an assessment of the impacts of your bargaining strategies/tactics and their execution (ensure to consider your counter-party's strategy in this analysis), and the outcomes associated with the new

collective agreement for the workers, company, and society. The conclusion should include an overall assessment of the strengths and limitations associated with the bargaining context and possibilities for strategic decision-making on the part of the actors.

This report will be <u>10-12 pages</u>. Texts assigned for this course may be mobilized in this report, with all of the relevant citations in APA format. The final report should adhere to the following standards:

- Times New Roman font
- Double-spaced
- Standard 8.5" x 11" paper
- 1" margins on sides of paper
- Proper referencing in APA format: https://owl.english.purdue.edu/owl/resource/560/01/

The strongest reports are those that can speak to the elements demanded above, all the meanwhile maintaining an overarching argument or set of arguments. Time will be provided in-class for questions and answers pertaining to this assignment. This assignment is to be submitted on A2L.

Final Exam
The final exam covers material from all sessions and is worth **35%** of your final grade.

LATE ASSIGNMENTS

Late assignments will not be accepted.

COMMUNICATION AND FEEDBACK

Students who wish to correspond with instructors or TAs directly via email must send messages that originate from their official McMaster University email account. This protects the confidentiality and sensitivity of information as well as confirms the identity of the student. Emails regarding course issues should NOT be sent to the Area Administrative Assistants. All students must receive feedback regarding their progress prior to the final date by which a student may cancel the course without failure by default.

- *For Level 1 and Level 2 courses, this feedback must equal a minimum of 20% of the final grade.*
- *For Level 3 courses and above, this feedback must equal a minimum of 10% of the final grade.*

Instructors may solicit feedback via an informal course review with students by Week #4 to allow time for modifications in curriculum delivery.

Students who have concerns about the course content, evaluation methods, or delivery should first reach out to the course instructor. If your concern remains unresolved after speaking with the instructor, you may then reach out to the relevant Area Chair for further consideration.

REQUESTING RELIEF FOR MISSED ACADEMIC WORK

In the event of an absence for medical or other reasons, students should review and follow the Academic Regulation in the Undergraduate Calendar "Requests for Relief for Missed Academic Term Work" and the link below;

http://ug.degroote.mcmaster.ca/forms-and-resources/missed-course-work-policy/

* Non-Commerce students must follow the Missed Course Work protocols outlined by their home faculty and Program Office.

COURSE MODIFICATION

From time to time there may be a need to remove/add topics or to change the schedule or the delivery format. If these are necessary, you will be given as much advance notice as possible.

GENERATIVE AI

There are three approved statements on the use of AI in the classroom. Please choose the one that best fits your policy

USE PROHIBITED

Students are not permitted to use generative AI in this course. In alignment with McMaster academic integrity policy, it "shall be an offence knowingly to … submit academic work for assessment that was purchased or acquired from another source". This includes work created by generative AI tools. Also state in the policy is the following, "Contract Cheating is the act of "outsourcing of student work to third parties" (Lancaster & Clarke, 2016, p. 639) with or without payment." Using Generative AI tools is a form of contract cheating. Charges of academic dishonesty will be brought forward to the Office of Academic Integrity.

SOME USE PERMITTED

Example One

Students may use generative AI in this course in accordance with the guidelines outlined for each assessment, and so long as the use of generative AI is referenced and cited following citation instructions given in the syllabus. Use of generative AI outside assessment guidelines or without citation will constitute academic dishonesty. It is the student's responsibility to be clear on the limitations for use for each assessment and to be clear on the expectations for citation and reference and to do so appropriately.

Example Two

Students may use generative AI for [editing/translating/outlining/brainstorming/revising/etc] their work throughout the course so long as the use of generative AI is referenced and cited following citation instructions given in the syllabus. Use of generative AI outside the stated use of [editing/translating/outlining/brainstorming/revising/etc] without citation will constitute academic dishonesty. It is the student's responsibility to be clear on the limitations for use and to be clear on the expectations for citation and reference and to do so appropriately.

Example Three

Students may freely use generative AI in this course so long as the use of generative AI is referenced and cited following citation instructions given in the syllabus. Use of generative AI outside assessment guidelines or without citation will constitute academic dishonesty. It is the student's responsibility to be clear on the expectations for citation and reference and to do so appropriately.

UNRESTRICTED USE

Students may use generative AI throughout this course in whatever way enhances their learning; no special documentation or citation is required.

ACADEMIC INTEGRITY

You are expected to exhibit honesty and use ethical behaviour in all aspects of the learning process. Academic credentials you earn are rooted in principles of honesty and academic integrity. **It is your responsibility to understand what constitutes academic dishonesty.**

Academic dishonesty is to knowingly act or fail to act in a way that results or could result in unearned academic credit or advantage. This behaviour can result in serious consequences, e.g. the grade of zero on an assignment, loss of credit with a notation on the transcript (notation reads: "Grade of F assigned for academic dishonesty"), and/or suspension or expulsion from the university.

For information on the various types of academic dishonesty please refer to the *Academic Integrity Policy,* located at https://secretariat.mcmaster.ca/university-policies-procedures- guidelines/

The following illustrates only three forms of academic dishonesty:

- plagiarism, e.g. the submission of work that is not one's own or for which other credit has been obtained.

- improper collaboration in group work.

- copying or using unauthorized aids in tests and examinations.

AUTHENTICITY/PLAGIARISM DETECTION

Some courses may use a web-based service (Turnitin.com) to reveal authenticity and ownership of student submitted work. For courses using such software, students will be expected to submit their work electronically either directly to Turnitin.com or via an online learning platform (e.g. A2L, etc.) using plagiarism detection (a service supported by Turnitin.com) so it can be checked for academic dishonesty.

Students who do not wish their work to be submitted through the plagiarism detection software must inform the Instructor before the assignment is due. No penalty will be assigned to a student who does not submit work to the plagiarism detection software.

All submitted work is subject to normal verification that standards of academic integrity have been upheld (e.g., on-line search, other software, etc.). For more details about McMaster's use of Turnitin.com please go to www.mcmaster.ca/academicintegrity.

COURSES WITH AN ON-LINE ELEMENT

Some courses may use on-line elements (e.g. email, Avenue to Learn (A2L), web pages, TopHat, MS Teams, etc.). Students should be aware that, when they access the electronic components of a course using these elements, private information such as first and last names, user names for the McMaster e-mail accounts, and program affiliation may become apparent to all other students in the same course.

The available information is dependent on the technology used. Continuation in a course that uses on-line elements will be deemed consent to this disclosure. If you have any questions or concerns about such disclosure please discuss this with the course instructor.

ONLINE PROCTORING

Some courses may use online proctoring software for tests and exams. This software may require students to turn on their video camera, present identification, monitor and record their computer activities, and/or lock/restrict their browser or other applications/software during tests or exams. This software may be required to be installed before the test/exam begins.

CONDUCT EXPECTATIONS

As a McMaster student, you have the right to experience, and the responsibility to demonstrate, respectful and dignified interactions within all of our living, learning and working communities. These expectations are described in the *Code of Student Rights & Responsibilities* (the "Code"). All students share the responsibility of maintaining a positive environment for the academic and personal growth of all McMaster community members, **whether in person or online**.

It is essential that students be mindful of their interactions online, as the Code remains in effect in virtual learning environments. The Code applies to any interactions that adversely affect, disrupt, or interfere with reasonable participation in University activities. Student disruptions or behaviours that interfere with university functions on online platforms (e.g. use of Avenue 2 Learn, WebEx or Zoom for delivery), will be taken very seriously and will be investigated. Outcomes may include restriction or removal of the involved students' access to these platforms.

ACADEMIC ACCOMMODATION OF STUDENTS WITH DISABILITIES

Students with disabilities who require academic accommodation must contact Student Accessibility Services (SAS) at 905-525-9140 ext. 28652 or sas@mcmaster.ca to make arrangements with a Program Coordinator. For further information, consult McMaster University's *Academic Accommodation of Students with Disabilities* policy.

ACADEMIC ACCOMMODATION FOR RELIGIOUS, INDIGENOUS OR SPIRITUAL OBSERVANCES (RISO)

Students requiring academic accommodation based on religious, indigenous or spiritual observances should follow the procedures set out in the RISO policy. Students should submit their request to their

Faculty Office *normally within 10 working days* of the beginning of term in which they anticipate a need for accommodation <u>or</u> to the Registrar's Office prior to their examinations. Students should also contact their instructors as soon as possible to make alternative arrangements for classes, assignments, and tests.

COPYRIGHT AND RECORDING

Students are advised that lectures, demonstrations, performances, and any other course material provided by an instructor include copyright protected works. The Copyright Act and copyright law protect every original literary, dramatic, musical and artistic work, **including lectures** by University instructors.

The recording of lectures, tutorials, or other methods of instruction may occur during a course. Recording may be done by either the instructor for the purpose of authorized distribution, or by a student for the purpose of personal study. Students should be aware that their voice and/or image may be recorded by others during the class. Please speak with the instructor if this is a concern for you.

EXTREME CIRCUMSTANCES

The University reserves the right to change the dates and deadlines for any or all courses in extreme circumstances (e.g., severe weather, labour disruptions, etc.). Changes will be communicated through regular McMaster communication channels, such as McMaster Daily News, A2L and/or McMaster email.

ACKNOWLEDGEMENT OF COURSE POLICIES

Your enrolment in Commerce 4BC3 will be considered to be an implicit acknowledgement of the course policies outlined above, or of any other that may be announced during lecture and/or on A2L. **It is your responsibility to read this course outline, to familiarize yourself with the course policies and to act accordingly.**

Lack of awareness of the course policies **cannot be invoked** at any point during this course for failure to meet them. It is your responsibility to ask for clarification on any policies that you do not understand.

DeGroote
SCHOOL OF BUSINESS
EDUCATION WITH PURPOSE

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COURSE SCHEDULE

Commerce 4BC3
Collective Bargaining
Winter 2025 Course Schedule

WEEK	DATE	ASSIGNMENT
Session 1 *Introduction to unions and collective bargaining*	Tue. Jan. 7	**Readings:** Doorey, D., and Braley-Rattai, A. (2020). *Canadian Labour Relations: Law, Policy, and Practice*, 2nd Edition. Toronto: Emond Publishing. (Chapter 7)
Session 2 *A brief history of the labour movement*	Tue. Jan. 14	**Reading:** Ross, S., & Savage, L. (2023). *Building a better world: An introduction to the labour movement in Canada*. Fernwood Publishing. (Chapters 3 and 4)
Session 3 *The formation of unions (in context)*	Tue. Jan. 21	**Readings:** Doorey, D., and Braley-Rattai, A. (2020). *Canadian Labour Relations: Law, Policy, and Practice*, 2nd Edition. Toronto: Emond Publishing. (Chapters 8 and 9) Thompson, K. (2024). Workers Just Won the First Walmart Warehouse Union in Canada. *Jacobin*. Oct. 18th, 2024. Found at https://jacobin.com/2024/10/walmart-warehouse-union-canada. Saba, R. (2024). Unions face uphill battle organizing Amazon warehouses in Canada: experts. *CTV News*. Sept. 9th. Found at https://montreal.ctvnews.ca/unions-face-uphill-battle-organizing-amazon-warehouses-in-canada-experts-1.7030267. Thompson, M. Busting the union-busters. (2023). *Briarpatch*. Sept. 11th. Found at https://briarpatchmagazine.com/articles/view/busting-the-union-busters. **Video:** Secret Union Tactic Fuels Unprecedented Labor Wins. BNN Bloomberg. Found at https://youtu.be/6xDlvGn0F6A?si=8LX_dyZ0O7a449AG. **Guest lecture:** TBD **Activity:** Assignment of teams for bargaining simulations / overview of instructions.
Session 4 *Bargaining process and structure*	Tue. Jan. 28	**Readings:** Doorey, D., and Braley-Rattai, A. (2020). *Canadian Labour Relations: Law, Policy, and Practice*, 2nd Edition. Toronto: Emond Publishing. (Chapters 10 and 19)

Walker, L. and Regis-Wilkins, S. (2021). What Is Sectoral Bargaining and How Can It Help Canada's Working Class? July 30th. Found at https://pressprogress.ca/what-is-sectoral-bargaining-and-how-can-it-help-canadas-working-class/.

O'Brady, S. (2021). What Canada can learn from Sweden about creating middle-class retail jobs. *The Conversation*. Jule 18th. Found at https://theconversation.com/what-canada-can-learn-from-sweden-about-creating-middle-class-retail-jobs-162486.

Videos:
Collective Bargaining Basics. The HR Hub. Found at:
https://youtu.be/Mbi0GWjIjKM?si=TAxdDBVjrXuctNIc.

How Sectoral Bargaining Can Help All Workers Have a Union Voice. Center for American Progress. Found at:
https://youtu.be/LR5XwVOJHvQ?si=CYVC_qCZ5QEfZo11.

Why Pattern Bargaining Works. Unifor Canada. Found at:
https://youtu.be/AAkiRTxKbzI?si=waKXulUFL09Xu2sI.

Debate:
Is the Wagner Model of Collective Bargaining Good for Canadian Workers?

Session 5 *Negotiation strategy*	Tue. Feb. 4	**Readings:** Carrell, M. R., & Heavrin, C. (2013). *Labor relations and collective bargaining* (10th ed.). Upper Saddle River: Pearson Prentice Hall. (Chapter 5) Kochan, T. A. & Lipsky, D. B. (2003). Conceptual foundations: Walton and McKersie's subprocesses of negotiations [Electronic version]. In T. A. Kochan & D. B. Lipsky (Eds.), Negotiations and change: From the workplace to society (pp. 15-19). Ithaca, NY: ILR Press. **Exercise:** Two-dollar game
Session 6 *Exam and guest lecture*	Tue. Feb. 11	Mid-term: In-Class **Guest lecture:** Erin Thorson, Labour Relations Manager, EllisDon
	Tue. Feb. 18	Midterm recess
Session 7 *Industrial Conflict and Dispute Resolution*	Tue. Feb. 25	**Readings:** Doorey, D., and Braley-Rattai, A. (2020). *Canadian Labour Relations: Law, Policy, and Practice*, 2nd Edition. Toronto: Emond Publishing. (Chapters 11 and 22) Moscrop, D. (2024). Strikes Are Meant to Be Disruptive. Jan. 3rd. Found at https://jacobin.com/2024/03/anti-scab-legislation-strikes-workers/. King, A.D.K. (2024). Rail Giants Score Another Win Against Workers. Sept. 21st. *Jacobin*. Found at https://jacobin.com/2024/09/canada-railworkers-lockout-strike-liberals. **Movie:** The Final Offer

		Assignment: Bargaining book is due.
Session 8 *Contract administration and the grievance function*	Tue. Mar. 4	**Readings:** Doorey, D., and Braley-Rattai, A. (2020). *Canadian Labour Relations: Law, Policy, and Practice*, 2nd Edition. Toronto: Emond Publishing. (Chapters 12 and 13) **Guest lecture:** Andrea Aitchison, Associate Director, Employee/Labour Relations & Dispute Resolution, McMaster University
Session 9 *Public sector bargaining*	Tue. Mar. 11	**Readings:** Doorey, D., and Braley-Rattai, A. (2020). *Canadian Labour Relations: Law, Policy, and Practice*, 2nd Edition. Toronto: Emond Publishing. (Chapters 15 and 22) **Debate:** Should Public Sector Workers have the Right to Strike?
Session 10 *Charter of Human Rights and Freedoms*	Tue. Mar. 18	**Readings:** Doorey, D., and Braley-Rattai, A. (2020). *Canadian Labour Relations: Law, Policy, and Practice*, 2nd Edition. Toronto: Emond Publishing. (Chapters 16 and 23) **Activity:** Charter Trivia
Session 11	Tue. Mar. 25	***Bargaining Simulation: The County Beer Company***
Session 12 *Bargaining and digital labour*	Tue. Apr. 1	**Readings:** Aleks, R., Maffie, M., and Saksida, T. (2020). "The Role of Collective Bargaining in the Digitized Workplace Reimagining the Governance of Work and Employment." (ed. Pohler, D.). *LERA 2020 Research Volume*. Press, A. (2024). US Unions Take on Artificial Intelligence. Nov. 8th. *Jacobin*. Found at https://jacobin.com/2024/11/union-contracts-artificial-intelligence-workers. **Activity:** Analysis of an arbitration decision (Labourers International Union of North America, Local 183 vs. Aecon Construction & Materials Limited, 2020).
Session 13	Tue. Apr. 8	*Potential makeup class*
		Final exam (scheduled in exam period)