

ACTIVITY HANDOUT
GOALS FOR WORKPLACE HEALTH AND SAFETY PROGRAMS
Option 1

PURPOSE: To identify, compare and contrast management goals and union goals for health and safety in your workplace.

TASKS:

1) In your group, discuss with each other the following:

a. some goals that *management* has for its policies and programs regarding workplace health and safety (why is your management involved in health and safety – what are their goals for this involvement?)

b. some goals that the *union* has for our involvement in workplace health and safety.

2) From your brainstormed lists of management and union goals, as a group, decide on a list of **three (3) KEY management goals** and **three (3) KEY union goals** for involvement in workplace safety and health.

Management Goals

1. _____
2. _____
3. _____

Union Goals

1. _____
2. _____
3. _____

2) Select a reporter who can share these goals with the large group.

Activity Worksheet:
Continuous Bargaining Strategy Exercise (Short)

Purpose: To prepare for continuous bargaining over an issue that is negatively impacting (or could negatively impact) health and/or safety on the job.

Task: Identify a health and safety issue/problem/concern at work that is negatively impacting (or could negatively impact) health and/or safety on the job. As a group, take a few minutes to discuss and respond to each of the four elements of a “continuous bargaining” approach. Select a reporter, and be prepared to share your responses in the report-back session with the larger group.

I. Research and Information Gathering:

What information would you like to have about this issue, problem or concern; and how could you find it?

II. Communicating With/Involving Members:

How could you communicate with and involve your members in a ‘continuous bargaining’ campaign to try to get this issue, problem or concern addressed?

III. Formulating Proposal/Demands:

What do you want management to do, and therefore, what should the union’s proposal(s)/demand(s) be?

IV. Identifying/Exercising Leverage:

What are some things the union could do to put pressure on management, if they don’t meet your demands? (Think in terms of member-involving strategies and escalating tactics.)

Treat It As Continuous Bargaining: Representing Members on Workplace Health, Safety and Environmental Issues

While many unions have contract language on safety and health, and seek stronger language each contract; no contract language can be relied on to solve all the union's safety and health problems. New information on old hazards, recognition of additional hazards, new hazards created by workplace changes (such as work restructuring and new technologies), and employer-sought changes in safety and health rules and programs constantly challenge a union's ability to represent its members on these issues.

The contract often creates important mechanisms such as labor-management safety and health committees that allow for ongoing communication on safety and health. In some cases management would like the union to treat safety committee meetings as pleasant discussions amongst colleagues. But management may also try to limit the involvement of the union to only the monthly meeting. In actuality, every time union and management representatives come together to discuss safety and health issues, a form of bargaining is taking place. "Continuous bargaining" is a powerful approach for the union to use to achieve needed improvements in safety and health.

While on one level labor and management's health and safety goals may seem similar (e.g. management wants fewer recordable injuries; the union seeks a safe workplace); the reality is that union and management approaches to *achieving* those goals can be very different (e.g. management's implementation of practices that discourage workers from reporting injuries vs. the union's emphasis on eliminating hazards that cause injuries and illnesses).

In general, neither party thinks of these labor-management discussions as "bargaining." But some local unions are seeing improved results from their interactions with management on safety and health when they think of these discussions as continuous bargaining, and prepare for them as bargaining sessions – engaging in activities associated with bargaining:

- 1) Selecting the union's bargaining representatives and training them (in union-only sessions) for their roles;
- 2) Understanding the members' issues and concerns using surveys, planning meetings, one-on-one information gathering, etc.;
- 3) Organizing and activating the members to defend their interests and the union's strength in the bargaining process;
- 4) Analyzing the union's (and management's) strengths and weakness given the current bargaining environment;
- 5) Preparing proposals and positions as a committee and approaching management as a united and organized voice;
- 6) Developing a bargaining strategy;
- 7) Caucusing regularly to maintain unity, developing a common strategy and formulating responses to management proposals;
- 8) Demanding that any agreements reached are written, clear and enforceable.

- 8) Preparation for a labor-management safety and health meeting is just as important and should be as well-organized and just as inclusive of members' concerns as preparation for contract bargaining.

A key difference between contract bargaining and labor-management safety committee meetings is the role that union-only meeting time plays in setting the union's agenda, developing priorities and goals and planning strategies for obtaining those goals. While contract bargaining involves regular union-only meeting time before and during negotiations; many unions involved in labor-management safety and health committees often meet only with management and rarely as a union-only committee. Local unions should find ways for the union side of labor-management safety and health committees to meet independently, regularly, to prepare for labor-management meetings.

In the course of continuous bargaining on safety and health, it is crucial to: build involvement and unity within the membership, build the identity of the union, and caucus with union committee members regularly.

Union safety and health committee members can support continuous bargaining on health, safety and environmental issues by:

- surveying members regarding their health and safety concerns;
- developing fact sheets and articles on particular issues to keep members informed;
- making presentations at membership meetings;
- having one-on-one conversations with members;
- analyzing injury and illness data to identify injury/illness trends, hazards and priorities;
- obtaining and reviewing materials on particular hazards
- identifying and documenting health and safety impacts resulting from workplace changes (e.g. increased injuries or illnesses from understaffing, speed-up, mandatory overtime and extended working hours, job combinations, new technologies, work restructuring, etc.) Unions may be able to formally bargain over these changes and/or their impacts.
- identifying strengths and weaknesses of current health and safety training programs; developing union priorities for type and content of training and determining who should provide the training; and
- developing and undertaking strategies that involve our local union members, build the union and make health, safety and environmental improvements.

Remember the four key things unions do to build power when bargaining their collective agreements – and use these elements to build member involvement in the union's safety and health activities and get difficult safety and health problems successfully addressed:

- Research and information-gathering
- Communicating with and involving members
- Developing proposals and demands
- Identifying and exercising leverage

EFFECTIVE SAFETY AND HEALTH COMMITTEES

Today's workers and unions are confronted daily with many health and safety issues and hazards. These range from exposure to toxic chemicals, poor indoor air quality, and unguarded machinery, to problems associated with work organization and work restructuring: understaffing, mandatory overtime, overwork, stress and fatigue. In addition, workplaces often lack comprehensive worksite health and safety programs aimed at identifying and eliminating hazards.

Many unions have formed **health and safety committees** to help the local union deal with health and safety issues in an on-going and effective way. There are two basic types of health and safety committees:

- **Local union health and safety committees**, composed exclusively of union members, and
- **Labor-management health and safety committees**, composed of representatives from union and management.

These are two different kinds of health and safety committees. Both can be very important in efforts to improve workplace health and safety committees.

LOCAL UNION HEALTH AND SAFETY COMMITTEES

Local union health and safety committees primarily investigate health and safety conditions and issues on behalf of the union. They also communicate with the union membership and leadership on health and safety matters, and recommend strategies and actions to improve conditions. A local union does not need contract language to establish a union-only health and safety committee.

Who Serves on Local Union Health and Safety Committees?

Members of the local union health and safety committee are generally appointed by local union officers or elected by the membership. Committee members often represent different departments and/or shifts in a workplace. Some unions have a representative from the local's negotiating committee and/or a local union officer serve on this committee as well. Local unions that have negotiated labor-management health and safety committees frequently have their members who serve on the labor-management committee also serve on the local union's health and safety committee.

Functions of a Local Union Health and Safety Committee:

The local union committee should be involved in several main activities:

1. Identifying current and potential health and safety hazards and problems,
2. Identifying appropriate measures to eliminate or control hazards and problems,
3. Identifying effective union strategies for improving conditions,
4. Assisting the union representatives on a labor-management health and safety committee (if such a committee exists) in identifying union concerns for discussion and resolution by the labor-management committee,
5. Evaluating the effectiveness of control measures put in place,
6. Communicating with and educating union leadership and membership, and building member involvement in the union's health and safety efforts.

With this in mind, some of the specific activities that local union committees can undertake to accomplish these functions include:

- Surveying the membership regarding their health and safety concerns as well as work-related symptoms, injuries, illnesses and stresses.
- Conducting body mapping, hazards mapping and other activities with members to identify and track workplace hazards and their impacts on the membership.
- Conducting investigations of incidents, accidents, illnesses and near-misses.
- Reviewing health and safety-related grievances
- Developing health and safety contract proposals
- Identifying opportunities for mid-term bargaining over safety and health. (Note: Under the National Labor Relations Act and other labor law that tracks the NLRA, unions have rights to bargain during the life of the contract over certain changes management wants to implement, if these changes involve or impact "conditions of work" – including health and safety.)
- Participation in any monitoring of workplace conditions performed by the employer, a consultant or an OSHA inspector.
- Accessing and regularly reviewing information on hazards, monitoring data, incident reports, OSHA 300 logs of injuries and illnesses, workers' compensation records,

health and safety complaints, and summary data from workers' medical examinations (such as hearing test results).

- Accessing and reviewing information on contemplated workplace changes for the presence of hazards. This would include reviewing plans for new equipment, new work processes, new technologies, work restructuring (changes in how work is organized), etc., to see if changes need to be made to protect workers' health and safety.
- Engaging in regular two-way communication with union leadership and membership on health and safety issues.
- Educating union membership and leadership about particular health or safety issues and concerns.
- Identifying priority health and safety issues and recommended solutions to raise with management.
- Assisting with the development of strategies for getting priority health and safety issues addressed.
- Identifying and communicating with area unions, community-based organizations and/or other allies who may be able to support specific campaigns the union undertakes to improve workplace health and safety conditions.
- Filing and following up on health and safety complaints with government agencies. (Note: Some unions, when filing OSHA complaints, involve their members by asking those who are exposed to the hazards specified in the complaint to sign the complaint. Local union health and safety committee members can help collect those signatures.)
- Participating in informal conferences with OSHA and management following a citation for an OSHA violation.
- Following up on any OSHA citation formally contested by management. (Note: The union should file for "party status" with the Occupational Safety and Health Review Commission to give the union rights to be involved in the proceedings. For more information on filing for party status, contact Union Staff and/or the Union's Health and Safety Department.)

- Tracking members' experiences with workers' compensation and return-to-work, and assisting as needed. (Note: Some locals have workers compensation committees that do this. If this is the case, there should be regular communication between the union's health and safety committee and their workers' compensation committee. This is important to assure that the hazards that caused members' injuries and illnesses in the first place are adequately controlled and do not go on to re-injure the worker or injure others.)
- Preparing for labor-management health and safety committee meetings.

Resources Needed by a Local Union Health and Safety Committee

To be effective in their roles on local union health and safety committees, committee members need several things: time, access to the workplace, resources and training.

Time: Union health and safety committee members need time to engage in the activities listed above. Some unions provide lost-time to committee members in order to complete these duties; other unions have negotiated contract language providing time to union health and safety committee representatives to engage in these functions. Unions that are just starting a union-only committee may begin by encouraging committee members to meet at lunch or break time to discuss ideas and begin a planning process for investigating and solving problems.

Access To The Workplace: Ideally, union health and safety committee representatives should have regular access to the workplace (on all shifts) to speak with members about health and safety issues and concerns, investigate problems, and conduct incident and accident investigations. Some unions have secured such access via contract language.

Access to Resources: In order to stay on top of legal, technical and strategic information regarding workplace health and safety, local union health and safety committee members should have a basic library of health and safety texts and materials, access to the internet and to a list of resource individuals and organizations to help understand problems, solutions and strategies. Some union halls have set aside a space with a library and computer for use by the union's health and safety representatives. (Note: the USW Health, Safety and Environment Department can help identify specific resources for the library, internet resources and other information.)

Access to Training: Union health and safety committee members need access to health and safety training, including union-only training and education. Local unions can arrange this training through their District and the USW Health, Safety and Environment Department. The training should cover issues related to "traditional" hazards (for

example, toxic chemicals, unsafe equipment); hazards associated with how work is organized or being restructured (like hours of work, staffing levels, work load, work pace); and strategies for building leverage and winning improvements.

LABOR-MANAGEMENT HEALTH AND SAFETY COMMITTEES

Labor-management health and safety committees are most often established by contract language. They provide a forum for unions and management to interact on health and safety issues and problems and to work on improving safety and health conditions at the workplace. These committees include representatives from both labor and management, and usually meet on a regular basis (such as monthly).

Some labor-management committees have been very effective in identifying and addressing certain health and safety problems on an on-going basis. Other labor-management committees are less effective in solving health and safety problems.

The next section includes a list of questions regarding labor-management health and safety committees. The more “yes” answers, the more likely a committee is to be effective in addressing health and safety problems in a workplace.

Questions to Ask About Labor-Management Committees:

1. Does the union have at least as many members serving on the labor-management committee as management?
2. Does the union have the sole right to select the union members of the labor-management committee? (Note: Under the National Labor Relations Act and labor law that tracks the NLRA, it is unlawful for an employer to “dominate” a labor-management health and safety committee where there is back-and-forth “dealing” and discussion of health and safety issues. Among other things, employers are prohibited from selecting bargaining unit members to serve on workplace or departmental health and safety committees or teams.)
3. Are there union and management co-chairs of the committee?
4. Are the management members of the committee senior enough to make real decisions that cost money?
5. Can the committee make decisions and put them into effect?
6. Does the union have an equal say in establishing the labor-management committee’s agenda and priorities?

7. Can the committee make inspections of the workplace?
8. Can the committee shut down unsafe jobs?
9. Does the local union regularly monitor the effectiveness of the committee in dealing with the issues raised by the union?
10. Does the committee have regular access to information on safety and health kept by the employer (such as OSHA 300 Injury and Illness Logs; records of medical testing and exposure monitoring; material safety data sheets; proposed or planned changes in technologies, work processes or work organization that could impact job safety and health)?
11. Do committee members have the right to take samples in the workplace and carry out simple monitoring?
12. Do union members of the committee receive lost-time pay for carrying out their functions and for receiving union-selected training?
13. Do the union representatives serving on the labor-management committee meet prior to each labor-management meeting to review and prioritize concerns, plan for the meeting and identify leverage (including member-involving strategies) that will encourage management to address particular issues they may be reluctant to address?
14. Has the union been able to negotiate contract language that requires the employer to pay lost-time for these regular, union-only meetings?
15. Do labor-management committee agendas regularly include time to identify current (or continuing) problems, appropriate solutions, who will be responsible for implementing the solution, and deadlines for action to be taken on each problem?
16. Are union members serving on the labor-management committee involved in planning and/or presenting in-service health and safety education for workers, including health and safety orientation of new workers?

Sometimes specific contract language can be developed and negotiated to ensure a “yes” answer to the questions above.

Some labor-management health and safety committees have established sub-committees to deal with specific issues such as ergonomics. It is important that the union view these sub-committees in the same way they view the larger labor-management health and safety committee and apply the same guidelines for ensuring these sub-committees' effectiveness.

To increase the effectiveness of a labor-management health and safety committee, it is important for the local union's own health and safety committee (which in most cases will include the union's representatives to the labor-management committee) to:

- meet regularly to plan for the labor-management meetings,
- be in regular contact with the local union leadership and membership,
- involve members in strategies to improve workplace health and safety.

Functions of a Labor-Management Health and Safety Committee

A labor-management health and safety committee should have the following responsibilities:

- Identifying current and potential health and safety hazards and problems,
- Identifying appropriate measures to eliminate or control hazards and problems,
- Getting recommendations acted upon, and
- Evaluating the effectiveness of control measures put in place.

Some of the specific activities that labor-management health and safety committees can undertake to accomplish these functions include:

- Reviewing all information and data (like OSHA 300 logs, incident reports, complaints, workers compensation data, monitoring results, inspection and walk-through reports, etc.) to identify problems, hazards and trends;
- Investigating incidents, illnesses and near-misses;
- Reviewing information related to contemplated workplace changes for the presence of hazards, and
- Tracking the effectiveness of hazard control efforts.

Union members serving on labor-management health and safety committee members will also need time, access to the workplace, access to resources, and access to training (including union-only health and safety training) to effectively carry out their functions.

HEALTH AND SAFETY AS A UNION ISSUE

Health and safety issues should not be seen as the sole concern of the union members who serve on either the union's safety and health committee and/or the labor-management health and safety committee. These issues are also the concern of the local union's leadership, stewards and members.

Bargaining Health and Safety Language in the Contract

Many of the decisions made by the union's negotiating committee will impact safety and health issues, and union health and safety committees will be regularly identifying issues that can best be dealt with by securing contract language in the collective bargaining agreement. It is important that there is effective communication between union representatives serving on the health and safety committees and the union's bargaining committee regarding health and safety issues, to assure a coordinated effort.

Effective Communication with the Union's Leaders and Members

Regular, two-way communication between members who serve on health and safety committees and the union's leadership and membership is essential. One of the major tasks of any union safety and health committee is to keep leaders and members fully informed and educated. Regular newsletters, meetings, published minutes and personal contact are necessary to assure that this is done. In addition, there should always be ways for the membership to communicate their concerns and ideas to the union's health and safety representatives.

Building Union Strength

Health and safety is a good vehicle for involving members in the union. Involving members in health and safety increases the union's power in winning workplace improvements. It also helps build the general strength of the union. The stronger the union, the better it can take on and win safer workplace conditions. The more that unions take up health and safety issues in member-involving ways, using union-building approaches, the stronger the union will be.



United Steelworkers Health, Safety & Environment Department

Draft Code of Conduct for Union Members Involved in Labor-Management Health and Safety Committees

Many local unions have had years of experience with labor-management health and safety committees. Gains in workplace health and safety have resulted from having such a committee where the union can raise and discuss its concerns. In some cases, however, management has used these committees to stall, redirect attention away from union concerns, and limit progress in addressing union issues. Every local union member participating on a labor-management health and safety committee should be aware of the pitfalls of these committees, and what he or she can do to best represent and pursue the interest of the union and its members.

This is a draft code of conduct for union members who are involved in labor-management health and safety committees and activities. Note that this code is not much different from what we would expect of a union member in other settings – especially when union members are engaged in any type of discussion with management.

Many consultants in the labor-management field have tried to convince unions that we are in a new era – a new period of history – and that the code of conduct for us as union members therefore has to be different. They focus on “trust,” “listening,” “respect in meetings,” and “looking out for the needs of everyone.” But despite all the rhetoric, there are certain basic union values, and a code of conduct that goes with them, that cannot be abandoned.

The following are ideas for that code of conduct as it relates to union members serving on labor-management health and safety committees.

1) **Always remember that a union approach to health and safety that is different from a management approach to health and safety**

Union approaches to health and safety recognize that workplace injuries and illnesses are caused by exposure to hazards, and that the goal of all health, safety and environmental efforts must be to identify and eliminate or reduce hazards. Management approaches often blame those who are exposed to hazards – the workers – for job injuries.

A union approach views health and safety hazards as anything in the workplace that can damage a worker’s physical or emotional health – including toxic chemicals, unsafe equipment, poor ergonomic job design as well as understaffing, long work hours, speed-up, heavy work load, rapid work pace and other work organization issues. Management generally seeks to limit the definition of health and safety and often resists, for example, dealing with the health and safety impacts of how work is being organized or restructured.

Union approaches support the “hierarchy of controls” in hazard control and prevention, which promotes hazard elimination or engineering controls over the use of personal protective equipment. Management approaches often promote the use of personal protective equipment as the preferred way of addressing workplace hazards.

These differences are reflected in everything from how health and safety problems are defined, to the solutions that get promoted. Union representatives on labor-management committees must pursue union-advocated solutions to the problems that the union has identified and defined.

- 2) **When in labor-management meetings, stick to the union agenda. If you are not sure what the union agenda is or how to respond to something that management is saying, call a caucus or wait until the next break.**

It is important for the union representatives on labor-management committees to act together when dealing with management. This means that significant disagreements should be saved for caucus rather than being aired in front of management. All union representatives should aggressively pursue the union agenda. If the discussion moves to something that the union is not prepared for, a caucus should be called or the issue should be tabled.

Remember that the only way to adequately prepare our agendas and strategies for the labor-management meeting is to hold union-only health and safety committee meetings at least as frequently as labor-management meetings. This means that all local unions should have functioning local union health and safety committees.

- 3) **When in caucus, talk about all your hesitations, concerns, etc.**

While it is important to work together when in meetings with management, it is equally important that any disagreements be aired in caucus. People should feel free to raise issues and concerns in caucus; in fact, they should see this as their responsibility. This is the only way to build unity of action.

- 4) **Evaluate all proposals and ideas for their impact on the members and the union, and do not endorse “solutions” that can hurt members and the union**

It is critical that ideas, proposals and activities be evaluated for their impact on the members and the union in both the short and long term. This takes more time than simply looking at “how it affects us today.” There are ways to fix one problem that can create other problems for the members or for the union.

- 5) **Report to the union on all labor-management safety and health committee meetings and activities, and don’t keep secrets with management**

The union cannot act in a unified manner if it doesn’t know what is going on. It is therefore important for union participants on labor-management committees to regularly communicate with the union leadership about what is going on in their workplace-wide or department-wide labor-management health and safety committee meetings. Don’t keep secrets with management. Frequent, full and open two-way communication and discussion with union leadership and membership is the only way to keep things on a union track, and build the

support needed to take on and win health and safety improvements that management may be resisting.

6) No involvement, direct or indirect, in disciplining other members

There are many ways, besides the formal discipline procedure, for members to be involved in disciplining other members. Management may ask for union buy-in into policies that involve disciplining, drug testing or counseling workers when they report an injury or accident. These policies do nothing to make workplaces safer – they drive down injury reporting and punish workers rather than identify and correct hazardous workplace conditions.

Behavior-based safety programs can result in members being identified for engaging in “unsafe acts,” sometimes resulting in discipline. In addition to promoting the disciplining of our members, these types of programs can also create divisions within the union. Union representatives should oppose “blame-the-worker” safety programs and advocate for a comprehensive worksite safety and health program that emphasizes finding and fixing hazards.

7) UNITY

This cannot be said too many times or in too many ways. Building unity with union members (within and outside of the health and safety committees) must always be on the minds of any union representatives serving on labor-management health and safety committees.

8) Take good notes

As part of keeping an overall record, and to serve the strategic process, it is important that there is accurate reporting of committee meetings and activities. Never rely on management to keep the only minutes of a meeting.

9) Never go into any discussion alone

You can't be a union if you are by yourself. We should always try to make sure that when we are in discussions with management, there is at least one other union member present. This helps build the presence of the union, it allows us to demonstrate unity and it gives more than one union “head” to generate ideas and evaluate actions.

10) Ask for help when you need it

No one union health and safety committee member knows everything about the health and safety concerns in their workplace. However, when we communicate with each other, involve the members, local union leadership, and international union staff, solutions can be developed that will address health and safety hazards while involving membership and building the union.

This list is a draft that can be added to or changed. But when your local has done that, let us know about your suggestions as well as print up the finished product, post it around the union hall and make sure that all our members who are involved in labor-management health and safety committees have a copy and know what is expected of them.

Effective Labor-Management Safety and Health Committees: Watch Out for These Pitfalls

Three serious deviations from Best Practices for Effective Labor-Management Safety and Health Committees

1. The

Deep, Dark Hole

A labor-management committee might have good discussions of health and safety problems and even discussions of possible solutions that would address identified hazards. But if nothing changes, if there are no real resolutions to identified problems coming out of these discussions, then the labor-management committee is little more than the deep, dark hole where health and safety problems go; never to be heard from again and never being resolved.

2. The Fix-it Committee

If a labor-management committee's meetings primarily deal with lists of maintenance jobs (repairs, etc.) and a discussion of which were completed and arguments over which were not, that committee is missing the boat on many other significant aspects of health and safety and improving conditions in the workplace. Mechanical repairs are important, but they should be done routinely (not saved for committee meetings). Discussion of lists of pending repairs should not dominate labor-management committee time and discussions.

3. The Employer-dominated Committee

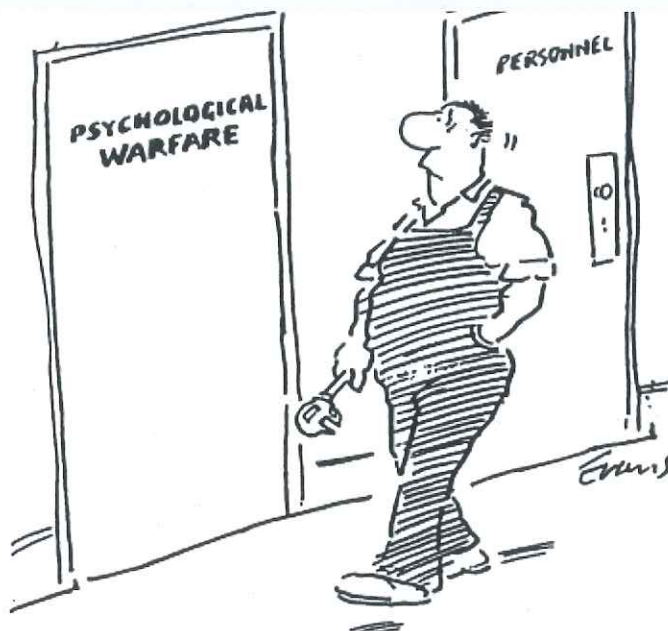
It is actually a violation of the U.S. National Labor Relations Act (NLRA) for an employer to dominate a Labor-Management Safety and Health Committee. Employers:

- Must not choose bargaining unit members to serve on these committees (nor ask for volunteers);
- Must not unilaterally establish or disestablish these committees; and
- Must not unilaterally set the agenda, run the committee meetings, determine the length and times of when the committee meets, etc.

How to 'Act Like a Union' on a Labor-Management Committee

August 01, 2014 / Charley Richardson [enlarge](#) or [shrink text](#) [login](#) or [register](#) to comment

1130 100



Managers use all kinds of tricks to break up union solidarity on labor-management committees. Never forget that management's goals and the union's are distinct. Drawing: Phil Evans.

Union members sit on labor-management committees on training, health and safety, technology, and a host of other issues. Labor educator Charley Richardson wrote "Representing Your Co-workers" for the Maine State Employees Association as a guide to "acting like a union" on these committees.

After Richardson's death in 2013, many of his materials were archived at charleyrichardson.org—including, with MSEA's permission, this guide. The following principles are excerpted from it.

Labor-management committees can be a critical part of the union's strategy for representing the members. They can be an additional arena for union activity and a mechanism for representing members' interests as new issues arise. They can help officers keep in touch with members around critical issues.

On the downside, L-M committees can also be a way for management to appear to listen without actually doing anything and to tie up issues in endless "investigation and discussion."

The key to using L-M committees is a "**continuous bargaining**" approach. The union should approach every meeting of the committee with the same mindset and habits that it would bring to contract bargaining, never forgetting that management's goals and the union's are distinct.

Committee members should act as a group rather than as individuals, and keep the members' needs—not supposed mutual needs—in mind at all times.

WHO IS ON THE COMMITTEE?

One traditional approach is to put tough or “adversarial” people on the union’s bargaining team but to look for more “cooperative” people to serve on L-M committees. But what should be happening in L-M committees is also bargaining.

Words Matter

How you think of yourself and present your role on the L-M committee is important to how you act, and how others think of you and of the process.

Do you introduce yourself saying “I am a member of the L-M committee” (an individual approach) or “I am a union representative on the L-M committee” (a collective or group approach)?

In the guide, we use the term “labor-management committees” rather than “joint committees.” In a L-M committee, the two parties are still identified as separate entities. Joint, on the other hand, implies a merger of two groups into a single committee, and a loss of union identity.

So the skills required for such a committee include the full range of skills you would need on a bargaining team. You need people who are tough and skeptical as much as you need people who know how to figure out compromises. You need people who are good at numbers and analysis and others who know how to take notes. You need people who are good listeners and you need to be connected to the rank and file.

The union should always choose its representatives. Not volunteers, not “jointly” chosen by union and management, not chosen by management. And the union must have the right to remove committee members who are not representing members’ interests.

Union representatives should not see themselves as individuals bringing their individual perspective to the discussion, but rather as **part of the union’s team**. This means that the union members on a committee work collectively, gather their ideas while in caucus, and present them to management in a unified fashion.

Any disagreements or differences among union representatives need to be dealt with outside the L-M meeting.

Members of the union team need to understand that individual action or disagreement in front of management simply isn’t acceptable. If a dispute among union representatives cannot be resolved, the larger union structure must be brought in.

Developing internal ground rules or a code of conduct for union participants can help set members on the right track.

Caucusing is critical. Key is a commitment to pre-meetings before every joint meeting and a sum-up and discussion of next steps afterward. Questions should include: How did the meeting go? How could we improve our approach?

What are the barriers/problems we are facing? How are we going to move things forward?

In many L-M settings, caucusing is discouraged either directly or indirectly. It is often seen as a sign of “failure.” But we have a different view.

Caucusing is a fundamental union activity, like breathing. It is part of who we are as a union. To ask unions not to caucus is to ask them not to be unions. The caucus should be seen by the management representatives as a natural part of the discussion.

We recommend regular caucusing, both to keep the union representatives on the committee united and to remind management reps that they are dealing with a union.

If management objects to caucusing, some possible responses:

- Meet prior to the meetings regardless of what management says

- Meet in the parking lot and walk into the meeting together
- Call a caucus as soon as the meeting starts
- Take up the issue with higher levels of the union and of management
- Hand out a leaflet to the members with a headline like “What are they afraid of?”

SOME TRICKS AND TRAPS

Watch out for these subtle techniques management uses to push us away from “acting like a union.”

Brainstorming. In union-only settings, brainstorming is a good way to gather ideas. But in a L-M setting, brainstorming is anti-union because:

- it has the union representatives acting individually rather than collectively
- it has them presenting ideas before they have a chance to evaluate the ideas for their impact on the members and on the union
- it allows differences among union representatives to be aired in front of management
- it blurs the distinction between union and management.

Possible response to a call to brainstorm: “We’re going to go into caucus and gather our thoughts.”

Management chooses what to talk about, and it’s usually the less important items. The agenda for a meeting should be negotiated, not imposed by one side.

You can come to an agreement that each side can put one item on the agenda. Once those items are dealt with, new items can be added with union and management alternating.

“We only have a half-hour.” Meeting schedules should be agreed in advance and be long enough to deal with issues substantively. If management tries to limit the time, the union could caucus and use that time to plan a strategy for getting the meetings to be longer and more productive.

The wrong people are at the meetings. Often management sends people to meetings who have no power, thus tying up union reps and ensuring nothing is accomplished.

The union can insist that the people with decision-making authority be in the room, or revisit whether the committee is worthwhile.

They change the subject. The agenda should be agreed to and managers should not feel they can act unilaterally.

The union has to stick together in demanding that management stick to the agenda. If even a single union representative is willing to respond to management changing the subject, it will be very difficult to move them back

Managers insist on sitting with union and management interspersed. As unions, we draw our strength and identity from collective presence and collective action. Anything, including scattered seating, that undermines this sense of collectivity also undermines union strength.

Insisting on sitting together, like insisting on caucusing, should not be seen as a hostile act. If managers don’t want us to sit together, they are sending a clear message that they don’t want us to act together—that they don’t really want a union in the room.

Go to charleyrichardson.org for the full guide as well as fact sheets, articles, and other resources to help build union voice and power. - See more at: <http://labornotes.org/2014/08/how-%E2%80%98act-union%E2%80%99-labor-management-committee#sthash.LwIN7ch7.jsgkkzU7.dpuf>