

**Labor-
Management
Committee**

BASICS



**A Guide for
Establishing and
Maintaining
Labor-Management
Committees**



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**NYS
& CSEA
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Earlier editions of this publication were produced by the NYS and CSEA Labor-Management Committees (LMCs). The publication is now being produced by the **NYS & CSEA Partnership for Education and Training (Partnership)**. The Partnership represents the recent merger of three organizations: the NYS and CSEA Labor-Management Committees (LMCs); the Clerical and Secretarial Employee Advancement Program (CSEAP); and the Labor Education Action Program (LEAP).



This guide is based on questions often raised by labor and management regarding cooperative efforts in the workplace.

CSEA leaders and New York State managers who are interested in forming a labor-management committee will find several successful practices of committee operation outlined in this guide. It will also serve as a resource for those who are interested in strengthening the operation and effectiveness of an existing labor-management committee.

Labor-Management Committee BASICS is intended as a primer. As such, it provides readers with the fundamentals of committee operations. We respect the fact that each committee is unique in its history, development and membership, and using this guide is only one means toward achieving effective relations. It is our hope that BASICS, complemented by experience and training, will help joint committees achieve the objectives of enhancing work life quality and worksite effectiveness that the parties desire.

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The Labor-Management Institute was established in 1984 and is a program of the NYS & CSEA Partnership for Education and Training. It has trained over 7,000 CSEA-represented employees and supervisors in Contract Administration Workshops. The Institute is committed to fostering a spirit of cooperation between labor and management. More than 300 labor-management committees have participated in the Institute's Committee Development Program.

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Labor-Management Cooperation

Historically, the interests of labor and management were very different. Agreements, or labor contracts, often followed lengthy, adversarial negotiations and sometimes, brutal confrontation. The portrayal of this early period in labor history has left an indelible image in our minds of permanently embattled, bitter relations between the two sides.

While the parties' interests are not identical, today labor and management increasingly recognize that they have the ability and common desire to resolve many workplace issues in a non-adversarial manner. New York State and CSEA have taken the lead in developing and promoting cooperative approaches to resolving workplace issues.

Historically the interests of labor and management were very different.

The result has been the formation of statewide labor-management committees in most NYS agencies and many local worksites. These committees have been responsible for the development of significant innovative programs that enhance employees' quality of work life and worksite effectiveness.

In New York State, the importance of cooperative relations between the parties is evident in:

- **The Taylor Law**, passed in 1967, which established the right of NYS employees to organize collectively and negotiate. The purpose of the law is "to promote harmonious and cooperative relationships between government and its employees."
- **Article 31 (DMNA Article 25) of the NYS/CSEA Agreements**, which provides for labor-management committees as a "forum to discuss and attempt to resolve matters of mutual concern."

■ **The success of labor-management committees** in responding to quality of work life issues affecting CSEA-represented employees in New York State. Over the past decade, joint committees at all levels have developed innovative responses to the needs of a changing workforce.

The authority for the joint committee rests in the Agreements between CSEA, Inc. and New York State. Article 31 (DMNA Article 25) in each of the bargaining unit Agreements explicitly provides for the establishment and use of labor-management committees for resolution of worksite issues.

Today the parties recognize their common ability and desire to resolve many issues in a non-adversarial manner.

Article 31 (DMNA Article 25) also empowers labor and management to enter into local agreements. This means the parties have the power to "commit any mutually resolved issues to writing in correspondence or memoranda of agreement."

The parties sometimes look upon the Agreement as all inclusive, and therefore, there is little that a joint committee might legitimately consider. This is far from the truth. There are many worksite issues that are within the purview of joint committees. Moreover, it is important to keep in mind that the Agreements themselves stipulate a number of issues for which the labor-management committee process is regarded as the appropriate vehicle for resolution.

New York State agencies and facilities are complex and differ from one another in their mission as well as their workforce composition and needs. An effective resolution of an issue for one facility might be ineffective or even inappropriate for another. A strength of the joint committee process is that it enables both sides, at the local level, to resolve issues in ways that reflect the unique interests and resources of a particular worksite.

The table below lists some contract references regarding areas where a labor-management committee is an appropriate vehicle for developing local agreements. Keep in mind, however, the parties are free to bring a broad range of issues to the table for mutual discussion and resolution.

There are only two criteria that affect what the parties can discuss: the parties must have the authority to resolve the issue at that level and the resolution to which the parties agree cannot contravene (go against) the terms of the statewide Agreement. With respect to the latter criterion, the labor-management committee process is not a substitute for the contract or the entitlements of the parties embodied in the Agreements. However, the committee process should be viewed by the parties as an additional forum where they can cooperatively resolve issues and proactively respond to worksite concerns.

Sample Agenda Topics From Existing Labor-Management Committees

- Call-out procedure during snow and ice season
- Installation of exhaust fan
- Shift coverage in community residence
- Water testing at worksite
- Establishing flex-time
- Posting job openings and Civil Service tests
- Identification of training needs

Select Contract References to Local Agreements

Topic/Issue	ASU	ISU	OSU	DMNA
Bulletin Boards	Art. 4.3(b)	Art. 4.3	Art. 4.3	Art. 4.3
Distribution of Overtime		Art. 27		Art. 19.1(a)
Labor-Management Meetings	Art. 31	Art. 31	Art. 31	Art. 25
Posting of Examination Announcements & Job Vacancies	Art. 45			
Safety and Health Local and Departmental Committees	Art. 15.3	Art. 15.3	Art. 15.3	Art. 15.3
Seniority Pass Days		Art. 44.3		
Vacation Scheduling		Art. 10.4	Art. 10.6	
Vacation Use		Art. 10.5		
Work Location, Shift and Pass Day Assignments			Art. 50	Art. 27.4
Workday/Work week	Art. 32	Art. 32	Art. 32	
Written Requests for Leave		Art. 10.12		

References are to 1999-2003 NYS/CSEA Agreements and are provided for example only. Readers are advised to check subsequent bargaining unit Agreements for any changes.

Committee Organization

Taking the First Step

A labor-management committee can be initiated by labor or management, or jointly by both parties. Sometimes the idea is generated in a worksite challenged by frequent disputes and confrontations between labor and management. At other times, interest in forming a committee might arise in a worksite characterized by a long history of amicable labor-management relations.

The important thing is that both sides agree that a cooperative forum for resolving some workplace issues would be worth their investment of time and resources. Keep in mind: the parties don't have to "like each other," but they do have to respect the legitimate authority of both sides and believe that cooperation is possible.

Types of Committee Organization

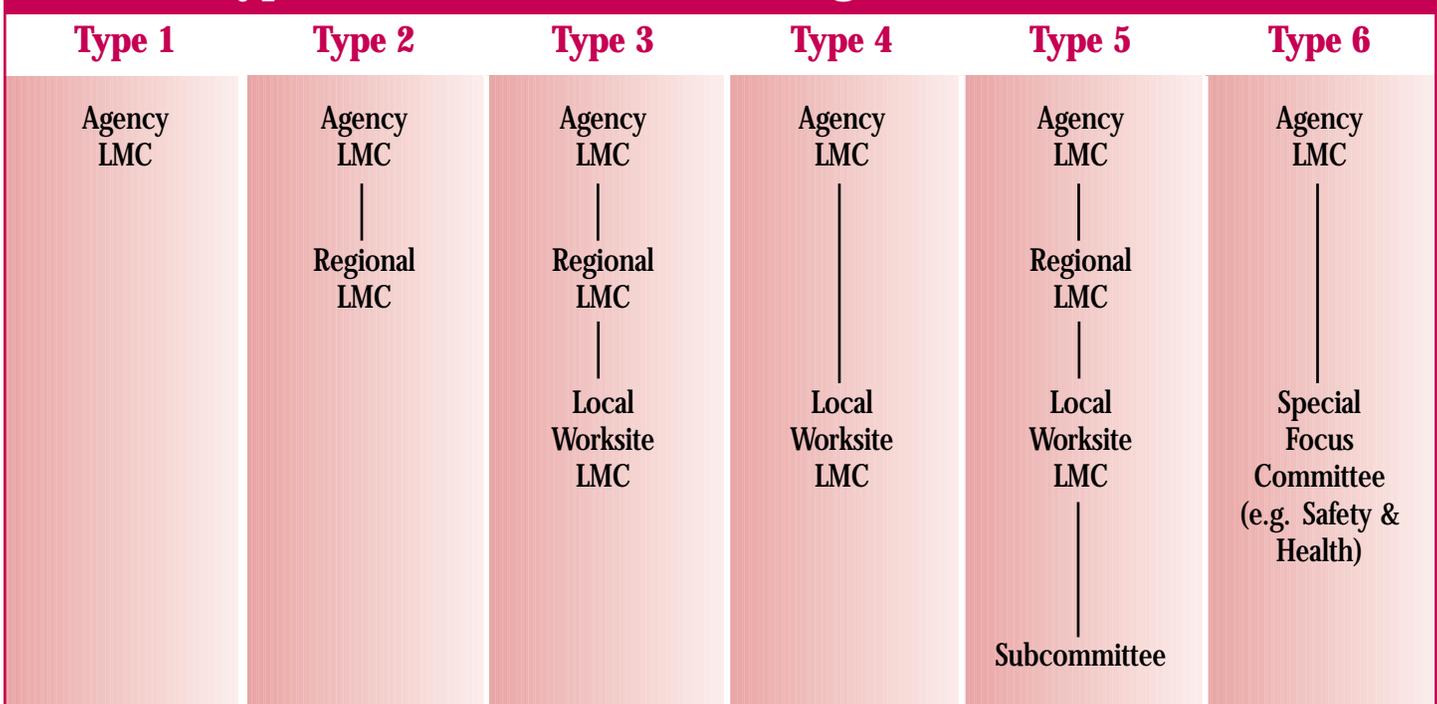
Labor-management committees can be organized in several ways. The particular structure of any committee depends on several factors, including

the size, relative centralization of the agency or worksite, and composition of the workforce that is to be represented. Committees can represent a local worksite or be regional or statewide in membership. The diagram below illustrates the different ways in which NYS/CSEA Labor-Management Committees are structured.

Typically, committees have approximately the same number of representatives on the labor and management teams. At the local level, committees usually range in size from eight to ten members. Statewide and regional committees are usually larger. The main point with respect to size of a committee is that it not be so large that effective interaction among members is hampered.

The local CSEA president and manager at the worksite or facility serve as co-chairs of local committees; their respective counterparts co-chair regional and statewide committees. The co-chairs are equally responsible for organizing and facilitating committee meetings and ensuring that committee decisions are documented and carried out.

Types of NYS/CSEA Labor-Management Committees



Setting Ground Rules

Once the parties agree to form a joint committee, there are several matters that should be considered before the committee meets for the first time. Namely, size and composition of the committee, meeting schedule, and how committee decisions and actions will be recorded.

Simultaneously, the labor and management teams should consider the kind of representation that would be most appropriate for its own side. This is especially important where employees/members are located across more than a single worksite and/or there are multiple bargaining units represented in the workforce.

Teams also need to decide how representatives will be selected, and what process they will use to solicit ideas from the employees or membership. At the local level, the senior manager and local CSEA president generally appoint members to their respective teams.

Operating Agreements

Eventually, many of these issues of committee composition, minutes, and guidelines for soliciting agenda items should be incorporated into a committee operating agreement that is prepared and signed by both parties.

An operating agreement describes the purpose of the committee and formalizes how the committee will function. It establishes the objectives and ground rules, or operating procedures, of the committee. It is an important document, and committees will benefit from taking the time to develop the agreement early in the life of the committee, and then periodically review it to see whether the rules or objectives need to be modified.

Operating agreements help provide for the consistent operation of a committee over time, and are a basis for accountability of members. In addition, because it is a public record, others in the workplace can see what the agreed-upon policies and procedures are regarding the joint committee. A sample operating agreement is provided in Appendix A.

All operating agreements should include a preamble, policies and procedures, term of the agreement and be jointly signed. It is essential to

Decisions That Should be Made Before the First Meeting

- How large should the committee be?
- How many representatives should each side have on the committee?
- When and where will the first meeting be held?
- What kind of record of committee decisions will be kept and by whom?

bear in mind, however, that agreements are really unique documents and should reflect the characteristics and conditions of the particular worksite or facility represented by a joint committee.

Recording Committee Decisions

Once a committee has reached a decision and agreed to undertake an action, it is important that it be documented. The most common way to do this is to record decisions in the meeting minutes, which are then distributed throughout the workplace. For some issues, it may be additionally appropriate for the parties to record their joint decision in a Memorandum of Agreement (MOA). Whatever method is used, agreements that result in a significant policy or procedure are commonly called “local agreements.”

The steps used to develop an operating agreement serve as a model for preparing minutes and MOAs. Both parties should identify the topics to include: draft desired language, review and complete the language, type and jointly sign. Both operating agreements and memoranda of agreements should be kept on permanent file by the parties and distributed to appropriate individuals in the workplace.

Committee Process

Responsibilities of the Parties Before, During and After Meetings

When people think of labor-management committees, they usually focus their attention on the committee meeting. While the meeting is the central part of the process, it is more useful to think of the labor-management committee as part of an ongoing process.

Committee members have important responsibilities throughout this ongoing process — before, during and after committee meetings. Without these responsibilities being carried out, meetings would quickly become ineffective and useless.

Co-chairs may wish to use the following outline of the committee process and responsibilities of committee members as a checklist of the basic tasks that should be completed during each stage of the process.

Committee Meeting Process		
Before the Meeting	During the Meeting	After the Meeting
<ul style="list-style-type: none"> ■ Each team (CSEA and management) identifies issues and decides appropriateness for labor-management committee discussion. ■ Teams review and research proposed agenda items. ■ Co-chairs meet to set agenda. ■ Each team holds a preparatory meeting. 	<ul style="list-style-type: none"> ■ Committee reviews old business agenda items. ■ Discuss new agenda items. ■ Committee establishes action plan and follow-up steps (who, what, when). ■ Refer unresolved issues to other forums as appropriate. ■ Take minutes. 	<ul style="list-style-type: none"> ■ Teams “debrief” by reviewing what happened and what could have gone better. ■ Co-chairs review and approve minutes for distribution. ■ Inform employees and appropriate others of committee decisions and agreements. ■ Implement decisions and agreements. ■ Monitor and evaluate committee actions.

Labor-Management Committee Skills

At all stages of the labor-management committee process, three skills are essential: communication, problem-solving, and conflict resolution. Communication refers to how we present issues and listen to the issues of the other side; problem-solving refers to the steps used to identify and analyze issues and proposed solutions; conflict resolution refers to the strategy or method used by committee members when there are differences.

Communication

Communication involves sending and receiving messages — in other words, presenting one's own views and listening to the views of others. Presenting and listening skills take on special significance in labor-management committees. Effective communication is based on the ability to state clearly and concisely one's own interests regarding agenda issues in a way that is accurately understood by others. At the same time, one must be able to recognize and understand the interests of others.

The Three “Ps” of Communication

Before, during and after committee meetings, good communication techniques focus on three basic questions:

1. What is the **purpose** of the communication?
2. Who are the **players** who should be involved in the communication?
3. What **processes**, or methods, for communication should be used?

Three skills are critical to effective labor-management cooperation:

Communication, problem-solving and conflict resolution

Before the Meeting

The primary *purpose* of communication at this stage is to decide what the issues are and to agree on a clear specific statement of the problem(s).

Who are the *players*? Everyone has a stake in identifying issues at this stage. Players are the co-chairs and team members, as well as others including union members, managers and supervisors who are affected by the issues that will be presented to the committee for resolution. The players may also include other work units in the agency or the community.

What *processes* can or should be used to communicate about issues? Initially, ideas for the meeting are often obtained by word of mouth or casual conversation. Eventually “getting it in writing,” however, will help promote a clearer and more consistent definition of the issue.

During the Meeting

The primary *purpose* of communication at this stage is to understand the needs or interests of all the parties in resolving the issue. This includes identifying, evaluating and selecting the solution(s) that meet these needs.

The *players* include committee members and expert or resource specialists when appropriate.

The *processes* of communication at this stage include brainstorming, evaluating and setting priorities, cause and effect analysis and planning.

After the Meeting

The primary *purpose* of communication during this stage is to document decisions and to inform appropriate individuals outside the committee of those decisions.

Before presenting your issue to the other side, ask yourself...

- What needs of labor or management would be met by resolving the issue? What's in it for us? What's in it for them?
- Who are the key decision makers? How will they respond to the issue as we present it?
- Have we clearly documented the problem so both sides can focus on the issues rather than the personalities?
- What are all of the options and how does each meet the needs or interests of the parties?
- How will the solution we agree upon affect the long-term relationship between the parties?

The *players* include all affected parties, such as employees, members, supervisors, various division, regional or central office managers and CSEA officials.

The *process* includes distributing committee minutes, formalizing agreement in MOAs, holding small work group meetings or employee assemblies, disseminating newsletters, and posting minutes.

Presenting and listening are two sides of skillful communication. It has often been said, "But we have told them what we want, they just don't hear us." To be effective, issues must be clearly expressed so that the other party can understand or "hear" what is being communicated. To accomplish this, issues need to be presented in terms of the interests each side has in resolving the issue.

Learning to present agenda issues in terms of the interests or needs of the parties isn't easy to do at

first. After all, labor and management share a common history in which they regarded one another as adversaries and often "communicated" by way of demands. The shift away from adversarial to cooperative relations requires that the parties develop new skills in presenting and listening.

These new presenting skills mean that the parties' interests and needs are incorporated in the way an issue is framed and presented. Similarly, new listening skills mean that the parties "hear" more than the facts surrounding an issue. The other side's interests and needs as they relate to the problem being discussed are an integral component of the message.

The skills of a good communicator include the following characteristics:

- Remain neutral. Do not give advice, criticize or interrupt.
- Give your complete attention.
- Clarify what you hear.
- Ask "W" questions: who, what, when, where. Ask questions that make the other side go deeper or provide more detail. Ask for specific examples or explanations.
- Ask "suppose" questions to broaden discussion. For example, ask "Suppose we...?" or "What if...?"
- Put their feelings into words. This affirms the appropriateness of feelings and helps members moderate any inappropriate emotional outbursts.
- Seek mutual resolution or agreement. Summarize what you heard and attempt to agree on a common statement of the problem before considering next steps.

A final note on good communication techniques is warranted. There may be times when one party raises an issue that the other side feels it cannot discuss at that time. This should not be a routine response, but when it occurs, it is important that an explanation for needing to postpone discussion be given. It may involve confidentiality or legal matters. More time might be needed to research the issue before responding. Whatever the reason, state it so that the lack of immediate response is understood and does not get in the way of discussing other issues on the agenda.

Problem-Solving

The second critical skill for committee members is problem-solving. Problem-solving is usually most effective when it is carried out in a series of steps. As a structured process, it is a skill anyone can learn and apply to a wide range of issues. Training and practice are important.

The structured process used by labor-management committees goes beyond gathering data and documenting or researching issues. What makes the joint committee problem-solving process unique is the commitment by the parties to identify their own and the other's interests and needs with respect to the issues they attempt to resolve. The importance of

What makes the problem-solving process used by committees unique?

spending sufficient time at the outset on defining the parties' interests and needs cannot be overemphasized. The ultimate success of a committee decision is directly linked to this early stage of the problem-solving process.

There are nine basic steps in the problem-solving process, beginning with identifying the problem and concluding with monitoring and evaluating the actions agreed upon by the parties. Each of these nine steps is explored in detail in Appendix B.

Effective labor-management committees know and use this problem-solving process. Initially, a new committee might find the steps cumbersome. When confronted with an issue, people often want to "fix" the problem as quickly as possible and then move on to other concerns. Beware of the quick fix!

Success in problem-solving isn't measured only by the number of problems solved or the speed with which issues are addressed. Lasting success is usually measured by the quality of the solutions and by the relationship of trust and cooperation that develops between the parties.

Appendix C, a quick guide to the problem-solving process, provides a useful worksheet for the problem-solving steps. It's important to keep in mind, however, that an effective problem-solving process is complex and should not be equated with a simple, "fill-in-the-box" format.

Conflict Resolution

Conflicts, or differences, arise in every facet of life. Labor-management relations are not exempt. How labor and management handle differences when they do inevitably arise involves methods and skills which labor-management committees can learn and apply. One way of understanding how people respond to conflict is to consider the relative degree of assertiveness and cooperation used in efforts to resolve differences. In the table on the next page, five common modes of conflict resolution are illustrated in terms of these two dimensions. Within labor-management committees individual members, and the parties respectively,

The commitment by both parties to identify their own and the other's interests and needs with respect to the issues.

The Problem-Solving Process

1. Identify the problem.
2. Determine the interests or needs of all affected parties.
3. Brainstorm possible solutions.
4. Identify the advantages and disadvantages of each proposed solution.
5. Determine the solution that works best for all parties concerned.
6. Agree to disagree if consensus is not possible, then move on.
7. Formalize decisions. Put them in writing.
8. Implement the committee decisions.
9. Monitor and evaluate the actions taken by the committee.

are capable of using all five conflict resolution approaches (avoiding, accommodating, competing, compromising and collaborating). Different situations may require different responses or strategies. No single mode of handling conflict is necessarily “right” or “wrong.” However, one conflict resolution approach may be more effective than another in certain situations.

Labor and management can learn from the behavioral sciences the basis for constructive handling of differences. Satisfying the needs of both parties can be achieved most often through various collaboration techniques such as the mutual problem-solving process. If labor-management committees can use this approach whenever possible to resolve differences, a constructive, mutually beneficial relationship is most likely to result.

Nevertheless, there will be times when an issue before the committee is too complex or the differences too great for the parties to agree on a resolution of the problem. When this occurs, the

committee needs to engage in constructive disagreement. In other words, if a committee becomes deadlocked and none of the five modes for resolving differences is effective, the parties must “agree to disagree” to be able to move on to other issues.

If a committee cannot resolve an issue after honest attempts at three consecutive meetings, it is recommended the members “agree to disagree.” Once a committee puts an issue aside constructively, it can move on to other issues without the shadow of unresolved anger and difference affecting the committee process. (See “Agreeing to Disagree” on page 11 for additional suggestions.)

In any discussion of complex, sensitive issues, one of the parties or individuals may feel “criticized” and become defensive. Criticism, if it is to be useful, should be valid, constructive and focused on the problem, not the person. And — if constructive criticism “fits,” own up to it and be prepared to work together toward a mutually beneficial resolution of the problem.

Conflict Resolution Methods and Outcomes

Method

Outcome

Avoiding (unassertive and uncooperative): One or both parties do not pursue their own concerns or those of others.

Accommodating (unassertive and cooperative): One party neglects their own concerns to satisfy the concerns of the other.

Competing (assertive and uncooperative): One party pursues its own concerns at the other’s expense.

Compromising (intermediate in both assertiveness and cooperativeness): Parties find some expedient, mutually acceptable solution that partially satisfies both parties.

Collaborating (assertive and cooperative): Both parties work to find some solution that fully satisfies the concerns of each.

Conflict resolution is postponed.

Win or lose now. Possible trade-off on future issues.

One party wins, the other loses.

Both parties win some and lose some.

Both parties win and the long-term relationship is strengthened.

The success of labor-management committees is based on the quality of the relationship that exists between the parties. Often labor-management interaction is evaluated solely in terms of outcomes: collective bargaining agreements reached, grievances won, local agreements made, court cases won, legislation passed, etc. While such outcomes are important, it is the underlying relationship between organizations and between individuals that affect the nature and substance of how successful an outcome will be. Therefore, it may be argued that it is the relationship that is paramount in the success of labor-management committees.

Successful labor-management committees are open-minded, fair, and consistent --yet flexible.

Observations of numerous committees over the years have helped identify four characteristics found in the relationships of successful labor-management committees. The first of these is sincerity. Honesty and genuineness — as contrasted with lying, deception, back-stabbing and “end runs” — are basic elements of successful committees. Saying one thing while doing another is a common indicator of insincerity in the labor-management committee arena. Truthfulness and the ability to stand by one’s word are marks of sincerity essential among successful committees.

Labor-management committees operate in the real world and are affected by external issues in the real world.

Agreeing to Disagree

- Assess whether the issue was properly defined.
- Reassess whether the labor-management committee was the proper forum to discuss the issue.
- Assess whether the other party really listened to the issue.
- Agree that the issue can go no further in the labor-management committee forum.
- Agree to disagree. Understand that every problem cannot be solved. Also, an issue may be a valid one, but there are times when operating needs or policies from other controlling bodies dictate a certain course of action.
- Identify whether there is another avenue or direction for the issue. If so, work together to prepare the issue for advancement to another forum or level. If this is not possible, set the issue aside and agree to disagree.

A second characteristic of success is persistence. As with all successful relationships, joint committees require ongoing, diligent attention. New committees often begin with a rush of enthusiasm, then die out. Maintaining a committee is hard work, and successful committees “keep at it.” Parties that remain committed to the labor-management committee process, over the long haul, find that as their relationship matures, they are able to successfully handle more difficult and complex issues.

A related characteristic is patience with the other party. At times, one side or the other may be perceived as moving too slowly, or too quickly, or not at all, or in the “wrong” direction. A degree of tolerance is often found among successful committees; latitude is provided for various “indiscretions.” Mistakes, missteps and set backs will occur. Patient members of successful committees acknowledge this. They ask for and grant forgiveness when appropriate and, in doing so, move the business of the committee onward.

The fourth “relationship hallmark” found among successful labor-management committees is consideration. Genuine recognition and care for the other party’s needs and welfare are the ultimate basis for building a relationship of trust and mutual respect. Consideration reflects a willingness to

look beyond possible short-term gains. Successful committees weigh the impact of how an issue is handled on the long-term relationship between the parties.

A labor-management committee is one forum that can be used by the parties to resolve worksite issues. When guided by, and skillfully employing, the principles and processes in this guide, a labor-management committee can be very effective.

Members of joint committees report that, over time, their relationship within the committee and the agency or worksite has improved. Labor and management agree that as cooperation and trust mature, they address problems at an earlier stage and begin to develop proactive, as well as reactive, solutions to worksite problems.

Labor-management committees operate in the real world and are affected by external issues in the real world. Even in the best of committees, tempers occasionally flare, past baggage may interfere with the process, difficult people may join the committee, and larger work issues may create a hostile environment that is not conducive to committee cooperation. The skills discussed in BASICS can mitigate the impact of some of these behaviors or conditions.

Some problems, whether they are personality conflicts or worksite hostilities, may not be overcome. Accepting this may help a committee gain a perspective that allows it to focus energies in areas where cooperation is possible and away from the irritating problems that seem insurmountable. This perspective is a good survival attitude for a committee, especially during tough times when it might be tempting to “throw out the baby with the bath water.”

Like people, committees mature over time. At all stages of development, training can be helpful. Ultimately, it is the dedication of the committee membership that will determine how successful a committee will be. The effectiveness of the many NYS/CSEA Labor-Management Committees over the past decade is testimony to that dedication.

Characteristics of Successful Committees

- Sincerity
- Persistence
- Patience
- Consideration

Sample Committee Operating Agreement

Preamble

Consistent with the provisions of Article 31 of the collective bargaining agreement between the State of New York and the Civil Service Employees Association, labor-management meetings shall occur for the purpose of discussion to attempt to resolve matters of mutual concern, including matters concerning implementation and administration of the Agreement which are local in nature.

The results of a labor-management meeting held pursuant to this Article shall not contravene any term or provision of the Agreement or exceed the authority of either party. The continuing opportunity to exchange information and views serves to clarify the interests of the parties and foster solutions to identified problems.

The Civil Service Employees Association Local _____ and the _____ have reached the following agreements with respect to the labor-management process.

Committee Composition

The local level labor-management committee membership shall consist of a minimum of ___ and a maximum of ___ representatives each from both labor and management. Each party shall designate one representative to be its Chair.

Committee Co-Chairs' Responsibilities

The respective Chairs shall serve as chief spokesperson for his/her team and may recognize other members of his/her team for the purposes of presentation, discussion and comments on agenda topics. The respective Chairs are responsible for the conduct and decorum of meetings.

The respective Chairs shall jointly determine the date, time, anticipated duration and location of committee meetings and preparatory meetings. They will exchange and discuss prospective agenda items at least two weeks in advance of a committee meeting and set the order of the agenda topics at that time. Additional topics for discussion may be added to the agenda later by mutual consent of the Chairs. The respective Chairs shall determine the method and person responsible for the recording of the

minutes of the meeting. The respective Chairs will review and jointly approve and sign the minutes of committee meetings. In addition, they are responsible for maintaining open lines of communication between business meetings of the committee to exchange information on new or developing issues, discuss the progress of committee business, and plan for forthcoming meetings.

Agenda Preparation

Issues referred to the labor-management committee as agenda items shall be required to be submitted at least ___ days prior to the meeting with a description of their respective interests of concerns on the referred issue, in writing, including the background on the issue as well as the remedy or action sought.

Preparatory Meetings

CSEA representatives are authorized to have preparatory meetings to formulate agenda topics, discuss ongoing committee business, agree on responses to outstanding issues, and to prepare for upcoming committee meetings. The representative Co-Chairs will agree on the number of attendees and the time frames.

Labor-Management Meetings

There will be a minimum of four meetings of the committee annually which shall be held quarterly. Either party may request that additional meetings be held which shall be mutually agreed upon by the parties. Meetings will follow the agenda developed in advance. A minimum of ___ committee members representing the union and ___ committee members representing management must be in attendance to conduct a meeting.

Labor-Management Subcommittees

The parties may jointly agree to establish other permanent or temporary labor-management subcommittees as necessary to carry on effective and efficient labor-management relations.

Minutes

The minutes of meetings will summarize the discussion that occurred. Decisions reached at the meetings will be reflected in the minutes of meetings, and may form the basis of a memorandum of agreement between the parties, upon agreement of the Chairs of the committee.

The minutes shall be produced and submitted for joint review and approval to the Co-Chairs within ___ days after each meeting. The minutes shall contain a summary page listing action items and designating the responsible party for the assignment, along with a time frame for completion.

Dispute Resolution

The parties agree that when an issue is unresolvable or unable to be redirected to another forum, and that, after a minimum of three attempts, there is no purpose to be gained by further discussion, the parties will agree to disagree and cease discussion of the issue.

Term of this Agreement

This agreement shall be effective upon signature, replacing any previous agreement and shall remain in effect until and unless it is superseded by a successor agreement between the parties, or until ___ (end of current negotiated agreement).

Management Chair

Date

CSEA Chair

Date

Typical Operating Agreement Contents

Preamble

- Statement of purpose
- Shared goals and objectives

Policies and Procedures

- Committee membership
- Co-chairs' responsibilities
- Agenda preparation
- Preparatory meetings
- Committee meetings
 - Frequency
 - Time frames
 - Subcommittees
- Meeting minutes, agreements and action plans
 - What will they contain
 - Who prepared them
 - Review and approval process
 - Distribution
 - Time frames
- Dispute resolution
 - Action to take when committee cannot reach agreement

Term of Agreement

Signature of Parties

The Problem-Solving Process

1. Identify the problem

- Separate the people from the problem.
- Describe the events/behaviors that show what is happening, how, to whom, when and where.
- Sort out facts from opinions.
- Determine the conditions that led to the problem and are sustaining it.
- Clearly state the problem in specific, brief terms.

2. Determine the interests/needs of all affected parties

- Identify the needs/interests of each party affected by the problem.
- Identify criteria for evaluating potential solutions (cost, time, productivity, quality measures, etc.).
- Develop clear measures of what would constitute an improvement in the situation.
- Set target dates for accomplishing objectives.

3. List possible solutions. Brainstorm

- Encourage everyone's thinking of actions that conceivably could solve the problem.
- Withhold judgment about the value of solutions at this stage.

4. Identify the potential short- and long-term results of each proposed solution

- List pros and cons of each solution based on interests of the parties and criteria for evaluating potential solutions.
- Identify how you will measure results.
- Reality test each solution, but keep in mind: "If you always do what you've always done, you'll always get what you've always got."

5. Decide solution that both parties agree will work best

- Identify solutions most likely to solve the problem and/or have the least potentially negative consequences.
- Order the solutions in terms of possibility of successfully solving the problem.
- Modify the solutions to improve them if needed.
- Make the decision! If the parties do not have the authority to decide, jointly refer the issue to the appropriate decision-making authority.

6. Agree to disagree if consensus cannot be reached

7. Formalize the joint decision in a Memorandum of Agreement

- Put in writing who will do what, when, where, and how.
- Consider the timing and content of communications to affected parties regarding the agreed upon action.

8. Implement the plan

- Carry out the decision.
- Be aware of and note unanticipated consequences when carrying out the plan.

9. Monitor and evaluate the actions taken

- Monitor and report on effects of the actions taken to ensure they have been effective in solving the problem.

Appendix C

Quick Guide to Problem-Solving

1. Identify the problem

What is the Issue?	Who is affected?	When does it occur?	How often?	Where does it occur?	How important is this issue?

Restate the highest priority issue(s) so both parties agree on how the issue has been defined.

2. Determine the interests of both sides in resolving the highest priority issues.

High priority issue(s)	Labor's interests/needs in resolving issue:	Management's interests/needs in resolving issue:	Potential solutions:	Does it meet both sides' interests?	Rank order solutions
1.	1.	1.	1.	Y/N	HI/MED/LOW
	2.	2.	2.	Y/N	
	3.	3.	3.	Y/N	
2.	1.	1.	1.	Y/N	
	2.	2.	2.	Y/N	
	3.	3.	3.	Y/N	
3.	1.	1.	1.	Y/N	
	2.	2.	2.	Y/N	

3. Develop an action plan to carry out the solution

Committee Decision					
Action Steps	Who will carry out?	When will it be initiated?	When will it be completed?	What resources are needed?	Who needs to know about action?

4. Develop a plan to inform others of the decision or action to be taken

Who needs to know?	What do they need to know?	How should they be informed? (newsletter, meeting, etc.)	Who is responsible for informing them?	When will the communication be sent?

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