

Sample Operating Agreement

LABOR-MANAGEMENT AGREEMENT

BETWEEN CIVIL SERVICE EMPLOYEES ASSOCIATION (CSEA)

LOCAL ____ AND _____

INTRODUCTION

This document is intended to help labor and management work together with the goal of supporting and retaining a strong, creative, and motivated workforce.

Consistent with the provisions of Article 31 of the collective bargaining agreements between the State of New York and CSEA, labor-management meetings will be held to discuss and to attempt to resolve issues of mutual concern, including matters concerning implementation and administration of the Agreements which are local in nature.

The results of a labor-management meeting cannot contravene any term or provision of the Agreements 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.

CSEA Local ____ and the ____ have reached the following agreements with respect to the labor-management process:

LABOR MANAGEMENT COMMITTEE OBJECTIVES

The Labor-Management Committee (LMC) will work to: advance the agency's ability to accomplish its mission; improve the quality of employee work-life; and enhance the labor-management relations climate.

COMMITTEE COMPOSITION

The LMC will have a minimum of ____ and a maximum of ____ representatives each from both CSEA and management. Each party will designate one representative to be its chair.

COMMITTEE CO-CHAIRS' RESPONSIBILITIES

The co-chairs of the committee will serve as chief spokesperson for their team and may recognize other members of their team for the purposes of presentation and discussion of agenda topics. The co-chairs are responsible for the conduct and decorum of meetings.

Together, the co-chairs will determine the date, time, anticipated duration, and location of preparatory meetings and committee meetings. They will exchange and discuss 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 co-chairs.

The co-chairs will determine the method and person responsible for recording the committee meeting notes. The co-chairs will review, jointly approve, and sign the meeting notes. In addition, they will maintain open lines of communication between meetings to exchange information on new or developing issues, discuss the progress of committee business, and plan for forthcoming meetings.

The co-chairs will give new LMC members a copy of this Operating Agreement and will ask them to complete the Partnership's online LMC Basics course. The co-chairs will also provide copies of previous agendas, meeting notes, and local agreements. The co-chairs will meet with new members before their first meeting to brief them on current committee issues.

AGENDA PREPARATION

The parties will submit agenda items at least ____ weeks prior to the meeting date. The agenda items will be provided in writing and will include a description of the issue, background, and suggested solutions.

PREPARATORY MEETINGS

CSEA and management representatives may have preparatory meetings to formulate agenda topics, discuss ongoing committee business, agree on responses to outstanding issues, and prepare for upcoming committee meetings. The respective co-chairs will agree on the number of attendees and the time frames.

LABOR-MANAGEMENT MEETINGS

There will be a minimum of four LMC meetings per year. Either party may request additional meetings, but both parties must agree to it. Meetings will follow the agenda developed in advance. A minimum of ___ committee members representing CSEA and a minimum of ___ committee members representing management must be in attendance to conduct a meeting.

LABOR-MANAGEMENT SUBCOMMITTEES

Labor and management can establish other permanent or temporary labor-management subcommittees to work on specific or ongoing labor-management initiatives as needed.

MEETING NOTES

The meeting notes will summarize the discussion that occurred. Decisions reached at the meeting will be reflected in the notes, and may form the basis of a memorandum of agreement between the parties, with the co-chairs' agreement. The notes will be produced and submitted for joint review and approval to the co-chairs within ___ days after each meeting. The notes will include a list of action items, who is responsible for each action item, along with a due date for each action item.

DISPUTE RESOLUTION

We will do everything we can to build trust and openly discuss the issues and pressures facing both sides. We agree to discuss items fully, to try to understand each other's perspective, and reach consensus. However, if we are unable to reach consensus after three honest attempts of discussion at our meetings, we will agree to disagree and will stop further discussion of the issue. The issue may be referred to another forum that is better suited for resolution.

GROUND RULES

We have agreed that the following ground rules will govern our work together (examples of ground rules include: treat each other with respect, keep each other well informed, use the "Principle of No Surprises," and meetings will start and end on time.)

TERMS OF THIS AGREEMENT

This agreement will be effective upon signature, replacing any previous agreement. It will remain in effect until, and unless, it is revoked by either party, or superseded by a future agreement between the parties, or until ____ (no later than the end of the current collective bargaining agreement).

Management Co-Chair

CSEA Co-Chair

Date

Date

Sample Operating Agreement Worksheet

1. Introduction: What is the purpose of your LMC?

2. Committee Composition: Who is on your LMC?

3. Co-Chairs' Responsibilities: What are the responsibilities of the Co-Chairs? What do other committee members do?

4. Labor-Management Meetings: How often do you meet? What if someone is absent?

Sample Operating Agreement Worksheet

Agenda Preparation: Who prepares the agenda and how? How long before the meeting will the agenda be distributed to both teams?

Minutes: Who records the minutes? How are they approved and distributed?

Ground Rules: What ground rules do you follow during your meeting?
