What to do Before Negotiations Begin

2016
1. **Beginning of Process; Establish Credibility**

- Start one year before expiration of current CBA.
- Know your own contract.
- Know your units titles and job duties.
- Understand your duty of fair representation.

2. **Form Negotiating Team**

**Considerations:**

- Size of unit
- Number of negotiating team members
  - Odd Number is recommended.
  - How many are needed? How many is too many?
- Representation
  - E.g. Elementary / Middle / Secondary
  - Certificated / Non-certificated
  - Tenured / Non-tenured
  - Numbers person
- Desired role of SAANYS
  - Negotiator
  - Attorney
3. **Establish Negotiating Team Procedures**

- First review unit constitution / by-laws to ensure conduct consistent with governing documents.

- Identify Chief Spokesperson, note taker, and numbers person.
  - Note taking should start right at the beginning of the preparation to assist in keeping the team on task.
  - Note taking in caucus should be circumspect.

- Establish procedure for unit communications.
  - Method and frequency of unit updates.
  - Need for message control.
  - Identify what, if anything, will remain confidential.

- Develop procedures for making, accepting or rejecting proposals. Also, for declaration of impasse.
  - Majority? Super-majority?
    Note that consensus, or unanimity, gives every negotiating team member a veto right.

- Define a quorum.

- Note duty of negotiating team members to support ratification of agreement unless opposition has been clearly stated throughout negotiations.
4. Preparation

- Review current contract for clarity, functionality and relevancy.
- Review management / labor relations over the term of the contract for issues that may need to be addressed.
- Survey unit members. Establish wish list. Prioritize.
- Research
  - Identify who is going to do what.
  - Intra – district – identify contract changes for central office administrators including the superintendent, the teachers’ unit and other units.
  - Inter – District – Identify comparable nearly districts and analyze their contracts.
  - Taylor Law right to information from the employer needed to make or respond to proposals.

5. Form Proposals

- Understand mandatory, permissive and prohibited topics of negotiations.
- Be careful of cherry picking.
- Limit the number of proposals. Generally more proposals means more negotiating.
- Cost out proposals. Know what it is you are asking for.
• Compounding
• Roll-ups
• Base / Non-base

• Be precise with language.

• Base / Non-base
• Health Insurance
• Health Insurance in Retirement

• Anticipate rebuttals / reactions before presenting proposals.

• Be able to articulate a justification for each proposal. Can that justification survive the scrutiny of one or two pointed follow-up questions?

6. **Maintain Credibility**

• Best accomplished by having done your homework and establishing a command of the facts.

• Quantify changed working conditions such as increased hours, days, events, observations, and sources of increased responsibilities (APPR; DASA).

• Try to avoid being positional with respect to proposals.

• When required, demonstrate a willingness to fully employ the regulatory process.