TECHNIQUES IN THE NEGOTIATION
OF THE LABOR CONTRACT*


Introductory discussion of the composition of negotiating committees, the psychological orientation of the participants, and the key position of management in the development of an effective bargaining relationship.


A valuable description and critical analysis of all major aspects of the bargaining process, based on extensive field investigations. Includes detailed discussion of the mechanics of formulating contract proposals by both union and employer; the composition, organization, and authority of negotiating committees; the time, place, organization, and procedure of the bargaining conference; good and bad usage of economic data; the relationship of the negotiating agents to their constituencies; the resolution of deadlocks through mediation, arbitration, and unilateral action; and the form of the final agreement. Suggestions also are made as to ways in which government can assist in the extension of desirable procedural standards for negotiating. The author feels that more formal and more factual collective bargaining is necessary if the full potentiality of this important social activity is to be realized.


A revised edition of *Collective bargaining contracts* (1941) in loose-leaf form which will be supplemented semi-monthly with new contract clauses, texts of representative new agreements, and discussions of techniques and trends in collective bargaining.

* Items from this list should be ordered directly from the publishers. Addresses and prices are given in connection with each reference.

Stresses the influence of pre-contract employee relations on initial negotiations and the psychological reorientation of management necessary to the development of responsible unions and fruitful collective bargaining. Illustrated by authentic case material, the entire book is a useful record of “experiences encountered in the negotiation of collective-bargaining contracts, the adjustment of differences between workers and management under them, and the development of practical techniques through which these two traditionally hostile groups in industry might co-operate.”


A thorough discussion of all aspects of collective bargaining designed to enable management to protect its authority and properly perform its managerial functions. Part I includes a detailed evaluation of the principal topics generally contained in labor agreements. Part II (pp. 239-287), entitled “Techniques of collective bargaining,” centers on the suggestion that this technique is not far different from the negotiation of other business agreements. Attention is given to pre-conference preparations and to conference strategy and deportment.


A representative of a large corporation recommends five principal guides to harmonious negotiating: (1) genuine acceptance of the union’s status, (2) convincing the union of this acceptance, (3) full disclosure of company business information, (4) refusal to “make presents” to the union, and (5) the maintenance of equanimity during conferences.


A reasoned discussion of the basic cautious that should be observed by union negotiators and of four of the most common issues of “principle” likely to arise in conference. Three fundamental attitudes are recommended to union negotiators: industry-mindedness, reasonableness and fairness, and keeping faith with management. Other points receiving attention are the importance of economic facts, the usefulness of informal exploratory pre-conference meetings, the personal qualities of negotiators, the strategic value of arbitrating deadlocked
issues, and the danger of “pride of authorship” in contract phrasology. A large part of the book is devoted to brief résumés of the problems involved in specific contract clauses and to sample clauses.


Practical suggestions relative to preparation for the first negotiations. The comments emphasize the care needed in selecting bargaining representatives and the importance of factual data, a comfortable meeting place, formal organization of the conference, full records of proceedings, and a friendly attitude. The speaker concluded that after an agreement has been reached “it is highly important that every member of the supervisory force be given a complete story concerning the agreement and procedure which the company expects from its supervisory force in carrying out the terms of the agreement.”


Detailed critical description of negotiations, including the origin of union proposals, the composition of the central bargaining groups, the conduct of the joint conferences, and the resolution of deadlocks.


Outline guide to principles and procedures conducive to sound collective bargaining. Divides topic into four phases: (1) spirit in which negotiations are carried on (2) preparations preliminary to negotiations (3) method of procedure during negotiations, and (4) negotiation techniques. Specific advice is given under each heading and a short general bibliography is included.


Three articles by C. S. Slocombe intended as management guides for bargaining conferences. The final article recommends that a systematic analysis of formal conference reports be used to audit a company’s labor relations.


Report of an address giving informal and brief advice on the nature and objectives of the collective bargaining procedure, the need for factual information, the importance of the negotiators’ deportment
and conference strategy, and commonsense “don’ts.” The advice applies equally to employer and employee representatives.


Analyzes the effects of the essentially emotional and disintegrating atmosphere of organization drives on the succeeding phase of contract negotiation, which should be a logical and technical process. Specific techniques are suggested whereby the actual bargaining process can be turned into a constructive force in employer-employee relationships.


Argues that an appreciation of the two principal aspects of collective bargaining—the introduction of civil rights into industry and the method of fixing the labor price—can contribute to a simplification of labor agreements and to their more reasoned negotiation and administration.


Analyzes the relationship between union status and bargaining tactics. Points out that the factual approach to bargaining involves a strenuous educational task among union members and that there are limits to what unions can secure through collective bargaining, no matter how intelligently conducted.


Specific discussion of negotiation procedures, including the composition of committees, the importance of attitudes (especially the employer’s), and the union negotiators’ problem of reconciling respect for economic facts with intra-union political considerations. The latter half of the article deals with the content of agreements and their administration. [A somewhat shorter statement of this negotiator’s views may be found in Collective bargaining for today and tomorrow, Henry C. Metcalf, editor, Harper and Brothers, 1937. Chapter IV, pp. 44-55.]


A discussion of the advantages and disadvantages to the employer in industry-wide bargaining. The author foresees an evolution in this direction, and suggests procedures which may make such bargaining most equitable.