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RLS RAINS LUCIA STERN ST. PHALLE & SILVER, PC				
 LEAGUE OF CALIFORNIA CITIES		Bargaining Perspectives from a Union and Management Expert		
Annual Conference & Expo		<i>Eddie Kreisberg, Meyers Nave</i> <i>Rockne A. Lucia Jr., Rains Lucia Stern</i> <i>St. Phalle &amp; Silver</i>		
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## Key Bargaining Authority

Meet and Confer Obligation

Administrative Enforcement

Local Rules

## Key Agency Players

- City Council/Board
- City/General Manager/CAO
- Human Resources
- Department Head/Managers
- Finance
- City Attorney/District Counsel/  
County Counsel



## Key Union/Association Players

- President
- Bargaining Team
- Executive Board
- Membership
- Lead Negotiator
- Union Leadership  
(External to Agency)



## Before Negotiations Begin

- ✓ Financial analysis
- ✓ Contract review
- ✓ Management, council/board, membership, union input
- ✓ Last contract negotiations and grievance history
- ✓ Compensation review/survey
- ✓ Negotiations direction
- ✓ Identify goals and proposals
- ✓ Pre-negotiations communications
- ✓ Plan for the end at the beginning

## Communicating with Principals

Public Agency



- Clear bargaining authority
- Maximize confidentiality
- Should negotiate through designees
- Regularly update
- Don't "Get Ahead" of Council/Board
- Council/Board acts by majority vote

## Communicating with Principals

Union

- Bargaining in secret or in a fishbowl?
- What is shared with the Board and when?
- What is shared with the membership and when?
- What authority do I have?

## Prickly/Contentious Communications

- By Union
  - With Council, managers
- By Agency
  - With bargaining team members, employees
- By Union and Agency
  - With press



## Impasse Procedures

*Check Local Rules for procedure*

but usually:

- Either side may declare impasse
- Written notice
- Final meeting to:
  - try to reach agreement
  - determine issues in dispute
  - discuss mediation
- Last, best and final

## Fact-Finding 101

- If Union requests
- Panel of three including one neutral
- Non-binding findings and recommendation (public after 10 days)

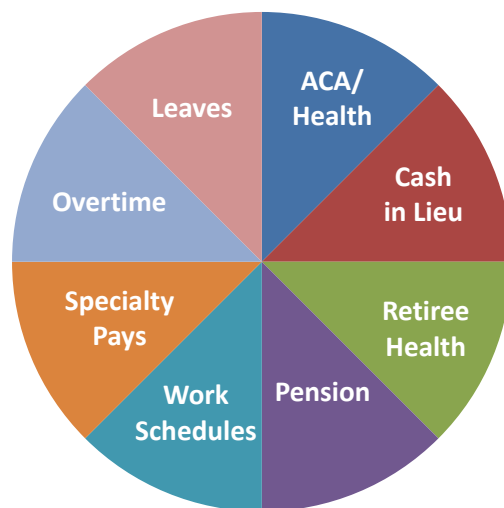
Consider

1. Interests, welfare of public
2. Agency's ability to pay
3. Wages, hours and conditions of employment of employees performing similar services for comparable agencies
4. CPI for goods and services
5. Overall compensation presently received by employees
6. Other actors typically considered

## Imposition

- Public hearing before governing body
  - Governing body may impose last, best and final
  - Usually for a year
  - Impact on employer, employee relations
- Union has right “each year to meet and confer on matters within the scope of representation prior to adoption by the public agency of its annual budget.”

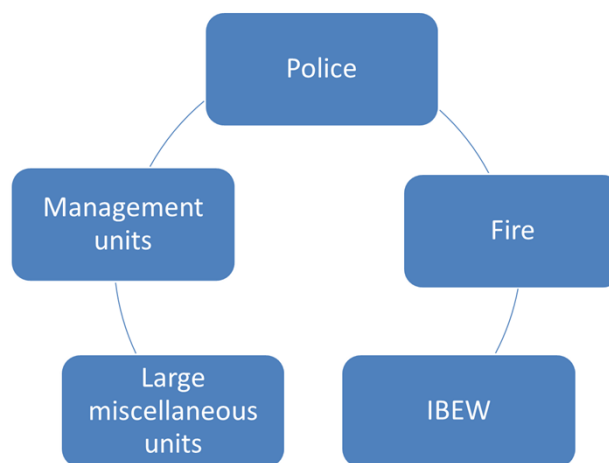
## Hot Topics at the Bargaining Table



## Selected Process Issues

- Ground rules
- “Off-the-record” conversations
- Use of total compensation/salary surveys
- Strategies for closing deals
- Union role in discipline, accommodation and “settlement” discussions
- Labor management meetings/committees
- Non-labor contract meet and confer
- Meet and confer on decision vs pure management right vs. meet and confer on impacts

## Special Issues for Certain Types of Units



## Presenters



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