

Center for Human Resources and Labor Studies
Carlson School of Management
UNIVERSITY OF MINNESOTA

Collective Bargaining and Dispute Resolution

Updated: 03/11/2024

HRIR 3072, Section 1 (2 credits)
Spring 2024 (B Term)

Class Hours: M/W 3:45-5:25 pm
Class Room: Carlson School 2-233

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Course Description

The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries (The Wagner Act (1935), Section 1).

Labor relations considers the dynamics between employees and employers, especially in the context of employees acting collectively and with a recognition that the legitimate interests of employees and their employers do not always align. So unlike other areas of human resources that focus on managing employees, labor relations is about processes for managing rights and conflicts in ways that provide employee voice. This course starts with a framework for understanding **alternative perspectives** on the key issues in labor relations, and then an in-depth consideration of the **legal foundations** of the U.S. approach. This is followed by an extensive examination of the two major processes: **collective bargaining** (how union contracts are produced) and **dispute resolution** (how bargaining disputes and grievances are resolved). Another major process of labor relations, i.e., union organizing (how unions are formed) is covered in HRIR 3071. The focus of the course is private sector labor relations, but public sector comparisons are highlighted where appropriate. International comparisons and current challenges are also introduced.

Course Objectives

Learning Goals: By the end of this course, you should be able to:

1. **Explain** why employees, employers, and society may or may not desire unions (past, present, and future), and **justify** the underlying importance of fundamental assumptions about markets and employment relationship conflict.
2. Manage two major labor relations processes (collective bargaining and dispute resolution) by being able to **understand** their features, **interpret** legal standards and rulings, **evaluate** key influences, and **support** specific strategies.
3. **Assess** the effect of worker representation on the operation of the workplace, firm, economy, and society, and **diagnose** the key contextual influences.
4. **Identify** current challenges in labor relations, **debate** the central controversies, and **recommend** new directions.

Course Materials

Required Textbook: This course relies heavily on the labor relations textbook authored by Professor John W. Budd:

John W. Budd (2021) *Labor Relations: Striking a Balance*, 6th ed. (New York: McGraw-Hill Education).

Any format of the textbook is acceptable (e.g., printed, ebook). The 6th edition is preferred but the 5th edition will be acceptable for most of the course.

Online Exploration: Students are encouraged to supplement their reading with an exploration of relevant online information sources. The [AFL-CIO](#), [Industrial Workers of the World](#), numerous [individual unions](#) and worker movements, [SHRM](#), and other professional associations have Twitter (now X) feeds and informative websites. [Workday Magazine](#) (produced by our own Labor Education Service) and [LabourStart](#) are two of many Twitter accounts and websites providing labor news. National Labor Relations Board (NLRB) decisions and documents can be accessed from its [website](#). The [ETUC](#) also offers an international perspective.

Assignments & Grading

Assignment Due Dates and Weights

Participation/Class Discussion	Continuous	25%
In-Class Presentation	Team-Specific	25%
The Zinnia Bargaining Simulation	TBD	25%
Arbitration Cases	TBD	25%

Assignment Summary

Participation/Class Discussion: Constructive and respectful contributions to class discussions, online forums, and other venues, and consistent class attendance without excessive, unexcused absences.

In-Class Presentation: An in-class presentation by a team based on research articles related to one of the following topics: permanent strike replacement, first contracts, alternative bargaining structures, and diversity and inclusion within the labor movement.

The Zinnia Bargaining Simulation: A collective bargaining simulation in which pairs of small groups, acting as union and management teams, negotiate terms for a new collective bargaining agreement covering workers at the fictitious hotel, The Zinnia.

Arbitration Case: Written reports and in-class simulations for an arbitration case by pairs of teams (the union side and management side) that explain their position statements with supporting facts.

Note: For all group assignments, when there are concerns with disrespectful behavior, free riding, and/or other detrimental conduct, the instructors reserve the right to use peer evaluation to inform adjustments in individual grades or group composition. This can result in a lower individual grade, including a failing grade, or the requirement to complete an assignment individually. Refer to the assignment pages in Canvas for more details and updates.

Learning Community Expectations

Respect and Inclusion. We all have an ongoing responsibility to ensure that everyone feels welcome and included, to not be offensive to each other, and to not participate in or condone harassment or discrimination of any kind. Use specific, accurate, and respectful language to describe identities and address each other. Ask questions and contribute to class discussions in a positive, inclusive, and respectful manner. Consider perspectives other than our own, listen to understand, and respond to dissenting views with respect. Be respectful and empathetic with your classmates and your group members. Unfortunately, incidents of bias or discrimination do occur, whether intentional or unintentional. You can report concerns to the instructor, the Carlson School's [Feedback, Concerns & Grievances](#) team, the University's [Bias Response and Referral Network \(BRRN\)](#), or any other trusted individuals.

Honesty. Do your own work. Plagiarizing from other students, books and journals, the internet, and other sources is a serious offense and is not acceptable. Be sure to fully cite your work. Make honest contributions to your group projects (do not be a free rider). All course materials, such as slides, assignments, videos, and classroom recordings, are only for the use of students enrolled in this course, and it is dishonest to share them. Students must not share any of these materials with other University of Minnesota students not in the same section of this course, and must not distribute, upload, or share them in any other manner inside and outside of the university. This violates the instructor's rights to their intellectual work product, violates student privacy, and allows others to cheat.

Preparation. Come to class prepared to listen, learn, and participate. Attend group meetings prepared to make full contributions and to help other group members make valuable contributions. Ask questions when you are confused!

Attentiveness. Electronic devices are welcome in class to support learning. Please be mindful that they do not serve as a distraction to you or those around you. Focus on the tasks at hand during group meetings.

Timeliness. Complete assignments on time. Be on time for group meetings and for class. Unforeseen events occur and students have multiple demands on their time. Please communicate proactively with group members if your availability changes. If you must arrive late or leave early from class, do so without walking in front of any speakers. Provide advance notice to the instructors whenever possible. Reserve the seats by the door for those who must arrive late or leave early.

Caring and Empathy. Please care for each other and demonstrate understanding, empathy, and grace. Please be mindful of your mental health. If you are struggling academically, physically, mentally, or emotionally, do not wait to seek assistance. Counseling and other services are available.

Illness. Please stay at home and do not come to class if you experience any signs of illness or have a positive COVID-19 test result, and consult with your healthcare provider about an appropriate course of action. Absences related to illness, including COVID-19 symptoms, for yourself or your dependents, are excused absences and we will work with you to find the best course of action for missed work and/or class experiences. Course delivery modes, masking, and/or testing requirements, and other things are subject to the University's protocols. You are welcome to wear a mask in class even if not required by University policy.

Course Policies

Student Academic Misconduct and Scholastic Dishonesty

The Carlson School defines academic misconduct as any act by a student that misrepresents the student's own academic work or that compromises the academic work of another. Scholastic misconduct includes (but is not limited to) cheating on assignments or examinations, plagiarizing, i.e., misrepresenting as one's own work any work done by another, submitting the same paper, or substantially similar papers, to meet the requirement of more than one course without the approval and consent of the instructors concerned, or sabotaging another's work. Within this general definition, however, instructors determine what constitutes academic misconduct in the courses they teach. Students found guilty of academic misconduct face penalties ranging from lowering of the course grade or awarding a grade of F or N for the entire course, to suspension as per the [Administrative Policy](#).

Review the [Student Conduct Code](#) and [Student Conduct and Academic Integrity website](#). If you are interested in learning more about how to cite sources and avoid plagiarism, U of M libraries offers [online tutorials and tools](#) related to citations. You can also visit the [Center for Writing](#) for additional assistance.

Accommodations for Students with Disabilities

The University of Minnesota is committed to providing all students equal access to learning opportunities. The Disability Resource Center (DRC) is the campus office that works with students who have disabilities to provide and/or arrange reasonable accommodations. Students registered with the DRC, who have a letter requesting accommodations, are encouraged to contact the instructor early in the semester. Students who have, or think they may have, a disability (e.g. psychiatric, attention, learning, vision, hearing, physical, or systemic), are invited to contact the DRC for a confidential discussion at 612-626-1333 (V/TTY) or at drc@umn.edu. Additional information is available on the [Disability Resource Center website](#).

Title IX

Title IX prohibits sex discrimination, including sexual harassment, sexual assault, stalking, and relationship violence, in education. Please see the [University of Minnesota's Title IX Statement](#) and the [University's policy](#) for information about: (1) how to contact the Title IX Coordinators on the University's campuses; (2) how to report or file a formal complaint of sexual harassment, gender-based harassment, sexual assault, stalking or relationship violence; and (3) the University's procedures for responding to reports and formal complaints.

Students with Mental Health and Stress Management

As a student you may experience a range of issues that can cause barriers to learning, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic performance or reduce a student's ability to participate in daily activities. University of Minnesota services are available to assist you with addressing these and other concerns you may be experiencing. Learn more about the broad range of mental health services available in the Carlson School ([Wellness at Carlson](#)) and the University ([Personal Wellbeing](#)).

Tennessee Warning Notice Pursuant to MN Department of Administration's Data Practices

To make this class more accessible, all class lectures and discussions will be recorded. Since your audio/video may be part of those recordings we are informing you. Along with the instructor and teaching assistants, these recordings will be shared with only the students enrolled in the class during this semester, in accordance with FERPA regulations. De-identified lectures maybe shared by the instructor with parties not enrolled in this class this semester.

Additional Information on University Policies

Grade Definitions: [Grading and Transcripts \(Twin Cities, Crookston, Morris, Rochester\)](#).

Absence Policy: [Makeup Work for Legitimate Absences](#).

Teaching and Learning: [Student Responsibilities \(Crookston, Morris, Rochester, Twin Cities\)](#).

Anti-Discrimination Policy: [Equity, Diversity, Equal Opportunity, and Affirmative Action](#).

Academic Freedom and Responsibility: [Board of Regents Policy](#).

Course Schedule

Course meeting dates, topics, activities, and required readings are shown below. The schedule is tentative and subject to change based on the course progresses. Always refer to the course site in Canvas for more details and [updates](#).

Table 1: Tentative Class Schedule and Topics

Week	Topic	Monday	Wednesday
10	Course Overview		March 13
11	Collective Bargaining	March 18	March 20 Introduction to Zinnia
12	Impasses and Dispute Resolution	March 25	March 27 Presentation 1
13		April 1	April 3 Presentation 2
14	Contract Clauses Administration	April 8	April 10 Presentation 3
15		April 15	April 17 Presentation 4
16	Contemporary Issues	April 22	April 24
17		April 29 No Class	

Details

1. Course Overview

Week 10 (starting March 13)

2. Negotiations

Week 11 (starting March 18)

John W. Budd (2021) *Labor Relations: Striking a Balance*, 6th ed. (New York: McGraw-Hill Education), chapter 7.

3. Impasses, Strikes, and Dispute Resolution

Weeks 12-13 (starting March 25)

John W. Budd (2021) *Labor Relations: Striking a Balance*, 6th ed. (New York: McGraw-Hill Education), chapter 8.

Presentation 1 (March 27): Permanent Strike Replacement

Presentation 2 (April 3): First Contracts

4. Contract Clauses, Administration, and Grievance Handling

Weeks 14-15 (starting April 8)

John W. Budd (2021) *Labor Relations: Striking a Balance*, 6th ed. (New York: McGraw-Hill Education), chapter 9.

Presentation 3 (April 10): Alternative Bargaining Structures

Presentation 3 (April 17): Diversity and Inclusion within the Labor Movement

5. Contemporary Issues

Weeks 16-17 (starting April 22)

John W. Budd (2021) *Labor Relations: Striking a Balance*, 6th ed. (New York: McGraw-Hill Education), chapters 10, 11, and 13.