

Attendees

- Eastern Contractors Association
  - Todd Helfrich, Affiliate Executive Director
  - Lauren Reagan
- Architectural Glass and Metal Contractors Association
  - Joe Clabbers, President
  - Terry Webb
  - Dick Conly, Affiliate Executive Director
- Madison FCA
  - F.X. Dickert
  - Mike Moss
  - Rob Noyce
  - Judy Noyce, Affiliate Executive Director
- Associate of Master Painters and Decorators of Philadelphia
  - Wayne Gregory, Affiliate Executive Director

Legal Counsel

- Steve Burton

FCA Staff

- Tony Darkangelo
- Kristin Bromberg

Model CBA

- The Model CBA was intended to be a complete agreement. It was the initiative of the IUPAT to come up with a model contract document aimed to have more uniform language across the country, and be easier to administer from the contractors' end, i.e. travelling contractors working with different CBAs in different locations.
  - When FCA negotiated the Model CBA, it was intended to be a package, not to cherry-pick the agreement.
- In exchange for some issues, for the IUPAT, i.e. 9(a) recognition language, there had to be provisions that made the contractors more competitive, i.e. work performed on prevailing wage project
- How to approach Model CBA in negotiations
  - If the local BM/ST finds that terms of the agreement make the contractor uncompetitive, the BM/ST can take action to provide the contractor better terms and conditions to improve competitiveness.
  - The local areas that implement the Model CBA have usually done so because of political pressure on the BM/ST by the international union.
- What leverage do we have, if any, in an area where the Model CBA has been in place, if the BM/ST wants to take out parts of the agreement?
  - Bring to the attention of the international.
  - Biggest affecting factor in this case is the local labor market, i.e. how many hours, how many people on the bench, etc.
- Remember that the Model CBA is not part of the IUPAT Constitution.

Setting the Stage for Negotiations: Preparation

- A critical part of preparation is for a multiemployer unit to set realistic goals and intended accomplishment *before* negotiations begin.
- Make an accurate assessment of employment levels in your area:

- Review fringe benefit reporting over the past 10 years.
- How many people on the bench?
- DOL online: Find out how many people the DOL says are working in your craft in your region and find out how many of those workers are IUPAT members.
- Negotiations will be heavily influenced by other crafts in the construction industry, i.e. carpenters, sheet metal workers.
- Assess which contractors are facing project completion during negotiations.
- PLAs.
- Research the permits issued for work in progress, whether it's being issued to union or non-union in your region.
- Prevailing-wage projects in your area.
- Union density information.
- Burton stressed the importance of keeping side comments to the caucus during negotiations. Not doing so reflects disharmony, which can be exploited against the management side.

### **Analyze Agreement**

- Review current contract in detail before negotiating and clean up any ambiguities.
- Review what you are asking for and if it will cause conflict with current language.
- Clean-up ambiguities in the past contract.
- Assess whether there are things being done in the industry that are inconsistent with language in the contract.
- Ask yourself if the contract covers everything that you want it to.

### **Identify and Prioritize Issues**

- Refer to blue text above. Come up with an objective of where you would like to settle in terms of economics, meaning what is the cut-off point from which you will not settle.
- Make a list of items, then group things into three different categories.
  - One category of issues that are nice to have, but not essential, and that you are *not* willing to strike over.
  - One category of more essential items, but still not willing to strike over.
  - A fairly narrow category of issues that you are willing to take a strike.

### **Assemble Date and Exhibits**

- Because negotiations are a persuasive endeavor, visual aids are always better than paper.
- Plan a sequence of events that you want to tackle in the next bargaining session – make sure to keep the momentum going from one session to the next.

### **Anticipate Demands**

- Think of what is coming down the pike from the International.
- Infallible indicators include:
  - Pension Protection Act.
  - Other crafts' settlements.
  - Remember to take what the rank and file say with a grain of salt.

### **Importance of Opening Statement**

- If you do not have a clear sense up front of what you want to accomplish, you will never be able to develop a strategy of getting there.
- The opening statement sets the stage. Explain your proposal in detail. Cover why you are proposing what you are proposing, and equally as important, cover why you are not covering certain issues.