

LABOR RELATIONS:

Administering the contract

Successful labor relations involves more than negotiating a favorable labor agreement

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Successful labor relations is more than negotiating a favorable labor agreement.

The real test starts after the agreement is signed.

The presence of the union and the temperament and background of the business agents coupled with any political pressures he faces from the membership all combine to complicate the problem of the employer in managing his own business. The basis of an employer's day to day living with the union is a consistent labor relations policy. If an employer wishes to maintain good labor relations it is important that management establish a reputation for truthfulness, predictability and fairness with employees and unions.

The contractors who are most respected by the labor unions are those who resist' expedient solutions and operate on a fixed policy so that recurring problems and situations will be handled consistently. Good labor relations start with basic courtesy and good human relations.

Most Manage

The major thing an employer must do to establish its policy is to manage its business, and management should proceed to act and assume its rightful leadership role unless in managing its business or in a specific situation there is an express prohibition against the action of management in the agreement. In other words, management should act and let the union react to grieve or complain.

Management should not seek advance permission from the union to do something that is not covered by the contract. In practicality the

union is not going to give an employer advance permission to something that is not in the union's interest.

Keep in mind that the union operates as a political organization, union officials must be reelected periodically, and the employee members of the unions are the political constituents. This may explain the reason why some meritless complaints and grievances are presented to management by a business agent who may be responding to the members' wishes rather than exercising his own independent judgment.

Even though the business agent may not win the grievance he fulfills his role by taking it up with management; if the business agent does not win, the employee can blame management and not the business agent.

Remember that the job steward

(Editor's Note: One of the most comprehensive and practical guidelines ever written for contractors in the area of collective bargaining is the book, "Employers' Guide to Collective Bargaining in the Construction Industry." Written by McNeill Stokes, general counsel for the international association of Wall and Ceiling Contractors, and Herman L. Fussell, the 115-page manual is an indispensable aid to any contractor interested in improving his knowledge and proficiency in the bargaining process. The following article is an excerpt from this book which is available to iaWCC members for \$25 (for non-members, \$40) by writing to the iaWCC.)

or union business agent cannot serve as a second boss. The employer and his supervisors alone must run the job, and it is the function of the unions to protect employees from management and not to join with management in managing its employees. Employers should not abdicate authority to union stewards or union business agents allowing them to dictate how a job should be done.

Losing Point

Many employer bargaining committees have won their point at the bargaining table and then lost it because the contractors in the area have allowed a practice to develop which was not clearly set forth in the labor agreement. The bad practices of today will inevitably become contract clauses of tomorrow.

Employers should be alert to dangers inherent from establishing past practice which "add to" or "subtract from" the contract and do not allow compromise. There is no telling how hard the management negotiators "fought" for an issue which the union may try to avoid under various excuses.

Always remember that the collective bargaining agreement is itself already a package of compromises for which your management negotiating committee may have paid dearly in the course of negotiations.

It is basic that the employer and his supervisors must read and become familiar with the provisions in the labor agreement in order to administer the agreement.

Do not fall into the trap of allowing the union to demand organized coffee breaks when coffee breaks are not provided for in the agreement. Insist upon eight hours work for eight hours pay.

Do not tolerate late arrivals, tardiness or extended lunch hours.

These and other rules should be written in company policies and consistently and fairly enforced. When an employee has consistently disregarded the company policies or work rules or commits a

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serious breach of conduct which cannot be tolerated, such as gambling or drinking on the job, then the employer should be quick to terminate the employee.

To keep an employee who is consistently not measuring up will have a devastating moral effect on the other employees.

The employer should list the exact cause of termination on a termination report and should not equivocate as to the reason of termination. Of course, the employee should be interviewed prior to termination so the supervisor can perform a thorough investigation, and the supervisor should be patient, honest and fair in dealing with the employee. The exact reason for termination should be listed, such as nonproduction, tardiness, irregular attendance, drinking, use of drugs, gambling, disregard of safety rules, abuse of company tools, theft, horse play, physically not capable of performing the job, leaving the job-site without permission or violation of coffee or lunch break rules.

One contractors association instituted a concerted effort to put management back into the business of running its day to day work force and both the employers and the unions are happy with the results. Production increased significantly and management is running its work force on a more businesslike basis which makes life a lot easier for management and the union. □