

Teacher strike contract negotiation education essay



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Negotiation is getting what you want for yourself, family, friend or the company you work for. It produces an agreement that results in a solution reached by all parties involved. The resolutions reached by either party may be Trade-offs. The trade-offs are concessions that either party are will to forgo to meet their negotiation goals. When preparing to negotiate we examine our position, strengths, weaknesses, BATNA, limits, and ranges of options. When determining your BATNA (“ Best Alternative to a Negotiated Agreement”) lists your alternatives, evaluate your alternative. Contract disputes and negotiations between the teachers and board members from time to time may get intense, particularly in hard financial times. The strain of debatable negotiations can affect each person in the school structure, from the board members to the teaching staff, students and their guardians. This paper will consist of why teachers go on strike, how one prepares for negotiation, the five types of power, the strategy one my using during negotiation, and the process of the negotiation.

Teacher Strike Contract Negotiation

Collective bargaining and strikes in particular, can be particularly troublesome among the communities in which our students are from, affecting the outcomes for the school board selection. Most state statutes do not call for schools to bargain on issues relating to the educational policy of the school board. Negotiations may fall short to lead to a fulfilled agreement between a teachers’ union and a school board. Once good faith efforts fail to resolve the disagreements between those involved, a lawful standoff occurs. At the time the standoff occurs, active bargaining between the involved parties is typically suspended.

If efforts for standoff declaration are unsuccessful between the teachers' union and a school district, teachers may choose to strike to influence or compel the board to meet the demands of the union. Someplace teachers do not have the right to strike; state statutes regularly enforce monetary or comparable penalties on those who strike illegally. States where strikes are allowed in the public sector, teachers often must meet several guide lines prior to the strike.

Why Do Teachers go on Strike

There are a whole lot of reasons that could lead to teachers going on strike. Lack of salary is one of the main reasons that teachers go on strike. The limited resources or suspended programs associated with the production of the classroom can cause teachers to strike. Putting more or limiting the duties of a teacher, for example assigning teachers the duty of documenting and issuing suspensions that is the responsibility of the principal. Prospective changes to the lesson plan that teachers do not concur with may cause a strike as well. Additional work time or a decline in the preparation time is another issue. Modification in the language of the contract that could generate an uncertainty surrounding extra responsibilities that can be assigned is another concern. There are a lot of likely arguable concerns aside from salaries that might result in a strike by a teachers union. Some even go on strike due to the fact that they don't feel they were being treated fairly for all they do.

Going on strike is not just about money, it is about teaching environment as a whole. Striking is a method to tell the board that you are not going to be walked all over for all that you do. A lot of teachers do more than their share
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of things after school. They provide assistance students on their personal time. They use a lot of their own money to purchase their students equipment because the school won't provide the resources to them. They take on many extra projects that the administrator has given them despite the heavy workload that they already have; such as planning, grading, compiling report cards, attending meetings, etc. .

Preparing for Negotiation

While in preparation for negotiations, you should always know your opponent. In some situations you have come into contact with your opponent in some type of form or fashion so it has come time to meet face to face.

([http://www. associatedcontent.](http://www.associatedcontent.com/artical/462367/rookieyear_baseball_contract_of_christy.html)

[com/artical/462367/rookieyear_baseball_contract_of_christy. html](http://www.associatedcontent.com/artical/462367/rookieyear_baseball_contract_of_christy.html)) During the time the opposing sides convene, a dialogue must be exchanged. The exchange needs to symbolize the thoughts, offers, information, and concessions if demands are no reached while at the bargaining table. We must bear in mind that first impressions do make the difference. As a result, the most essential thing to consider is that you must always represent yourself in a respectable manner. Body language can tell more than words.

([http://www. businessetiquettearticles. com/Art/1628/25/Your-Body-Language-Speaks-Louder-Than-Words. html](http://www.businessetiquettearticles.com/Art/1628/25/Your-Body-Language-Speaks-Louder-Than-Words.html))

“ Successful negotiating is one part face-to-face discussion and nine parts homework.” ([www. vtvsva. org/streaming/basicnego/basicnego. html](http://www.vtvsba.org/streaming/basicnego/basicnego.html))

Collective bargaining entails doing research that is detailed, sound, and attentive. Before the board or anyone else for that matter can start the

process of negotiating, everyone must have a clear sense of what outcome they are trying to reach and how they plan on obtaining their goals.

When preparing for negotiations, board members must look at every aspect of the situation at hand. Although the board may have consulted with other members of the district, or even state or private lawyers, questions concerning strike can considerably change the typical guidelines for preparing to negotiate.

The size of the school district will influence the kind and level of preparation a board must complete. In a smaller district, lack of formality may be the norm, and the negotiators may be familiar with one another; currently in bigger school districts, the more difficult the negotiations and planning will turn out to be.

The following are some added factors that can help the path of the board's development actions:

The amount of pressure that exists. The board will have to modify its approach if teachers are particularly militant, if the district's financial position has changed markedly, or if a strike deadline is hanging over the board.

Your own attitudes. If the board is convinced it's not going to give an inch, or if it is locked into a certain posture dictated by legal or financial considerations, planning must be adjusted to account for handling these limitations.

The current state of employee relations. If employee relations are amicable, the degree of planning may be altered by the simple fact that there will be less to negotiate. Conversely, if the administrators, the board, and the employees have been engaging in a war over policy issues, planning efforts will have to include a strategy for keeping those issues off the bargaining table.

Teacher negotiations, sanctions, and strikes are very much a part of the everyday operations of public schools. Although there are vast variations throughout the country in the passion of teacher militancy, no school structure can get away from the obligation of responding to the growing influence in educational decision-making.

Five Types of Power

In cases where negotiations will be used there are five well known strategies that can be referenced? These strategies include legitimate power, reward power, coercive power, expert power, and referent power. All of the five powers have supplied the negotiating teams with a benefit, throughout the negotiating progression.

Legitimate Power

Legitimate power is derived from the skill to persuade because of position. People at superior levels have power over the people beneath them. On the other hand, each person with legitimate power implements their own personal style. Legitimate power is useful to negotiations in a assortment of ways.

Reward Power

Reward power can be derived from the ability to reward compliance it used to back up legitimate power. Potential rewards such as recognition, pay rise, or further resources to complete a job are promised, one may counter by responding requests and directions.

Coercive Power

Coercive power is the reverse of reward power. It is the capability to take something away from the objective person or to penalize the object for non-cooperation with a request. It is the power to force someone to do something against their will.

Expert Power

Expert power is that which is used by Trade Unions when they persuade their members to strike for better pay or working conditions. It deals with the capacity to influence others by possessing knowledge or skills that they value.

Referent Power

Referent power is rarely called personal power. It is the power of charisma and fame. Referent power occurs when others identify with, like, or otherwise respect the person and is associated with charismatic leadership.

Additionally, there are two diverse forms of bargaining; they are integrative bargaining and distributive bargaining. While faced with a negotiation, the people involved ought to be willing to find the middle ground and use some of the strategies to help with convincing the other side. There are two cases

that will show how the five strategies and bargaining guidelines were used to illustrate an encouraging conclusion in negotiations for all concerned in the process

The negotiated agreement became the tool for school districts authority on each condition that is negotiated into the signed agreement. As a result, the agreement has possible implications for all that occurs in the classrooms of that district. Issues concerning the transfer of teacher policies, guidelines for employee evaluations, and all other contractual matters dealing with teachers all have an impact on the value of teaching staff, which leads to the quality of education that our kids will receive.

Process in Negotiation

The development in the negotiating process is also complicated to nail down since standard public communication is not a part of the procedure. The school community seldom has access to information; they have to wait on the school board releases the justification of how the projected resolution will affect the district's finances. The public school environment is always changing with new policies, technologies and reforms. This presents a test for each district's teacher union and school board partnership.

Kenya Teacher Strike

In an article about Kenya school teachers, more than 200, 000 teachers went on strike because of what they were being paid or lack thereof. The National Union of Teachers in Kenya reported that the standard salary for teachers in Kenya was \$308 monthly, and considerably lower for new teachers (Oyaro, 2009). The teachers were over worked and underpaid and the classrooms

were over crowded. There was also a shortage of teacher due to the free tuition which also affected the board from hiring new teachers. Because of issues such as these the teacher decided to go on strike.

The Education Minister is the negotiation tactic of intimidation; he tried by threatening them with the loss of their positions as teachers to get them back in the classrooms. This tactic did not work in this case because the teachers knew the Minister was bluffing and could not fire them all one time, so they called his bluff. The teachers stuck to their guns no matter what the consequence was in hopes that one of their demand were met. The strike lasted 10 days before an agreement was reached between the Kenya National Union of Teachers and the Education Minister. The agreement was achieved by using integrative bargaining on behalf of the teachers. The minister agreed to increase the teacher's salaries; but, it was to be done in phases and over time. " The first pay rise of 40% would start in July," he said, " with further increases in 2010 and 2011." In using integrative bargaining, both sides leave the negotiations satisfied; the teachers will receive the raises they demanded and the Education Minister will have his teachers back in the classroom.

People occupied with unusual circumstances are faced with decisions that have to be made everyday. Because of the decisions made on a daily basis we must rely on negotiation strategies. When we use the negotiation strategies, two key strategies come into play; witch would be the integrative and disruptive bargaining. Integrative bargaining is two diverse people or parties in favor of a jointly favorable contract based on the parties' benefit of coming to a win-win resolution. Disruptive bargaining is where the people

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involved reach a contract resulting from the distrust and disbelief by one party concluding in a win-lose solution.

Kent Teacher Strike

Teachers have negotiated contracts which will not only have an effect on their own lives as well as the classroom atmosphere. Teachers in Kent, Washington went on strike when and contractual agreement could not be reached. The last straw that broke the camel's back was the overcrowding in the classrooms fell from 29 to 26 (Beckley, 2009). The integrative bargaining strategy was used in the Kent schools study. Although a number of people have said that going on strike merely hurts the community and those involved in the school system, others may dispute that this should have been beneficial for the students in the classroom. Because the teachers received a smaller classroom contract with the school district the teachers should increase their time spent with each student to go over lessons or homework problems.

Even though the Washington school had to conceive to some of the provisions of the teachers, the outcome was not taking the dire ends of the negotiation. This ultimately described Integrative bargaining. Integrative bargaining occurs when both sides reach an agreement where both parties benefit from the situation and is a win-win solution.

Negotiation Strategies

The negotiation approach practice in this case to maintain the school board's need to re-look at the limits while addressing the issues of the stakeholders was the integrative negotiation approach which aims at targeting a win-win

outcome for all involved in the negotiation. The word integrative translates to unite numerous parts into one piece. Theoretically, this implies some collaboration, or a joining of forces to attain togetherness. Typically it employs a higher extent of confidence and the prospect of a partnership. All involved may want to walk away with a sense that they've accomplished something that has value by receiving what each wants. (<http://www.negotiations.com/articles/negotiation-types/>)

“ Integrative bargaining (also called “ interest-based bargaining,” “ win-win bargaining”) (http://www.beyondintractability.org/essay/interest-based_bargaining/) is a negotiation approach that all involved work together to find a “ win-win” resolution to their difference of opinion. The approach focuses on developing equally beneficial contracts based on the interests of the other party involved. The Interests could contain the needs, wants, concerns, and doubts important to the other.

The above case for the Kent, Washington school board can successfully use integrative bargaining to develop a most favorable outcome in the best interests for all involved in the negotiation process.

Step one would be to classify the essential interest of everyone involved, which would include the parents of the school as well. “ The bottom line is that we need to figure out why people feel the way they do, why they are demanding and what they are demanding.” We also must ask ourselves how the other side interprets our demands. The possible consequences of a contract must be analyzed, as if you were on the other team looking at them for the first time. After interests are identified, the parties need to work

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together cooperatively to try to figure out the best ways to meet those interests. Often by “ brainstorming” — listing all the options anyone can think of without criticizing or dismissing anything initially, parties can come up with creative new ideas for meeting interests and needs that had not occurred to anyone before. The goal is a win-win outcome, giving each side as much of their interests as possible, and enough, at a minimum that they see the outcome as a win, rather than a loss.” (http://www.beyondintractability.org/essay/interest-based_bargaining/)

As mentioned above in the question that major concerns of the parents are related to quality of education, impact of such expansion on property values, social effects on children due to such redrawing of restrictions, increased travel time and crossing cultural and economic boundaries. The school board can offer optimal solution in each of these areas to come out with a win-win situation and convince the parents to accept the redrawing of boundaries.

For example, regarding the concern related to quality of education, the school authorities can present facts that redrawing of boundaries will actually improve the quality of education by providing much larger and improved infrastructure to students. Further, school can provide a plan to parents that will convince parents that school has the capability to provide highest quality of education even with larger number of students. The school will need to provide a concrete plan to the parents with detailed information about their strategies to maintain quality with larger number of students.

Conclusion

Negotiation is an important and valuable tool for resolving conflict when all parties involved have a shared commitment to reaching a collaborative, joint outcome that satisfies both parties needs and interests. Cultural considerations play an important role in the negotiation process as all of the actors bring with them their own specific cultural behaviors; that is their patterns of thinking, feeling, acting and most importantly, their own set of culturally shared values.

Many negotiation scenarios may involve strikes of some measure. In the example of the Kent, WA teachers, the teachers were highlighted as receiving an agreement that was not a benefit only to them. The benefit was also extended out to the community and students to show concern thus determining an integrative bargaining strategy. Negotiation strategies are used by every person and organization on a daily basis. While some may not realize they are using them, the strategies are being used in some shape or form.

I did take the advice of my instructor and peers. I watched my grammatical errors, added sub-topics to that the paper can have a better flow for the readers. All in all I think this is a good paper.