

Neogiation

[Business, Management](#)



s Collective Bargaining Agreement As the arbitrator in this matter, I would ask the union to agree with to terms presented by the company on the two-tier wage system. My opinion in this matter is that the company done due diligence to inform the union through its representative of the intended amendments. The terms of the collective bargaining agreement are not ambiguous, and it is in fact the fault of the union that the communication was not done the first day, as they did not even want to hear the proposals. In fact, the company had made the effort of communicating the proposals to the union through the union representative. It is therefore correct to say that the refusal of the union to hear the proposals was not done in good faith. The section that I rely upon in this matter is article XXXIV section 2 of the Collective Bargaining Agreement. The section is clear about the 30 days notice to be given by the party intending to make the modifications. It further states that a conference is to be held 10 days before the expiration of the agreement. In this case, the agreement was expiring on June 15 2009 and the conference was held on 1 June 2009, 14 days before the expiration. The word shall, denotes that it was necessary for the communication to be done on the first day, but the action by the union was meant to bar the same from taking place. In fact, during the day, suggestions to the same effect had been made in the meeting.

To avoid the conflict that arose, it would have been better is the employer had allowed for negotiations. This was a collective bargaining agreement and one party should not have seemed like the one imposing terms on the other. The employer should also have been clear on its intention and not waiting until 4: 30 Pm to make a formal proposal. What is important is the intention

of the parties.

Work Cited

Erickson, Christopher L. “ A Re-Interpretation of Pattern Bargaining.”

Industrial Labor Relations Review 49. 4(1996): 615-634. Business Source Complete. Web. 25 Feb. 2015.