
Collective Bargaining

Zeeshan Parvez Khan

Abstract

Collective bargaining is usually part of unionized workplace. It is a process that is designed to help employees earn better wages, benefits and working condition. It is also a process which can help employer ensure that they get the best workers, consistency with productivity and a set of standards that every worker can be held to while in the workplace.

Keywords: Negotiation; Employee; Rights; Employer.

<p>How to cite this article:</p>

<p>Zeeshan Parvez Khan. Collective Bargaining. RFP Indian Journal of Medical Psychiatry. 2019;2(1):29-33.</p>

Introduction

An Individual is free to Bargain for himself / herself and safeguard his / her own interest. The phrase 'Collective Bargaining' consists of two words 'collective' Which Implies.

Group action Through its Representative and 'Bargaining' Which suggests negotiation.

Definition

According to marquis and Huston Collective Bargaining may be defined as "Activities Occuring Between Organized labour and management that concern Employee relations such activities include negotiation of formal legal agreement and day to day Interaction between Unions and Management.

Meaning

Collective Bargaining is a procedure which the terms and conditions of employment of workers are regulated by agreements between their bargaining agents and be the employers.

Objectives of Collective Bargaining

1. To maintain cordial relations between the management and workers.
2. To resolve the conflicts and problems relating to wages and working conditions of the workers.
3. To implement the values and interests of the workers by collective action in order to benefit the employers.

Author's Affiliation: Assistant Professor, Beleshwar Institute of Nursing, Beleshwar Nagar Nandkheda Road Opp Pardeshwar Mandir Parhani, Maharashtra 431401, India.

Correspondence and Reprint Requests: Zeeshan Parvez Khan, Assistant Professor, Beleshwar Institute of Nursing, Beleshwar Nagar Nandkheda Road Opp Pardeshwar Mandir Parhani, Maharashtra 431401, India.

Email: zeeshu999@gmail.com

Received on 22.04.2019, **Accpeted on** 08.06.2019

4. To ensure the participation of trade unions in industry.
5. To find the solution on the distinctions of those involved between the workers and management through voluntary negotiations and by arriving at conclusion.
6. To avoid that need for government intervention as it is a voluntary process.

Purposes

1. The main purpose of collective bargaining is the settlement of industrial disputes are conflicts relating to wages.
2. It harmonizes labour relations
3. It promotes industrial enterprise peace by creating equality of bargaining power between the labour and management
4. It improves working conditions
5. It prevents workers from getting into unfair treatment

Unions in Bargaining

A union or labour organization is any organization in which employees participate for the purpose of dealing with their employer about grievances, labour disagreements, wages hours of work and conditions of employment

Objective of unions

1. Wages-employees and their union can be expected to ask for wages, which are comparable to those in similar jobs in the local market.
2. Promotion-unions will insist that length of service be a factor in promotions.
3. Layoffs-the union will insist that seniority play a part in regulating lay off qualifications being the junior service employees will be paid off first.
4. Discipline-employees will be disciplined for just cause these is standard in all labour agreements.
5. Grievances procedures-the union will insist that grievance procedure be established whereby management decisions will be reviewable by representative of management and the union if there is still disagreements the dispute will be referred

to arbitration.

6. Fringe benefits-pensions vacations and holidays social insurance and general welfare programs will be part of the negotiations with an attempt to make them comparable to the trend in the society.

Constituents of collective bargaining

1. Indication of agreement with definite needs has good scope of importance benefiting the workers.
2. Collective bargaining about the rights of the workers trade union and accountability of the management.
3. About the total salary, bonus, production rules, regulation retirement benefits and other terms and conditions of services as stipulated.
4. Provision for benefits for grievance redressal procedure.
5. To provide the apt method and machinery for the settlement of possible disputes and conflicts.
6. About the detailing bill are the work contract details are the terminal clauses.

Essential Features of Collective Bargaining

1. Group and Collective Action

It is always a collective process in two ways. the workers collectively negotiate for their common interests and benefits so that common interests and benefits so that they and the management jointly arrive at an amicable solution through Negotiations.

2. Strength

In case of bargaining process strength of both parties is equal.

3. Continuous Process

It establishes a regular, systematic and stable relationship between the parties involved it involves not only negotiation of the contract but also the continuous administering as application of the contract.

4. Flexible

It is flexible and adaptable. For both parties have to adopt a flexible attitude towards of collective

bargaining are that both the parties concerned start negotiations with completely different views and concepts but finally react a middle path acceptable to both.

5. *Voluntary*

It is a voluntary process on the part of the management and the workers. The implementation of the mutual agreement is also a voluntary process since it benefits both the parties.

6. *Dynamic*

In the past, the concept used to be changing emotional and turbulent but now it has become scientific, factual and systematic its coverage and style have changed.

7. *Power Relationships*

It involves an adversarial relationship, workers want to gain the maximum from the management and the management wants to extract the maximum from workers by paying as little as possible

8. *Bipartite process*

The Management and the workers do the collective bargaining the issues directly across the table. There is no third party intervention.

9. *Two-part process*

It is mutual process where both the parties up the benefits in terms of arriving at the settlement of a dispute passed are not passed.

Steps of Collective Bargaining Process

1. *Identification of the problem-*

It is to identify the problems in working area that infernces the whole process. Of collective bargaining it also effects the selection of representatives their number period of negotiations and period of agreement that is remedied ultimately.

2. *Preparation for Negotiation -*

Negotiations are prepared offer detailed planning and implementation of the planned strategies that consumes long period of time. They set-up the objectives to be retrieved through the collective bargaining.

3. *Negotiation Procedure -*

- a) Representatives Who lead the negotiation are selected by the members of the trade union selected by the members of the trade union.

- b) They do the review about the existing problem in depth : one who be leads the group with austerity will be decided to lead the negotiation in a successful manner.
- c) Particular time and duration will be fixed in advance fixing for negotiations.
- d) Always the chief negotiations delivers the problem to the group. narrates its intensity and nature and the ideas and concepts of both parties representatives both the sides are allowed to deliver their verbs about the problems.
- e) Representatives from both the side should reach the negotiation table with a positive frame the negotiation table with a positive Frame of mind and should try to ascertain what the other party is arguing for far.
- f) The process generally culminates in on agreement which is known as labour contract union contract as a labour-management contract.
- g) The agreement should be printed and circulated among all the employees so that they known erectly what has been agreed upon between the management and their representatives.
- h) Both parties should sign the agreement which in turn becomes a binding must there after be sincerely observed by them.

4. *Implementation of Contract -*

The implementation of the negotiation process is not met merely by signing the agreement but by the development of good relationship between the workers and the management.

Classification of collective Bargaining

1. *Integrative bargaining-*

In this type of bargaining both parties may gain their benefits or none gains.

2. *Attitudinal Structuring -*

This involves reshaping and moulding the attitudes like friendliness or hostility or trust or distrust between weakens and management.

3. *Distributive bargaining* –

This involves bargaining over the distribution of surplus products which involves the economic issues like salaries wages and bonuses that needs vigilant supervision and control.

4. *In reorganizational Bargaining* –

This involves carefully guiding to active agreement with the employees and management Note that even within the union there may be some disagreements between different groups.

Principles to be Followed By the Management In Collective Bargaining.

1. The Management must Form and adapt a realistic labour policy that can be applicable practically and which should always be alerted and carried out by its representatives.
2. The management must have the mutual agreement to reform the trade union or as a beneficial step in the organization.
3. The management should always deal only with one association or trade union in the organization.
4. The management should treat the trade union without any partiality in order to make it a responsible part of the organization.
5. The management should regularly frame and evaluate the rules and regulations to determine the attitude and degree of comfort of its employees and in turn gain their good-will and cooperation.
6. The management should place vital importance on social considerations while weighing the economic consequences of collective bargaining.
7. The management should analyse before the trade union tries to bring employee problems to its notice and should rather from the conditions in which employees can directly approach the management without taking the help of the trade union as an association.

Importance of Collective Bargaining

According to the national commission on labour the best jurisdiction for collective bargaining and is superior to any arrangement involving third-party intervention in matters which essentially concern employers and workers.

Thus Collective Bargaining is important for a number of Reasons-

1. It is a democratic method where every employee has the freedom to exercise his/ her rights and the same is implemented by collective bargaining about the conditions of it is always a voluntary process without any third party intention.
2. It ends in good relationship and understanding between workers and management the employer gain a better insight in the problems and aspirations of workers and the workers become better aware of the economic and technical problems of the industry.
3. It provides adaptable means for adjustment of wages and employment conditions to economic and technological change in the industry, as a result of which the chances of conflict are reduced.
4. It assists in establishing code that defines the rights and obligations of each party.
5. It provides a solution and alternative to the problems of industrial sickness in industry and ensures old-age pension and other fringe benefits.
6. It facilitates better application of decisions due to the direct involvement of both the parties.
7. It is the significant aspect of labour management relations and extends the democratic relations principle from the political to the industrial field.
8. It evaluates and distributes equitably the benefits derived from industry among all the participants, including, employees, unions, suppliers, management customers and public.

Collective bargaining in nursing

Advantages and disadvantages of collective bargaining-

Advantages-

1. Its provides equal powers bargaining between administrator and staff associate.
2. The benefits of grievance reporting procedure becomes possible for all workers.
3. It is help for stuffing in systematic manner and equitable distribution of work can be established.
4. Professionalism will be enhanced.
5. Able to do the direction and control of the barging process.

Disadvantages-

1. There are cancers for development of adversary relationship between administration and staff associates.
2. But the possible strikers may affect those grievance benefits being reached to the workers may not be prevented.
3. Sometimes not possible if negotiations do not occur properly since union can interfere with the management of the organization.
4. If there is no dispute settled, then it is difficult to promote professionalism.

5. Needs good knowledge and training in the collective bargaining leadership for unions may be difficult to find because many professional nurses have little experience in position of authority.

Conclusion

Negotiations may be competitive collaborative but collaborative negotiations generally have more positive outcomes. A major goals of effective negotiations is to make the other party feel satisfied with the outcome. The focus in negotiation should be create a win-win situation.

References

1. Nisha clement. Essential of management of nursing service and education, Jaypee brothers medical publisher. 2016.
2. Neelam Kumari 3rd Edition Management of Nursing Services And Education.
3. Principle of Hospital Administration and Planning BM Sakharkar 2nd edition.
4. www.slideshare.collectivebargaining.com
5. www.wikipedia.com