



e-Bulletin20090410

Is Temple Bargaining in Good Faith?

This morning, April 10, Temple management engaged in direct dealing by making public a contract proposal without discussing it with TAUP negotiators. TAUP received the proposal by email in the evening of April 8. No attempt was made by Temple management, either directly or through the mediator, to set up a bargaining session with the TAUP negotiating team before releasing the proposal.

Direct dealing is a form of bad-faith bargaining and can be considered a form of union busting. It takes place when management goes around the union's chosen negotiators and goes directly to members of the bargaining unit to make proposals and advocate them. This violates the union's legal role as the exclusive representative of the bargaining unit. Moreover, it undermines the bargaining process.

The Pennsylvania Labor Relations Board accepted TAUP's charge, filed in November 2008, against Temple for several other instances of direct dealing. The PLRB is currently hearing testimony on those charges. The hearing began on April 2 and will continue on April 27.

TAUP and management negotiators agreed in early March to conduct talks through the mediator and explore the issues informally. This is an accepted practice routinely used in contract negotiations to find mutually acceptable modifications to proposals before formalizing them. Management communicated an offer informally and verbally through the mediator, as did TAUP subsequently on March 13. Temple has not responded to TAUP's offer.

Temple management not only dealt directly by this latest communication, but by going public they unilaterally broke the agreement to conduct informal talks. Ironically, TAUP and management had just agreed to further ongoing talks through the mediator. Advance notice to the union before making their proposal official and public would have been normal protocol in negotiations.

Substantively, the proposal they sent out on email today is still for a 5-year deal. There is no sense to 5 years, and the membership is firmly opposed to it, given the uncertain economy, especially since the federal stimulus funds, and therefore Temple's subsidy from the state, are only guaranteed for two years.

Come and discuss these new developments with TAUP negotiators:

TAUP Bargaining Unit Meeting

Tuesday, April 14
2:30 to 5:00
Walk Auditorium, Ritter Hall.