

# Ask the President

**Q:** *What is **collective bargaining** and what is **interest-based bargaining**?*

**A:** **Collective bargaining** is a method of determining terms and conditions of employment through direct negotiations between representatives of the employer and the union representing employees. Normally, the result of collective bargaining is a written contract that covers all employees in the bargaining unit whether they are members or non-members of the union. Collective bargaining is largely based on the premise that the outcome of negotiations creates winners and losers, and both parties use any leverage available to make sure they are the winners.

**Interest-based bargaining** is rooted in the idea that the fundamental interests (or concerns) of labor and management complement one another. For example, both parties want the employer to excel at what it does. To understand the interest-based processes you must thoroughly grasp the distinction between a **position** and an **interest**. In short, a **position**, or proposal, is a party's chosen solution to a particular problem, or goal. An **interest** is the basic need or concern that is addressed by the position, or proposal.

*Hypothetical example:* An employer is seeking to reorganize its operations. The reorganization will abolish some jobs and create new higher paying ones. Because most of the affected employees did not qualify for the new positions, the reorganization posed a threat to the economic and employment security **interest** of the local union members. Accordingly, the union was tempted to take a **position** opposed to the reorganization. Instead, the union agreed to support the reorganization in exchange for a promise of no layoffs and implementation of a "win-win" process to negotiate all aspects of the reorganization. Using the interest-based process, the parties agreed to provide training to affected staff in order to qualify them for the new higher paying jobs. The result was a pay increase for members who had initially feared layoffs. By not taking a **position** opposed to the reorganization, the local union was able to meet the real **interest** of its members: employment security and career progression. The employer was able to implement its reorganization without union opposition. The result: both parties "won".

Interest-based bargaining goes by a host of names such as "consensus bargaining," "problem-solving negotiations," "win-win," "mutual gains," "collaborative bargaining," "principled negotiations," and others.

**Q:** *Should AFSCME local 209 use **interest-based bargaining** instead of traditional **collective bargaining**?*

**A:** Interest-based bargaining is not for everyone. Traditional collective bargaining has, for the most part, worked well in both the public and private sectors. The perceived and actual risks associated with a transition to an interest-based approach may simply be too great in many situations. The interest-based process should be viewed as an effective **option** to collective bargaining and only used in the right places, at the right times.

\*More information about interest-based bargaining can be obtained on the Internet at [www.afscme.org](http://www.afscme.org).

*The "ask the president" column has been implemented for the purpose of answering any questions union members have about labor unions. If you have a question you would like the president to answer in this column, please submit the question in writing by placing it in the mail slot on the entrance doors of the union office, or by giving it to your steward.*