

# AAUP OAKLAND UPDATE

March 11, 2010

## Pres. Russi's Proposal of "Interest Based Bargaining"

With some fanfare, Gary Russi presented a new template for faculty/administration relations during the February 1 meeting with the AAUP Executive Committee. He called for the adoption of "interest based bargaining," where negotiators abandon an adversarial model and instead solve disputes by candidly sharing information and focusing on common objectives.

This, in fact, was the second time the administration called for the adoption of the model. During faculty bargaining in 2000, both teams were trained in this negotiation strategy and promised to abide by its rules. In the end the system failed when the administration used its power over information to mislead the negotiators on the costs of health care benefits and shifting attitudes toward the approval of phased retirement. After signing the agreement we discovered the administration knew health care costs would rise dramatically in the next year, but had withheld that data. Furthermore, the question of phased retirement was not a "non-issue"; shortly after the contract settlement, the denial of one application was announced. This betrayal of the true meaning of interest based bargaining caused us to return to a more traditional style of contract negotiations.

That one past experience at Oakland turns out to be a common problem. A literature review of both management theory and labor law indicates that if interest based bargaining were adopted at Oakland, it would work to the distinct advantage of the side that holds power—the administration.

### **INTEREST BASED BARGAINING PRESUMES CERTAIN PRE-CONDITIONS:**

- An ENVIRONMENT OF TRUST must exist between the two parties.
- Both parties must FREELY AND EFFECTIVELY SHARE INFORMATION regarding the conflict.
- A spirit of cooperation must CONTINUALLY EXIST, and not be episodic.

When interest based bargaining does succeed, it has met all these conditions. As a rule, these successes are achieved only after years of building trust through routine sharing of information and joint planning. Even these preconditions cannot guarantee success if the employer is in fiscal distress and employees are paid below market rates.

### **NONE OF THESE CRITERIA EXIST AT OAKLAND UNIVERSITY.**

We have an administration that still refuses to release basic information without a FOIA claim. We have a president who doesn't understand why it is inappropriate to give raises to some employees while calling for a pay freeze for all.

**WE WORK IN AN ATMOSPHERE WHERE "THE BUCK STOPS NOWHERE."**