

Ask the Contract

Answer: John may submit an application for the position by the specified date on the posting and if he is the “sole applicant” (in the pool of bargaining unit members) “... shall be granted the position. If two or more teachers are considered to be equally qualified, position shall be granted to the more senior teacher.”

Test Your I.Q. on Negotiations Jargon

E	Items in the contract that the union sacrifices during contract negotiations. A strong union membership works to maintain a strong contract, resisting concessions. Concessions
L	Contract language forbidding the union from striking. If the contract expires, the union is legally free to strike, except where illegal (as for state workers in Wisconsin). No-strike clause
A	A method of settling grievance disputes in which a third party (the arbitrator) is given the power to make a binding decision. In the case of state workers, the arbitrator is assigned from the Wisconsin Employee Relations Commission (WERC). Arbitration
P	Wages paid to workers either for time worked under contract extension, and therefore without a new raise; or for time during which a worker was paid at an incorrect (lower) rate. The latter occurs following a successful grievance. Retroactive pay
H	The formal procedure, as defined in the contract, for resolving workplace differences. Grievance
F	The legal requirement that the two parties in negotiation meet and confer at reasonable times with a sincere willingness to reach an agreement on new contract terms. It does not require that either party makes a concession or agree to any proposal. Good-faith bargaining
M	The working membership of a union – in contrast to union leadership or staff. Rank & file
C	A private meeting of each bargaining team that interrupts the main bargaining session during contract negotiations. Can be called by either party to resolve internal disagreements, plan strategy, etc. Caucus
O	The amount that pay increases as compared to inflation. This measures how much of the wage increase offsets inflation and how much is real progress. Real wages
Q	Actions of unions and employers that violate a federal or state labor law. Unfair labor practice
G	The process by which some workers continue to be covered by older contract language, while new contract changes are applied only to new workers. For example, a new wage structure may apply only to new workers, while current workers continue to be paid as they had been under the previous contract. Grandfathering
K	A method of settling bargaining in which a neutral third party facilitates a decision. Ideally, this person improves communication and identifies areas of agreement that the parties were previously unable to see. This person may also pressure one side to give in. Mediation
B	The workers who are represented by the union. Bargaining unit
D	Workers agree to be represented as a group in negotiating contracts covering wages, benefits, and other conditions of employment. Collective bargaining

N	The election in which the membership formally approves a contract by paper ballot. Ratification
J	During contract negotiations, the bargaining team uses this to refer to the specific wording that will be proposed for the new contract. We also use this colloquially to refer to additions to the contract, as in “We got great language about workload in our contract!” Language
I	A point in bargaining where there is no prospect of change in position by either party, i.e., a deadlock. Impasse

Source: <http://taa-madison.org> (our brothers and sisters in AFT Local #3220)