



HRM 3422 N: Industrial Relations

Course Outline Fall 2022

Class Day, Time, Location Tuesday, 19:00, CLH M

Instructor Hannah Johnston

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Office Hours After class or by appointment

Course Description:

This course examines the history of unions, the nature of the industrial relations systems including the legal framework, the social psychological climate, contract negotiation and administration.

This course will explore:

- The concept of collective bargaining and debates concerning its functions
- Outcomes for workers and society, including how collective bargaining can be used to meet 'future of work' challenges
- How environments, legislative frameworks, bargaining structures, and power relations influence labour negotiations
- Negotiation processes, strategies, and modes of dispute resolution
- The practice of collective bargaining through an applied bargaining simulation

Ideologies and trends are discussed.

Prerequisites/Co-requisites:

None

Students are responsible to ensure that they have these required prerequisites. Students who do not have these prerequisites are at risk of being dropped from the course at any time during the term. The School of HRM will not be responsible for refunds resulting from students being dropped from a course due to a lack of appropriate prerequisites.

Course Materials:

Doorey, D., Braley-Rattai, A. (2020). Canadian Labour Relations: Law, Policy, and Practice, 2nd Edition. Toronto: Emond Publishing.

(Available in hard copy or electronically)

Additional readings available via the library.

Course Website:

<https://eclass.yorku.ca/course/view.php?id=71201>

Course Learning Objectives:

Upon successful completion of this course, students will have:

- Developed an understanding of collective bargaining as a tool for the regulation of work, and the implications this has on society
- An understanding of the legal, economic, and political contexts that influence collective bargaining in Canada
- A critical understanding of trends, strategies, and processes of collective bargaining and the implications that this has for bargaining outcomes
- A demonstrated ability to navigate collective agreements for the purpose of implementation, and practice drafting, negotiating, and analyzing collective agreement language
- An ability to analyze bargaining environments, processes, structures, and strategies in a range of contexts

Preparation for Class:

The course will be held in person.

Any assigned readings should be completed prior to the day that they are listed on the syllabus (if this is not possible for you the first week of class, that is okay). This will enhance classroom exchange. Reading materials will either be available via the library or your textbook, or will be posted at least one week in advance. Course slides will not be posted until after the lecture.

There will be one group assignment. Some in class time will be dedicated to this assignment but to complete the assignment successfully, students should also expect to devote time outside of class to preparation.

Classroom Conduct and Accessible Education:

As a student in this class and a student at York University, it is expected that you will conduct yourself in a manner that is consistent with the [Code of Student Rights and Responsibilities](#). Equity, trust, and respect are of paramount importance and there is no tolerance for academic dishonesty.

I want to foster a learning environment that is as inclusive as possible. If you have a nickname, have changed your name, have preferred pronouns, need to bring your child to class, need an accommodation, or have any other requests, please let me know.

The university has various resources to support students including a [student accessibility office](#), [student counseling, health, and well-being services](#), and a [food support centre](#). If these or any other resources will help you to succeed, use them. More information on available services is offered at the end of the syllabus.

Email Policy:

Students who wish to correspond with me directly via email must send messages that originate from their official York University email account. This protects the confidentiality and sensitivity of information as well

as confirms the identity of the student. Emails regarding course issues should NOT be sent to the Area Administrative Assistants.

I will make every effort to respond to student emails in a timely manner. You can expect a response, at most, within three business days. All questions are welcome; however, emailing about questions that are clearly answered by reading assignment descriptions or the course outline may negatively impact the engagement portion of your grade.

Course Evaluation:

Evaluation Criteria	Weight (%)
Engagement	5%, 10% or 15% – default 10% (attendance and preparation, discussion board, general engagement)
Midterm	15, 20% or 25% – default 25%
Bargaining exercise	35% – distributed as indicated below
- Bargaining book	15 %
- Simulation	15 %
- Reflection	5%
Final exam	25%, 30% or 35% – default 30%
Total	100%

Final course grades may be adjusted to conform to Program or Faculty grades distribution profiles.

An exam or term test worth more than 20% of the final grade may not be given during the final two weeks of classes: <http://secretariat-policies.info.yorku.ca/policies/limits-on-the-worth-of-examinations-in-the-final-classes-of-a-term-policy/>.

Assignment Weight:

Students will have an opportunity to review assignment descriptions and to submit a request to adjust the weight of the course assignments within the range provided above for the purpose of calculating their final grade for the course. You may not adjust the weight of the bargaining exercise. The sum of the weights for all assignments must equal 100.

Anyone who does not indicate a preference will be assigned the default assignment weights. If a student makes a request but requested weight calculation does not equal 100, the student will be assigned the default assignment weights. If the instructor has a question about an assignment weight request and the student does not respond within 24 hours, the student will be assigned the default assignment weight amounts. In the event of a conflict or disagreement about assignment weights where neither the student nor the instructor has sufficient records to provide clarity, or there are conflicting records, the student's grade will be calculated based on the default assignment weight amounts.

How to adjust weights of assignments:

- A template for your assignment weight request is available on eClass. Use this for your request.
- You will have one opportunity to adjust the weights of your assignments, and any adjustments to the weights of assignments MUST be finalized promptly.
- Requests should be uploaded to eClass by January 19th at 11:59 EST.
- The instructor will review requests and you will receive written confirmation of your selection by January 23rd. You should keep this confirmation for your records.
- Important: if you made a request and did not receive confirmation by the 23rd, please follow up immediately.
- After January 24th you will be unable to change the weights of assignments.

Description of Assignments/Projects:

ENGAGEMENT

Class engagement has three components: (1) course attendance and preparation; (2) online discussion boards; and (3) general engagement

- Course attendance and preparation – you are expected to attend class. You are also expected to arrive prepared and ready to participate. If you need an accommodation for participation, please let me know.
- Online discussion boards - Each member of the class will be assigned one week when they will be responsible for taking on the role of 'Conversation Starters' on the eClass discussion boards. Posts will be visible to the entire class. During these weeks 'conversation starters' will engage with and post recent news and social media related to the course objectives. Stories should be from reputable sources. As part of their post, students are expected to offer a brief (200-250 word) interpretation, analysis, or critique for each post that links the article to course material. If you are looking for inspiration for your post, consider the following questions:

Why is this content relevant to the course?

What legal considerations are important?

Who are the actors and what are their concerns?

What points of leverage do the various actors have?

What role does collective bargaining play in this story?

A schedule will be created during the first week of the course and is available on

- General engagement will be evaluated based on your collegial participation in class exercises and discussion

BARGAINING SIMULATION

The course will include a collective bargaining simulation. The goal of the simulation is to negotiate a series of articles for a new collective agreement. Students will work in groups and will be assigned a side (either Union or Management). They will receive a mandate containing instructions for the negotiation by email. Groups should not discuss their mandate with anyone who is not in their group – especially not those sitting on the other side of the 'table'!

There are various steps to this assignment. They are as follows:

February 14 – We will spend a significant part of class reviewing the assignment. Groups (assigned by me) will receive their bargaining mandate. This mandate outlines the bargaining priorities for your team.

You should discuss the issues and distribute work among team members. Each member of the team will be responsible for drafting contract language to address a singular issue raised in the mandate. An individual member's contribution should (ideally) be limited to one article. Individual members should provide the original language, the contract language, and the rationale for the change. External sources are not required. This information will later be included in your bargaining book.

March 7 – Bargaining books are due. The bargaining book includes:

(1) The proposal you will make at the table to your bargaining counterpart. While all members of your team will have contributed language that you can consider for inclusion in your proposal, you will be asked to choose a limited number of proposals (TBD). You should work as a team to identify priority items and to select items that could be used to complement each other at the table. Your bargaining counterpart will only see your bargaining proposal (see Appendix C in your textbook).

(2) For each proposal that is selected to be presented at the bargaining table, you should additionally provide a write-up of your strategy and your justification for your decisions. This should include information on your opening position, preferred outcome, and bottom line; the anticipated response of your counterpart; your strategy to obtain your desired outcome; and any cost implications (see Appendix B in your textbook). In answering these questions you should examine your bargaining position, the power dynamics and bargaining positions of both union and management sides, what considerations your team is taking into account, and how you prioritized your demands. This is the responsibility of all team members.

(3) For each proposal not selected, you should provide a brief explanation as to why. This is the responsibility of all team members.

March 14 – The instructor will provide basic feedback on proposals to ensure success of the exercise.

March 21 – Bargaining simulation exercise. The simulation is worth 15% of the course grade. Bargaining will take place during class time; you will be expected to record your negotiation session and provide a .mp4 video recording. Within 24 hours, you will be required to submit (upload to eClass), as a group, your Memorandum of Agreement (Appendix D) and a final costing report.

March 28 - The third part of this assignment is a reflection. At the conclusion of the negotiations, you will be asked to submit a brief reflection and a self and peer review. I will provide you with a page of short reflective questions and a review form. This will, among other things, ask you to analyze how effective your approach was, and contrast it with that of your counterpart. Did you face any constraints? You should conclude with a general reflection about the overall strengths and limitations of the process and its implications for workers, employers, and society. The reflection is intended to be informal. You can submit either (1) a video recording of yourself answering the questions; or (2) a written response. You will be provided with strict time/length limits.

Examinations:

Midterm:

The midterm will be held during class on February 14th. Question types will include multiple choice, short answer, or essay style questions. The midterm will last approximately 90 minutes.

Final:

A final will be a cumulative exam on the course content. Question types will include multiple choice, short answer, or essay style questions. It may also include a small simulation exercise.

Course Policies:

Late Assignments:

Proper academic performance depends on students doing their work not only well, but on time. Accordingly, assignments for this course must be received on the due date specified for the assignment. Assignments received later than the due date will be penalized by five points each day the assignment is late. This policy will be enforced out of fairness to your colleagues and classmates who have completed their work in a timely manner. Exceptions to the lateness penalty for valid reasons such as illness, compassionate grounds, etc., may be entertained by the instructor but will require supporting documentation (e.g., a doctor's letter). If you anticipate that you will need an extension, please review the email policy and contact the instructor accordingly.

Missed Midterms:

Students with a documented reason for missing a course test, such as illness, compassionate grounds, etc., which is confirmed by supporting documentation (e.g., doctor's letter) may request accommodation from the Course Instructor. In most cases the weight of the missed midterm will be transferred to the final exam.

Course Schedule:

*Readings are subject to change and will be updated on eClass two weeks in advance.

Week	Topic	Required Reading
Week 1 Date: January 10	Collective bargaining: What is it and where have we come from?	Doorey, D., Braley-Rattai, A. (2020). Canadian Labour Relations: Law, Policy, and Practice, 2 nd Edition. Toronto: Emond Publishing. (Chapter 5 & 6) ILO. (1944) Declaration of Philadelphia. https://www.ilo.org/legacy/english/inwork/cb-policy-guide/declarationofPhiladelphia1944.pdf ILO Conventions 87 and 98

Week	Topic	Required Reading
Week 2 Date: January 17	Perspectives and Frameworks	<p>Doorey, D., Braley-Rattai, A. (2020). Canadian Labour Relations: Law, Policy, and Practice, 2nd Edition. Toronto: Emond Publishing. (Chapters 2 & 4)</p> <p>Schmalz, S., Ludwig, C., & Webster, E. (2018). The power resources approach: Developments and challenges. <i>Global Labour Journal</i>, 9(2).</p>
Week 3 Date: January 24	Union formation	<p>Doorey, D., Braley-Rattai, A. (2020). Canadian Labour Relations: Law, Policy, and Practice, 2nd Edition. Toronto: Emond Publishing. (Chapters 8 & 9)</p>
Week 4 Date: January 31	Bargaining structures and strategies	<p>Doorey, D., Braley-Rattai, A. (2020). Canadian Labour Relations: Law, Policy, and Practice, 2nd Edition. Toronto: Emond Publishing. (Chapter 10)</p> <p>Slinn, S. J. (2020). Broader-Based and Sectoral Bargaining in Collective-Bargaining Law Reform: A Historical Review. <i>Labour: Journal of Canadian Labour Studies/Le Travail: revue d'Études Ouvrières Canadiennes</i>, 85, 13-51.</p> <p>Laroche, M., Lauzon Duguay, F., & Jalette, P. (2019). When collective bargaining leads to inequality: Determinants of two-tier provisions in Canadian collective agreements. <i>ILR Review</i>, 72(4), 871-896.</p> <p>➔ Read through page 871-879 and Conclusion</p>
Week 5 Date: February 7	Industrial conflict	<p>Doorey, D., Braley-Rattai, A. (2020). Canadian Labour Relations: Law, Policy, and Practice, 2nd Edition. Toronto: Emond Publishing. (Chapters 7 & 11)</p>
Week 6	MIDTERM, IN CLASS	

Week	Topic	Required Reading
Date: February 14		
READING WEEK	READING WEEK	READING WEEK
Week 7 Date: February 28	Contract administration and grievances	Doorey, D., Braley-Rattai, A. (2020). Canadian Labour Relations: Law, Policy, and Practice, 2 nd Edition. Toronto: Emond Publishing. (Chapters 12 & 13)
Week 8 Date: March 7	The Canadian Charter and Collective Bargaining	Doorey, D., Braley-Rattai, A. (2020). Canadian Labour Relations: Law, Policy, and Practice, 2 nd Edition. Toronto: Emond Publishing. (Chapters 16) Doorey, D. (2020). Back to the Future of Canadian Labour Law. <i>Relations industrielles/Industrial Relations</i> , 75(2), 195-208.
Week 9 Date: March 14	Collective bargaining for equity: Decolonizing the workplace	Mills, S. E., & Clarke, L. (2009). "We will go side-by-side with you." Labour union engagement with Aboriginal peoples in Canada. <i>Geoforum</i> , 40(6), 991-1001. CUPE. (2022). Truth and Reconciliation: CUPE taking action through collective bargaining. https://cupe.ca/sites/cupe/files/truth_and_reconciliation_indigenous_bargaining_guide_en_0.pdf The Global Deal (2020). The Contribution of Social Dialogue to Gender Equity. https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_679957.pdf Guest speaker: TBC
Week 10 Date: March 21	BARGAINING SIMULATION – IN CLASS	

Week	Topic	Required Reading
<p>Week 11 Date: March 28</p>	<p>Future skills for a green economy</p>	<p>Stevis, D., & Felli, R. (2015). Global labour unions and just transition to a green economy. <i>International Environmental Agreements: Politics, Law and Economics</i>, 15(1), 29-43.</p> <p>Nugent, J. P. (2011). Changing the climate: Ecoliberalism, green new dealism, and the struggle over green jobs in Canada. <i>Labor Studies Journal</i>, 36(1), 58-82.</p>
<p>Week 12 Date: April 4</p>	<p>Collective bargaining and the digitized workplace</p>	<p>Aleks, R., Maffie, M., and Saksida, T. (2020). "The Role of Collective Bargaining in the Digitized Workplace Reimagining the Governance of Work and Employment." (ed. Pohler, D.). LERA 2020 Research Volume.</p> <p>UNI Global Union. (2020). "Algorithmic Management: A Trade Union Guide". https://uniglobalunion.org/sites/default/files/imce/uni_pm_algorithmic_management_guide_en.pdf</p> <p>Today Explained. (2021). "The Gig is Up". Podcast Available at: https://podcasts.apple.com/tt/podcast/the-future-of-work-the-gig-is-up/id1346207297?i=1000541648063</p> <p>-or-</p> <p>Mojtehedzadeh, Sara. (2020). "Hustled: When Your Boss is an App". Podcast available at: https://www.thestar.com/podcasts/hustled.html</p> <p>Guest speaker: TBD</p>
<p>Final Exam</p>	<p>The final exam will take place during the examination period and will be scheduled by York University.</p>	

Grades and Grading Schemes

Grade	Grade Point	Per Cent Range (%)	Description
A+	9	90-100	Exceptional
A	8	80-89	Excellent
B+	7	75-79	Very Good
B	6	70-74	Good
C+	5	65-69	Competent
C	4	60-64	Fairly Competent
D+	3	55-59	Passing
D	2	50-54	Marginally Passing
E	1	(Marginally below 50%)	Marginally Failing
F	0	(Below 50%)	Failing

General Academic Policies

Important Dates:

The “Important Dates” pages listed below contain important information relevant to each term; in them, you will find classes and exams start/end dates, co-curricular days and reading week, add/drop deadlines, holidays, University closings and more: <https://registrar.yorku.ca/enrol/dates>.

Academic Honesty:

Academic Integrity refers to a set of conventions that scholars follow in their work, and which generate credibility, trust, and respect within the academic community. As a student, earning a university degree in a fair and ethical way also involves following these conventions.

Violations of academic integrity can lead to disciplinary actions under [York University’s Senate Policy on Academic Honesty](#). Effective time management and study skills can help students avoid feeling desperate and engaging in actions which violate academic integrity. See the [Time Management](#) module.

Note: *This course has a zero-tolerance policy for plagiarism, dissemination of information without permission, and abuse of confidentiality.*

Students may also wish to review the interactive Academic Honesty module which can be accessed here: [SPARK Academic Integrity Module](#).

Deferred Exams:

If a student is unable to attend an exam due to an illness, a personal/family emergency, or religious observance they may submit a request for deferred standing. **Within 7 calendar days** of a missed final exam, students seeking to defer a final HRM exam must:

1. Submit a request online using the HRM Deferred Standing system: <http://shrm.laps.yorku.ca/students/deferred-exam-request/>.
2. Submit the Deferred Standing Agreement (DSA) form along with **supporting documentation** (ex. Attending Physician’s Statement) to the School of Human Resource Management. Students

will be notified via email about the status of their request once their forms have been processed by the Undergraduate Program Director.

Religious Observance Accommodation:

York University is committed to respecting the religious beliefs and practices of all members of the community and making accommodations for observances of special significance. For further information on accommodation procedures required due to religious commitment, and the schedule of dates visit:

<https://registrar.yorku.ca/enrol/dates/religious-accommodation-guidelines-2020-2021>.

Alternate Exam/Testing Scheduling Centre:

York's Student Accessibility Services and the Registrar's Office work in partnership to support alternate exam and test accommodation services for students with disabilities at the Keele campus. Please alert the Course Director as soon as possible should you require special accommodations. You can review the alternate exam and test policies and procedures here: <http://altexams.students.yorku.ca/>.

York Senate Policy on Academic Accommodation for Students with Disabilities: <http://secretariat-policies.info.yorku.ca/policies/academic-accommodation-for-students-with-disabilities-policy/>

York University's policy on accommodations includes the following language: York University shall make reasonable and appropriate accommodations and adaptations in order to promote the ability of students with disabilities to fulfill the academic requirements of their programs. The nature and extent of accommodations shall be consistent with and supportive of the integrity of the curriculum and of the academic standards of programs or courses. Provided that students have given sufficient notice about their accommodation needs, instructors shall take reasonable steps to accommodate these needs in a manner consistent with the guidelines established hereunder.

Student Accessibility Services: <https://accessibility.students.yorku.ca/>

Grade Reappraisals:

For grade reappraisal procedures and information, please visit the Office of the Registrar site at: <http://myacademicrecord.students.yorku.ca/grade-reappraisal-policy>.

Grade Scheme and Feedback (Policy):

<http://secretariat-policies.info.yorku.ca/policies/grading-scheme-and-feedback-policy/>

Code of Student Rights & Responsibilities:

<http://oscr.students.uit.yorku.ca/student-conduct>

Student Counselling, Health & Well-being:

<https://counselling.students.yorku.ca/>