

Collective Bargaining 101

Scope and Breadth

Passed by Congress in 1935, the National Labor Relations Act (NLRA) established the practice and procedure of collective bargaining in the private sector. The Act declared that “protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest.”

Currently, teachers in 34 states and the District of Columbia have the legal right to bargain; Bargaining in public education is prohibited in only six states.

BARGAINING BENEFITS EVERYONE IN EDUCATION

- Helps improve teaching and learning
- Attracts and retains the highest quality employees
- Ensures fair employment procedures
- Gives the education professional a genuine voice

Collective bargaining is good public policy

Effective bargaining is based on ideals that resonate with both workers and employers, such as working together to solve problems and treating each other with respect. When labor and management can come to agreement on salary and benefits while also improving teaching and learning conditions, everyone benefits.



“ Martin Luther King Jr. credited the labor movement with creating a better society. “The labor movement,” said King, “was the principal force that transformed misery and despair into hope and progress. Out of its bold struggles, economic and social reform gave birth to unemployment insurance, old age pensions, government relief for the destitute, and above all new wage levels that meant not mere survival, but a tolerable life. The captains of industry did not lead this transformation; they resisted it until they were overcome. When in the thirties the wave of union organization crested over our nation, it carried to secure shores not only itself but the whole society.”



DATA DRIVEN

A FOCUS ON
SOCIO-EMOTIONAL LEARNING

**KNOW THE
STANDARDS**
and what mastery
looks like

**UNIVERSALLY
DESIGN LESSONS**
to account for
learner
variability

**GET
STUDENTS
TALKING**
through intentional,
structured opportunities
for academic discourse

DECOLONIAL
ANTI RACIST/OPPRESSIVE
CULTURALLY RESPONSIVE
COMMUNITY RESPONSIVE

1

Bargaining: Process

Step by step

Bargaining: step by step

Collective bargaining is a process through which employee union and employer representatives exchange positions, mutually solve problems, and reach a written agreement. That approved contract binds both groups. Here is how the collective bargaining process typically unfolds between Camino Nuevo Charter Academy (CNCA) and Camino Nuevo Teachers Association (CNTA):

Preparing for bargaining

Both sides form bargaining teams and gather information. The union panel usually is selected through a process outlined in the union's by-laws, while the management team is designated by the employer. Each party may meet with its constituents and/or conduct surveys to identify and then prioritize issues. During this assessment phase, each team also analyzes the current collective bargaining agreement to spot additional needed changes.

Determining the bargaining style

At the outset, the parties discuss the style of bargaining to be used during negotiations, most often either proposal bargaining or interest-based bargaining. **Proposal bargaining** is a style in which each team drafts written desired changes to the contract to present to the other side. **Interest-based bargaining** is where both sides identify issues that are important to them and discuss why (the “interest.”) Both parties explore options to resolve their issues and accommodate each other’s interests.

To date, CNCA and CNTA have used a hybrid approach, adopting both **proposal** and **interest-based** bargaining as appropriate.

Starting negotiations

Once the bargaining style has been determined, the teams prepare based on the style selected, agree on ground rules, meet at an agreeable location (or online), and start negotiations. State law and court cases determine the mandatory, permissive, and prohibited subjects of bargaining.

Reaching a tentative agreement

When both bargaining teams are satisfied with the changes, they sign a “tentative agreement.” It is only tentative until it has been formally approved by the union’s members and the employer’s governing board.

If no tentative agreement can be reached, there are multiple ways to resolve an impasse between the union and district.

Ratifying the contract

When the union and employer teams have reached a tentative contract agreement, they review the proposal with their respective constituency groups.

CNTA holds a ratification meeting where members ask questions and offer opinions on the tentative contract agreement. Individuals are then asked to vote by secret ballot on the tentative agreement. A majority of votes determines if the contract is ratified or rejected.

The CNCA team seeks approval from the Board.

If the tentative agreement is ratified by both sides, then the parties have a successor agreement.

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Changing or clarifying the contract

What if we want to change the agreement?

With the agreement of both parties, any section of a ratified contract can be revised during the term of the contract. In many districts, representatives of labor and management also meet regularly during the term of the contract to talk about and resolve issues of mutual concern.

In addition, either at the bargaining table or during the life of a successor contract, the parties can create memoranda of understanding (MOUs). The benefit of the MOU is that it gives the parties an opportunity to reach a temporary agreement on an issue that is important to both the union and the employer

Where there is uncertainty at the time a tentative agreement is reached, the union and district can agree to reopen issues that will be resolved when the uncertainty no longer exists.

The parties also describe how and when a successor agreement will be negotiated.

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CNCA and CNTA

Status of our current agreement



Camino
Nuevo
Charter
Academy

COLLECTIVE BARGAINING AGREEMENT

BETWEEN

CAMINO NUEVO CHARTER ACADEMY
(CNCA)

AND

CAMINO NUEVO TEACHERS ASSOCIATION (CNTA)

July 1, 2021 - June 30, 2024

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CNCA-CNTA CBA controls how/when to make changes

Article 8 - Statutory Changes: Except as provided in Article 25 Management Rights, the parties will agree on a negotiations date within thirty (30) days of the enactment of any state law that requires negotiations on a particular topic.

The CNCA/CNTA CBA controls how/when to make changes

Article 20 - Negotiations: Article 22 Compensation and Article 23 Benefits may be reopened by CNTA for the 2022-2023 school year by presenting reopener proposals to the Board by May 1, 2022.

There shall be no other reopeners by either party for the term of this Agreement. Successor contract proposals from the Association shall be presented to the Board by May 1, 2023.

CNCA and CNTA have negotiated many MOUs

Memoranda of Understanding have helped us navigate and return from distance learning and adapt to new regulations (like those governing BCLAD)



The screenshot shows the website for Camino Nuevo Charter Academy. The header includes the school's logo, name, and navigation links for Home, About Us, Schools, and Enrollment. The main content area is titled "Employee Forms & Documents" and lists several documents related to collective bargaining agreements and MOUs.

Camino Nuevo Charter Academy

Home About Us Schools Enroll Ac

Employee Forms & Documents

Collective Bargaining Agreement

- [2021-2024 CNCA-CNTA Collective Bargaining Agreement -Board Approved 0...](#)
- [2021-2022 CNCA CNTA MOU - TOSA - Board Approved](#)
- [2021-2022 CNCA Re-Opening Guidebook](#)
- [2021-2022 CNCA CNTA MOU - One Time Stipend - Board Approved](#)
- [2021-2022 CNCA CNTA MOU - School Re-Opening - Board Approved](#)
- [2021-2022 CNCA CNTA MOU - Dual Language Program Roll out BCLAD - Boa...](#)
- [2021-2022 CNCA-CNTA MOU - Independent Studies - Board Approved](#)

The process works

