



**MICHIGAN STATE**  

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**Glossary of Labor  
Relations Terms**

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# Glossary

**Arbitration** - The referral of collective bargaining or grievance disputes to an impartial third party. Usually the arbitrator's decision is final and binding.

**Best Alternative to a Negotiated Agreement (BATNA)** - The most advantageous alternative that a negotiating party can take if negotiations fail and an agreement cannot be made.

**Caucus** - a group of people within an organization that gather to discuss important matters and reach decisions. In business, these are typically used for mediation and during contract negotiations.

**Collective Bargaining Agreement (CBA)** - The determination of wages and other conditions of employment by direct negotiations between the union and employer.

**Complaint** - A representation made or referred to a State or employment service (ES) office of an alleged violation of the ES regulations and/or other Federal laws enforced by the U.S. Department of Labor's Wage and Hour Division (WHD) or Occupational Safety and Health Administration (OSHA), as well as other Federal, State, or local agencies enforcing employment-related law.

**Department of Labor** - One of the executive departments of the federal government. It is responsible for the administration of federal laws regarding occupational safety/health, wage and hour laws, unemployment and reemployment services, and sometimes economic statistics.

**Fair Labor Standards Act (FLSA)** - Passed in 1938, this law set minimum wages and overtime rates and prohibited child labor for industry connected with interstate commerce.

**Grievance** - an official statement of a complaint that is raised by an employee over something believed to be wrong or unfair done by the employer in the workplace.

**Grievance Committee** - A committee within the local union which processes grievances arising from the violation of the contract, state or federal law, or an abuse of a shop's past practice.

**Illegal Terms of Bargaining** - Illegal subjects are those that cannot be legally bargained over by either party. They are subjects that would violate a law and cannot be entered into legally into a collective bargaining agreement even if both parties agree to do so. (List of topics in link)

**Impasse** - When two sides negotiating an agreement are unable to reach an agreement and become deadlocked.

**Mandatory Terms of Bargaining** - Mandatory subjects are those that directly impact – wages, hours or working conditions (or terms and conditions of employment). These are subjects over which the parties must bargain if a proposal is made by either party. This does not mean that the parties have to reach agreement on such proposals, but rather that they have to engage in the process of bargaining in good faith over the subject. Mandatory subjects may be bargained to impasse. It is also legal to strike (or to lock-out) to obtain a mandatory subject of bargaining. (List of topics in link)

**National Labor Relations Act of 1935** - Also known as the "Wagner Act". The law created a National Labor Relations Board to carry out its goals of guaranteeing the right of workers to form unions of their own choosing and to bargain collectively with employers.

**National Labor Relations Board** - an independent federal agency that protects the rights of private sector employees to join together, with or without a union, to improve their wages and working conditions.

The Board has two principal functions under the National Labor Relations Act:

1. The prevention of statutorily defined unfair labor practices on the part of employers and labor organizations or the agents of either, and
2. The conduct of secret-ballot elections among employees in appropriate collective-bargaining units to determine whether or not they desire to be represented by a labor organization.

**Permissive Terms of Bargaining** - Permissive, voluntary or non-mandatory subjects of bargaining are subjects not directly related to the work. These subjects fall outside of wages, hours and working conditions and generally are matters that relate to the nature and direction of the business/industry or relate to the internal union affairs. The parties may agree to bargain over these but are not required to by law and can refuse to discuss them without fear of an unfair labor practice charge. They also cannot bargain to an impasse. Furthermore, it would also be a violation to strike over a permissive subject. (List of topics in link)

**Tentative Agreement (TA)** - proposed collective bargaining agreements that have not been ratified (approved) by union leaders and the Board of Trustees.

**Unfair Labor Practice (ULP)** - Practices of discrimination, coercion, and intimidation prohibited to labor and management. Management cannot form company unions or use coercive tactics to discourage union organization. Unions cannot force workers to join organizations not of their own choosing.

**Union Representative (Rep)** - Someone in an organization who has been elected to represent employees who belong to a particular trade union

**Union Steward** - An employee of an organization or company but is also a labor union official who represents and defends the interests of his or her fellow employees.  
(synonymous with union representative)

**Weingarten Rights** - Employees' right to request their representatives. Employers violate the NLRA if they proceed with an investigatory interview while refusing an employee's request or retaliate against them for making the request.

**Zone of Possible Agreement (ZOPA)** - The range in a negotiation in which two or more parties can find common ground. ZOPA is also sometimes referred to as the "bargaining range" or "bargaining zone."