

# **COLLECTIVE BARGAINING VOCABULARY**

## **AGREEMENT**

A written settlement or contract between an employer and an employee organization, usually for a definite period of time, defining the conditions of employment (wages, hours, vacations, holidays, school calendar, working conditions, etc.) rights of the employer, rights of employees and the employee organization, and procedures to be followed to settle disputes or handle issues that arise during the life of the agreement.

## **ARBITRATION** (voluntary, compulsory, advisory)

Method of settling employment disputes through recourse to an impartial third party, whose decision is usually final and binding. Arbitration is voluntary when both parties agree to submit disputed issues to arbitrations, and compulsory is required by law. Advisory arbitration is an award that is not binding on either party.

## **BARGAINING REPRESENTATIVE**

An organization elected by the majority of employees or recognized voluntarily by the employer, as the representative of all employees in the negotiating unit for purposes of collective bargaining

## **BARGAINING UNIT**

A group of employees recognized by the employer and certified by the Missouri State Board of Mediation as appropriate for representation in collective bargaining.

## **CERTIFICATION**

Formal designation by a government agency of the organization selected by the majority of the employees in a supervised election to act as the bargaining agent for all employees in the bargaining unit.

## **COLLECTIVE BARGAINING**

A process whereby a representative of the employees and their employer jointly determine the terms and conditions of employment, resulting in the execution of a mutually acceptable, written agreement.

## **EXCLUSIVE BARGAINING RIGHTS**

The right and obligation of an employee organization designated as majority representative to bargain collectively for all employees, including non-members, in the bargaining unit.

## **FACT-FINDER**

An individual or group of individuals appointed to investigate, assemble and report the facts in an employment dispute, with authority to make recommendations for settlement.

## **FAIR SHARE**

Fair share is a negotiated provision in an agreement that requires non-members to pay their fair share of the costs of representing them.

## **FEDERAL MEDIATION AND CONCILIATION SERVICE**

An independent federal agency that provides mediators to assist the parties involved in negotiations, or in a labor dispute, in reaching a settlement; provides lists of suitable arbitrators on request; and engages in various types of “preventive problem-solving.”

## **GRIEVANCE**

A formalized complaint alleging that one party to an agreement is infringing upon the rights of a second party to the agreement. This complaint follows a procedure usually described in detail in the agreement. The complaint may arise over alleged misapplication or misinterpretation of the terms of the agreement.

## **IMPASSE**

A point in time when neither party is willing to make a move closer to the position of the other. Their best offers (at the time) are on the table, neither of which is acceptable to the other party, bringing them to a point of impasse.

## **MEDIATION**

An attempt by a neutral third party to facilitate collective bargaining or settle an employment dispute through suggestions, advice or other ways of stimulating agreement, short of dictating its provisions (which an arbitrator can do). Most of the mediation in the United States is undertaken through federal and state mediation agencies. A mediator is a person who undertakes mediation of a dispute. Conciliation is synonymous with mediation.

## **MISSOURI STATE BOARD OF MEDIATION**

An agency created by the Missouri Legislature to administer the law, thereby accomplishing the objectives and carry out the duties of a bargaining law. The Missouri State Board of Mediation supervises elections for the exclusive representative for public school support personnel.

## **RATIFICATION**

A process whereby all members of the represented unit review any and all changes negotiated for a new agreement, after which a vote is taken on whether the new agreement should be accepted or rejected. A new agreement can only be signed and effective following ratification by both parties.

## **RECOGNITION**

Employer acceptance of an organization authorized by a majority election to negotiate for all members of a bargaining unit.

## **REPRESENTATION ELECTION**

An election conducted by the Missouri State Board of Mediation in accordance with its rules and regulations to determine whether or not employees within a specified group or bargaining unit wish to be represented by an organization for collective bargaining purposes.

## **VOLUNTARY RECOGNITION**

The voluntary action of an employer to recognize an organization as the exclusive representative for a group of employees without having to go through an election.