

RETHINKING COMMUNICATIONS DURING COLLECTIVE BARGAINING:

Principles and practice of communications strategy/implementation in advance of, during and post negotiations

Successful communications during collective bargaining involves a strategic approach that necessarily includes information sharing between Communications departments, HR, and Employer negotiating teams in an effort to support the collective bargaining process.

While every round of negotiations is unique, there are some common realities that need to be considered when approaching communications during collective bargaining.



GOOD COMMUNICATION IS KEY – BOTH EXTERNALLY AND INTERNALLY

From Chief Negotiators to those responsible for operations during a labour work stoppage, increasingly communication – how information is shared, what information is shared, and what information is released to the media – is seen as a very influential component of a labour relations strategy. Keeping the bargaining team, management and key internal audiences informed during bargaining strengthens the employers' position.

At the same time, it is important to know when to keep quiet. If there is any potential for a negotiated settlement, the employer should not discuss details of the latest offer publicly nor should the employer react to union rhetoric. To react publicly only polarizes the bargaining positions and can lock a bargaining team into a position that cannot be sustained at the table. Pre-breakdown of talks, it makes sense to provide updates on the process only. If talks break down, the employer may choose to communicate the offer to the media (so members get information from a source other than the union).

PLAN FOR ALL POSSIBLE OUTCOMES

It is prudent to strategize in advance of a work stoppage on all the possible end-game scenarios and consider the potential financial, reputational and mindshare risks of each scenario prior to the crunch. This results in better decisions and usually presents more and better options (off ramps) when there is still time to affect the outcome.

Likewise, the integrity of the “work stoppage” contingency plan affects the employer’s bargaining position. If the contingency plan can’t be sustained over a period of time then scenarios to reach agreement without a work stoppage are absolutely necessary (Eg. Conciliation, mediation and arbitration). If the contingency plan is solid and can be sustained, the employer can negotiate from a much stronger position and the public and key stakeholders are less likely to become engaged.

SUPPORT THE COLLECTIVE BARGAINING PROCESS

The collective bargaining process is in place to facilitate the decision-making process. And it works when all parties respect the process, and are seen to

respect it. It's not about scoring points. The communications strategy exists to support the bargaining strategy not to score points against the union. Every communications decision needs to pass this test: How will this strategy, message or action, help the parties reach a negotiated settlement? There is no glory in winning the PR battle against a union, negotiating a bad contract or being incapable of reaching an agreement. The goal is not to win the PR battle with the union it is to get a reasonable contract signed and to move on to the core business of the organization. At some point, the dispute will end and everyone goes back to work.

TIMING IS EVERYTHING IN CONTRACT NEGOTIATIONS

Understanding the pace of negotiations and the union's likely next steps comes with experience. Communications can be helpful to support or enhance the bargaining strategy to allow the strongest possible position through timing of announcements and actions. Sometimes an extra hour or day can make the difference in the final outcome of negotiations.

CONTRACT NEGOTIATIONS ARE ABOUT BALANCING PRIORITIES

Labour relations does not happen in a vacuum. Union, management, customers, non-union, employees, and shareholders are all affected by the way labour relations are handled.

With this in mind, it is important to conduct balanced labour relations that produce outcomes that benefit all parties involved. It can sometimes be a delicate balancing act. Contract negotiations are not about what employees are worth. They are about how an employer balances the priorities of the whole organization.

INTEGRATED MEDIA, STAKEHOLDER AND DIGITAL STRATEGY IS THE EMPLOYER'S RESPONSIBILITY

Employers need to be ready to proactively tell their story and rationale for the positions they take across multiple channels. Unions are becoming increasingly sophisticated in communicating with their members and with the employers' stakeholders on the rationale for their position, which is often narrowly defined. Larger organizations, in particular, have a responsibility to communicate with all of their stakeholders who are impacted by the outcome of negotiations during the collective bargaining process, if there is a work stoppage and in a return-to-work transition. If the employer doesn't fill this void it will be left for the union to fill. At the same time, public-facing communications need to serve the labour relations strategy and advance the organization's corporate strategy. This can mean the use of internal

communications, earned media, social media, website, and advertising.

MANAGING A WORK STOPPAGE

If there is a work stoppage, the employer needs to proactively anticipate and communicate its efforts to maintain operations and/or mitigate inconvenience to the broad stakeholder community. This should include both formal and informal, two-way communications and can include digital engagement, and paid and earned media.

How do you set up for success?

- Review of current materials (website, union materials, contingency operational plans)
- Identify key audiences
- Develop a storyboard/ core narrative that anchors and sustains messaging throughout all phases of collective bargaining
- Test employer and union positioning against possible opposition
- Develop a university community management plan
- Consider and develop scenarios and contingency plans, including:
 - Bargaining
 - Tentative agreements and ratifications
 - Conciliation/mediation
 - Impasse and count down
 - Strike vote
 - Count down
 - Strike/Lock Out
 - Picket Lines
 - Injunctions
 - Boycotts
- Communicating strike operational plans
- Develop messages and Q&As (throughout the process)
- Design and build of subject specific, micro-site
- Design and copy for advertising/posters
- Identify appropriate subject experts as resources
- Identify media spokespeople and ensure they are media trained /message coached