

WASHINGTON STATE **NURSES** ASSOCIATION

Observer Negotiations Guidelines

Thank you for attending negotiations as an observer! Your support is critical to showing management that we are united for our hospital, our coworkers, and our patients. Please read all guidelines before attending negotiations; all observers are expected to abide by these guidelines. We want negotiations to be as open and transparent as possible, and have developed these guidelines over hundreds of contract campaigns to allow the bargaining team to represent the bargaining unit as effectively as possible while also allowing bargaining unit nurses to attend. Please note that most of negotiations are spent in caucus, not in joint session with management. This means that for much of a bargaining session, the team is working amongst themselves to create and respond to management's proposals. **It can often take hours before we meet with management – and you are welcome to listen to the team's deliberations – but consider bringing a book or another device to stay occupied with during the day. Negotiations are a long process that involve a lot of waiting.**

1. Plan to attend as much of the session as possible so you can hear the entire discussion. Observers who show up after joint session has started might be unable to enter until we've gone into caucus. If you must leave early, exit when we're not in joint session with management.
2. Wear any WSNA swag you have! We'll have extra buttons, shirts, and stickers.
3. Keep what you hear confidential, especially if you are there for only part of the day, unless the bargaining team says it's okay to put out specific information. Remember – the bargaining team has been part of this process through several prep sessions and negotiations; as an observer, you may only be hearing one small part without context of a much longer discussion. During union caucuses you'll be privy to confidential information and discussions about proposals and strategy and, in order to negotiate the most successful contract possible and continue to have observers attend, it is critical that everyone agree. During joint sessions with management, the team has carefully prepared what will and won't be said. The bargaining team will communicate to the WSNA Membership after each session and the Union cannot be the source of misinformation and rumors.
4. Cell phones and other devices must be turned on silent and put away during joint session.
5. Minimize reactions to what management or the WSNA chief spokesperson might say at the table, including facial expressions, verbal comments, and body language. Do not talk among yourselves, across the table, or ask questions during the session. If you have questions during the joint session or the caucus, they should be written down and passed to a team member. They may be addressed if time allows. Remember that the caucus session is where the team does its work. It is essential to respect the time constraints and the complexity of the issues that need to be discussed by the team, as well as the fact that the team is volunteering its time.

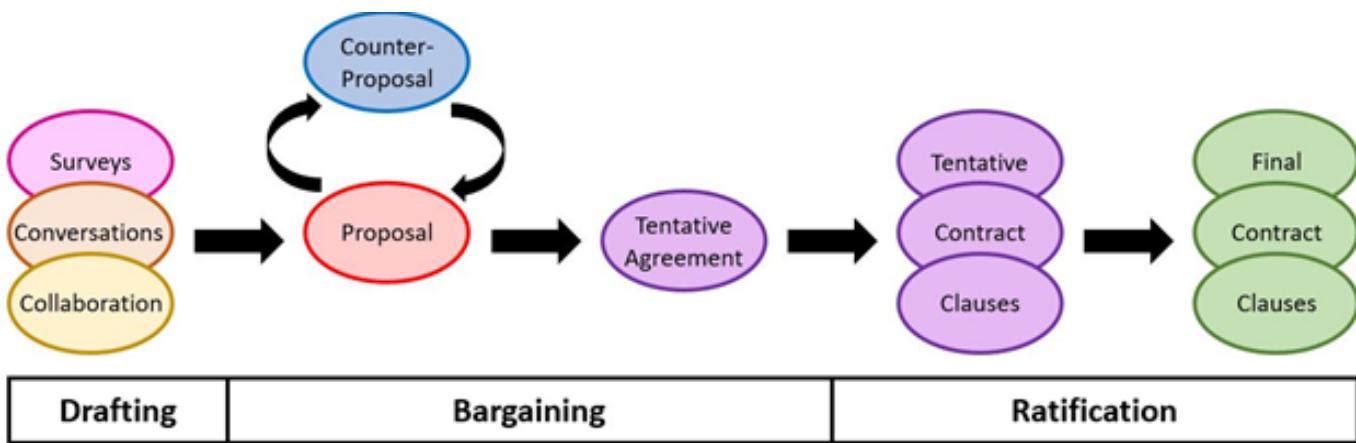
It is helpful for our bargaining unit to hear from nurses that have observed. Consider sharing your experience and we can include it in our update. Talk to a bargaining team member before you leave or email Jenny, jgalassi@wsna.org.

Stay connected on our closed [FB page](#), [8th Avenue Nurses of Spokane](#)



and [Instagram](#).





Definitions for Observers:

Bargaining Subjects – The bargaining process covers everything that goes into the contract, but there are some rules about what can and cannot be discussed.

Caucuses – Union and Management bargaining teams discuss proposals privately in caucuses. During a caucus the team works on proposals and counter-proposals and will address observers' questions if time permits. The bargaining team will nearly always hold a caucus before making major decisions.

Clause – One section of a contract, also called an article, a section, or a provision.

Contract – An official agreement between employers and a union that is legally binding.

Illegal Subjects of Bargaining – Essentially, you can't write contract language that goes against existing state or federal law.

Mandatory Subjects of Bargaining – These are things that Management is bound to negotiate with the Union. All wages, hours, and terms and conditions of employment are mandatory subjects, including benefits, grievances, strike/lockout policies, and union security.

Permissive Subjects of Bargaining – The contract can contain whatever provisions the parties agree on, so long as they're not illegal.

Proposals – Rather than passing a whole contract back and forth between the bargaining teams, negotiations happen one clause at a time. In general, one side writes a proposal, and the other team responds with “yes,” “no,” or a counter-proposal. After negotiating back and forth as much as is necessary to find language that is acceptable to both sides, the proposal becomes a tentative agreement or could be withdrawn by the team that proposed it initially.

Ratification – When all the tentative agreements have been put together into a tentative contract, the union members will vote on whether to make it legally binding. This process is called ratification. A ratification vote will pass if 50% plus 1 vote of the dues-paying union members who vote for the contract vote “yes.”

Joint Session – Union and Management bargaining teams sit together to discuss proposals. Only the bargaining team members speak during table discussions.

Tentative Agreement (TA) – Not as tentative as the name implies, a tentative agreement can't be opened back up for negotiation once it is reached (unless both sides agree there is a good reason). Tentative agreements become clauses in the tentative contract.