

5.6. COLLECTIVE BARGAINING

5.6.1. What Is Meant By Collective Bargaining?

International Labor Organization (ILO) has defined collective bargaining as "negotiation about working conditions and terms of employment between an employer and one or more representative employee's with a view to reaching an agreement".

- ✓ The process is *collective* in the sense that the issue relating to terms and conditions of employment are solved by representatives of employees and employers rather than individuals.
- ✓ The term *bargaining* refers to evolving an agreement using methods like negotiation, discussion, exchange of facts and ideas rather than confrontation.

5.6.2. Process Of Collective Bargaining

The process of collective bargaining can be summarized in the following three steps:

Step I. Presenting the character of demands by the union on behalf of the constituent elements.

Step II. Negotiations at the bargaining table.

Step III. Reaching an agreement.

5.6.3. Unionism And Professionalism

(Are unionism and collective bargaining practices ethical?)

- ✓ Collective bargaining assumes 'unionism'. Legally, any organization employing more than 20 employees could have a union. In organizations, more than one union is also permitted.
- ✓ The employers form unions to safeguard the interests of employees and to prevent exploitation of employee.
- ✓ Many professional managers have argued that the ethical aspects of professionalism in engineering are inconsistent with union ideology and practice.
- ✓ According to John Kemper, the unionism and professionalism are conflicting with each other. Professionalism offers paramount importance to the interests of society and of the employer. But unions, also known as *collective bargaining agents*, consider the economic interests of the members ahead of the interests of their employer.
- ✓ Also, a number of professional societies have emphasized that loyalty to employers and the public is not possible with any form of collective bargaining.
- ✓ Even many professional societies indirectly instruct the engineers that they should not become member of the unions. For example, the NSPE code of ethics states that engineers shall not actively participate in strikes, picket lines, or other collective coercive action.

"I will give thrice so much land to any well-deserving friend; but in the way of bargain, mark me, I will cavil on the ninth part of a hair." - Shakespeare

- ✓ Thus professional societies oppose unionization because of the issue of conflicting loyalties and on the grounds that it is unprofessional.
- ✓ In a nutshell, the general view is that it is impossible for an engineer to belong to a union and at the same time to maintain the standards of his profession.
- ✓ **Conclusion:**

From the above discussions, the following conclusions can be made:

1. We can observe whether collective bargaining and its tactics are ethical or unethical, only on the basis of the given situation.
2. Though unions often have misused their power and irresponsibly disregarded the public good, the formation of engineering unions should not be considered always unprofessional.
3. The moral assessment of unions is complex. Many morally relevant facts and factors should be considered while judging about any union.

5.6.4. Arguments Over Unions

There are two arguments in favor of and against unions.

1. Arguments in Favor of Unions

- ✓ Unions play a vital role in achieving high salaries and improved standard of living of employees.
- ✓ Unions give employees a greater sense of participation in organization decision-making.
- ✓ Unions ensure job security and protection against arbitrary treatment to the employees.
- ✓ Unions have the ability to resist any orders from employers to perform unethical acts.
- ✓ Unions maintain stability by providing an effective grievance procedure for employee complaints.
- ✓ Unions can act as a counterforce to any radical political movements that exploit