

THE CHIEF'S ROLE IN COLLECTIVE BARGAINING NEGOTIATIONS

Atty. John M. (Jack) Collins
General Counsel, Mass. Chiefs of
Police Association



OPTIONAL ROLES

- MEMBER OF NEGOTIATING TEAM
 - ACTIVE NEGOTIATOR
 - CONSULTANT
- BEHIND THE SCENE
 - CONSULTANT
- ***RECOMMENDATION***
 - NEGOTIATING TEAM MEMEBR
 - SILENT CONSULTANT
 - ADVOCATE FOR MANAGEMENT RIGHTS



DOCUMENT MID-TERM CONTRACT ISSUES

- GRIEVANCES
- DISCIPLINE
- ASSIGNMENT
- PROMOTION
- TRANSFER
- FITNESS FOR DUTY TESTING
- SICK OR INJURY LEAVE



DRAFTING PROPOSALS

- PRIORITIZE
- MANAGEMENT RIGHTS
- AFFORDABLE
- UNDERSTANDABLE
- FAIR



ENCOURAGE COMPREHENSIVE PROPOSALS

- NOT “LISTS”
- RED-LINED VERSION
 - AVOIDS AMBIGUITY
 - EXPEDITES FINAL DOCUMENT DRAFTING
 - FOCUSES DISCUSSION ON
MANAGEMENT’S PROPOSALS



IDENTIFY SOURCE OF SILLY PROPOSALS

- UNION MEMBERS SUBMIT
- KNOW NEGOTIATING TEAM
 - PERSONAL AGENDAS
 - DISCIPLINARY HISTORY
 - CAMPAIGN PROMISES



ANTICIPATE GRIEVANCES

- NARROW DEFINITION
- LIMIT ARBITRATORS' POWERS
 - APPLICABLE LAW AND FACTS



MANAGEMENT RIGHTS CLAUSE

- KNOWING, INTELLIGENT WAIVER
- EXAMPLES
- NOT BROAD “FEEL GOOD” CLAUSE
- DON'T LET THEM BARGAIN AWAY
CHIEF'S RIGHTS
 - MOST COSTLY MISTAKES



NO “BILL OF RIGHTS”

- INNOCUOUS SOUNDING TRAPS
- ADDS UNNECESSARY LEVEL OF APPEAL OPTIONS



REMEMBER TOMORROW

- YOU WILL HAVE TO LIVE WITH CONTRACT AND OFFICERS
- DON'T ADOPT "ENEMY" POSTURE
- CLARIFY EXPECTATIONS
 - MONEY IS NOT YOUR ISSUE
 - MANAGEMENT AND SERVICES ARE



DON'T BE SHY

- ASK!
- DRUG TESTING

