

About the Presenter



Thomas P. Krukowski represents management exclusively in labor and employment law. He has extensive experience and involvement in collective bargaining and strategic and tactical analyses for numerous concessionary labor contracts and/or labor disputes for clients that include Hormel Foods, Briggs & Stratton Corporation, Patrick Cudahy, American Airlines, International Paper Company, and Ryder Systems, among many others. Tom earned

his business and law degrees from Marquette University. He is admitted and licensed to practice in WI, MA, MN and MO state and federal courts, numerous U.S. Courts of Appeal, before the U.S. District Courts for the N. District of IL and the N. and S. Districts of IN, and before the United States Supreme Court.

On-Site Training

Unable to attend? Tom can conduct an on-site program on this subject.

Want something more specific? Tom can develop and present a review of this matter tailored to the unique interests of your company.

About the Firm

Krukowski & Costello, S.C., represents management in labor and employment law—exclusively. We work with employers to develop practical, creative and efficient methods to prevent employment disputes and we aggressively litigate those that cannot be resolved. Our attorneys have in-depth knowledge and experience in all employment law and labor law areas.

We also publish the *Employment Law Manual for Wisconsin Employers*, updated annually, and the *FMLA Manual for Wisconsin Employers*. We offer seminars on a wide variety of employment law topics and on-site training to teach managers and supervisors how to prevent and resolve problems.

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Register
Today

**KRUKOWSKI
& COSTELLO**^{s.c.}

CONCESSION BARGAINING AND UNIONS

Presented by
Thomas P. Krukowski, Esq.



Understanding group dynamics—unions will inherently resist concessions—overcoming the obstacles and hostilities



November 4, 2009
Madison, WI

November 5, 2009
Milwaukee, WI

A program for CEOs, Presidents and professionals involved in labor relations

Seminar Agenda

Current economic problems are forcing management to evaluate costs and assess productivity issues. Do you think the economic conditions could worsen? Today, difficult decisions must be made to remain competitive and possibly to survive. Does a company need to be at the brink of bankruptcy before seeking changes? Not knowing your alternatives, not planning, not anticipating problems, and not having solutions for those problems could spell disaster! Further, can you convince your employees that a change is necessary?

Consider the following recent events:

- General Motors and Chrysler and the United Autoworkers (UAW)—did they do enough, soon enough?
- Why didn't the International Brotherhood of Teamsters (IBT) act sooner to help its 40,000 YRC Worldwide (Yellow/Roadway) employees covered by the National Master Freight Agreement before the Company threatened bankruptcy (union members agreed to accept a total of 20% cuts in wages and an 18-month suspension on pension contributions)?
- The dynamics of negotiations between Mercury Marine and the International Association of Machinists (IAM) in Fond du Lac, WI illustrates the ultimatums and the adversarial relationships that occur during bargaining.

What Should Be Considered?

1. Why you may or may not want to attempt concession bargaining. The two theories and the impact of your decision
2. What if win/win or interest-based bargaining does not work? When and how to seek concessions; strategic and tactical planning—what is it?
3. What counts—the “3 Ps”
 - Proper costing of the collective bargaining agreement & overall costs
 - Productivity gains and eliminating obstacles
 - Pay for performance
4. What management rights do you have?
 - Transfer of work to other locations
 - Subcontracting (how this differs from transfers)
 - Vested rights—retiree health insurance

- Health care cost sharing—accountability and health risk assessments
 - What economic and language changes do you have to make?
5. Effective communications with employees:
 - What influence do bargaining unit employees have for accepting changes? Continuous communication on real company and industry economic matters—do they understand?
 - What role do these employees have vis-à-vis the local, regional or international union? Dealing with bullying. Understanding Saul Alinsky's book, “Rules for Radicals.”
 - Understanding group dynamics—unions will inherently resist concessions: overcoming the obstacles
 6. Effective customer and public relations communications—the Dos and Don'ts
 7. Understanding the law: The National Labor Relations Board (NLRB) under President Obama
 - How changes in the NLRB composition may impact decisions in this arena
 - Understanding plant closing laws and how to negotiate a plant closing agreement; when do you have to negotiate decisions and effects to close, transfer work, etc?
 8. Will your union strike you? Be prepared!
 - Strategic and tactical planning to avoid or prepare for a strike and the Company's response
 - “Work-to-rule”—alternatives to a strike
 - Corporate campaigns—alternatives to a strike
 - Union organizing non-union plants; EFCA & RESPECT Act

Today, there may be a need to remember the negotiations of the late 1970s and early 1980s. What have we learned since then? Remember, there are no quick answers or solutions—just diligent planning and preparation to define your objectives and obtain the desired results.

It is necessary to understand the dynamics of concession bargaining so you can make informed decisions! Attend this program to challenge your knowledge and understanding. Find out if concession bargaining can be done and, if so, is it worth it!

Register Today

CONCESSION BARGAINING AND UNIONS

\$349 per attendee

8:30 a.m. – 12:00 p.m.

- November 4, 2009
Crowne Plaza East Towne - 4402 E. Washington Ave.
Madison, Wisconsin
- November 5, 2009
Crowne Plaza Milwaukee Airport - 6401 S. 13th St.
Milwaukee, Wisconsin

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Hotel information will be sent with registration confirmation. Refunds are available up to five business days prior to the seminar, less a \$25 cancellation fee.