

General Considerations on Bargaining for Work Family Benefits

Work family experts recommend that unions weigh in certain factors before making the decision to put a particular work family issue on the bargaining agenda. Here are a few things to take into consideration before you bargain for the following work family benefits:

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BARGAINING FOR ASSISTANCE/SERVICES PROGRAMS

- Workforce needs for specific types of assistance and services.
- Any existing program(s) to build upon.
- Costs associated with program implementation.
- Is the assistance program a worker right or is it discretionary?
- Who is making the decisions – the union, the management or a joint labor/management committee?
- Any eligibility criteria clarifying who can use or benefit from the program(s).
- Are there any coverage limits or caps on services? For e.g. in case of adoptions, are domestic partner adoptions covered?
- Are there safeguards regarding worker privacy/use for information for disciplinary actions?

BARGAINING FOR BENEFITS

- Current benefits offered by employer and potential to build on existing benefits. For e.g. does the employer offer certain benefits to management level employees that could be extended to members of the bargaining unit?
- Any hardships being experienced by employees based on problems with existing benefits.
- Workforce need and interest in other types of benefits.
- Are the available benefits a worker right or discretionary?
- Who is making the decisions – the union, the management or a joint labor/management committee?
- Eligibility criteria for existing benefits and coverage limits. For e.g. are part time employees eligible for the same benefits as full time employees? Are domestic partners covered?
- Costs associated with the benefits provided.
- Do workers have a choice in terms of integrating benefits offered by the employer with any state/federal benefits?

BARGAINING FOR CHILD CARE

- What percentage of the workforce has dependent children?
- Workforce needs for specific types of child care benefits/programs – based on ages of dependent children, geographic location of the workforce or existing resources.
- What resources exist in the local community that might be integrated into child care benefits for workers? For e.g. is there an existing information and referral service or any child care centers near the workplace etc.?
- Who oversees the child care program(s) – the union, the management, a joint labor/management committee or an external vendor?
- Do workers have the ability to choose a specific child care provider or facility based on their work schedule, distance, etc.?
- Eligibility criteria and coverage limits. For e.g. are adult disabled children covered? Are children of domestic partners covered?
- Costs associated with the child care program(s) – for both employer and employee.

BARGAINING FOR COMMITTEES

- Does the committee have representatives from both labor and management?
- How are members of the committee chosen?
- Does the committee have any staff and/or a budget?
- What is the committee's scope and mandate – is it an advisory or decision-making body?
- Does the committee have a broader commitment to addressing work family issues in the workplace?

BARGAINING FOR DEFINITION OF FAMILY

- Does the definition of family reflect the wide range of family members/relatives that members of the workforce may consider as their family? For e.g. children and parents of domestic partners, in-laws, grandparents, other extended family members etc.
- What types of benefits does the definition of family relate to? For e.g. family leave, sick leave, bereavement leave, dependent care assistance, etc.

BARGAINING FOR DEPENDENT CARE

- What percentage of the workforce is has dependent care responsibilities?
- Workforce needs for specific types of dependent care benefits/programs – based on the caregiving responsibilities of the workers, geographic location or existing resources.
- What resources exist in the local community that might be integrated into dependent care benefits for workers? For e.g. is there an existing information and referral service or any adult day care centers near the workplace etc.?
- Who oversees the dependent care program(s) – the union, the management, a joint labor/management committee or an external vendor?
- Do workers have the ability to choose a specific dependent care provider or facility based on their work schedule, distance, etc.?
- Eligibility criteria and coverage limits. For e.g. are parents-in-law covered? Are domestic partners covered?
- Costs associated with the dependent care program(s) – for both employer and employee.

BARGAINING FOR ELDER CARE

- What percentage of the workforce is has elder care responsibilities?
- Workforce needs for specific types of elder care benefits/programs – based on the caregiving duties of the workers, geographic location or existing resources.
- What resources exist in the local community that might be integrated into dependent care benefits for workers? For e.g. is there an existing resource and referral service or an Alzheimer’s day care center near the workplace etc.?
- Who oversees the elder care program(s) – the union, the management, a joint labor/management committee or an external vendor?
- Do workers have the ability to choose a specific elder care provider or facility based on their work schedule, distance, etc.?
- Eligibility criteria and coverage limits. For e.g. are parents-in-law or grandparents covered?
- Costs associated with the elder care program(s) – for both employer and employee.

BARGAINING FOR FAMILY LEAVE

- What types of leaves are available to employees to care for family members?
- How is the family defined for the purpose of the leave? Does the definition limit when and for whom an employee may take family leave?
- Eligibility criteria clarifying the circumstances when and for how long an employee can take family leave as well conditions when the leave may be extended.
- Any coverage limits. For e.g. are domestic partners covered? Do couples working for the same employer have to divide the total duration of leave?
- Is the leave paid or unpaid?
- What sources of funds are used to provide paid time off?
- Do employees have the right to integrate family leave benefits with other types of leave such as disability leave, sick leave or other paid time off?
- Is the leave a worker right or is it discretionary? If discretionary, who decides – management or a joint labor/management committee?
- Are there safeguards regarding worker privacy/use for information for disciplinary actions?
- Do workers taking adoption or foster care leave get the same benefits and protections as biological parents?
- Does the family leave guarantee a right to return to work?
- Does the family leave guarantee continuation of other benefits such as medical, dental, vision and disability insurance?
- Are existing state/federal family leave laws included in the contract language? Can new bargaining efforts build on existing family leave benefits?

BARGAINING FOR FLEXIBLE WORK OPTIONS

- Workforce needs for specific flexible work options and the range of options that can be negotiated based on the caregiving responsibilities of workers.
- Current flexible work options offered by employer and potential to build on existing benefits. For e.g. does the employer offer flexible work arrangements to management level employees that could be extended to members of the bargaining unit?
- Is flexibility negotiated for the entire bargaining unit, for specific work divisions or for individual workers?
- Is flexibility a guaranteed worker right or is it discretionary? If discretionary, is the decision made by the employer alone or jointly by the worker and the employer?
- Eligibility criteria for flexible or alternative schedules.
- Limits and greater worker control for making flexible work arrangements. For e.g. restrictions on the frequency of shift rotations or the number of weekends a worker may be required to work in a month or limits on overtime.
- Impact of flexible work arrangements on workers' compensation, benefits and seniority. For e.g. do workers get premium pay for working nights, weekends or holidays? Do part-time workers get full benefits or pro-rated benefits?
- For low-income workers, are there a guaranteed minimum number of work hours per week?
- Do workers get advance notice of any changes in their schedule or work hours?
- Are allowances made for hardship situations and emergencies? For e.g. inability to secure child care on short notice or during certain work hours.

BARGAINING FOR FUNDS

- Workforce need for financial assistance with specific family caregiving responsibilities.
- Purpose of the fund – what benefits does the fund provide for?
- What is the funding source – cents per hour worked or a specified dollar amount?
- Who controls use of the fund – the union, the employer or a joint labor-management team?
- Limitations on funding – any limits on how the money can be spent or how long the contributions will continue?
- Eligibility criteria – are benefits from the fund available to all workers?
- How the payment is made – as reimbursement of expenses or as cash support in advance to cover anticipated costs?

BARGAINING FOR OTHER LEAVE

- Workforce need and purpose of the leave.
- Is the leave paid or unpaid? If paid, what funding sources are used to provide paid time off? Does the worker have the right to integrate the leave with other benefits?
- Eligibility criteria and circumstances for leave. For e.g. can an employee take bereavement leave to attend the funeral of a housemate? Can a worker take leave to volunteer at a foster child's school?
- Duration of the leave and employee's ability to extend it or carry over unused leave.
- Is the leave a worker right or is it discretionary? If discretionary, who decides – management or a joint labor/management committee?
- Impact of leave on employee salary, benefits and seniority.
- Is there a guaranteed right to return to work after the leave?
- Are there safeguards regarding worker privacy/use for information for disciplinary actions?
- Type of notification and documentation required.
- In case of leave banks or donated leave, is there a limitation on the amount of days that may be donated or used from the bank?

BARGAINING FOR OTHER WORK FAMILY BENEFITS

- Other work family benefits and programs not available but needed by the workforce. For e.g. private space for breastfeeding mothers to pump or nurse or a worker's right to make or receive calls to a child care provider from the workplace.
- Are there general statements that demonstrate employer commitment to creating a family friendly workplace?
- Other protections available to employees with caregiving responsibilities such as right to request or refuse a transfer based for family reasons.