



Australian Government

Department of Education, Employment and Workplace Relations

BSBWRK508A Manage and oversee bargaining

Revision Number: 1

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Modification History

Not applicable.

Unit Descriptor

Unit descriptor	<p>This unit describes the performance outcomes, skills and knowledge required to effectively manage the process of bargaining to ensure collective agreements are implemented that maintain and promote rights and conditions for union members.</p> <p>No licensing, legislative, regulatory or certification requirements apply to this unit at the time of endorsement.</p>
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Application of the Unit

Application of the unit	<p>This unit applies to individuals with a well established, sound theoretical knowledge base in unionism and industrial relations who provide leadership to members and staff in the union workplace. They carry high levels of responsibility, work at a senior level in the organisation and are authorised to coordinate bargaining processes.</p>
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Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Prepare for bargaining	1.1. Analyse <i>workplace structures</i> to support bargaining processes 1.2. Identify <i>training and development needs</i> 1.3. Identify existing industrial arrangements and impact of legislation relevant to bargaining 1.4. Prepare an initial draft of claims and ensure compliance 1.5. Develop bargaining strategy and negotiating tactics which complement organising activities
2. Oversee and develop workplace organisation	2.1. Develop and implement <i>methods to identify issues</i> in the workplace 2.2. Establish <i>consultative and communication processes</i> 2.3. Develop key campaign messages 2.4. Ensure recruitment of workers is undertaken and members are moved towards activism 2.5. Inoculate members to <i>possible employer strategies</i> and propose union responses 2.6. Coordinate, plan and commence workplace activities
3. Undertake negotiations and take action	3.1. Participate in formal negotiations 3.2. Keep records of formal meetings and outcomes 3.3. Initiate <i>action</i> against employer where appropriate 3.4. Apply <i>negotiating techniques</i> to achieve a favourable outcome 3.5. Respond to employer positions, strategy and tactics as appropriate
4. Reach and evaluate outcomes	4.1. Finalise agreed outcomes of negotiations and document agreement 4.2. Seek approval of <i>endorsement process</i> with members on final agreement 4.3. Ensure agreement is lodged and ballots are conducted appropriately by the employer 4.4. Review outcomes against initial plan with members 4.5. Establish a plan for implementation of the agreement

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

Required skills

- communication skills to consult and negotiate
- leadership skills to gain the support of and motivate others
- organisational and analytical skills.

Required knowledge

- industrial laws and processes to ensure that agreements are consistent with legislative requirements, including discrimination legislation, especially as it pertains to employment
- relevant industry and workforce
- union rules, policies, practices and protocols.

Evidence Guide

EVIDENCE GUIDE	
<p>The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.</p>	
Overview of assessment	
Critical aspects for assessment and evidence required to demonstrate competency in this unit	<p>Evidence of the following is essential:</p> <ul style="list-style-type: none"> • examples of agreements and a range of supporting documents generated prior to lodgement • documented analysis of a bargaining process with descriptions and critique of bargaining strategies employed • knowledge of relevant industry and workforce.
Context of and specific resources for assessment	<p>Assessment must ensure:</p> <ul style="list-style-type: none"> • access to workplace and union documents.
Method of assessment	<p>A range of assessment methods should be used to assess practical skills and knowledge. The following examples are appropriate for this unit:</p> <ul style="list-style-type: none"> • direct questioning combined with review of portfolios of evidence and third party workplace reports of on-the-job performance by the candidate • observation of demonstrated techniques in negotiation • observation of presentations • oral or written questioning to assess knowledge of industrial laws and processes • review of documentation about training and development needs • review of bargaining strategy and negotiating tactics • evaluation of agreement documentation • review of plan established to implement the agreement.
Guidance information for assessment	<p>Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example:</p> <ul style="list-style-type: none"> • other workplace relations units.

Range Statement

RANGE STATEMENT	
<p>The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.</p>	
<p><i>Workplace structures</i> may include:</p>	<ul style="list-style-type: none"> • delegates and activists • membership numbers and union workplace density • union workplace committees or structures • workplace organising committees
<p><i>Training and development needs</i> may include:</p>	<ul style="list-style-type: none"> • formal training in bargaining and other skills • information and awareness raising for all members and workers • one-to-one development in campaign skills • workplace meetings to discuss issues
<p><i>Methods to identify issues</i> may include:</p>	<ul style="list-style-type: none"> • one-to-one contact with members and workers • surveys • workplace meetings to discuss issues
<p><i>Consultative and communication processes</i> may include:</p>	<ul style="list-style-type: none"> • email, newsletters, union memos • one-to-one contact by delegates and activists • phone trees • regular workplace meetings • workplace organising committee meetings
<p><i>Possible employer strategies</i> may include:</p>	<ul style="list-style-type: none"> • benevolence • contracting out • creating a climate of fear and hostility • creating an in-house union • non union agreements • terminating agreements
<p><i>Action</i> may include:</p>	<ul style="list-style-type: none"> • petitions • protected industrial action including strikes, bans, limitations • resolutions • using the media or other bodies or groups to exert pressure or seek influence • workplace meetings
<p><i>Negotiating techniques</i> may</p>	<ul style="list-style-type: none"> • changing of position

RANGE STATEMENT	
include:	<ul style="list-style-type: none"> • gathering information • preparing a compromise • referring back • spiralling • taking action • using third parties
<i>Endorsement process</i> may include:	<ul style="list-style-type: none"> • ballot processes • workplace meetings of members

Unit Sector(s)

Unit sector	
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Competency field

Competency field	Workforce Development - Workplace Relations
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Co-requisite units

Co-requisite units	