COLLECTIVE BARGAINING

A Local Government Management Readiness Guide

What to consider before bargaining begins — and immediately after it launches

THE MANAGEMENT MINDSET

Prepare for the contract you will have to administer — not just the agreement you hope to negotiate.

1 | KNOW YOUR RULES

Start with the legal and structural guardrails.

- Read the collective bargaining ordinance/resolution closely: permissions, restrictions, scope and process.
- Build the CBA so it aligns with the CBO; do not negotiate language the ordinance cannot support.
- Review policies you have been meaning to change. Once bargaining exists, changes affecting employment may require union involvement (impacts & effects bargaining).
- Treat every word, cross-reference, policy date and deadline as consequential.

2 | BUILD THE RIGHT TEAM

The people at the table become part of your bargaining history.

- Choose management representatives who can listen, explain operations and consider competing perspectives.
- Include subject-matter experts who understand the operational and financial consequences of proposals.
- Plan for continuity: preserve institutional knowledge for grievances, disputes and successor bargaining.
- Document negotiation-team meetings and bargaining sessions in detail.

3 | DO YOUR HOMEWORK

Arrive with evidence — and your own language.

- Read CBAs from other localities to identify provisions and trends that may reach your table.
- Cost financial proposals before taking a position; understand staffing, overtime and downstream impacts.
- Compile the documentation and data supporting management positions.
- Do not bargain only in reaction. Be proactive and draft management proposals and preferred language for issues you expect the union to raise.

4 | THINK ACROSS THE ORGANIZATION

One agreement can create consequences far beyond one bargaining unit.

- Coordinate proposals across bargaining units and departments, especially where employees work under different agreements.
- Aim for administratively consistent processes where possible; conflicting rules are difficult to manage.
- Assume unions will share information. Management should also maintain strong internal coordination.
- If multiple CBAs are contemplated, consider staggering expiration dates to avoid simultaneous renegotiations.

5 | BARGAIN FOR IMPACT, NOT INSTINCT

Evaluate what a proposal actually does.

- Avoid reflexive “no”. Ask what the proposal changes operationally, financially and managerially. Under that you are binding future administrations whose priorities and revenue may differ from what they are now.
- Identify what is feasible, what can be modified and what risks accompany impasse or arbitration.
- Know where management discretion may be reduced and where longer-term planning will be required.
- Keep the existing management-workforce relationship in view; unresolved issues often become bargaining issues.

6 | PLAN FOR DAY 1 AFTER RATIFICATION

Contract administration is a permanent workload.

- Identify who will own labor relations; consider dedicated labor-relations capacity as the workload grows.
- Train managers on the new “rules of the road” before they make decisions covered by the CBA.
- Create an implementation checklist: new processes, deadlines, responsible units and required labor-management meetings.
- Centralize labor communications to reduce inconsistent messages, gaps and competing conversations.

QUESTIONS MANAGEMENT SHOULD ANSWER BEFORE EMBARKING ON COLLECTIVE BARGAINING

1. **What problem(s) are we trying to fix and at what cost?**
2. **What should/does our CBO permit — and prohibit?**
3. **Which policies should we update before bargaining?**
4. **Who should be on the management’s negotiation team?**
5. **What language do we want to propose proactively?**
6. **What do peer-locality CBAs tell us to expect?**
7. **Which proposals can we cost with reliable data? Can we afford this proposal going forward?**
8. **Where could management discretion change and how will we handle that?**
9. **How will we coordinate across bargaining units?**
10. **Who will own implementation and labor relations?**
11. **How will we train managers and track every obligation?**

FIELD LESSON: The inaugural negotiation takes substantial time — and administering the resulting contract can demand just as much attention.

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October 2026

Labor Relations Neutrality Guide for Leadership

How to Stay Neutral, Supportive, and Compliant

ⓘ Your Role During This Period

Employees may talk about unions or workplace issues. Your responsibility is to remain neutral, maintain a respectful environment, and avoid actions that could later be viewed as interference.

✓ DO's

- Stay neutral and professional; keep conversations factual and refer employees to the Department of Human Resources when needed.
- Allow casual employee discussions that do not interfere with work.
- Apply workplace rules consistently — treat union discussions the same as other non-work conversations.
- Follow standard official procedures for facility access or inquiries for external individuals, including union representatives.

✕ DON'Ts

- Do not ask employees about union opinions, conversations, or activities.
- Do not reward or penalize employees based on union views.
- Do not share employee information (contact info, schedules, locations) with unauthorized individuals without first consulting with the Department of Human Resources.
- Do not show preference for or against unions or organizing groups.
- Do not monitor or track employee conversations about union topics.
- Avoid all **TIPS** behaviors: **T**hreats, **I**ntimidation/**I**nterrogation, **P**romises, **S**urveillance.

★ Remember

Your responsibility **IS** to:

- Maintain neutrality
- Protect employee rights
- Uphold fairness
- Ensure equal treatment

Your responsibility is **NOT** to:

- Influence employee decisions
- Discourage or encourage union involvement
- Comment on specific unions or positions

Need Guidance?

Contact the Department of Human Resources

@ 757-926-1800 or

humanresources@nnva.gov

They are here to support you navigate this period professionally and confidently.

CITY OF NEWPORT NEWS, VIRGINIA
DEPARTMENT OF HUMAN RESOURCES

Know Your Rights

as a City Employee

IMPORTANT NOTICE

The Newport News City Council **has authorized** collective bargaining (Ordinance #8189-26) for City employees beginning in FY 2029. As of now no union is certified or recognized to represent you. Union organizers do **not** speak for the City.

YOU HAVE THE RIGHT TO SAY NO

You are **never required** to:

- Talk to union organizers
- Sign any authorization card
- Attend union meetings or events
- Answer questions about your views

Your choice is **100% protected.**

1 RIGHT TO DECLINE UNION CONTACT

- You have the absolute right to refuse to speak with any union organizer at any time.
- You may walk away, hang up, or close the door — you owe a union organizer nothing.
- No one may pressure, harass, or follow up repeatedly after you decline.
- Simply say: **"I am not interested"** — you are not required to explain further.

2 RIGHT NOT TO SIGN ANYTHING

- Authorization cards, membership forms, and petitions are entirely voluntary.
- Signing a card may designate a union as your bargaining representative — read carefully.
- You may never be penalized for refusing to sign any union document.
- A signed card can typically be revoked — contact HR if you feel pressured.

3 YOUR PERSONAL INFO IS PROTECTED

- The City will NOT provide your home address, phone, or personal contact info to any union.
- Unions have no automatic right to your personal data from City records.
- If a union contacts you at home, they obtained your info elsewhere — not from the City.
- Report any suspected unauthorized disclosure to HR immediately.

4 RIGHT TO CHOOSE (OR NOT JOIN)

- Virginia is a right-to-work state — union membership is always voluntary.
- No employee may be required to join a union or pay dues as a condition of employment.
- You may support or decline any union without affecting your job, pay, or benefits.
- Your decision is private — you are not required to disclose it to anyone.

5 PROTECTION FROM RETALIATION

- It is unlawful for anyone to retaliate against you for refusing to join or support a union.
- It is equally unlawful to retaliate against you for supporting a union.
- Prohibited conduct includes threats, harassment, or changes to working conditions.
- Report any retaliation to City HR or the VA Dept. of Labor & Industry: (804) 371-2327.

HR Department
700 Town Center Drive· (757) 926-1800
humanresoures@nnva.gov

VA Dept. of Labor & Industry
(804) 371-2327 · doli.virginia.gov

Legal Reference
Va. Code § 40.1-57.2 |
Informational only — not legal advice.

Preparing for Collective Bargaining Negotiations

Key Considerations for Local Government Management

BEFORE INAUGURAL NEGOTIATIONS		BEFORE SUCCESSOR NEGOTIATIONS
• Read and fully understand your collective bargaining ordinance/resolution (CBO), including permissions and restrictions. • Ensure any proposed CBA will align with your CBO. • Identify and reconcile any differences between written policies and current operational practics.	1 LEGAL FRAMEWORK AND POLICIES	• Review existing CBA in conjunction with your CBO. • Evaluate whether current language still aligns with operational needs. • Address any inconsistencies between contract language, written policies, and actual practice.
• Assemble a strong, representative bargaining team. • Consider personalities, ability to see multiple perspectives and longevity with the locality. • Include (SMEs) who understand operations and key issues.	2 BARGAINING TEAM	• Evaluate team composition based on lessons learned. • Maintain continuity for historical knowledge while bringing in new perspectives. • Ensure SMEs are familiar with how existing contract provisions have worked in practice.
• Read CBAs from other localities to understand common provisions. • Identify likely union proposals based on expressed employee/union grievances and develop your own proactive proposals and ideal language. • Analyze potential impacts and operational feasbility.	3 RESEARCH AND PREPARATION	• Review your own contract administration experience. • Use data from implementation, grievances, and operational experience to evaluate what worked and what didn't. • Prepare targeted proposals to modify, clarify or remove problematic language.
• Compile data to support your position, including financial analysis and cost of of proposals, to best advocate for your position and perhaps for your benefit at impasse. • Consider both direct and indirect costs (e.g., increased staffing, long-term obligations).	4 DATA AND FINANCIAL ANALYSIS	• Compare actual cots to initial projections. • Evaluate the financial impact of existing provisions and any proposed changes. • Assess long-term sustainability of compensation, benefits, and operational requirements.
• Plan for managing multiple bargaining units consistently. • If negotiating multiple contracts concurrently, share proposals among units to ensure consistency. • Consider how proposals in one unit may impact other bargaining units. • Develop a strategy to align processes across CBAs where possible. • Consider staggering contract expiration dates to better manage future negotiations.	5 COORDINATION ACROSS UNITS & DEPARTMENTS	• Share proposals among units to ensure consistency. • Address any unintended impacts or inequities created by existing language.
• Anticipate potential areas of dispute and draft clear, precise language. • Establish fair and workable grievance and dispute resolution procedures.	6 CONTRACT LANGUAGE AND DISPUTES	• Review grievance and contract dispute history. • Identify provisions that have generated frequent disputes or ambiguous intrepretations. • Clarify or modify language based on arbitration outcomes and practical experiences.
• Consider potential impacts on supervisors, especially if they will be included in a bargaining unit. • Understand that agreeing to implement collective bargaining does not require acquiescence to all union requests.	7 MANAGEMENT DISCRETION AND OPERATIONS	• Evaluate how existing language has affected management discretion and decision-making. • Identify any additional flexibility needed in the next contract.
• Plan for implementation from the beginning, including a need for additional staffing. • Prepare to train department heads and supervisors on the new rules.	8 IMPLEMENTATION	• Assess inaugural implementation experience and brainstorm improvements. • Update training and develop/refresh your implementation checklist.