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## **Labor experts: Lockout could last weeks**

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It could take weeks, or longer, for the lockout of unionized Cooper Tire workers to end in a labor agreement, according to labor relations experts.

Management and labor likely are still sizing each other up, said Phillip Wilson, president of the Labor Relations Institute in Broken Arrow, Okla.

Wilson and another labor relations expert called Cooper Tire's lockout of workers an aggressive move, though an understandable one, as the company seeks to avoid a potential work stoppage at two plants. A labor contract with Cooper's unionized workers in Texarkana, Ark., expires in mid-January.

Still, lockouts are pretty extreme, occurring less frequently than strikes, the experts said.

"You're sending people home without a paycheck," said William Hannum III, managing partner for Schwartz Hannum in Andover, Mass., which represents companies in labor negotiations. "You can't play harder ball than that."

Even when a lockout ends in a labor agreement which brings workers back to a plant, it leaves a hostility that festers for years, even decades, he said.

"There will be hostility that will manifest itself in a lot of ways," Hannum said. "(Unionized workers) can make the company pay for a long time to come."

Labor contracts are complex. It is nearly impossible for foremen supervising unionized workers to know, let alone master, all their details, he said. Vengeful workers can make a sport of filing grievances and citing contract violations and safety issues.

"If you want to make life miserable for the company, you can create work for a slew of labor and human resource specialists," Hannum said.

Lockouts frequently "can be driven by personality," he said. "There might be some interesting personality conflicts behind the lockout."

At the end of the day, negotiations are all about leverage, Wilson said.

"Everything we're talking about relates to gaining leverage."

When Cooper three years ago said it would close a factory, but did not immediately say

which one, Cooper was gaining leverage, Wilson said.

Cooper Tire alleges the union stalled in recent weeks to bring negotiations in Findlay closer to overlapping with Cooper's Texarkana, Ark., labor negotiations. In that instance, the union was seeking leverage, Wilson said.

"The main leverage of the union is disrupting Cooper's production" through a strike, he said.

By imposing a lockout, the company took the union's trump card and in effect said: "You don't have any cards left. Let's do a deal," Wilson said.

With the lockout occurring during the holiday season and a weak economy, Wilson said he would not be surprised if there would be some movement in negotiations, leading to another vote. But he thinks it is still "a little early in the game."

Cooper Tire has repeatedly said the contract proposal the union rejected Sunday was its "last, best and final proposal."

But Hannum said people should not read much into Cooper calling it the final proposal.

"That's very typical. There are many reasons a company might do that. It's something almost every company will do in every negotiation," he said. "I don't think it's being used carelessly here. I think they're being very deliberate about it."

Hannum expressed hope management and labor will reach an agreement.

"If you look far enough down the road, (Cooper) will come up with another offer that looks different," he said.

Wilson and Hannum said it is a good sign that United Steelworkers Local 207L President Rod Nelson is refraining from inflammatory rhetoric and tactics, and that negotiations are continuing.

"It's not uncommon for there to be violence in a strike or lockout," Hannum said. "At some level the president of the union is trying to prevent that sort of thing. He is trying to strike a deal, trying to make sure everybody stays calm, cool and collected."

Hannum a few times returned to his belief that personalities are key to resolving lockouts.

"The personalities involved are really critical. If they are making inflammatory comments to the press, it can cause things to spin out of control," he said. "Oftentimes the most successful negotiations are going on off the record, in a bar, in a hallway or on the phone."

Other key factors in resolving labor disputes can be pressure on both sides from the mayor or a senator, Hannum said.

"It's just political weight, but it tends to be highly relevant to getting things resolved, even if it's behind the scenes," he said.