

NAVIGATING
THE
EMERGING PARADIGM



THRIVING ON K^{NO}W

by

 Steve Barber

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**AN OVERVIEW
of
PROBLEM SOLVING
through
DECISION MAKING
and
NEGOTIATION**

**with emphasis upon operationalizing an
INTEREST APPROACH**

prepared

by

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Within a Context....

During the 70's, while serving as the deputy director of California's Public Employment Relations Board, I became obsessed with the transformation of the American auto industry in the face of Japanese ascendancy. I was convinced that there were lessons to be learned from the Japanese but the challenge was to get others such as the Americans (and my favorite motor vehicle makers, the Italians) to listen, let alone do something once they got the lesson.

Fortunately for this auto enthusiast, others with more celebrity and influence than I were at work on the subject. One such luminary was David Halberstram. His book *THE RECKONING* inspired me to wonder aloud whether or not such a transformation or paradigm shift might also be conceivable in the field of labor/management relations in the public sector, especially schools. This was something which I had thought about for many years but refrained from voicing due to the hostile reaction such vocal musings would, and did, receive from the professional practitioners and most of my colleagues.

As I was in their service to some extent through my role as an executive charged with administering California's version of the Wagner and Taft-Hartley Acts, I found that asking fundamental questions about underlying assumptions of process and relationships between the employer and employee organization were not well received. In fact such questions were considered to be further proof to the "experts" of my being inappropriate for the job I held! After all, my background was in political science (worse yet, politics, that dirty word) not industrial relations. What more proof did one need?

Fortunately, others with labor-relations credentials that could not be so easily dismissed by practitioners and colleagues in my immediate vicinity were tuned into this shift in process and assumptions. Tuned in to it so much so that they were actually putting this "radical" approach into practice...and with no small success. So it was then that I was able to provide the labor relations practitioners in public education and state government with a continuous stream of examples and writings about this "emerging paradigm". Even more fortunate was that one of their own, a management negotiator named John Glaser, had begun to study the different methods of negotiation being used by school districts throughout the state. In fact John and his negotiating partners in the classified and certificated units at Napa Valley School District had gone beyond simple inquiry and had begun to *use* some of these new approaches!

A frustrated Board member at PERB, exclaiming that there had to be a better way to do labor relations than the one that was deluging the agency with casework well beyond original expectations, provided the window of opportunity needed to breathe life into what had heretofore been my subterranean undertaking! Thanks to the efforts and skills of Janet Walden (she was damn near compulsive about it) at bringing ideas and a coalition of management and labor practitioners to life, my subterranean odyssey into the future became an actual program within the agency. With the help of Ralph Dills and Becky Morgan (California State Senators, a Democrat and Republican, who co-authored first ever legislation to fund the project) PERB's efforts had the credibility necessary to attract start up funding from the Stewart Foundations and the Hewlett Foundation.

The rest is a history of success, "Let Mikey" try it, "Looky Lous", "horses that won't drink the water", and taking it to other venues such as private sector, cities, counties, and legislatures. The difficulties and drawbacks to introducing and practicing a completely different paradigm or model of doing business within an enterprise is perhaps best understood as a recovery experience: recovering from the paradigm the parties to the enterprise have consciously found as not useful or appropriate for current reality or context.

While this is the case for discrete enterprises, what about communities or political systems? I believe the use of paradigmatic thinking is applicable here too. The principles set forth in this booklet are presented here in the context of the workplace yet have comfortable application in the broader setting of community or political system. So too, do they have application in the context of individual human relations such as in a family or personal relationship.

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A Reference Point or Guide is Helpful....

Pursuing my own passions in this odyssey has found me facilitating or training in an interest approach to negotiations, organizational development, public policy determinations, conflict management and more....for over 30,000 hours since 1987! I have been facilitating or training in these and related issues virtually full time since 1990! These hours and hours with teams struggling to unlearn the past and bring on the future has enabled me to discover not just my own style of helping them do that but also realize that this style seems to be well received by most.

As a result, I have been repeatedly asked to compose my unique view of this emerging paradigm and how it works into a handy reference guide. This booklet is a rough outline of the ongoing effort to be responsive to these requests. In addition to this booklet a videotape is under production and expected to be available, a reader (a collection articles about the specific application and experiences of an interest approach in public education) is being prepared, an interactive computer program based on the interest approach is in the works, and two more books expanding upon the basics of this one are planned.

This booklet is my genuine attempt to begin to integrate my theoretical and academic understanding of how people make decisions within both the traditional and interest based approach. Much of what appears here has been distilled from these 30,000+ hours of face to face work combined with an inquisitive and curious mind trying to connect what it sees in practice with everybody else's explanations. Sorry, I can't help it.

PROBLEM SOLVING as most of us know it and practice it seems quite natural, as though it is something we're born with the capacity to do. After all, what we're doing is just making a decision. Confronted with a problem we use "common sense", logic, a few tools we've acquired, how others do it, what we've always done and solve the thing. The sooner the better too!

Yet, in our heart of hearts we know that's not what happens. Upon reflection, we are aware of the reluctance our peers and organizations have to identify, let alone confront, problems we or others perceive. Any number of reasons explain this reluctance. Perhaps, the most common one is derived from the structure of organization in which we do business. It is one which has traditionally equated the concept of "problem" with that of "failure" or "wrong" or "error" etc.

We are aware of the lack of comfort and awkwardness associated with directly communicating to the principals in any perceived situation for fear of damaging the relationship. And we are aware of the post-scrutiny and "Monday morning quarterbacking" that goes on after any solution is "announced". Fear, unique to each participant, is incredibly alive and flourishing as a motivator in our familiar model in the workplace.

This booklet is designed to serve as a definer of context or as a reference maker for the elements which one must orchestrate to participate in or understand a very different model of problem solving in the workplace: AN INTEREST APPROACH TO PROBLEM SOLVING...

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AN INTEREST APPROACH

to NEGOTIATION - COMMUNICATION - PROBLEM SOLVING

What is it?

An interest approach to communication, negotiation and problem solving is a non-adversarial means of achieving decisions or even just being understood in a discussion or dialogue with others. It consists of a collection of principles and techniques familiar to anyone. These principles include such concepts as focusing on issues not personalities, making decisions which are based on an objective reason rather than power or coercion, accepting all motives or interests as givens, rather than evaluating those interests as right or wrong.

It includes the recognition that human beings are just that and as human beings we are usually going to find ourselves "in relationship" to others. Because of this the human element in any situation must be taken into account and focused on as much as the substantive if one is to achieve a good and lasting situation rather than a "win". Outside of playing games a "win" will often guarantee the winner that an enemy has just been created who will do everything possible to insure a "lose" next time, as in the late Jesse Unruh's advice, "Don't get mad, get even."

Who uses this approach?

Although its components are familiar, to work well and serve as a tool for developing organizational effectiveness in the face of the ubiquity of change, the interest approach is most successful when introduced jointly to the parties committed to using it. The introduction is through a facilitated training and practice.

It is being used and introduced in labor relations, public policy decision-making, alternative dispute resolution, international relations, economic development, counseling, planning, business, government, and more. Professionals in these fields and more are discovering that the traditional approaches are no longer effective in the face of multi-variate change.

Is it effective?

An interest approach is at once analytic and creative, enabling people to turn loose both of those strengths that define us as human. Its application in public school labor relations reduced the filing of formal complaints by 70% in the labor management relationships introduced to it, its application in international relations is visible to day in South Africa and the Middle East. The interest approach is fast becoming the antidote to failed or stalled initiatives in quality and participatory management in business.

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UNDERSTANDING.....

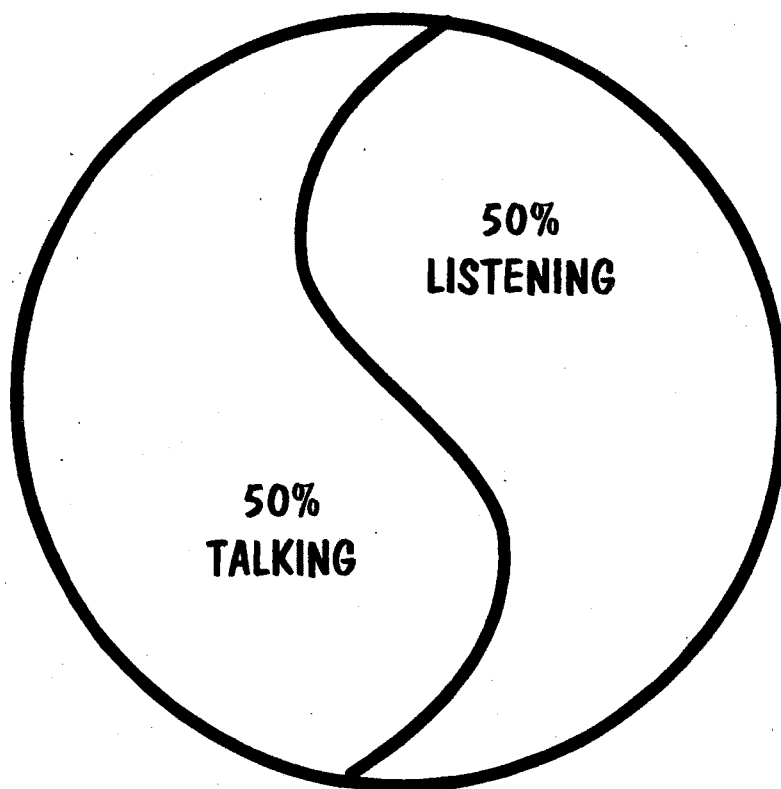
Successful problem solving, like negotiation, is essentially a consequence of the parties to the issue understanding it well enough to have a "meeting of the minds" about the issue and the solution. Note the use of the word "successful". One can experience problem solving that provides a solution (a definition of success) but does not contain within it the needed ingredient for its enactment (as in "Because I said so" model): the support of those involved and impacted.

Understanding, coming "to know" or "be known" in the mind of another person or group, is a consequence of something everyone calls "communication". But what is communication? What does it look like? According to the author of the book "Getting to Yes", Roger Fisher, communication is "50% talking and 50% listening, and the most important part is the listening."

The interesting thing about talking and listening is that it doesn't have as much to do with words, eardrums, and vocal cords as one might imagine! The question is "what is it that human beings do, especially with regard to making decisions or solving problems, when we talk or listen?"

We understand each other through

COMMUNICATION



but, how do we talk and listen?

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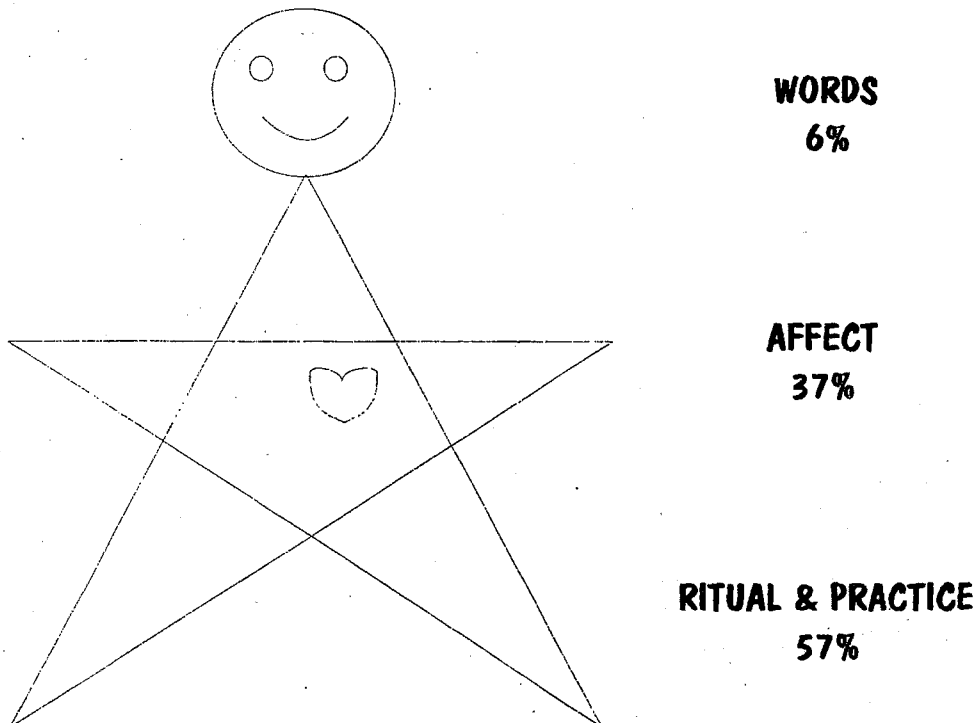
COMMUNICATION....

involves the orchestration by human beings, either as an individual or as a group, of three types of behavior:

Words: language, either verbal or written, utilized to articulate or memorialize information and knowledge about the situation at hand. With reference to decision making or problem solving, there appear to be three (3) categories: 1) how we set forth the situation or issue, 2) words used in the ritual and for affect, and 3) words that memorialize solution and agreement.

Affect: non-verbal posture, body language, tone of voice, facial expression, demonstration or lack of emotion. Includes such things as volume, intensity, and timing. Affect has many cultural constraints and connections. Affect often conveys commitment, urgency, intensity.

Ritual & Practice: who does or says what and when. Assumptions and principles about how success is accomplished. A learned and taught collection of steps and sequences or protocols of behaviors between and among the parties to the issue. Process or approach.



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HOW WE COMMUNICATE TO SOLVE PROBLEMS....

While humans have been practicing choice making for thousands of years, it is the one human activity which can serve as a focal point for so many disciplines committed to the study of human behavior. With regard to making choices around issues or problems that affect others, especially with regard to human organization, we have been studying and studying and studying. Approaching the subject paradigmatically, it would appear that two significant and identifiable models of choice making or problem solving in the workplace can be defined through the use of the concept of communication as set forth above:

CONVENTIONAL: The one we've been working on for the better part of this millennium. It has involved our attempts, in Western Civilization at least, to escape from the making of decisions by the assertion of raw, physical power by translating this power into the concept of RIGHTS. The successful assertion of one's rights has meant the ascendancy or decline of one's needs being met. In the workplace we've been practicing a version of this model for about 150 years. The determination of "rights" has been the consequence of warfare, legislation, and litigation. The "tug of war" in the workplace or elsewhere has been focused upon the determination of where one party's rights end and another party's rights begin. This conventional model is most complimentary to our understanding of how the universe works as explained by the science of the 17th century: act/react or Newtonian.

EMERGING: As our rights become established in law or logic and as the world has grown more complex and multivariate (many variables) we are realizing that the conventional model of decision making seems not to be serving us well. Decisions made in the conventional model are challenged to stalemate within it still, while technology, population growth, global competition, and the single sided solutions emerging from the practice of the conventional model (political initiatives etc.) exacerbate rather than resolve conditions. As a consequence another model has been emerging which seems more comfortable with multiple variables. This emerging model seems more complimentary to our understanding of how the universe works as explained by the science of the 20th Century: quantum, field, chaos, and Newtonian. Using this model has won people a few nobel prizes for peace.

As seen in terms of how we now understand COMMUNICATION as the orchestration of three human behaviors these conventional and emerging models (paradigms) can be reduced to these three components. Keep in mind that the purpose of this communication is "a meeting of the minds" or "understanding".

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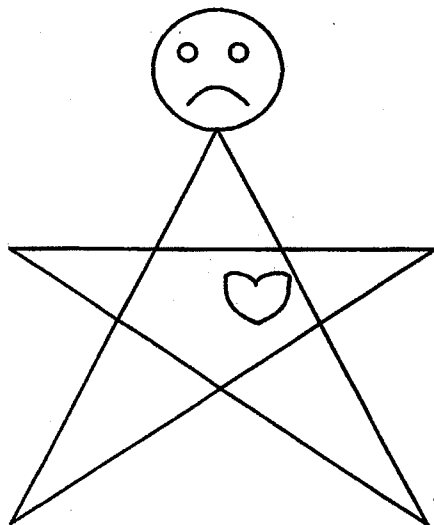
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CONVENTIONAL



WORDS

About issues: Distributive

In ritual: Constrained

About solutions: Restrictive

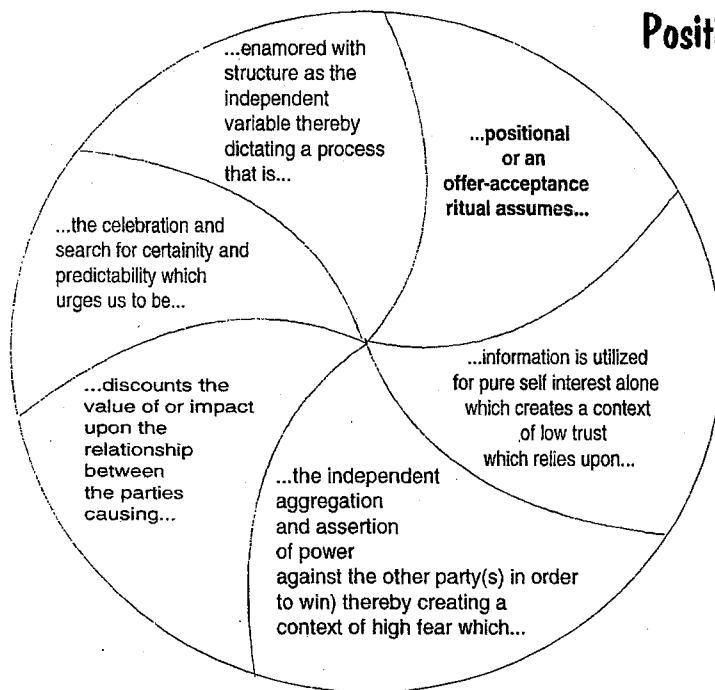
AFFECT

Confrontational

Adversarial

RITUAL

Positional:



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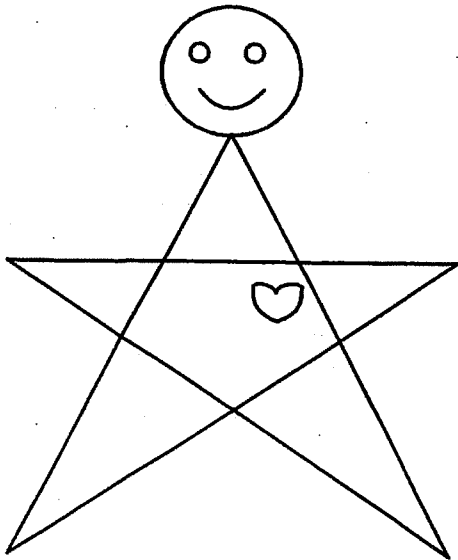
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EMERGING



WORDS

About issues/situations: Integrative & Interconnected

In ritual: Creative & Expansive

About solutions: Commitment to
solution/process/relationship

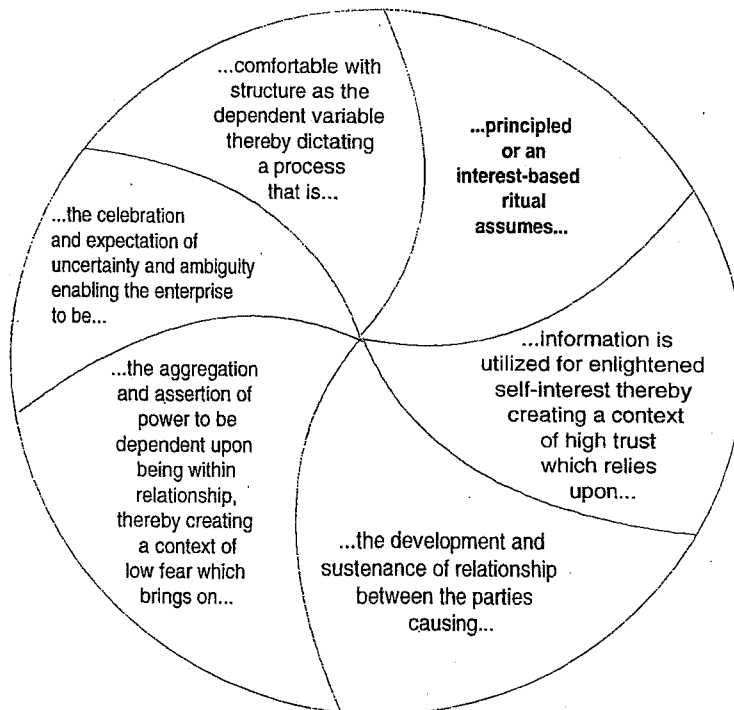
AFFECT

Cooperative

Collaborative

RITUAL

Principled:



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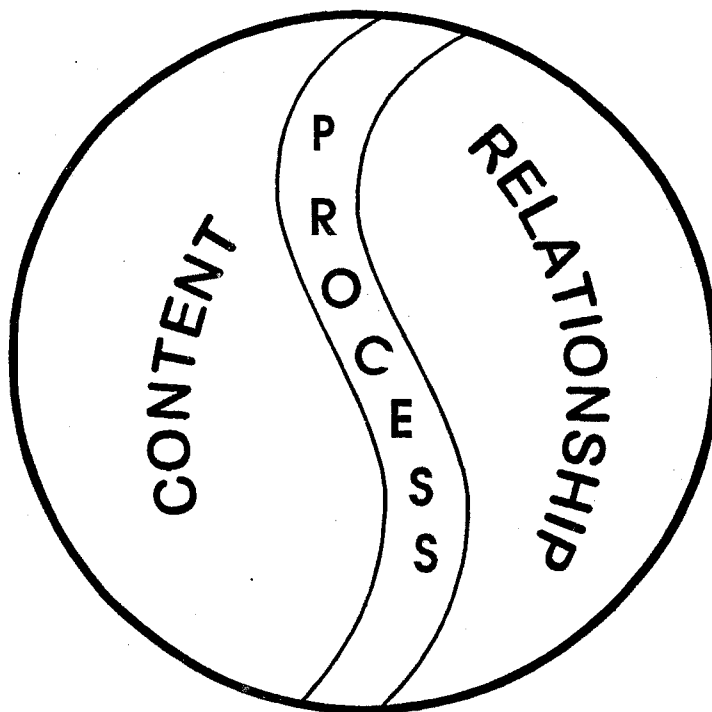
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UNDERSTANDING COMES FROM COMMUNICATION ABOUT:

A SITUATION, AN ISSUE, A DISPUTE, A PROBLEM, AN OPPORTUNITY....

As outlined, regardless of the model used, the communication is about issues, situations, or problems. I personally dislike the word "problem" and like to use the word "opportunity". The negative quality associated with the word "problem" stems from our organizational or structural culture. For example, I'm told that Toyota has banned the use of the word from its culture. Instead, they use the word "opportunity". Semantics aside, when we communicate for the purposes of resolving a situation it is usually also in order to resolve a difference we have regarding the situation.

My colleague, Ian Walke, has introduced me to a convenient way of entering into any analysis of any situation. Ian calls it CPR! I call it "Ian's triage". Any opportunity or situation is susceptible to analysis (taking it apart or disaggregating it) as to these three fundamental components:



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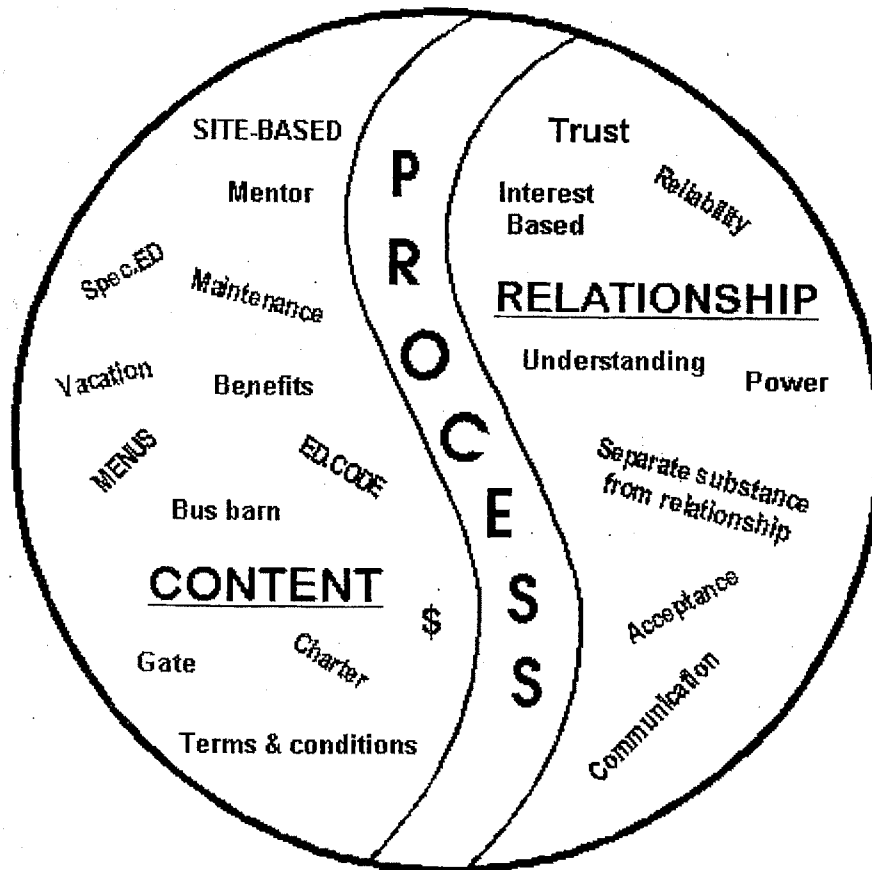
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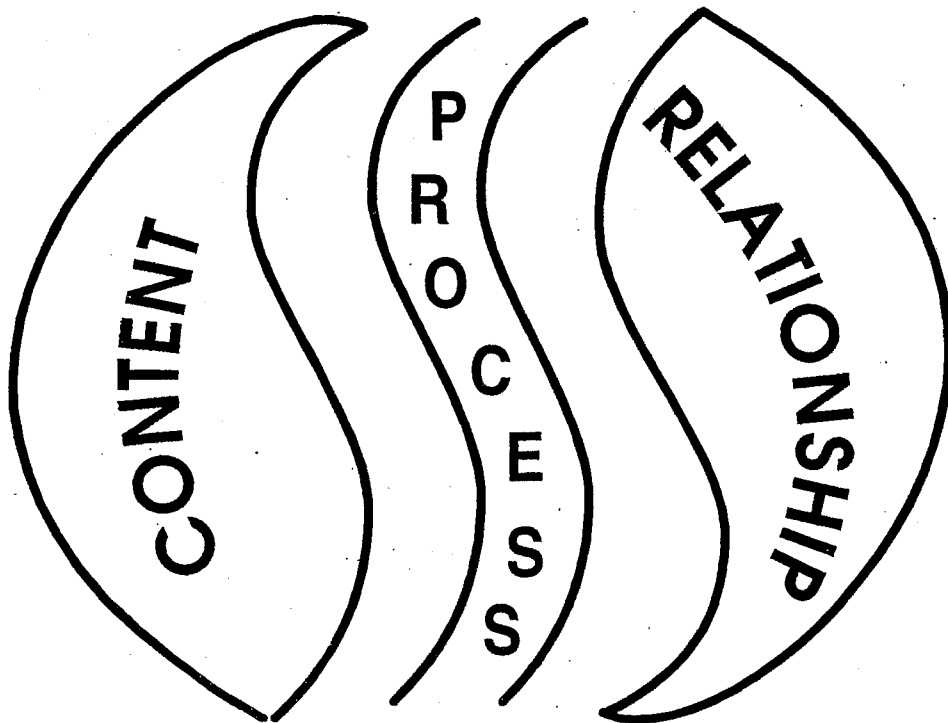
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IN ANY SITUATION THERE ARE THREE FUNDAMENTAL COMPONENTS



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Each of these components, in turn, is susceptible to further disaggregation or scrutiny. Once the elements of each component are understood, diagnosis, prescription, and practice are possible.



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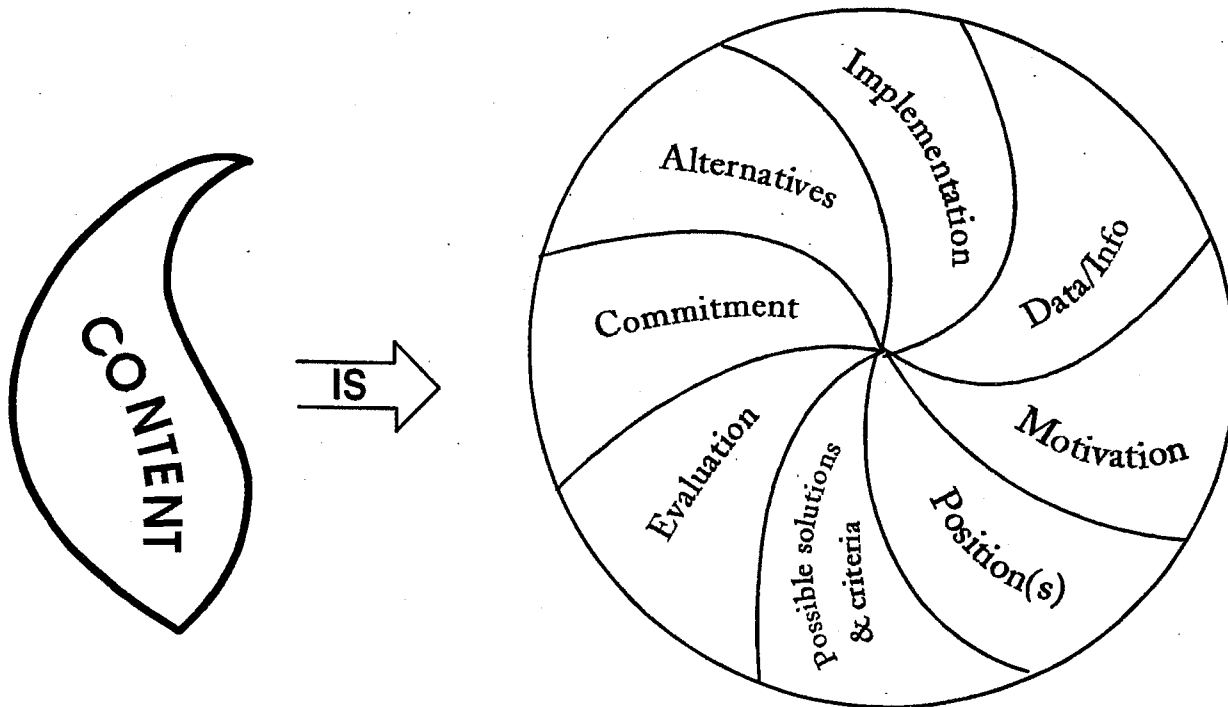
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An examination of each component will reveal further elements of the practice of an interest approach....
CONTENT.....

Regarding choice or decision making around problems or situations the substantive aspects or content of any issue or problem can be identified and categorized. Think of yourself as the lens of a camera, what is seen when the shutter is opened and the snapshot taken are these:



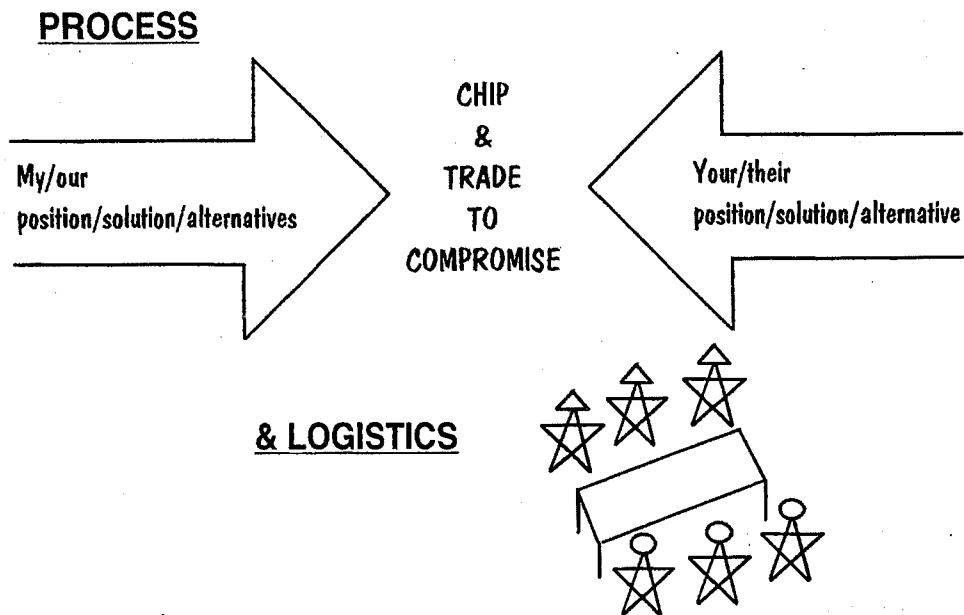
- *Data or information.....Telling the story with perspectives too
- *Motive, Need, Interests..... Heritage, culture, Maslow, history
- *Position.....The solution to which one party is committed
- *Possible solutions & criteria.....Multiple other prospects for solving but require agreement
- *Evaluative behavior.....Comparing solutions to motives and measures
- *Decision/commitment.....Saying "yes" or saying "no"
- *Alternatives.....What can be done without anyone's agreement or if can't get agreement
- *Implementation behavior.....Putting the solution into action

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PROCESS....

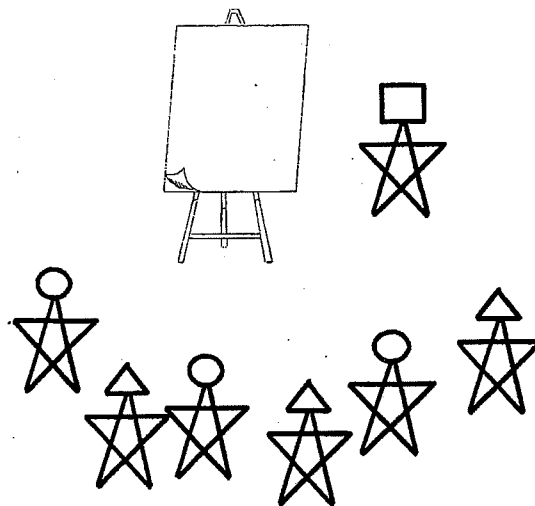
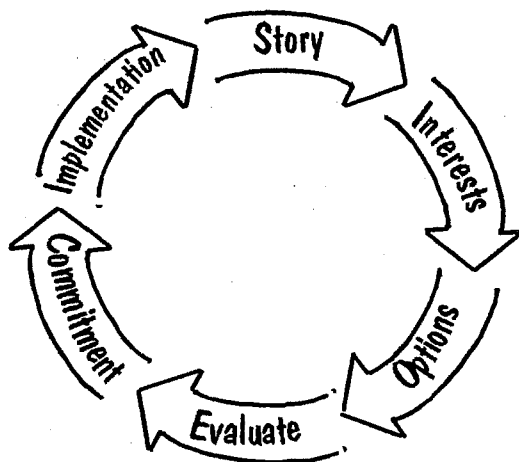
Process or ritual, regarding decision making around problems, presents us with two fundamental approaches:

the conventional approach:



or the interest approach:

PROCESS

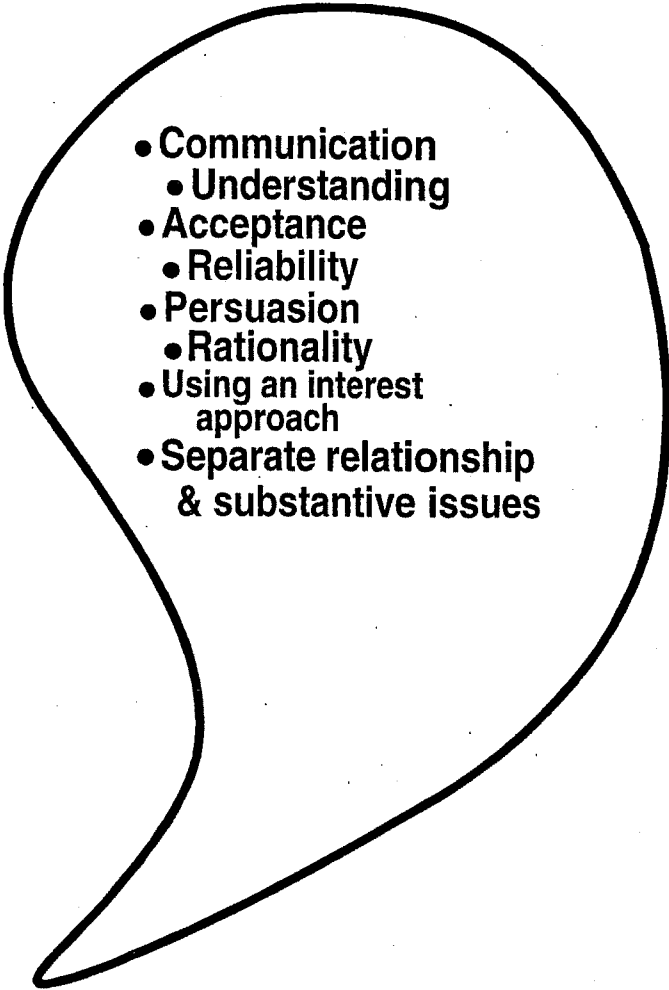


LOGISTICS

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RELATIONSHIP.....

In research and in practice there appear to be a collection of elements which comprise what we know to be reflected in our practice of relationship. Using the work of Fisher and Brown in their book GETTING TOGETHER and from the actual practice of an interest approach in many venues, it would appear that there are eight elements or principles which, if practiced, will produce an effective relationship, even among adversaries. Interestingly, a comprehension of the principles, reflected here, creating an effective relationship is a means of understanding further why the conventional, offer-acceptance model is ultimately divisive, or non-functional as a workplace (community) building tool. One reason for this is that the conventional model discounts the importance of relationship as a variable whatsoever in problem solving/decision making.

- 
- Communication
 - Understanding
 - Acceptance
 - Reliability
 - Persuasion
 - Rationality
 - Using an interest approach
 - Separate relationship & substantive issues

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ELEMENTS OF A POSITIVE WORKING RELATIONSHIP

- ◆ Communication
- ◆ Understanding
- ◆ Acceptance
- ◆ Reliability
- ◆ Rationality
- ◆ Persuasion, not Coercion
- ◆ Using An Interest Approach
- ◆ Separate Substance and Relationship

COMMUNICATION....

Always assume there is a need to talk--consult before deciding or ACBD; communication means BOTH ways--so remember to listen (the most important part of communication); and avoid mixed messages--be explicit.

UNDERSTANDING....

Learning how the other side sees things; exploring their thinking (se may not know how little we actually do know); and starting by asking what they care about. Knowing that an absence of interest in your issue does not mean an absence of interest in the relationship.

ACCEPTANCE....

Dealing with the other party seriously even though we differ, assuming that they are legitimate and competent treating with respect; give weight to and not evaluate their interests/motives; listening to what they say DOES NOT imply agreeing with it; asking their opinion DOES NOT mean we're bound to follow it.

RELIABILITY....

Being wholly trustworthy, but not wholly trusting; realizing that there must be some reason to mistrust us (it's at least 1% correct; seeing ourselves as they see us; encouraging them to be unreliable; incorrectly evaluating their conduct; and basing trust on an analysis of risk not on a moral judgment. Remember the rule of the subjective double standard.

RATIONALITY....

Balancing emotions with reason; being aware of the other party's emotions and of our own; acknowledging emotions, but not reacting emotionally; and preparing for emotions before they arise.

PERSUASION, NOT COERCION....

Negotiating side by side; the win/lose treadmill ruins relationships; attack problems, not people; staying open and delaying commitment; avoiding "either-or" choices; focusing on what is fair; staying aware of what each can do if we fail to agree; and knowing that having a reason for a decision makes it legitimate while leverage, power, or coercion does not.

USING AN INTEREST APPROACH....

Starting with the problem and its underlying driving forces or interests rather than starting with solutions or positions helps the parties to a relationship develop a format process or context within which to bring all these principles to life.

SEPARATE SUBSTANTIVE ISSUES FROM RELATIONSHIP ISSUES....

Acknowledging and dealing with the "elephants" directly rather than using substantive items and a concerns to do this; identifying relationship issues DOES NOT equal a judgment of them; identifying relationship issues DOES NOT equal accuracy, just identification; state YOUR TRUTH about the issue, help the other party to state THEIR TRUTH, and taken together the full and accurate story can be determined.

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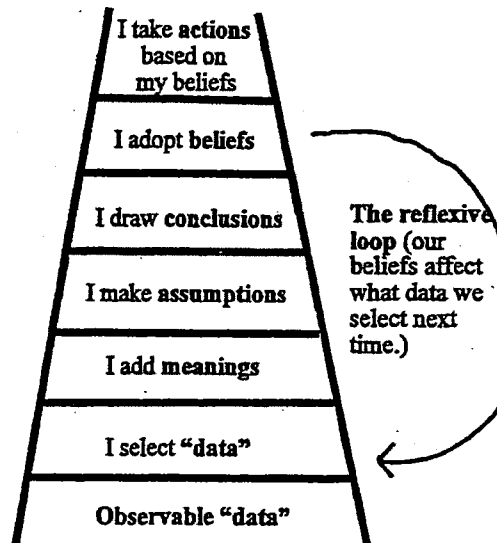
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THE LADDER OF INFERENCE

☛ The Origins of Conflict in How We Interpret Experience

The origin of conflict is often rooted in our inability to recognize the difference between what we actually **know** about our experience, and what we have **added** to our experience -- the internal and external components of our beliefs.

When two of us are engaged in a transaction, the only actual data we receive is what each of us **sees and hears**, or otherwise receives through our other senses. What we add is our own **meaning, assumptions, conclusions and beliefs** and then **feelings in response to our beliefs** -- all of which lead to our responses. Our belief systems, then, become the screen through which we filter our experiences. We unconsciously select the data that we choose to pay attention to.



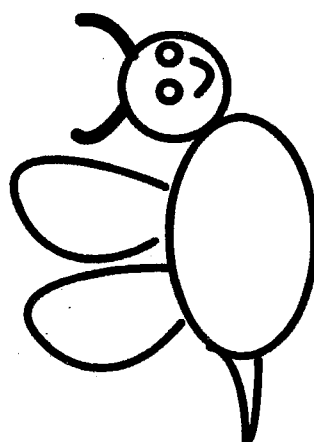
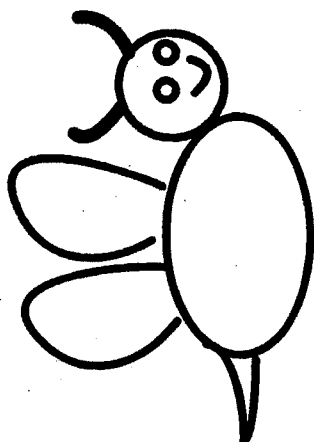
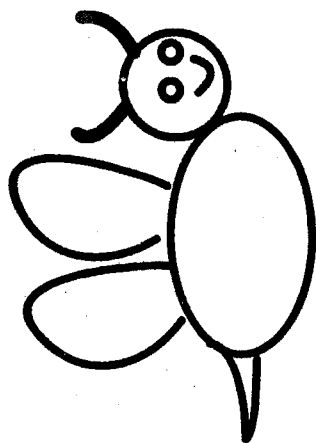
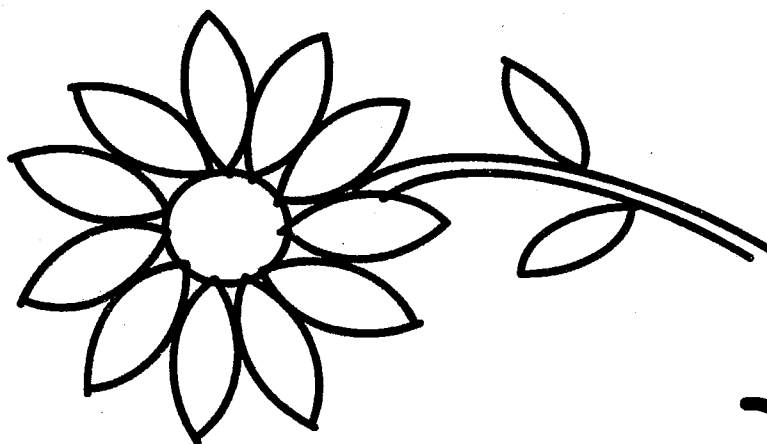
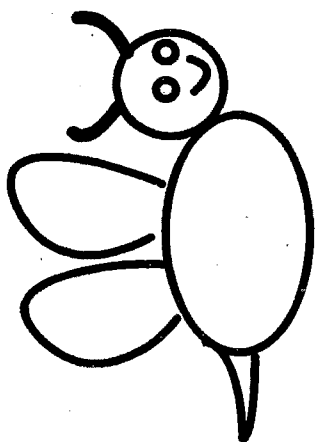
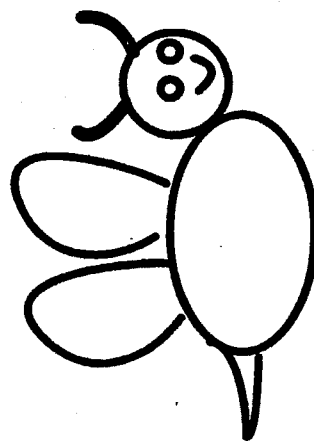
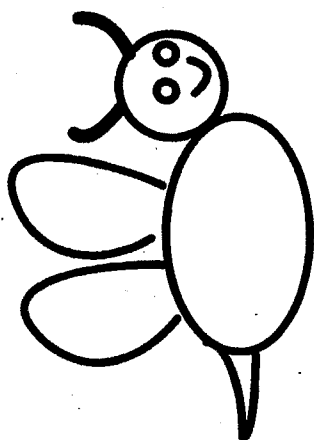
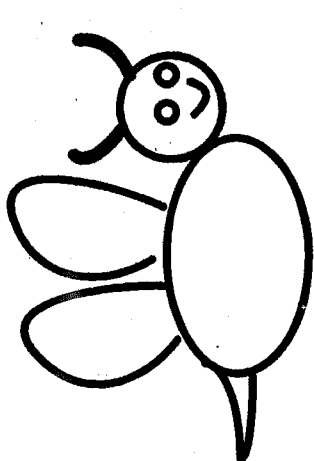
☛ The Ladder of Inference

In *The Fifth Discipline Fieldbook* by Peter Senge, Rick Ross describes this mental phenomenon as the "ladder of inference."

For example, suppose I am talking to a person. He interrupts me repeatedly. I decide that he does not want to hear what I have to say. I feel slighted. I judge him to be close-minded. I get angry and walk away.

I have walked up the ladder of inference. The data I observed was that he started speaking before I finished. I assumed he did not want to listen. I decided that he was close-minded and **intended** to slight me. Then I acted on my conclusions. However, he may have just been enthusiastic, unaware of his conduct and not intending to give offense. Most likely, in future dealings with this person I will look for further "evidence" that he is close-minded.

We cannot live without the ladder of inference. We cannot function in life without adding meaning, making assumptions or drawing conclusions. The trap is to believe that our conclusions and assumptions are "the truth."



Be clear on whether the issue at hand is substantive or relationship

Focus

Base decisions upon reason, not upon emotion

Emotion

Rely upon and practice persuasion not power to make decisions

Power

A.C.B.D. and Listen

Communication

Seek first to understand before seeking to be understood

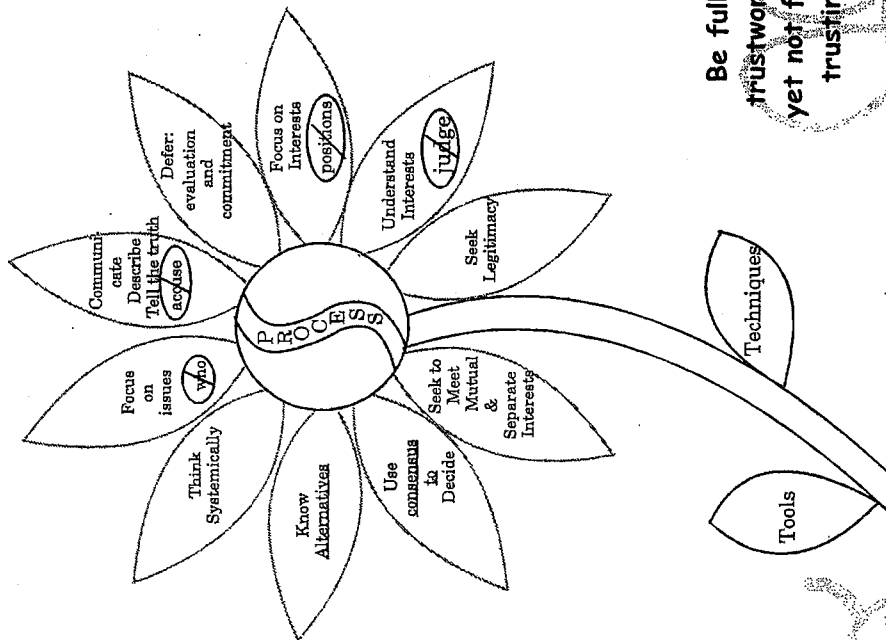
Understanding

Accept the other party(s) as a legitimate partner in the decision making relationship

Respect

Be fully trustworthy yet not fully trusting

Trust



COMMUNICATION STYLES

THINKERS

SENSORS

FEELERS

INTUITORS

The Process....

In order to bring the following, elegant principles

- * Focus on Issues, not personalities
- * Describe, don't accuse
- * Tell the Truth
- * Defer evaluation
- * Defer Commitment
- * Focus on Interests, not positions
- * Don't judge interests
- * Attempt to meet both separate and mutual interests
- * Develop Legitimacy
- * Use consensus
- * Be systematic and celebrate learning

of an interest approach to life, we must practice them using elements or steps, techniques and assumptions in a sequence that is also dynamic.

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UNDERLYING PRINCIPLES...

In addition to the fundamental principles which are utilized when undertaking a consensus approach to decision making, and outlined in the attached supporting material, there are a collection of central concepts or assumptions which the parties are asked to adopt and work toward bringing to life.

ENLIGHTENED SELF INTEREST: Individuals and groups of individuals tend to pursue self interest. The most comfortable and widely practiced means of maximizing self interest is to maximize one's self interest without regard to the impact upon the self interest of others. The approach herein outlined is built upon the adoption of a contrary view or assumption: that *one's self interest is maximized by engaging in the conscious effort to maximize the self interest of the other party to the relationship.*

CPR: Any situation presented to a group of persons or institutions for purposes of making a decision or reconciling differences can be disaggregated into three fundamental component parts: Content elements; Process elements; and Relationship elements.

CONTENT: The *what* of the situation such as money, time, assets, opinions, number(s), scope, tangible things, etc.

PROCESS: The *how* of the decision making or reconciliation of similar and different interests or needs and demands. Usually a choice between decision making by accumulating power and then using it versus developing creative solutions which meet mutual and separate interests by consensus. Process is a quick reference to the interactive behavior of the parties to the situation.

RELATIONSHIP: The *interdependence* of the parties to the decision making. This references such things as communication, understanding, respect, power, emotion, etc. Relationship is a quick reference to the condition of the interactive behavior.

SYSTEMIC THINKING: The realization that any situation presents multiple variables which are interconnected and interdependent is a fundamental tenant of systemic thinking. Parties are asked to contemplate and identify these when describing the situation. The parties are also asked to apply this thinking to the implementation of any "solution" to the situation presented. Situations are approached more as "puzzle solving" than as "problem solving".

LEGITIMACY: The ownership of the result is sought by all. In order to insure that the agreements (meeting of minds) accomplished by the parties are actually brought to life a reliance upon participation and reason rather than exclusivity and the assertion of power and coercion is sought through this process.

UNDERSTANDING: The acceptance that while all parties may be speaking the same language, they each come from a different culture such as the culture of labor/merchant/consumer/management. As a consequence of this cultural perspective each participant thereby attributes different meanings to the same words. The effort to have a common vision of the future, a common definition of terms, and a capacity to view the world as the other party(s) see it is undertaken. A consequence of communication, understanding is the cement of the various components to the solutions reached.

CREATIVITY: Sometimes the product of tension, sometimes the product of enlightened process, the utilization of creativity is required in order to discover possible solutions for meeting multivariate needs and content components. Patience, gestation time and perspective are helpful attributes in the process.

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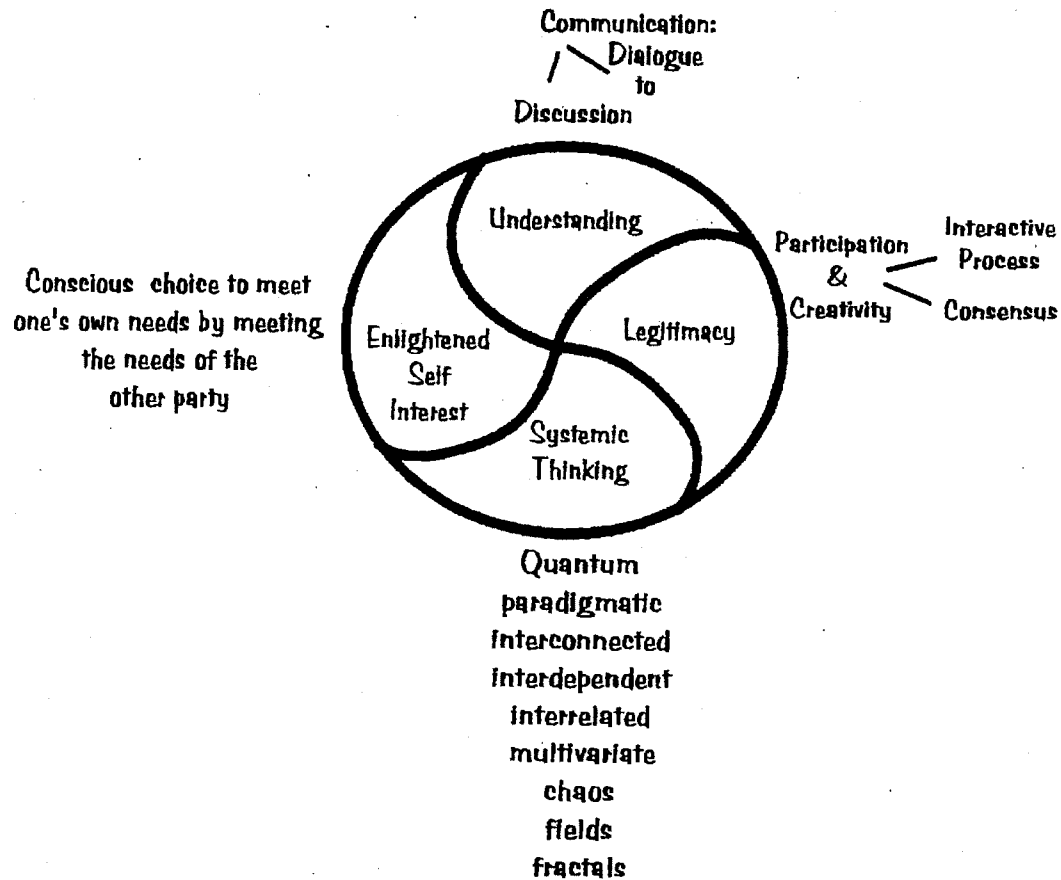
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ESSENTIALS of the IBA Decision Making Model



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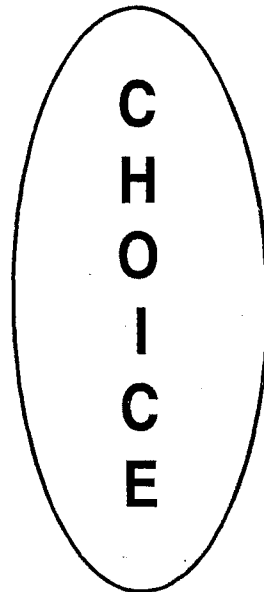
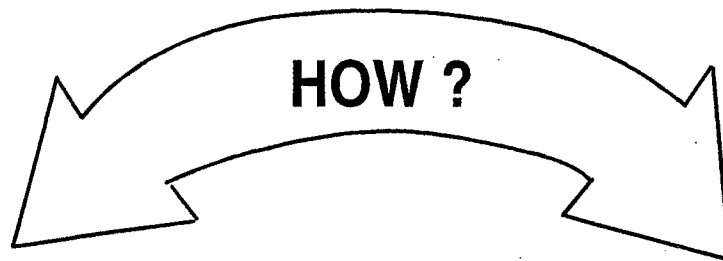
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IN PURSUIT OF SELF-INTEREST

Maximizing: • PROFIT
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Debunking Darwin, Game Theorists Find Nice Guys Can Finish First

By K. C. Cole
Los Angeles Times

As the nation watches its leaders but heads on issues such as Bosnia, the budget and the future of the environment, it is reassuring to think that such ugly conflicts are, after all, nature's way.

According to conventional wisdom, winning strategies are adopted in self-interest. Darwin's idea of survival of the fittest suggests that only the meanest, most competitive, most selfish individuals will make it to the top of the evolutionary heap.

Mathematicians, however, know differently. For at least two decades, specialists in a field of mathematics called game theory have held as a primary tenet that nice guys can and frequently do finish first.

According to those mathematical claims, who have studied the nature of winning strategies — which is what game theory is all about — the parties to the nation's largest political disputes often about themselves in the food, strategic, possible outcome for everybody.

"You get into these situations where everyone loses," said New York University political scientist Steven Brams. "It's a pathology. Game theory gives you a very clear view of the problem, so you can understand how they can blow it."

A Winning Strategy

Game theory has been used to do with board games, such as chess, and more to do with strategy — anything from bargaining for a raise to budget negotiations or disarmament. Essentially, the theory assigns numerical values to various strategies in well-defined conflicts, making it possible to choose the winners and losers.

Last year, the field finally received a much deserved stamp of approval from the Nobel Committee when the economics prize was awarded to two Americans and a German for what amounted to work of pure mathematics.

During the past decade, game theorists have concentrated on coming up with workable ways to get out of conflict. And — perhaps surprisingly to many in the current, confrontational, generation of politicians — the strategies that stem from the most up-to-date mathematical research sound a lot

like old-fashioned bonhomie: think ahead, cooperate, do not cover your neighbor's success and be prepared to forgive those who trespass against you.

Game theory groups similar kinds of conflicts into well-defined categories. The federal budget deadlock, for example, fits into a category that mathematicians call "chicken."

Chicken is a familiar game to anyone who saw James Dean at most (but not quite) drive the car over a cliff in "Rebel Without a Cause" or who lived through the Khrushchev-Kennedy standoff during the Cuban missile crisis. The characteristic of these games is that the person who backs down first loses, but refusing to back down at all may risk losing even more.

"That's what we had a couple of weeks ago," said Brams. "It's not impossible. Both die. Government shuts down."

Respectation to Cheat

The logical problem in such games is that the best outcome for both players would come about through cooperation — each agreeing to behave away from the edge. But before either can go over the cliff — but each player has a strong temptation to try to cheat and get the better of the other guy.

Another type of game that the experts study is the "prisoner's dilemma" — a scenario familiar to anyone who has watched a television cops show. In the prisoner's dilemma, two partners in crime are kept in isolated cells. Each is told that if he blows the whistle on the other, he might be able to go free. If he remains mute, each prisoner knows, the authorities might not have enough evidence to convict him — unless, of course, the other prisoner rats on him first.

What strategy works best — keep silent or stifle a cry?

"There's a lot of motivation to do something that's good for you but bad for your neighbor," said Chapman College mathematician William Lucas.

To try to determine what the best strategies are for playing such games and winning, game theorists have run elaborate computerized simulations. To almost everyone's surprise, the most successful strategist turns out to be an ingeniously simple program created by Anatol Rapoport at the University of Toronto. Called "Tit for Tat," the program's first move is always to cooperate. After that, it simply echoes whatever its opponent does. If the opponent cooperates, Tit for Tat cooperates. If the opponent defects, Tit for Tat retaliates in kind.

In this sense, Tit for Tat embodied both biblical injunctions: an eye for an eye, and the Golden Rule. Or as William Poundstone summed it up in a book about classical

game theory problems, the program's message is "Do unto others as you would have them do unto you — or else."

A Nice Program

By not ever being the first to defect, Tit for Tat was what Robert Axelrod of the University of Michigan called a "nice" program. As it turns out, most of the winners in computer simulations that Axelrod has run have been nice; most of the losers were not. Tit for Tat could also be forgiving — that is, even after the opponent defected, Tit for Tat would occasionally give cooperation another try. The lesson, says Axelrod, is "be nice and forgiving."

Brams has made strides in making game theory relevant to realistic situations. He published "Theory of Moves," takes game theory from a static series of one-on-one contests to a dynamic series of moves and counter-moves that starts from a realistic status quo.

For example, it becomes clear

that the game of "chicken" in a real world situation would never lead to the neat cooperative outcome that emerges in the Tit for Tat program. Think of Hitler, or Saddam Hussein. If one person always cooperates, then the "dully" has no incentive to change his strategy.

Theory of moves changes the rules so that players can look ahead. Posturing, and jockeying ready for a fight, could be part of such a far-sighted strategy.

Lucas thinks Theory of Moves is especially good at getting players out of head-butting games of chicken, like the budget stalemate. "If you know that you're going to be playing very serious games very soon, that cooperating is going to create great problems in the future,"

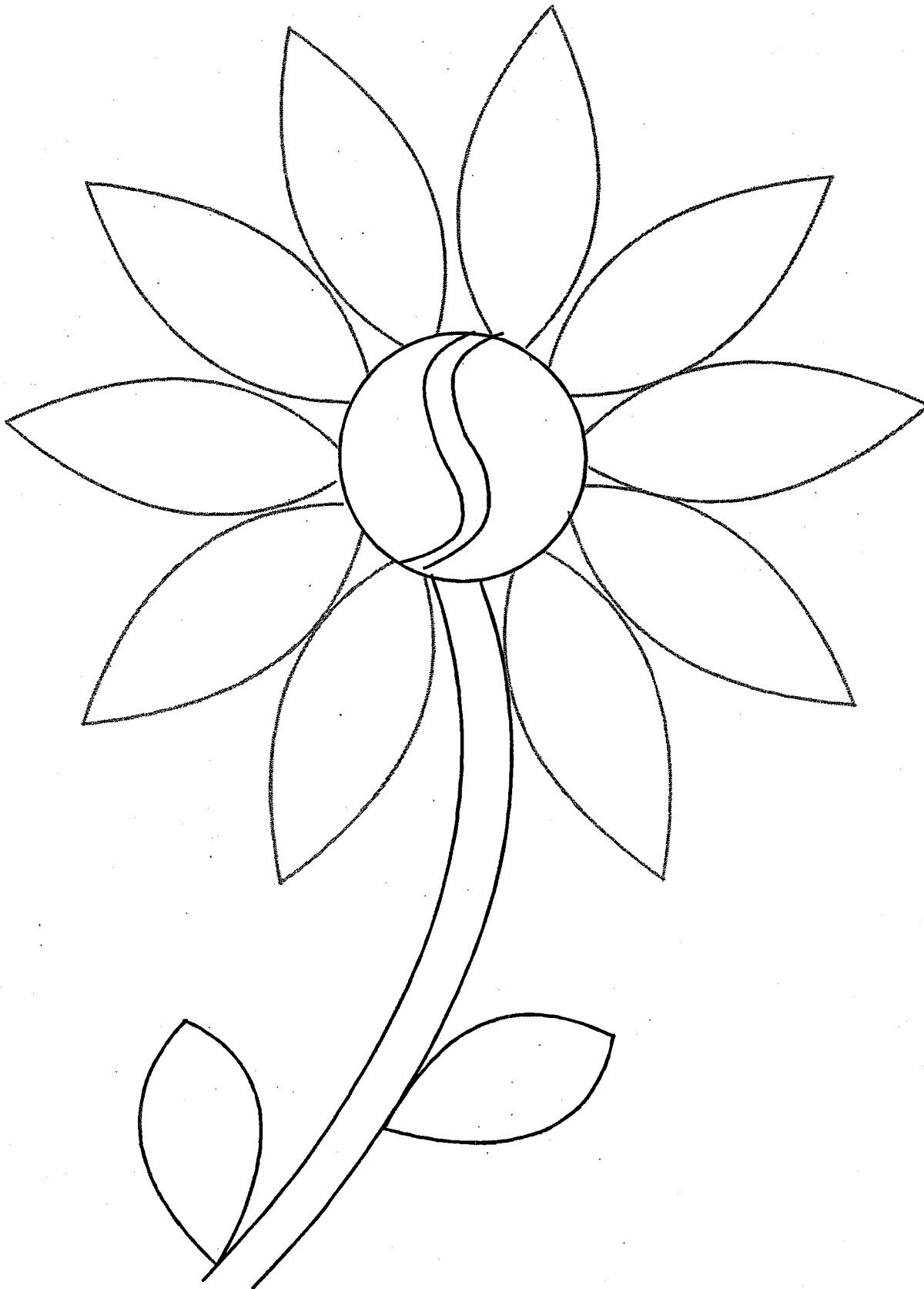
So does game theory give the way to mutual cooperation and happiness ever after for everyone? Sadly, the unanimous answer of mathematicians seems to be no.

"It would be wonderful if it worked," said Keith Devlin, a mathematician at St. Mary's College of California. "You can't take the results of game theory and apply them to a real-world situation. Life's relationships are too complex. (Game theory) only gives you a one-dimensional view of a multidimensional problem."

As Devlin points out, game theory's two-player, two-strategy games are no more realistic than the geometer's perfect circles.

Even John Harsanyi, the University of California at Berkeley economist who won the Nobel Prize for his work in game theory last year, is wary of attempts to use it to prescribe remedies for human conflict. But he adds, although game theory can't provide simple answers to life's problems, it does, at least, clarify the issues.

"What game theory does is suggest what the different possible strategies are that have any hope of being good, and also gives you some hints at how you can compete value."



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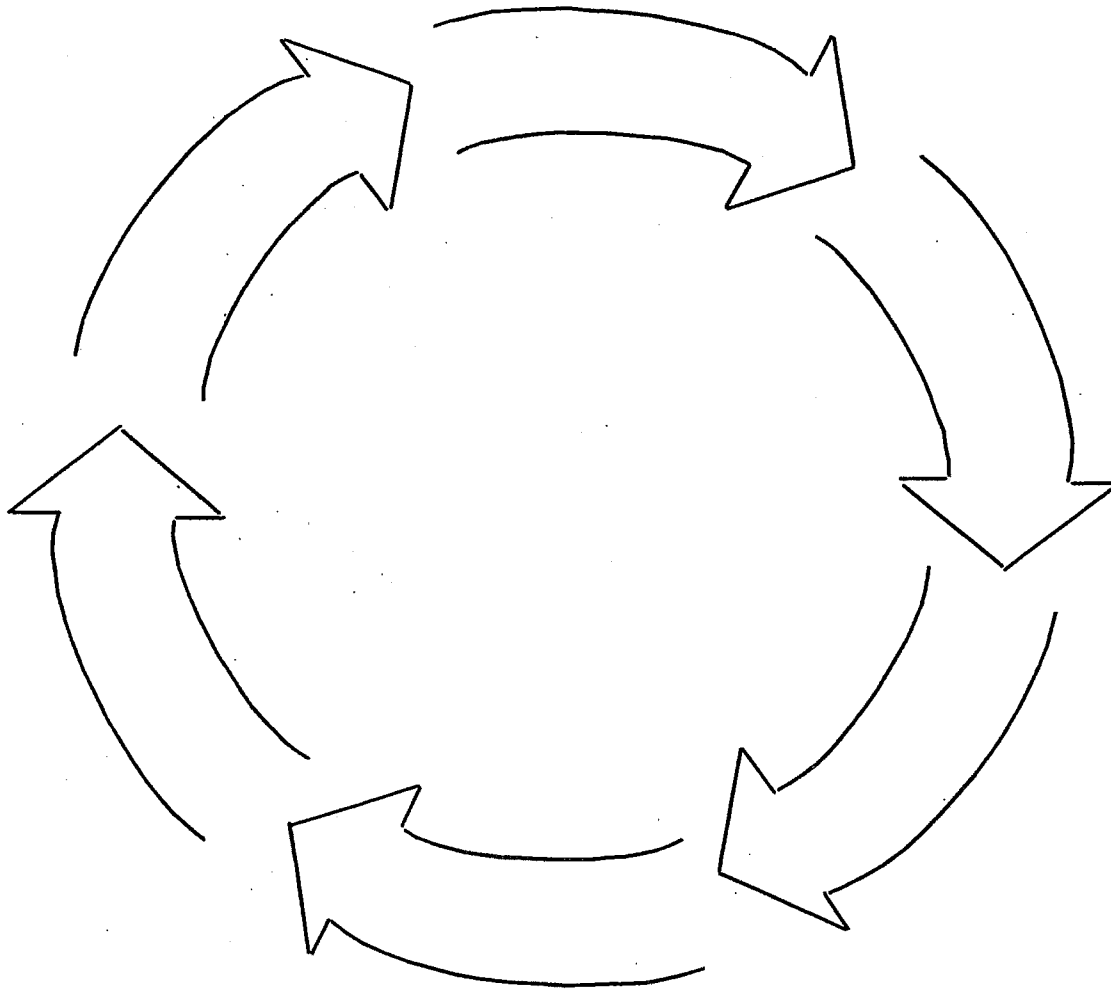
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Of particular focus for an interest approach to problem solving are the means or tools we use to bring a very elegant collection of negotiations principles to life. The essential approach is to engage in a sequential yet dynamic application of elements and techniques to the “problem” or “opportunity”.



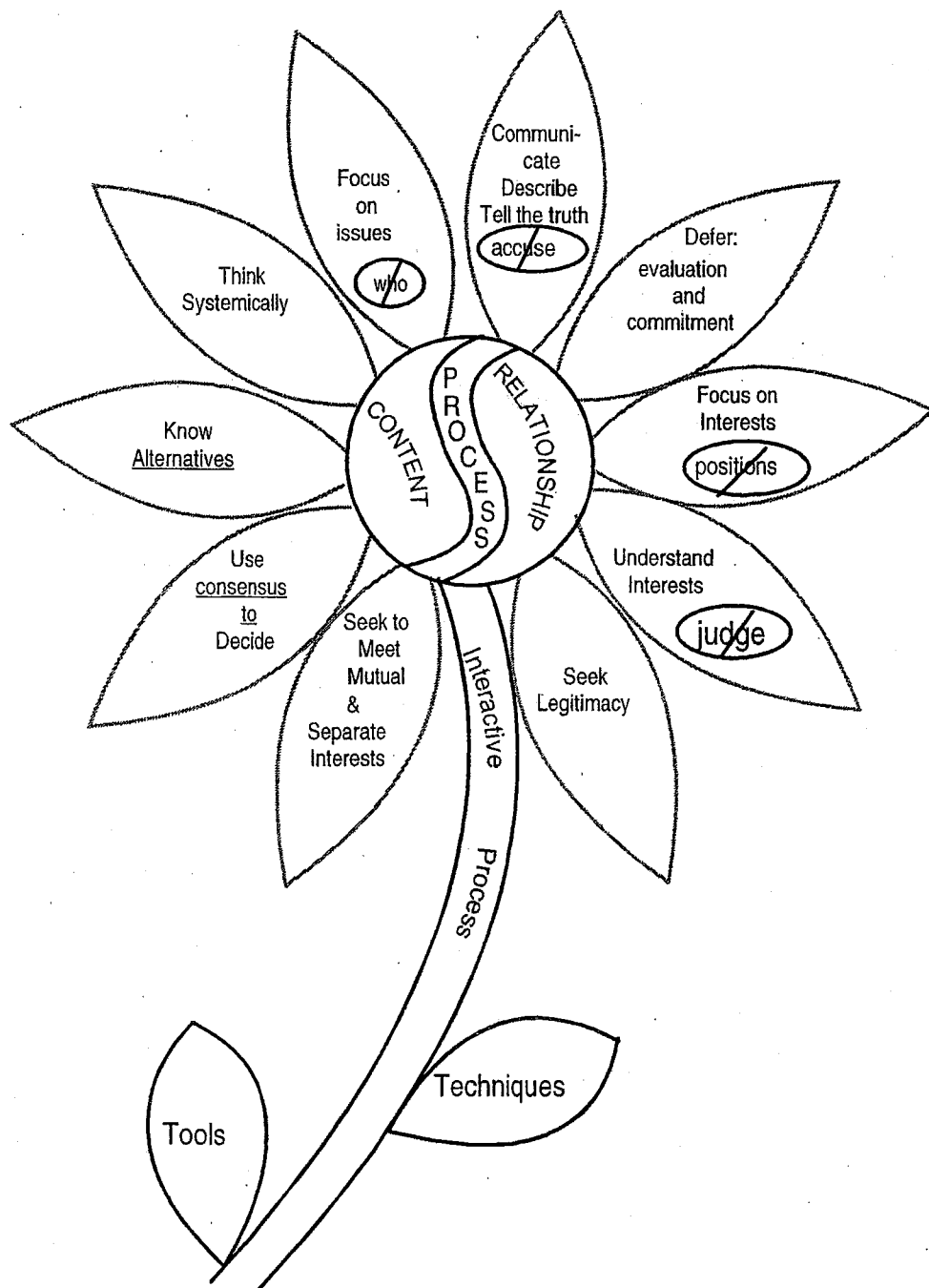
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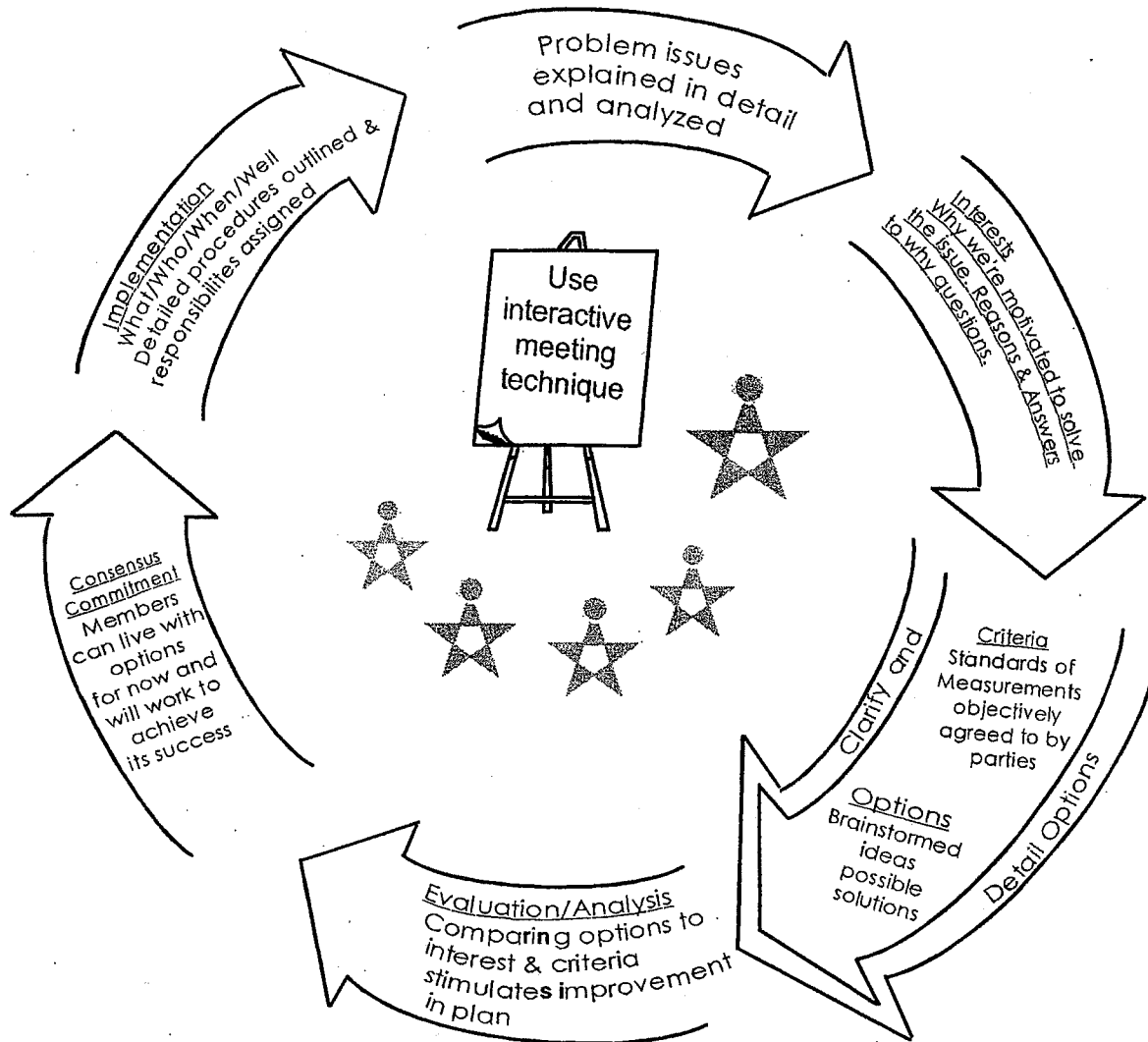
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INTEREST-BASED PROBLEM SOLVING ELEMENTS in SEQUENCE



NOTE: While sequential, this approach is also dynamic.
As elements previously considered emerge later,
participants return to previous step and "start over".

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Based upon the work of Roger Fisher, Bill Ury, Jerome Barrett, Scott Brown, Doyle and Strauss

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SOME TERMS OF ART....

INTERESTS The motives of the parties to the negotiation. What people or groups need. Derived and reflective of heritage, culture, and stories of the group. Can even be arranged in a hierarchy or priority as with the research of Maslow. A condition sought, a state of being.

OPTIONS Possible solutions. In order to operationalize will need the agreement of the parties to the negotiation. The work product of brainstorming without commitment or evaluation. The “other” right answers per John Glaser.

CRITERIA Objective standards of measurement. When agreed to by the parties, serve to compare against options. Work product of brainstorming and research. Often externally derived or imposed by control agencies or funding sources. Presenting practitioners with a paradox in that they are also options. There is no one “magic” criteria for any issue.

ALTERNATIVES What either party to a negotiation can do without the agreement of the other. What can be done in the event that no agreement can be reached. Feel like threats when perceived by the other party. Don’t take your gun out of the holster unless you intend to use it.

POSITIONS, DEMANDS, PROPOSALS The solution to which one party is committed. Due to the nature of our familiarity and comfort with the conventional model of offer-acceptance negotiations, these often invite evaluation... usually in the form of judging the interests of the party presenting the proposal.

EVALUATION The comparison of possible solutions (options) to criteria, interests, and the issue or problem. “How well does this option meet our mutual and separate interest, fit the criteria, and solve the problem.” This exercise is accomplished without commitment.

CONSENSUS When the parties to the negotiation can say that at the very least the option is one that they can live with and support for now. Note that so long as a party to the negotiation is saying “no” consensus doesn’t exist. However, the naysaying participant is obliged to explain “why”, so that the naysayer and other participants can continue to focus on creative solution designing.

INTERACTIVE MEETING A facilitated meeting of a group of people. Utilizes a non-conventional format in setting and process.

BATNA The Best Alternative To a Negotiated Agreement

LEGITIMACY The psychological condition of ownership or support for a decision. A consequence of using reason(s) and participation rather than power, coercion, or leverage as the basis for a decision.

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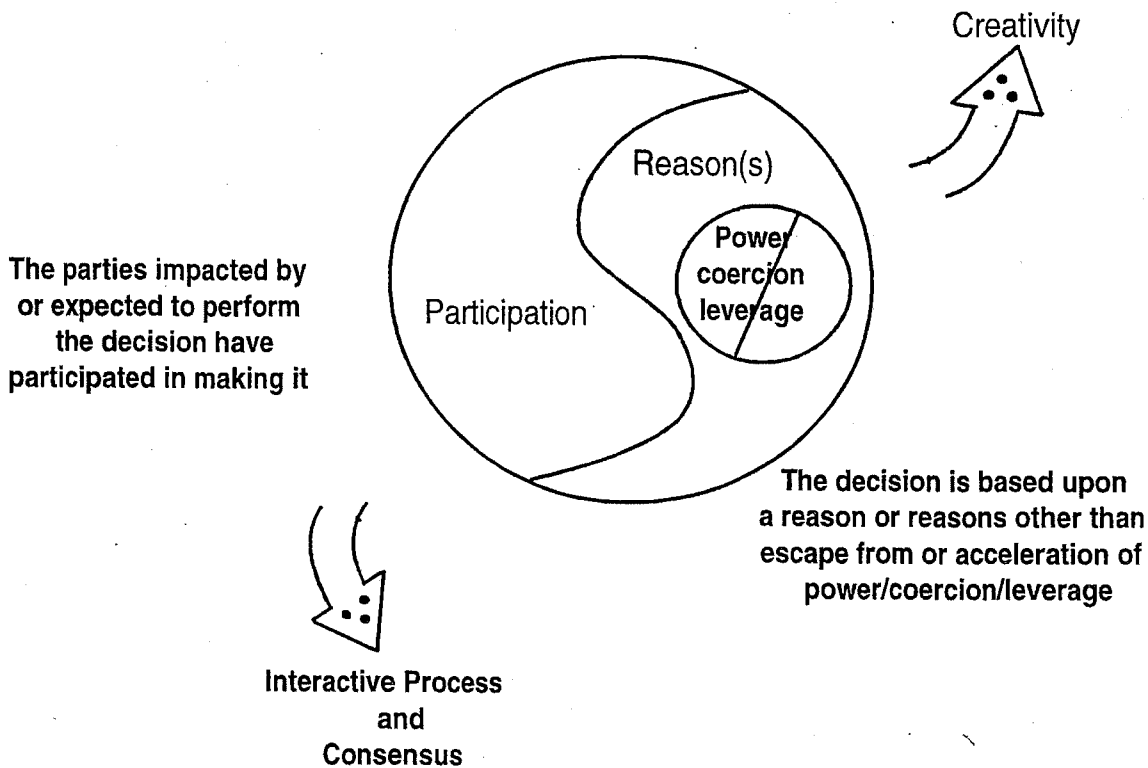
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LEGITIMACY

The willingness of parties to live within/abide by a decision depends upon the "legitimacy" of the decision itself. The probability that parties will live within a decision can be improved if the decision favors the two facets of legitimacy:



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CREATIVITY

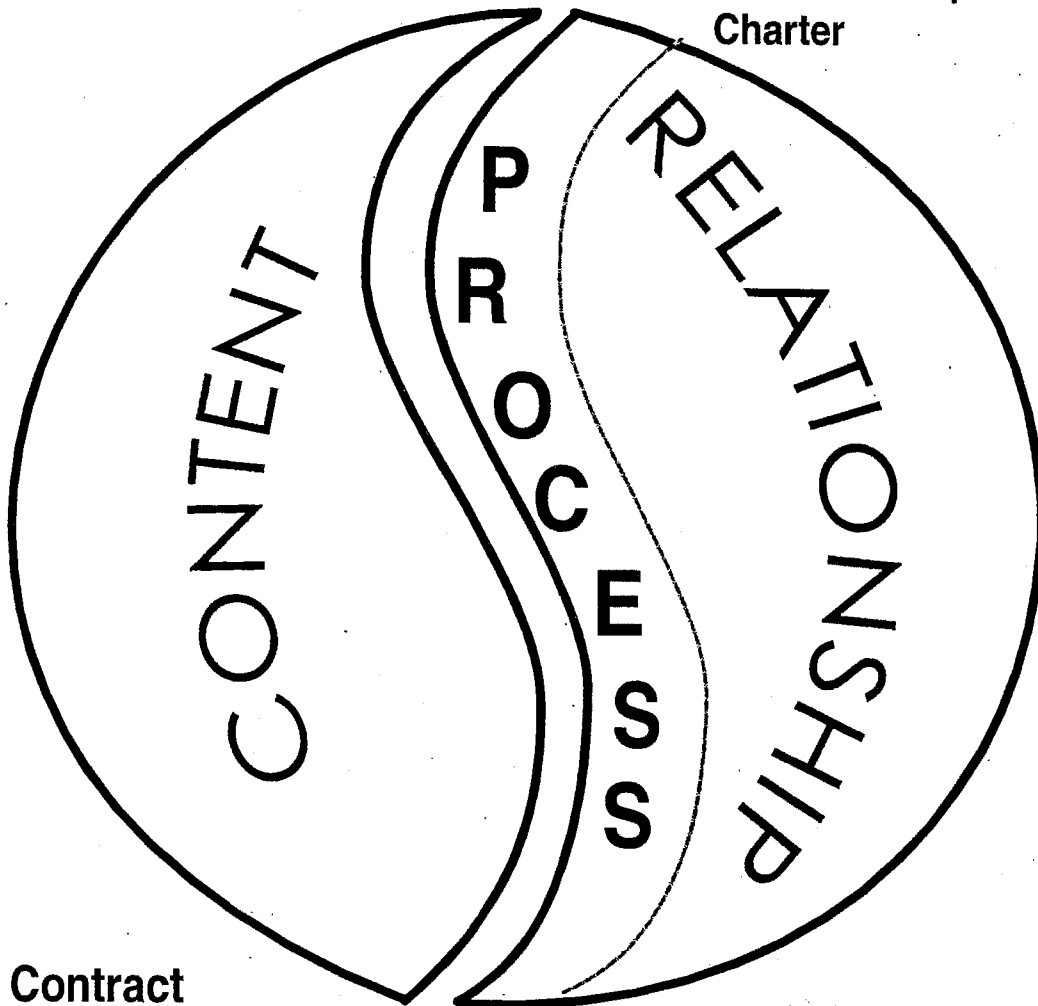
- ☆ Creative options are how _____
divergent interests are reconciled
- ☆ Decisions are invented before they are made
- ☆ Creativity is an activity that human beings enjoy
 - interestingly; creativity, feels like, is fun, surprise, laughter, love, delight, the *ah ha!*
 - the physiology of laughter is that it releases tension....
Tension is the product of interests in conflict
- ☆ Start with brainstorming; push it until the *ah ha's*
start to happen; go beyond the *ah ha* to exploring
them in combination and detail
- ☆ When evaluating and developing consensus
and implementation, expect the creativity to continue.
Enjoy this.

☆ Resources:

- ✓ Thomas F. Crum, THE MAGIC OF CONFLICT
Simon & Schuster, 1987
 - ✓ Arthur Koestler, THE ACT OF CREATION
Penguin Books, 1990
 - ✓ Jim Adams, CONCEPTUAL BLOCKBUSTING
Addison-Wesley, 1986 and
THE CARE & FEEDING OF IDEAS
Addison-Wesley, 1986
 - ✓ Edward de Bono, THE SIX THINKING HATS
Little Brown & Co., 1986
 - ✓ Joel Barker, THE BUSINESS OF PARADIGMS
Harper-Collins, 1992
- Priddy & Gonzales Consulting Group**
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The "Complete" Look of Agreement

- Trust Agreement
- Compact
- Process & Relationship Charter



- Contract
- M.O.U.
- Collective Agreement

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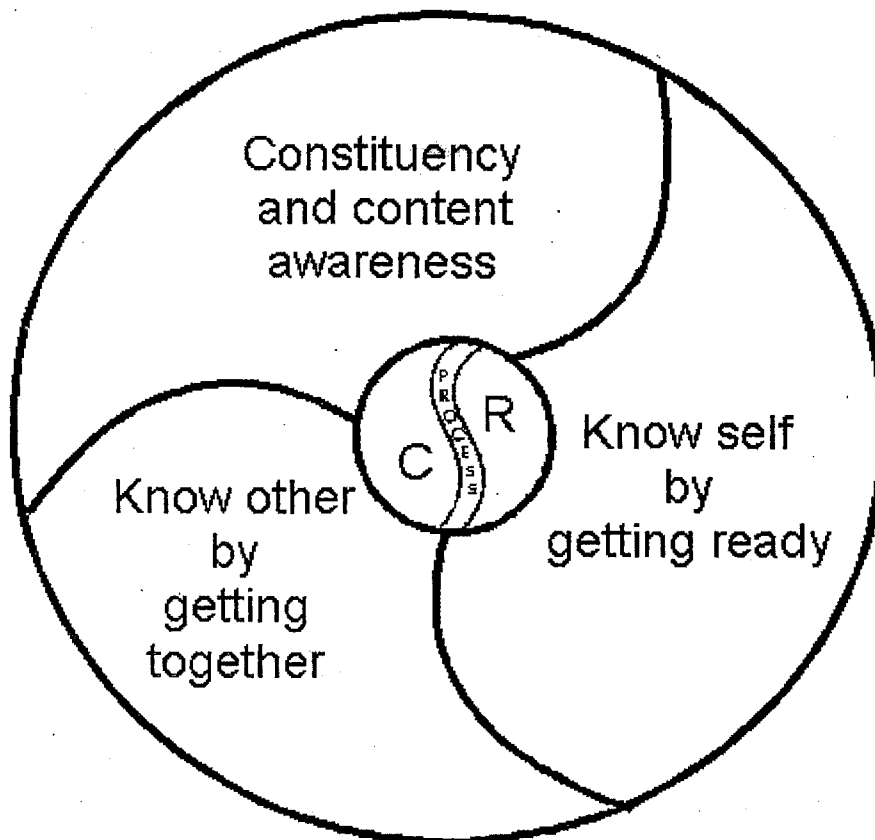
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ALL OF WHICH OCCURS IN AN EVEN BIGGER SETTING.....

The larger context of our practicing these principles and tools must be contemplated.



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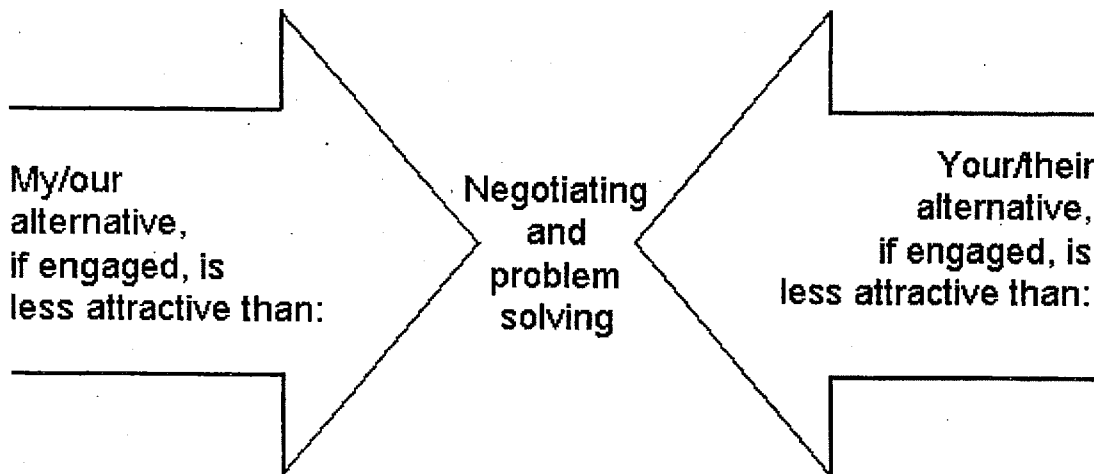
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It is in this larger context that we discover another, fundamental principle of an interest approach to problem solving:

THE ALTERNATIVE

By definition, an alternative is something which one party to the problem solving can do without the agreement of the other parties to the problem or what any party can do if an agreement cannot be reached. The alternatives must be evaluated for their impact if actually acted out.



Knowing the alternative and the prospects of the reaction (their alternatives) by the other parties to its use serves as an ultimate measuring device for the agreement or solution which emerges from an interest approach.

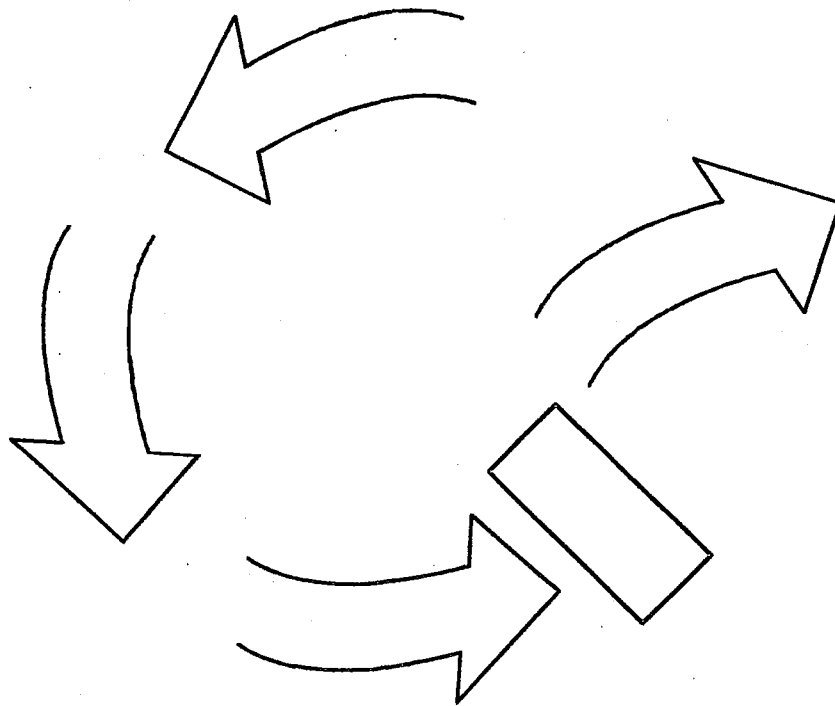
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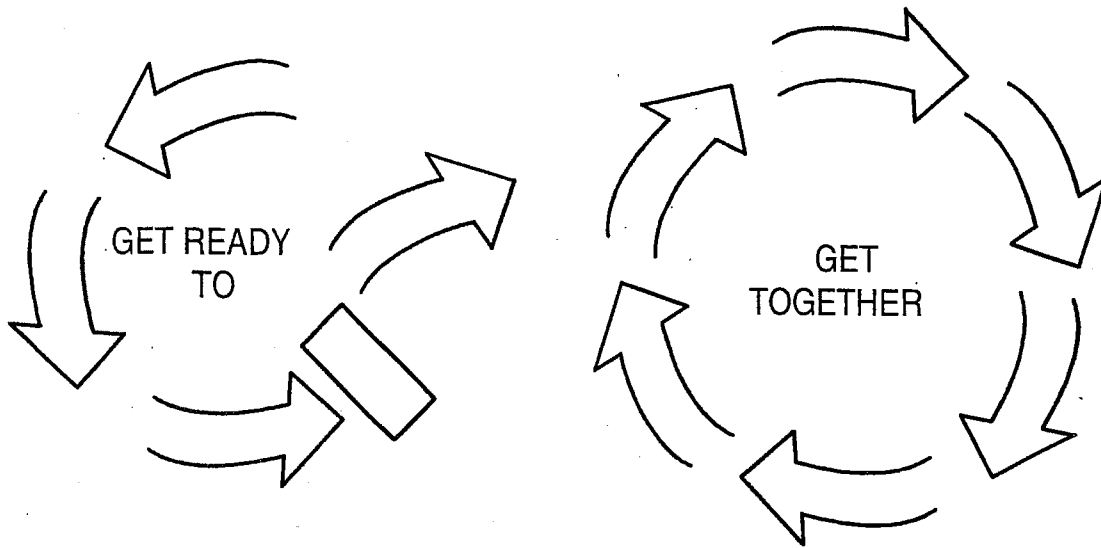
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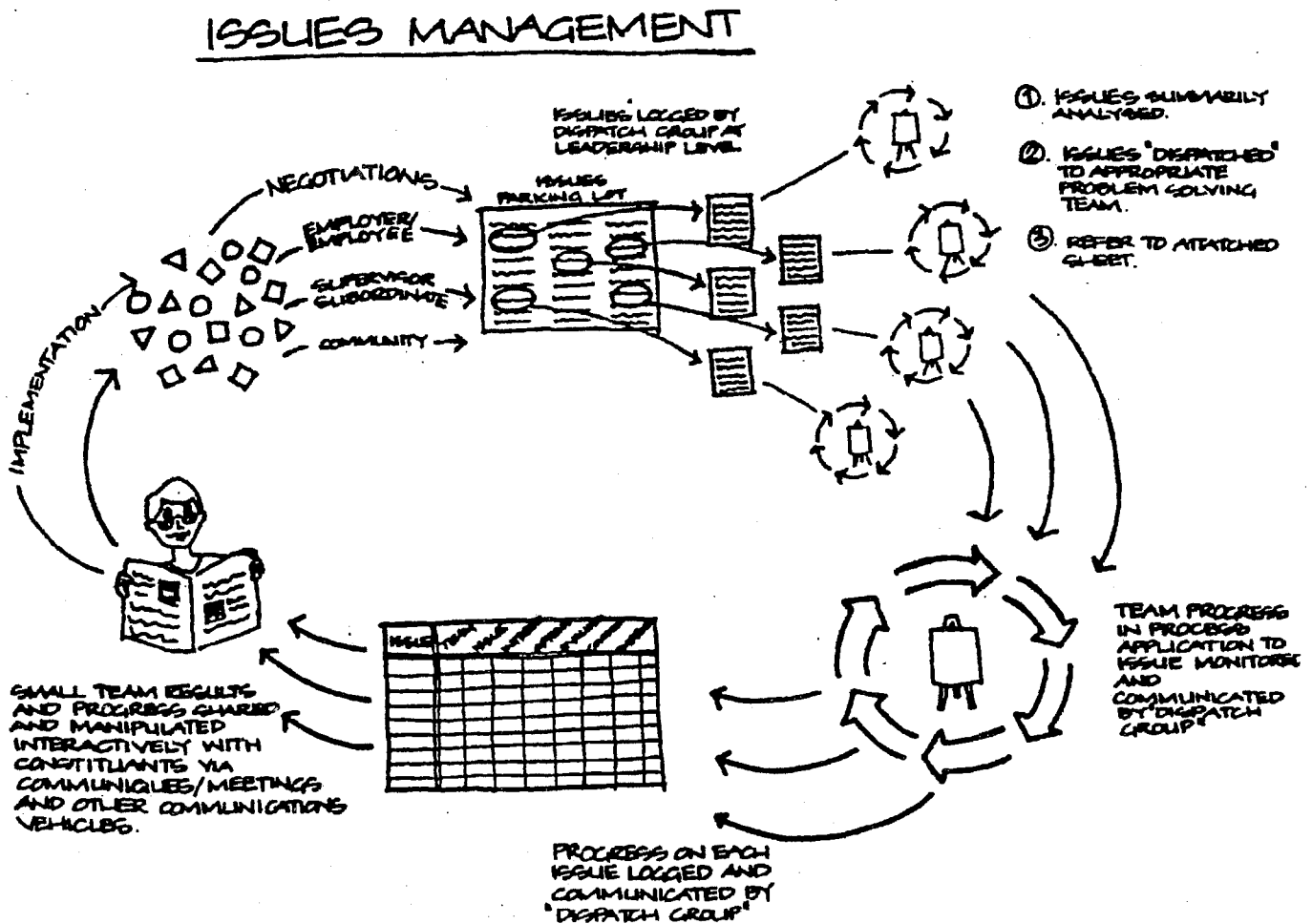
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Issues Management Flow Chart



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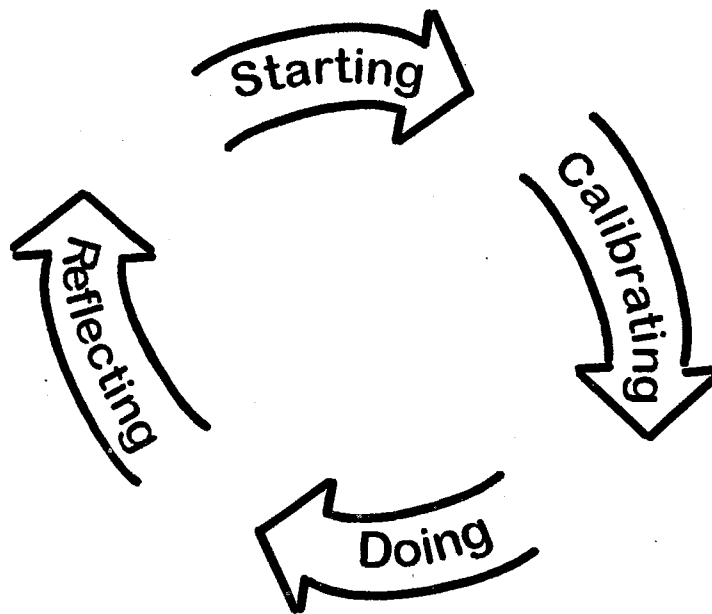
Issues Management Chart/Grid

ISSUES	TEAM ASSIGNED	PROBLEM/DATA GATHERING	INTERESTS ANALYSIS	OPTIONS/ CRITERIA	EVALUATION	COMMITMENT	IMPLEMENTATION	COMMUNICATION	FEED BACK

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EFFECTIVE MEETINGS

- ★ A "meeting" is a form of communication
- ★ An effective meeting consists of 4 immediate components:



★ Starting:

Includes "Check in"

- Name?
- How are you?
- Time constraints
- Who's missing?
- Elephants; emergent and issues?
- Expectations?

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EFFECTIVE MEETINGS

continued

☆ **Calibrating:**

Includes

- stating purpose(s) of the meeting
 - give information
 - receive information
 - make a decision
- comparing published/expected agenda to emergent issues and information
- deciding whether emergent issues should displace agenda-ized issues and what to do with issues not dealt with at the meeting
- clarifying and reconciling expectations with purpose of meeting

☆ **Doing:**

- Do what the group has decided to do about a consequence of the above

☆ **Reflecting:**

- asking "what worked" (+) and "what didn't work" (Δ)
- factoring the learnings into the next meeting

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FACILITATION TIPS

☆ **CHECK IN AND CHECK OUT**

☆ **NOMINATIVE GROUP TECHNIQUE**

☆ **PEN COLORS**

☆ **GRAPHIC ORGANIZERS**

☆ **ROUND ROBIN**

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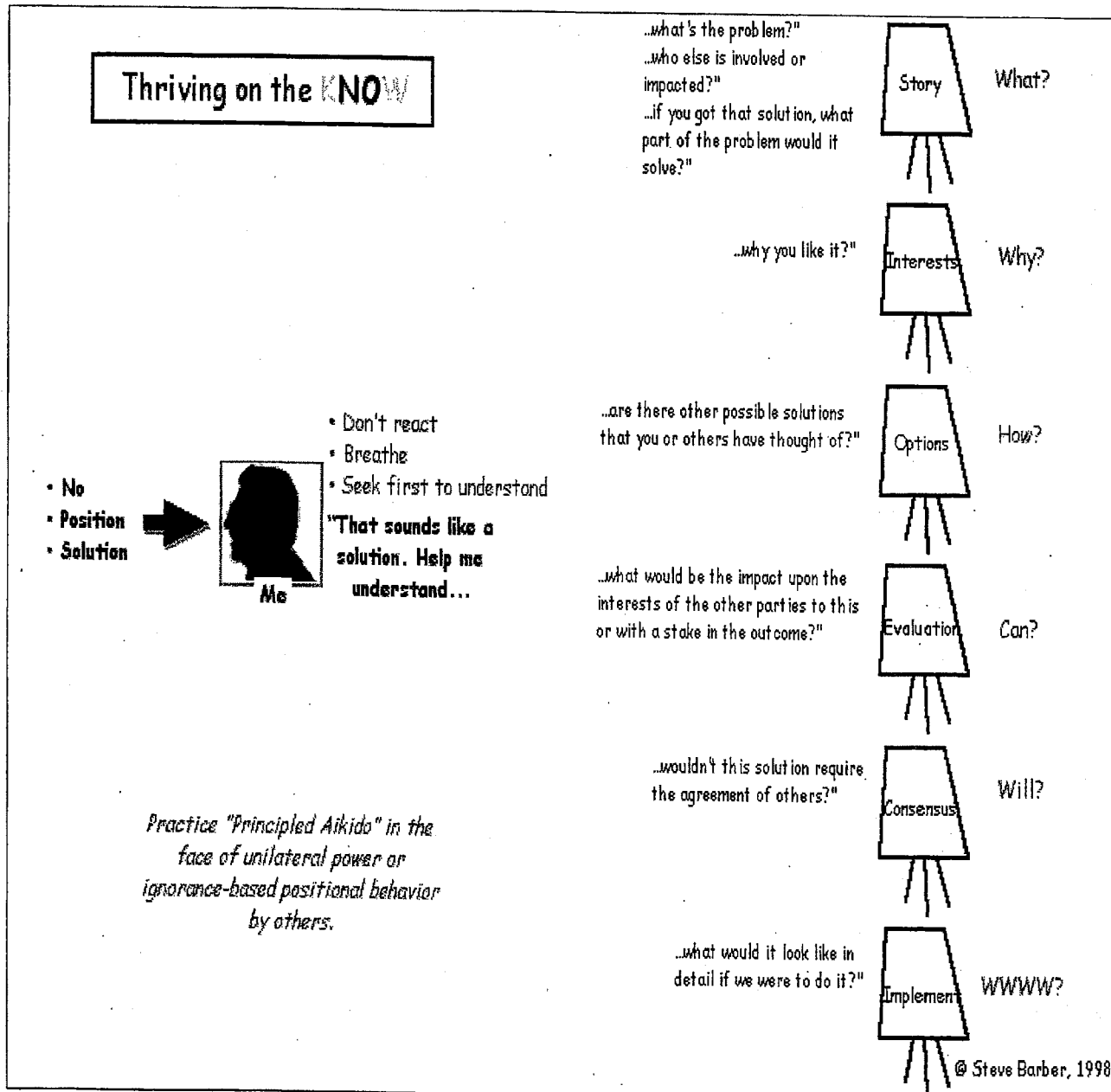
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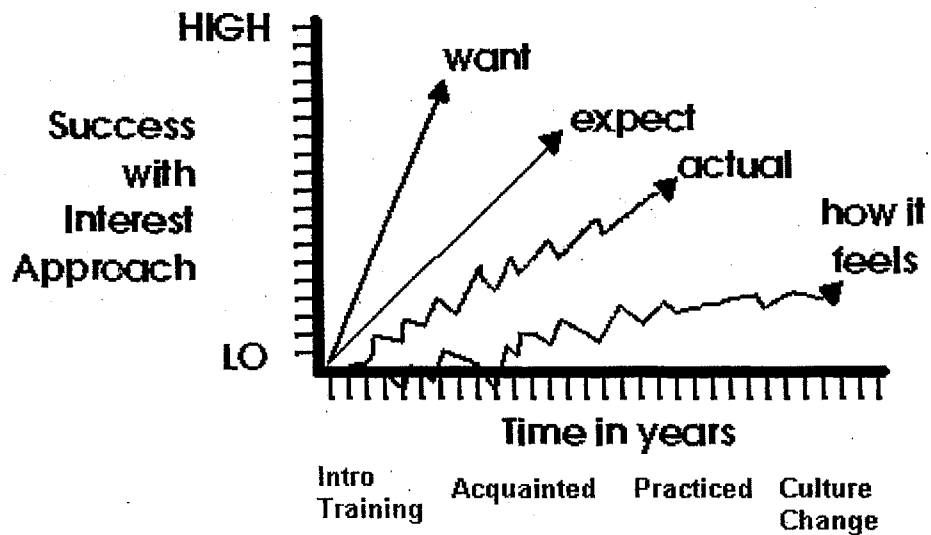
Chris Rust, a facilitator in the Battle Ground School District (Vancouver, WA), thought enough of our "AIKIDO" Diagram he made it legible using his computer.



WHAT TO EXPECT....

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As many enterprises and organizations have committed to the effort to change their culture in order to cope with the fundamental upheavals fueling the bulldozer of change there is some history of what you can expect to experience in terms of actual practice and its emotional consequences.



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HOW TO IMPLEMENT.....

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Choosing to attempt a change in process and culture as fundamental as the one set forth here is dramatic and significant. It involves more effort at unlearning a very ingrained collection of habits through the commitment to and practice of a collection of new "habits" than it involves the immediacy of success in those new "habits". It is very much like the struggle to recover from a dependency. I call those who have chosen to bring on this very different approach to problem solving and choice making....recovering authoritarians.

HOW TO GET STARTED.....

The decision to initiate an interest approach to labor relations is a choice best made jointly by the parties to the relationship. The cynical motive to initiate its use solely for the purpose of a fire extinguisher for an emergent issue or just another tool for "the win", will ultimately come to haunt the practitioner so inclined. Instead, a sober realization of the long term implications of change in the relationship and ultimately how the organization will be run is needed. Managers can expect to be obliged to sustain the commitment of the enterprise to the interest approach while employees and the employee organization can expect to be obliged to sustain participation in the interest approach.

Getting started involves some joint exploration of the concept such as a delegation attending a conference and an orientation from a presenter delivered to a joint audience within one's enterprise. Next, an introductory training of appropriate length (3 or 5 days) is necessary. This introductory training is reinforced with follow-up facilitation by a facilitator. The necessity of joint training cannot be emphasized enough. Even with the training, practice in the principles is obligatory if reversion to the traditional paradigm is to be avoided. Yet, once engaged in the interest approach, the practitioner will forever be a creature of the traditional model.... a "recovering authoritarian".

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THE MENTAL MODEL OF RELATIONSHIP MANAGERS

(Executives, managers, supervisors, shop stewards, business agents, etc.)

FROM		TO
Decider	⇒	Facilitator
Director	⇒	Coach
Instructor	⇒	Mentor
Master	⇒	Servant
Thinking that: Conflict & Problem = Broken & Fault = Sanctions/Discipline <u>Fear</u>	⇒	Thinking that: Conflict & Problem = Opportunity to Improve/Learn = <u>Ownership</u>
Organizational Communication That says, "Check your brains at the door."	⇒	Organization communications that says, "Be an educated, multi- capacity, aware participant."
Responsibility for subject matter expertise	⇒	Responsible for process & relationship expertise

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What “paradigm shifting” looks like

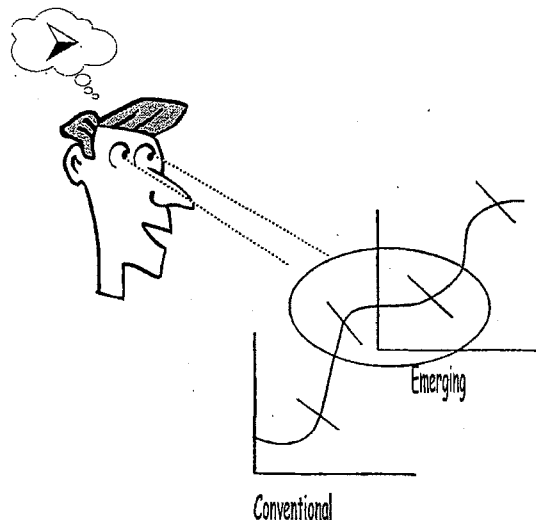
- A paradigm begins shifting well before I have become aware of the shift
- My “situation” is a field of paradigms
- “Crisis” frequently prompts a paradigm shift rather than cognitive/rational choice
- Because it (the new paradigm) often shows up before its needed or wanted, the message is often perceived as a threat
- Awareness of my own paradigm & where I am on the curve will help me avoid crisis
- Outsiders often carry the paradigm shift message → ∴ should seek out and listen to outsiders [Those who challenge my rules sound critical/hostile.]
- If I consciously choose to practice the emerging paradigm I should expect ridicule and criticism
- This requires:
 - ✓ courage
 - ✓ intuitive judgment [have faith in the emerging paradigm]
 - ✓ commitment to the long term
- I should expect the conventional paradigm to make it difficult for me to

practice the emerging one, due to habit etc.

- When a paradigm shifts, and it will, everything goes back to “zero”, success in the old paradigm guarantees me nothing in the new
- Power doesn’t put people back to zero, ideas do.
- I can discover the emerging paradigms by looking outside my paradigm (boundaries) by asking the impossibility question

I need to purposefully question my paradigm:

- ✓ openness: no one knows everything
- ✓ humility: keep on learning



CONVENTIONAL

?

EMERGING

Mechanical

Watch =>

Electronic

Trees

Cellulose

Kenaf

Acids/stress

Ulcers @

Bacteria

Tax & Distribute

Social Security

Tax/invest
distribute income

Single dimensions

Art =>

Multi-dimensions

Ignore

Environment

Aware

Can't stop the
line/inspect the
result

Manufacturing

Stop the line/
inspect along the
way

Finished when
achievement
reached

Learning

Lifelong

Scarcity

Capitalism

Symbiosis

Mechanical

Organizations

Organic

Operates/decides

Management

Govern

React
Participate

Associations

Act/say
Facilitate

Managers

Supervisors

Do

Employees

Participant

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CONVENTIONAL	COMPONENTS OF THE WORKPLACE	EMERGING
Entitlement	Basis of Contract	EE & ER Mutually Add Value
Autocratic Paternal Hierarchical Principal-agent Master-Servant	Structure of Relationship	federal organic quantum horizontal web-like
Do what's told	Participation Expected	Participate in process
Homogenous Specificity	Selection	Embrace & seek diversity- competencies
Conformity Adherence to Order(s)	Evaluation	360 degrees
Static & Structured Distributed	Compensation	Fluctuates with results Integrated with whole
Described & outlined by the "expert"	Description of "work"	Described by work at hand & those responsible: competencies required
Individuals Management	Managed by	Teams Governance
Via Command	"Control"	Self-motivated via legitimacy
Product Driven	"Market" & environment of opportunity	Service driven
The End User	"Customer"	360 degrees for each participant
Avoid/Risk averse	"Change"	Inevitable/Risk resourced
Act-React	"Process"	Participatory - Interactive
Certain Predictable Quantifiable	"Results"	Uncertain Unpredictable Quantifiable
Mechanical	Organization Itself	Social

THE HOME PAGE

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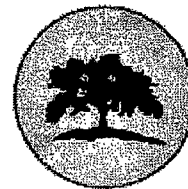
The Nautilus
of Organizational Issues
Interdependent with an
Interest Based Approach



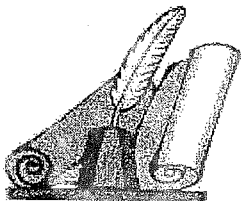
Navigating the
emerging paradigm
of decision making



EXERCISES



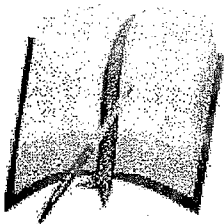
**ORGANIZATIONS ARE
ORGANIC SYSTEMS NOT
MECHANICAL DEVICES**



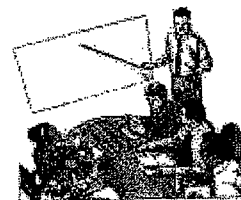
Articles by
Barber & Gonzales
and related authors



**A Brief Overview of the
Interest Based Approach**



Discovering a better way:
Articles/Stories about IBA In:
Labor
Environment
Community
Public Policy
Organizational
Development/Effectiveness Planning



**Links and Bookmarks to
organizations, associations
and parties related to IBA**

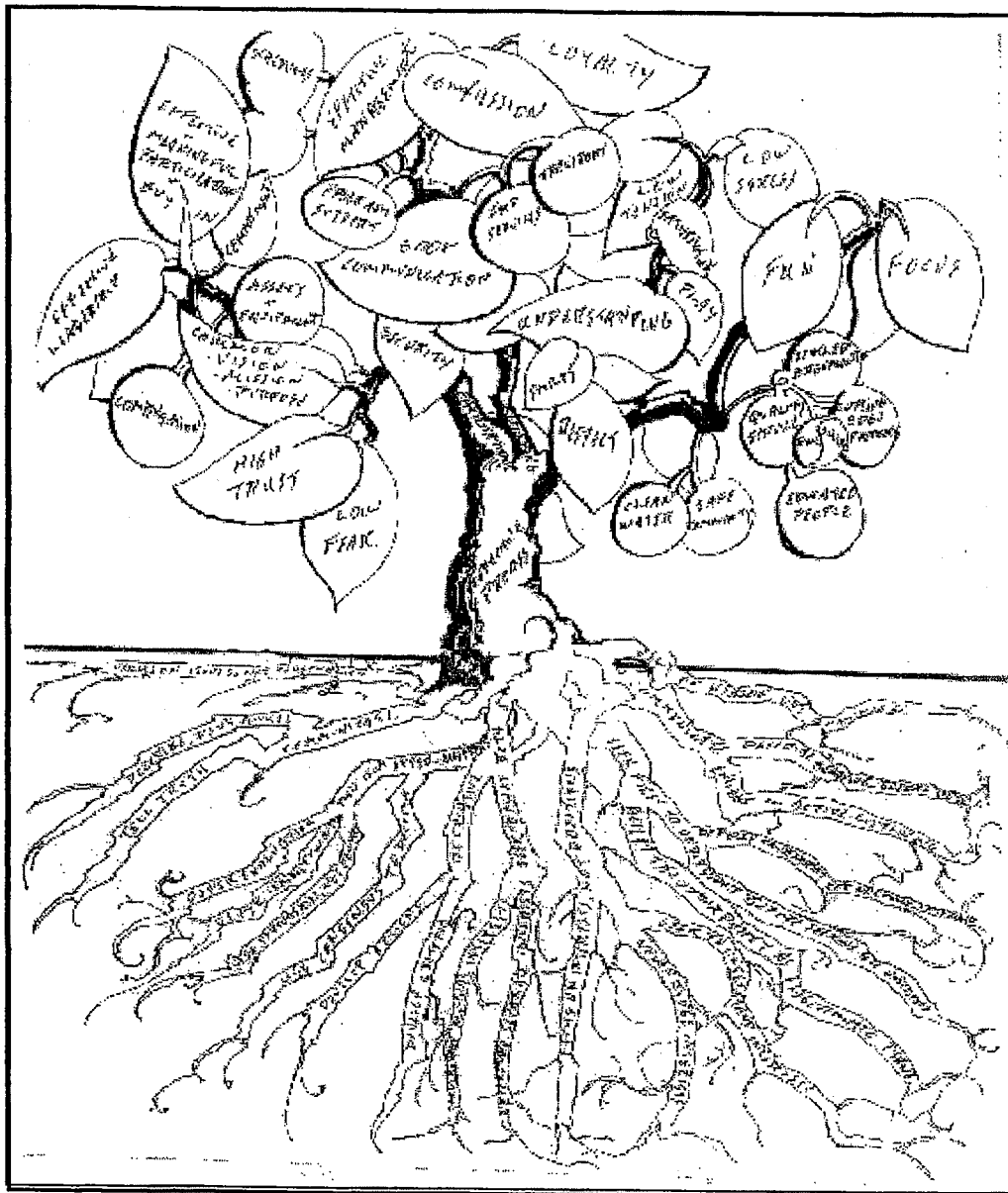
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Metaphorically, the tree represents a system much like the organization:

Fruit: outcomes

Leaves: context of the workplace

Trunk: political process of allocating and supporting production

Roots: the principles of behavior

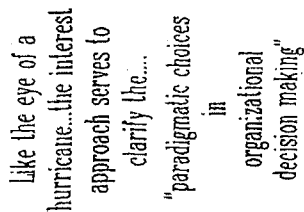
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Investing in life's work

"WHEN WE STARTED to harness the power of machines in the early years of the industrial era, gradually we started to see more and more of life as machine-like..."

"A company, in this sense, is literally a machine for making money.... If money doesn't come out, the machine is no good and you throw it away or try to fix it," says Peter Senge, a senior lecturer at the Massachusetts Institute of Technology.

"On the other hand, look at the literal meaning of the word 'company.' It does not mean a machine, it means a group of people.... The word 'company' derives from the sharing of bread.... It's the same root as the word 'companion.' In Swedish, the oldest word for *company* means 'nourishment for life' and the oldest symbol for *company* in Chinese means 'life's work.' So we have these much older ideas of what a company is all about: a group of people creating something together, and consequently being a kind of living force."

Interviewed by **Melvin McCleod**
"Changing How We Work Together"
Shambala Sun
January 2001

"A human being is a part of a whole, called by us "Universe," a part in time and space. He experiences himself, his thoughts and feeling as something separated from the rest—a kind of optical delusion of his consciousness. This delusion is a kind of prison for us, restricting us to our personal desires and affection for a few persons nearest to us. Our task must be to free ourselves from this prison by widening our circle of compassion to embrace all living creatures and the whole of nature and its beauty."

--*Albert Einstein*

"It was not the strongest of the species that survive, nor the most intelligent, but the one most responsive to change."

--*Charles Darwin*

"Real freedom is the ability to pause between stimulus and response and, in that moment, choose."

--*Rollo May*

"Let us not look back in anger or forward in fear but around in awareness."

--*James Thurber*

"I have come to a frightening conclusion that I am the decisive element. It is my personal approach that creates the climate. It is my daily mood that makes the weather. I possess tremendous power to make life miserable or joyous. I can be a tool of torture or an instrument of inspiration, I can humiliate or humor, hurt or heal. In all situations, it is my response that decides whether a crisis is escalated or de-escalated, and a person is humanized or dehumanized. If we treat people as they ought to be, we help them become what they are capable of becoming."

--*Goethe*

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FOR FURTHER READING • • • • •

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STEVE BARBER is considered by human resources, labor relations, negotiations, dispute resolution, and political professionals to be a "consultants' consultant". His leadership in the field of non-adversarial negotiations, decision-making, problem-solving, organizational effectiveness, and communications is recognized both nationally and internationally. Since 1989, Steve has logged over 30,000 hours as a facilitator of change initiatives.



Client reactions to Steve are overwhelmingly positive, focusing on his communication skills and capacity to render complex concepts usable in the real world.



EXPERIENCE: Public speaking, filmmaking, research, publishing, business, government, legislation, bureaucracy, politics, pilot, car racing, motorcyclist, mechanic, catalyst, and idea generator.

ROLES: Consultant, trainer, facilitator, author, manager, employee, partner, and confidant.

EDUCATION: Undergraduate/graduate political science, philosophy, psychology, law and jurisprudence.

CLIENTS: Legislative and policy making bodies, union/management cooperative teams, school districts, transit agencies, hospitals, water agencies, community organizations, colleges, cities, counties, trucking, rail, land use planning, state agencies, manufacturing, dispute resolution agencies.



❖ After serving as the top aide to two state legislators and as a Deputy Director in an office of the State Health and Welfare Agency, Mr. Barber held the posts of executive secretary and Deputy Director of the Public Employment Relations Board (PERB) during his 15 years with that Agency. While involved in the legislative and regulatory processes of State government, Steve found multiple opportunities to utilize a principled, interest approach to communication and decision making.

❖ Described by his colleagues as a "Johnny Appleseed", Steve Barber has spent the better part of a past decade introducing union/management relationships to a non-adversarial means of doing labor relations and collective bargaining. His initiative at PERB brought into being a coalition of union and management organizations which eventually formed the California Foundation for the Improvement of Employer-Employee Relations or CFIER (See-Fire). Mr. Barber has been a primary architect of this unique and revolutionary project that is changing the labor-relations paradigm. He has been replicating this initiative in Arizona, Canada, and the private sector. Success in this application has legitimized the extension of a principled approach into public policy, regulatory, and community issues management.

❖ His pioneering work as a change initiator in this field has brought him national and international recognition. He was invited by the United Nations to be one of 10 people from the United States to attend the first ever international conference convened to develop methods of introducing and sustaining interest approach negotiations and relationship principles to employers and unions. He was recently invited to help create the first ever Institute to introduce collaborative and interest-based decision making principles as a effective and legitimate practice for organizational development to the International business and government communities by the Association for Quality and Participation. Steve serves as instructor in Organizational Development/Effectiveness for the UC Extension Certificate Program in Human Resources. The University of California at Davis Extension Program has solicited Mr. Barber to serve on a newly created advisory committee for the development of a Certificate Program in Organizational Development/Effectiveness.

❖ Steve Barber is a native-born Californian, born and raised in Taft. His employment experience includes machinist apprentice, retail clerk, cowboy, ranch hand, firefighter, oil worker, truck driver and mechanic. Upon his graduation from UCLA with a degree in Political Science, he attended graduate school in Political Science and Philosophy at San Diego State College. Steve has been contributing to the development of curricula for the

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Political Science Department of San Diego State in mediation as a component of their Interdisciplinary Degree Program in International Conflict Resolution. Annually he presents a seminar on decision making to the Graduate School of Political Science at San Diego State, and frequently presenting to state and regional conferences on the subject of employer/employee relations, organizational development/effectiveness and change initiatives.

STEVE BARBER ARTICLES



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ASSOCIATIONS AND AFFILIATIONS



Search for Common Ground

International Association of Public Participation Practitioners

Organizational Development Network

Association for Quality and Participation

Arizona Alliance for Collaboration

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California Foundation for Improvement in Employer-Employee Relations

Institute for Community Initiatives

The Workplace Institute

AQP Excellence in Government and Community

University of California, Davis: Instructor, Extension Program

Los Rios Community College District; Instructor, The Training Source

Sierra Business Council

International Association of Facilitators

RAYMOND J. GONZALES, Ph.D. After many years of government service, Dr. Ray Gonzales returned to academia in January of 1997 as a professor in the Institute for World Languages and Cultures at California State University, Monterey Bay. Dr. Gonzales had led the needs assessment team for the new university in 1993 which was responsible for laying the groundwork for the base conversion project which located a new state university at the previous Fort Ord in California. The study entitled "The 21st Campus for the 21st Century" anticipated a pluralistic university whose main focus would be on multi-culturalism, public service and globalism. Dr. Gonzales is a leader in the fields of diversity training, ethnic studies, education, foreign affairs, labor relations, and state and local government.

As a National Director for Minority Recruitment at the Peace Corps, Dr. Gonzales brought to this position extensive government management, recruitment, and intercultural experience. He was responsible for increasing diversity figures at the Peace Corps, raising the percentage from 8.9 to 15 percent during his tenure. He was appointed to this position in April of 1994.

Dr. Gonzales served in the U.S. Department of State's Foreign Service from 1980 to 1990, as political officer and labor attaché at U.S. embassies in Latin America and the Caribbean, and at the U.S. Embassy in Brussels before the European Communities and NATO.

Dr. Gonzales was elected to the California State Assembly in 1972 and was Chairman of the Education Committee. He later served as the Director of the Office of Education Liaison for the State of California and as administrator of the state's health manpower programs. He ran the state's farm labor camps, as well as serving as education advisor to the Governor. In 1976 he was appointed by the Governor as a member of the Public Employment Relations Board.

Dr. Gonzales' career as an educator spans three decades. He was a professor at California State University, Sacramento, Bakersfield, and Long Beach campuses and taught political science, history, languages, and ethnic studies. He has taught at the University of Brussels and is presently teaching at California State University, Monterey Bay.

Dr. Gonzales received a diploma in Hispanic Studies from the University of Barcelona, Spain and a Bachelor of Arts in Spanish and English from San Francisco State University; a Master of Arts in 1964 from University of the Americas, Mexico City; and a Ph.D. in Latin American Studies in 1971 from the University of Southern California.

He has been a board member of the Hispanic Chamber of Commerce, Martin Luther King, Jr. Memorial Committee, U.S. Advisory Commission to UNESCO, the Hispanic Media Association, and the Board of the Sacramento Muscular Dystrophy Association, among other groups. He served in the U.S. Marine Corps and is married to the former Ada Ortega Lehner. They have four children.

PARTIAL LIST OF CLIENTS

- ❖ City of Roseville and
 - Firefighters
 - Police Association
 - Operating Engineers, Local 39
 - ❖ City of Petaluma and
 - International Assn. of Firefighters
 - ❖ City of Union City and
 - Union City Police Officers' Assn.
 - Operating Engineers, Local 3
 - ❖ El Dorado County and
 - Deputy Sheriff's Association
 - ❖ Placer County Water Agency and
 - Operating Engineers, Local 39
 - ❖ AC Transit and
 - A.T.U.
 - I.B.E.W.
 - AFSCME
 - ❖ Sacramento Regional Transit and
 - Staff Association
 - Supervisors Association
 - ❖ Placer Dispute Resolution Service
 - ❖ California Foundation for Improvement
 - of Employer-Employee Relations and
 - 20 +clients: elementary, high school,
 - community college districts and
 - unions (classified and
 - certificated)
 - ❖ California State Legislature and
 - Women's Caucus
 - Freshmen Democratic and Republican
 - Caucuses
 - Budget Conference Committee
 - ❖ California State Employees Assn. (CSEA)
 - ❖ International Brotherhood of Teamsters

- ❖ California Special Districts
 - Association
 - ❖ Public Officials in Water and
 - Environmental Reform (POWER)
 - ❖ Placer Consensus Project
 - (Placer County)
 - ❖ Arizona Alliance for Collaboration
 - ❖ City of Santa Rosa & Police Officers
 - Association
 - ❖ Pendergast School District (AZ)
 - ❖ Phoenix Union High School District
 - ❖ Bay Area Rapid Transit District & 5
 - local unions (Police, AFSCME,
 - ATU, SEIU)
 - ❖ City of Fremont
 - ❖ Catellus Development Company
 - ❖ Northern California Power Agency
 - ❖ North Tahoe Fire District
 - ❖ Salt Lake City Public Schools
 - ❖ City of Palo Alto Public Utilities &
 - Environmental Department
 - ❖ City of Fairfield & 3 bargaining units
 - (Fire, Police, General)
 - ❖ California Department of Fish & Game
 - ❖ City of Roseville/Homeless Forum
 - ❖ South Fork of American River
 - Dialogue Project
 - ❖ Association of Quality & Participation
 - (AQP) Brussels Institute on Bringing
 - Quality & Participation Principles to
 - the Community
 - ❖ Various private sector clients in
 - service industries (Transportation,
 - Freight, Wholesale foods)

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PARADIGM PILGRIMS
in
Communication ☐ Organizational Effectiveness ☐ Negotiation

Multiparty Applications of the Interest Approach

Usually at the receiving end of a "911" call from a party or parties in crisis Barber and Gonzales has primarily developed its practice of interest-based principles and elements form with the context of highly polarized, emotional, and divisive situations. Additionally we are pleased to be of service to organizations and groups engaged in the strategic application of the principles in order to survive and thrive into the future, not just surmount a crisis. Until a full assessment has been completed with any relationship it is impossible to characterize. Regardless of the condition or character of the situation, the principles still apply. It's just that the initial and ongoing focus might vary according to this character of the situation in question.

We find four typical situations:

The **highly polarized** setting where parties are at "war" but realize that at some point the fighting will cease either because they are out of ammunition or have an equitability of power to continue to stalemate each other; the **simply contentious** situation wherein the parties seem eager to act out past issues and win/loss injuries in the current situation; the **strained and suspicious** relationship wherein the parties are making a conscious effort to succeed with each other but are wary of "those other guys." And then there is the genuinely **rational and purposeful** relationship which honors not only the elements of the substance of the situation but the principles of building a positive relationship through an effective negotiations process. Few and far between at the outset, persistence from the beginning of the previous three typologies often results in this fourth situation.

From the hundreds of applications we have experienced, we have outlined here a few examples of situations we think appropriate to describe the interest-based process:

example 1. A collection of 14 public utilities belonging to a **joint powers agency** for the purpose of **generating and distributing electricity**. The issue was highly technical and focused upon the formula for calculating income as correlated with use offset by generation. The process took nine months. Participants were highly pleased by the result with evaluative comments including "first time we've ever had a solution this creative and supported by all. Too bad we couldn't have been using this from the start of the agency."

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example 2. An **environmental advocacy group** convenes a dialogue among industry, regulatory agencies, business interests, and other environmental advocacy groups. Thirty-five parties in all were at the table. A breakthrough event in the first place, the dialogue resulted in a greater understanding of interests and a commitment from all to sustain the dialogue into the future. Further, a commitment to a critical relationship principle was agreed to by consensus: to talk first before taking unilateral actions.

example 3. A **city government** (three departments and the city council) and **land developer** utilized Barber and Gonzales to help re-start stalled negotiations which had broken down due to the use of sophisticated leverage/political tactics. The initial focus was upon understanding and re-establishing trust and acceptance of each other at the table. The ultimate result was the commitment to, vision of, and action plan to operationalize a \$30 billion project over the next 10 years. This plan included the utilization of an interest approach over time to refine the details, resolve disputes, and involve other stakeholders to the situation as it unfolds.

example 4. A **new state agency** needing to **promulgate regulations** to operationalize a new statute relied upon Barber and Gonzales process design input and facilitation to negotiate the scope and text of the regulations with multiple statewide associations and individual members of these associations.

example 5. A **public utility** engaged in decision making about how to embrace the new/forthcoming deregulated environment relies upon Barber and Gonzales to design, facilitate, and develop a group memory for four public meetings involving multiple individual interests as parties to five principal stakeholder groups. Results included clarity of direction for the elected board, customer, and employee ownership of the commitment to embrace the new environment, surprisingly creative sales and rate concepts emphasizing the commitment of the utility to sustainable sources of power and consumption, and a competitive jump on the marketplace of power generators and providers.

example 6. A **very large, suburban school district in a "right to work" state** in the midst of a **decade of acrimony is threatened with dissolution** by the parents. The union, management, and parents participate at the table in the form of five formal parties. Barber and Gonzales facilitated and designed a "bridging strategy" to take the myriad of relationships from the acrimony to the table and beyond. Results after five years of effort: the district went from the condition of losing staff and not being able to recruit to having to turn away applicants in an "applicants' market" due to population growth and class size reduction initiatives.

example 7. An **environmental advocacy group convenes**, using a Barber and Gonzales designed approach and facilitation, **42 parties** representing multiple government entities, industry associations and parties, and other environmental groups to focus on a common problem of resource loss to land development. The result was an agreement and plan to

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improve the application of, marketing about, and success of conservation easements in lieu of a ballot initiative. Further, a commitment emerged to monitor the solution over time.

example 8. A public utility, using Barber and Gonzales to design a multiparty internal assessment and negotiation, successfully **re-designed its approach to the provision of service** to both internal and external customers. The initiative was prompted by the decision of elected officials to dramatically expand the service offering of the utility to include technology networking for an entire community.

example 9. An "assembly" process focused upon the implementation of a **multi-party agreement** (when achieved) involving the **confluence of multiple watersheds** and the Pacific Ocean. With over 300 participants representing 200+- stakeholder groups and parties in attendance Barber and Gonzales collaborated with the convener to provide not only process design but facilitation as well. The result was a clearer understanding of the various perspectives and issues which outline them. Further, there emerged a consensus that a non-adversarial approach to the decision making around the identified issues should be pursued.

example 10. A **multiparty negotiation focused upon a watershed** experiencing multiple uses including fishery, mining, recreation, hydroelectric generation, timber harvesting, fire, whitewater rafting, and consumptive purposes convened with the help of Barber and Gonzales in the midst of ongoing acrimony in the courts, political process, and community at large. The parties have made but one commitment, that of using the interest based approach to resolving their differences. This agreement is significant in that it represents a commitment to talk in amongst the litigation and acrimony. The talking continues. Further, the parties have a consensus about seeking the funding necessary to sustain the interest-approach and apply it to the specific substantive and relationship issues that Barber and Gonzales have helped identify through facilitation and consulting. This may sound simple; yet within the context of the particular community and watershed it is a monumental achievement for these parties.

example 11. A **multiparty planning process to retain and revitalize seasonal salmon runs** in a river/creek system heavily impacted by urbanization and industrialization was precipitated by formal charges levied against the regional water district by state water quality and fish and game officials. Barber and Gonzales conducted twenty-plus facilitated meetings along with communications support to the multi-agency and advocacy group assemblage convened for the purpose of rectifying the conditions reflected in the citation. The multistakeholder group has succeeded in designing both a technical/scientific scheme to collect data and an approach to take regarding the recovery/quality issues.

example 12. A **police department** is faced with the equivalent of a **vote of no confidence** in its chief of police. Barber and Gonzales worked with a small committee comprised of city council members, police union officials, the city manager and chief of police to determine the substance behind the initiative, identify an appropriate course of action(s), and help develop buy-in by all the parties for initiating change.

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example 13. A large, urban fire department experiencing the simultaneous transition of its chief and union leader seeks to institutionalize the positive aspects of their long term working relationship. Barber and Gonzales engage in consulting and training initiatives within the union/management relationship to meet this goal. Training in Principled Negotiations, teambuilding, effective meetings and more are included in the initiative.

example 14. A railroad is struggling with a stalled initiative to introduce "TQM" into its culture. Barber and Gonzales work with the employee relations staff to introduce labor-management cooperation as the antidote.

example 15. A well-known computer manufacturer experiencing exceptional growing pains due to the success of its cutting-edge product innovations establishes a new customer service call center. Barber and Gonzales designed and is delivering a comprehensive team building and cultural development initiative to establish long-term success from the beginning.

example 16. An R&D unit in a Silicon Valley icon is charged with examining and revamping the decision making processes with its division. Barber and Gonzales provide consulting services to this team faced with this "process as substance" challenge.

example 17. A county social services department has expanded both in size and scope of services exceeding the limits of managerial capacity to move the organization away from a centralized operations structure. Barber and Gonzales initiated a large scale intervention in training managers and supervisors group decision making processes, communication skills and facilitation practices... enabling a decentralized policymaking structure to emerge. Professional and support staff were subsequently trained with the help of management and supervisory personnel.

Example 18. As a part of a larger intervention with other consultants, IIUSP "Failing Schools" were introduced to meeting management skills, concepts and principles of group decision making, and practices in reducing high levels of conflict within the organization. The interventions resulted in a turnaround in the handling of issues and problem "dissolving." These "failing schools" have developed the means to approach problem solving using systemic processes for improving their performance level and handling internal and external conflict.

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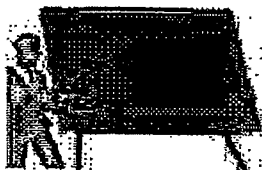
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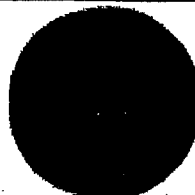
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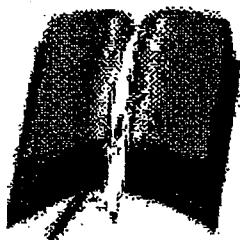
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PARADIGM PILGRIMS

in

Communication • Organizational Effectiveness • Negotiation

STEVE BARBER is recognized as a leader in the field of non-adversarial negotiations, decision-making, problem-solving and organizational effectiveness. After serving as the top aide to two California State legislators, Steve held the posts of Executive Secretary and Deputy Director of the California Public Employment Relations Board during his 15 years with that agency.

Steve has logged over 30,000 hours introducing a non-adversarial process for collective bargaining in union-management relations. His pioneering work as a change initiator has brought him national and international recognition. He was a U.S. Delegate to a United Nations conference on introducing and sustaining an interest approach to negotiations for international employers and unions. Recently he was invited by the Association of Quality and Participation to introduce interest-based decision-making principles to international business and government communities.

Steve graduated from UCLA with a degree in Political Science and attended graduate school in Political Science and Philosophy at California State University at San Diego. He frequently presents to state and regional conferences on the subject of employer/employee relations, organizational development and change initiatives. As a principal of the Barber & Gonzales Consulting Group, Steve conducts training, facilitation, and consultation in an interest-based process for private and public sector clients, environmental concerns, special districts, and public participation projects.

Raymond J. Gonzales, Ph.D. was elected to the California State Assembly in 1972 and was Chairman of the Education Committee. He later served as the Director of the Office of Education Liaison for the State of California and as administrator of the state's health manpower programs. He ran the state's farm labor camps, as well as serving as education advisor to the Governor. In 1976 he was appointed by the Governor as a member of the Public Employment Relations Board.

Dr. Gonzales served in the U.S. Department of State's Foreign Service from 1980 to 1990, as political officer and labor attaché at U.S. embassies in Latin America and the Caribbean, and at the U.S. Embassy in Brussels before the European Communities and NATO.

Dr. Gonzales received a diploma in Hispanic Studies from the University of Barcelona, Spain and a Bachelor of Arts in Spanish and English from San Francisco State University; a Master of Arts in 1964 from University of the Americas, Mexico City; and a Ph.D. in Latin American Studies in 1971 from the University of Southern California. Currently he heads the Institute for World Languages and Cultures at Cal State University, Monterey, California.

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OF
STEVE BARBER ARTICLES
ON
THE EMERGING NEW PARADIGM
IN
ORGANIZATIONAL RELATIONSHIPS**

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CPER

California Public Employee Relations

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A 'Startling Experience'
- The Emerging Paradigm in
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- Recent Developments in
California Public Jurisdictions
- Public Employment Relations Board
- Log: Neutrals' Actions

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CPER provides up-to-date, nonadversary information to those involved in employer-employee relations in public employment. Readers are encouraged to submit comments on this issue, to make suggestions regarding the content of future issues, and to contribute information on recent developments in the various public agencies.

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The Emerging Paradigm in Public Sector Labor Relations

By Stephen Barber, Assistant Executive Director, Public Employment Relations Board, and Kenneth Hill and Tim Nelson, PERB Graduate Student Assistants, California State University, Chico*

par-a-digm (par'ə dim, -dim') *n.* [Fr. *paradigme* < LL. *paradigma* < Gr. *paradigma* < *para-*, *PARA-*¹ + *deigma*, example < *deiknynai*, to show: for IE. base see DICTION]
1. a pattern, example, or model

epi-si-te-mol-o-gy \-jē\ *n.* -is [epistemo- (fr. Gk *epistēmē*) + -logy]: the study of the method and grounds of knowledge esp. with reference to its limits and validity; broadly: the theory of knowledge

You've just pulled to a stop at the four-way light and reach over to fiddle with the radio dial when a total stranger appears. As he thrusts himself halfway through the passenger window you move to protect your newly acquired possession on the front seat. Instead of grabbing your parcel or the keys to your car, he grasps your hand and while pumping it wildly, breathlessly exclaims, "I helped build your car! How do you like it? Any complaints? How were you treated by the salesman? Have you had it long? Have you had it serviced yet? How was the service you got? How do you like the design? Any squeaks? Any rattles?"

The barrage of excited questions from the enthusiastic stranger is punctuated with an explanation as to their source. The stranger is an assembly-line team leader at the New United Motors Manufacturing, Inc., plant in Fremont, California. The incident is a true story. It is a story similar to many that Chevrolet Nova owners have been sharing with their friends as a new method of practicing labor relations flourishes at an auto assembly plant otherwise indistinguishable from its cousins throughout the country.

The NUMMI story is that of a Phoenix rising from the ashes of a dramatic failure of traditional collective bargaining. The NUMMI experience is not unique. Many private sector labor and management practitioners, desperate to assure economic survival in a competitive global economy, have declared confrontational labor relations and adversarial collective bargaining obsolete, outdated, and counterproductive.¹

Reflective of an attitudinal tap root set deep in positional bargaining methodology, the characteristics and consequences of conflict found in the traditional collective bargaining process, familiar to readers of *CPER*, have become the widespread explanations for failed negotiations, poor product quality, low productivity, inquiries into what's right or wrong with the process, and for some, the primary motive for change. Yet, while the private sector is moving away from the practice, positional or traditional bargaining methods are the dominant paradigm in the public sector today.

Unlike the private sector, where alternatives to the traditional bargaining method have been

*This article was developed as a result of research involving on-site interviews at 18 school districts and a review of available literature. More specific results of the interviews and additional research will appear in a subsequent article.

1 "New United Motor Manufacturing, Inc., and the United Automobile Workers: Partners in Training," *Labor Management Cooperation Brief*, U.S. Dept. of Labor, Bureau of Labor-Management Relations and Cooperative Programs, No. 10 (March 1987).

actively sought out, alternative bargaining methodologies in the public sector are only starting to emerge. Because of the importance and impact of these alternatives on the process of bargaining, the labor relations profession, and the goods and services produced by employers and unions, and because it is apparent that these alternatives are coming to the public sector as surely as the public sector adopted positional bargaining, it is important to stimulate dialogue on the subject.

In this article, we hope to offer a general understanding of what is meant by the term, "alternative bargaining methodologies," point to some of the underlying assumptions, discuss the role of the Public Employment Relations Board (PERB), and encourage further exploration of the subject by others.

What Business Is It of PERB?

What are the respective assumptions of the traditional collective bargaining model and the new "integrative" models we have been exploring this past year at PERB? In brief, the difference is that the integrationists reject the assumption of the traditional model that there are inherent conflicting interests between labor and management which will result in economic and political power struggles. The alternative methods find alien the assumption that there are fundamentally opposed interests which require mutual accommodation through a power struggle.²

Much has been written about how and why conflict came to be the basis for traditional, or positional, collective bargaining. In general, the literature agrees that the character of industrial expansion in the 19th century and early decades of this century gave rise to attitudes, conflicts, and a method of dispute resolution which are no longer relevant to a transformed economic environment.³

Given the pressures to successfully compete in a global marketplace, reduce conflict, and improve product quality, the positive response to these pressures offered by the integrative approaches may accelerate their embrace at such a pace that the philosophical debate will forever be in a "catch-up" mode.

Part of the deliberations about the philosophical basis and practical application of the integrative approach centers on the issue of whether an institution such as PERB, conceived to administer and adjudicate the codes and case law reflecting the traditional collective bargaining model, has any business encouraging, let alone exploring, conflict-reducing methods of bargaining.

One argument seems to be this: "PERB is a dispute resolution agency, period. Such explorations of methodology, which inevitably call into question the assumptions of the statutes PERB administers, are not an appropriate pursuit." Indeed, our many conversations with public officials in other states (we spoke to public agencies in over 30 other states this summer in our information-gathering efforts) indicate that such explorations are usually not being undertaken by agencies such as PERB. Instead, the location of such work is at the university, the state's department of labor or industrial relations, or arises from the changing nature of work being done by state conciliation or mediation services.

The answer to the question of appropriateness for California's PERB lies in the provision of our statute which calls for research into employer-employee relations and employment practices in public and private employment. The statute further authorizes the development of "research or training programs designed to assist public employers and employee organizations in the discharge of their mutual responsibilities under this chapter."⁴ This language has given PERB broad latitude to

² See, for example, Archibald Cox, Derek Curtis Bok, and Robert A. Gorman, *Cases and Materials on Labor Law* (Mineola, N.Y.: Foundation Press, 10th ed., 1986), pp. 211-214.

³ Please examine the bibliography which accompanies this article.

⁴ Gov. Code Secs. 3512, 3543, 3541.3(f), 3540, and 3560.

undertake interesting and fruitful research on behalf of the parties. In issue No. 73 of *CPER* we outlined the many research projects underway at PERB which illustrate this point.

What is important to realize here is that even though there is wide latitude available, PERB research projects, all of which have been willingly funded by the legislature and governor, are motivated by a desire to provide the parties with tools and information which will enable them to deal with employment issues and resolve problems *before* a dispute arises.⁵ This approach is consistent with the organizational scheme of the agency which sees more than 80 per cent of filed cases settled before a formal hearing.

Recently, *CPER* featured articles and letters on the subject of the diligence and speed with which PERB resolves disputes. Without becoming involved in that dialogue, we note that PERB is designed on the judicial model. Streamlining bureaucratic and adjudicatory processes of this model can only go so far to improve the ability to meet the dispute resolution obligations and the parties' expectations regarding these obligations. The PERB advisory committee, PERB staff, and the Board itself have been focusing on procedural changes which address this issue.

At the same time, however, the PERB research approach enables the agency to address the prospect of an ever-rising caseload by placing effective conflict management tools in the hands of the practitioners. By furthering the purpose of the statutes as stated: "...to promote full communication between" public employers and employee organizations and "to promote the improvement of personnel management and employer-employee relations," PERB is recognizing both its role in dispute settlement and the inevitable caseload growth inherent in the projected demographics for California in the next decade.⁶

By providing the parties with information and techniques, PERB not only is better able to live within its budget but also enables the parties to do the same in the bargaining process. We estimate, for example, that the health care cost containment research and communication PERB accomplished in 1984, 1985, and 1986 had the immediate result of enabling parties statewide to avoid increased health premiums totaling many millions of dollars.⁷ Such cost avoidance clearly enhances the prospects of resolution of other points of dispute at bargaining tables.

Ignoring philosophical questions, it is clear from the evidence we have gathered this past year that alternative dispute resolution methods reduce conflicts, broaden participation by employees and their organizations, and achieve acceptable contracts in a collective bargaining context.⁸ PERB would therefore be remiss in ignoring or discouraging such a development within its jurisdiction in favor of a dogmatic adherence to its traditional role.

What Are These Alternatives?

Drs. John Glaser and Douglas Mitchell in an as-yet-unpublished paper and in Glaser's doc-

⁵ In a 1987 survey of PERB constituents inquiring about training needs and topics of interest on which the agency could focus its communications, conferences, etc., a very clear desire was expressed to learn more about and receive training in "preventative bargaining."

⁶ The state Department of Finance projects that school populations will increase by a minimum of 1.4 million by the year 2000. Department of Finance, Population Research Unit Report (February 1988). See Projected Total Population for California by Race/Ethnicity—July 1, 1970, to July 1, 2020—With Age/Sex Detail 1980-2020.

⁷ PERB's efforts and activities in the field of health care cost containment are unique to the nation and California. Research and education by the agency have been widely disseminated and put into practice by public sector parties. It should be noted that in this area as well, the public sector had lagged behind the private sector in its awareness and response to a pernicious and growing issue.

⁸ See the reading list, especially the PERB collection of current articles. We are spotting and distributing news and in-depth articles about developments in this field. Interested readers should ask to be added to the PERB mailing list.

toral dissertation have identified six models of alternative bargaining methods.⁹ These models were developed after surveying the 80+ public school districts in California which were self-identified as having adopted or experimented with the concept. The models are labeled:

1. Mature, high-trust industrial union bargaining.
2. Low profile, meet-and-confer decisionmaking.
3. Budget development or financial formula bargaining.
4. Negotiations process innovations.
5. Altering the ongoing labor-manager relationship.
6. Altering the nature of the negotiated agreement.

In addition to these six models there is also the Educational Policy Trust Agreement. By all accounts this approach is meant to be parallel or supplemental to the collective bargaining process. However, parties report that the improved relationship which results from collaboration on a trust agreement can affect other areas of decisionmaking, including collective bargaining.¹⁰ State and national trends in the private and public sectors suggest an eventual melding of the policy trust agreement approach and alternative bargaining methods.

With alternative methods, the collective bargaining process is best understood as a loop of communication running throughout the district as well as throughout the school year. It culminates at the bargaining "arena" (tables are often absent or pushed against the walls of the room) where problems are identified and solutions postulated and agreed to by the participants. The bargaining sessions typically last four to six days spread over a maximum of two months time. Subcommittees research difficult problems.

The typical alternative method does not involve management and labor sitting on opposite sides of a table attempting to achieve unconditional or even conditional surrender or capitulation to a preconceived position taken by the other side. Role differentiation is reduced, "brainstorming" practiced, and many participants report that an observer unfamiliar with the participants would have difficulty recognizing management or labor representatives from what they contribute to the process. As in the private sector, the authoritarian basis of "modern" American management theory so familiar to us all is being called into question by the success of these alternative, collaborative methods.¹¹

The participatory basis of these new methods was welcomed by respondents to our inquiries. Ongoing communications and bargaining are characterized by the openness of all the parties to providing and seeking full information. One could describe the difference between the traditional method and the alternatives as similar to a poker game where all the players know all the hands dealt. It becomes a matter of the players versus the cards rather than the players versus the players. The concept of a winner and a loser is foreign to these methods.

⁹ John P. Glaser and Douglas E. Mitchell, "The Strategies for Cooperative Exploration of Labor Relations Alternatives," an unpublished paper. John P. Glaser, doctoral dissertation, U.C. Berkeley School of Education (Spring 1988). Both papers available from John Glaser, 707-253-3577.

¹⁰ It remains to be seen whether the narrow definition of the scope of collective bargaining attributed to the developers of the policy trust agreement will hold for long. In the PACE report summarizing work to date, the following definition of the traditional focus of bargaining is found: "...standardized work rules and adversarial relationships..." To experienced labor relations practitioners, this definition is too narrow. Its validity was questioned at the September PACE conference, and it will surely undergo considerable review if it remains part of the policy trust vernacular. Julia E. Koppich and Charles T. Kerchner, *The Trust Agreement Project: Broadening the Vision of School Labor-Management Relations: A First Year Progress Report*, Policy Analysis For California Education, Policy Paper No. PP88-9-7 (September 1988), p. 24.

¹¹ D. L. Lander, "Transforming Principles Into Practices," *Task Force Report on Labor-Management Relations*, Commonwealth of Pennsylvania (January 1988), pp. 77, 78, 79.

Admittedly, such characterizations are simplistic; yet, unmistakably, we encountered repeated expressions of trust, respect, mutuality of goals and goal seeking, enthusiasm, reduced stress, purposefulness, collegiality, consensus, an absence of conflict, and even role reversal. It would seem that the degree of trust between the parties is the major determinant of the labor relations relationship in either the traditional or alternative setting. And the success or failure of collective bargaining, whether traditional or alternative, can be seen as a reflection of the quotient of trust between the parties. This proposition deserves more rigorous examination, and has begun to receive it via a recent Association of California School Administrators (ACSA) survey¹² of school district administrators and a PERB survey of alternative methods.¹³

Where alternative bargaining methods have been tried, and sustained, a dramatically different way of looking at reality is being used by the participants. Each person has adopted, consciously or unconsciously, a new paradigm with which to measure, evaluate, and shape reality. As noted in the ACSA study, in some cases the adoption of a new paradigm has come about in spite of the pressure of the conventional wisdom of peers in professional organizations and other districts.¹⁴ Perhaps we should call this an "epistemological event!"

Whatever we call the adoption of this perspective, the new paradigm is not grounded in the conflict resulting from the history of employer denial and labor confrontation which gave rise to traditional collective bargaining. It is grounded in a cultural context focused on environmental awareness vis-a-vis economic survival, ethnic integration, respect for individual rights and opportunity, individual and group responsibility, an entrepreneurial spirit of risk-taking, and more.¹⁵

What Has Been the Impact?

During the past spring and summer, PERB staff made 18 on-site school district visits and innumerable follow-up telephone calls to participants in alternative methods of bargaining. In addition, we spoke to individuals in public agencies, law firms, universities, and school districts in over 30 other states. Perhaps the most dramatic reference to the effect of alternative bargaining methods came from the executive manager of a conciliation service in a neighboring state. He said that during the two-year growth in the practice of alternative methods in his state, the incidence of impasse declarations had dropped by over 20 per cent.

Practitioners from the districts we talked to generally indicate that since the adoption of an alternative bargaining method, impasses have disappeared and grievances have decreased dramatically. Employee organizations report membership increases resulting from higher visibility and greater ongoing interaction with their members as they become more significantly involved in the decisionmaking process, agenda/policy setting of the district, and individual membership casework.

Of interest is the fact that the experience of these practitioners parallels that of NUMMI in Fremont. At the closing of the plant in 1982, there was a backlog of 1,000 grievances and 60 disputed firings. Two years after reopening, there had been fewer than 20 formal grievances filed, with all but one being resolved informally. Similarly, before collaborative labor relations, new ideas for

¹² Association of California School Administrators, *Labor Relations in California, Policy and Training Options*, analysis by Far West Laboratory and Douglas E. Mitchell (1988).

¹³ PERB is collaborating with its advisory committee in gathering attitudinal and experiential data from practitioners.

¹⁴ Glaser and Mitchell, *op. cit.*, p. 3.

¹⁵ Increasingly, the idea that "we are all in this together, despite our differences" is becoming a familiar one. In his book, Buckminster Fuller observes that because an "instruction manual" was missing from the beginning, "we are learning how we safely can anticipate the consequences of an increasing number of alternative ways of extending our satisfactory survival and growth—both physical and metaphysical." See Fuller, *Operating Manual for Spaceship Earth* (Southern Illinois University Press, 1969), p. 53.

product or fabrication improvement approached a handful a year. Now, it has become necessary to create an entire unit to screen the new ideas received from employees each month.¹⁶

Are We Ready for This?

From our conversations with the parties, it is clear that a crisis is often the motivator of such a dramatic change in labor relations practices. Clearly, this was the case at NUMMI where the plant had been shut for two years before Toyota, GM, and the UAW initiated the new venture. In other cases, a change of bargaining method will feel very much like the most natural thing to do. It has been postulated that the stakes in terms of global competition are so high that our country cannot wait for an evolutionary-paced or crisis-based change.¹⁷ But most agree that we are at crisis now, whether that crisis exists in the private sector in terms of balance of trade, quality of product, loss of jobs to foreign competition, or in terms of our 40-60 per cent school dropout rate or 40 per cent illiteracy rate among those who stay in school.¹⁸

Whether motivated by a desire to reduce conflict in employer-employee relations or to improve the product, the paradigm change has arrived.¹⁹ In those areas where the parties have a conflict-based perspective, it may not be possible to effectuate change directly. In some of the districts we visited, attempts to practice alternative bargaining methods had failed, the usual explanation being the inability of a critical individual to set aside the precepts and assumptions of traditional bargaining and adopt those of the alternative. In some cases, absent a personality change, transfer, promotion, retirement, or electoral change there is probably small hope for the shift in perspective required.

In these cases or in cases of mature and otherwise successful traditional bargaining where participants on both sides of the table so define themselves and their counterparts in the aggressive or suspicious terminology that can be part of the traditional model, the best hope is to change the atmosphere in which negotiations occur. For instance, the application of what is known as the Labor-Management Cooperation Committee has been found to lessen the adversarial atmosphere while not disrupting the traditional collective bargaining model. An eclectic approach in the development and use of alternatives is most widely followed by other state and federal agencies seeking to lessen labor relations stress while encouraging improvements in product quality and global competitiveness through mature or alternative collective bargaining methods.

The Impetus to Change

In the winter of 1987-1988, the state Board of Education created an ad hoc committee to con-

¹⁶These examples and others are cited in a Department of Labor video tape featuring the NUMMI experience and others. This tape is available through PERB. Other references to the NUMMI experience are found in "New United Motor Manufacturing, Inc., and the United Automobile Workers: Partners in Training..." *op. cit.*

¹⁷Thomas A. Kochan, "Strategies for Sustaining Innovations in U.S. Industrial Relations," *Journal of State Government*, Council of State Governments (Jan./Feb. 1987).

¹⁸Recent articles in the press have highlighted the slipping position of American students, despite increases in SAT scores for those who are college bound. Andrew Hahn, "Reaching Out to America's Dropouts: What to Do?" *Phi Delta Kappan* (Dec. 1987), p. 257.

¹⁹(1) A multi-location consortium of professionals called Policy Analysis in California Education (PACE), based at U.C. Berkeley, Stanford, USC, and in the state capitol, has been working with the California Federation of Teachers, the California School Boards Association, and six school districts to develop educational policy trust agreements. The California Teachers Association and six more districts will join the project this year. (2) No fewer than 25 school districts in the state have tried WIN-WIN negotiations as developed and facilitated by the late Irving Goldhaber. (3) Variants of WIN-WIN have occurred at a variety of school districts where the parties have combined their training in quality circles, group facilitation, and communication to shift away from traditional bargaining at times of severe breakdown, usually never to return to it. (4) The School Employers Association, a 100+ member group of Southern California school districts, has been focusing on alternative bargaining methods at the past three annual conventions. This year the SEA is contracting with the Harvard Negotiations Project and the private firm of Conflict Management Inc. to provide training to its members. (5) The Association of California School Administrators (ACSA) featured WIN-WIN's Irving Goldhaber at an annual convention over five years ago. (6) Labor-management committees are starting to become visible in California.

sider the question of the impact of collective bargaining on the quality of education. The initial stage of the inquiry involved soliciting written communications from a wide variety of practitioners in the field. The overwhelming sense derived from the response was that while the collective bargaining process in California schools was in place and working without difficulty overall, it appeared to a majority of the respondents that the process was unnecessarily contentious and adversarial. The ACSA survey substantiates these findings.²⁰ Furthermore, correspondents to the ad hoc committee inquiry traced most of the drawbacks and breakdowns of the current process to this attribute.

Reduction of conflict is rarely the reason that companies and unions in the private sector make the shift to the alternative method, conflict and contention having generally been considered a part of the private sector labor relations environment. What has caught private sector unions and companies up in the paradigm change has been concern for product quality, productivity, and competition. These motives are clearly the basis for the heavy emphasis placed on the subject by the U.S. Department of Labor through its Bureau of Labor Management Cooperation.²¹

The lesson to those who practice labor-management relations in the public sector is: product improvements (education, public services) are a consequence of labor relations improvements, not necessarily higher technology, not just elaborate new programs, not merely "more" of everything. While this is a bit of an overstatement, the thrust of the message is generally supported by the productivity and quality control literature. For example, it is estimated that fully 70 per cent of any productivity increase is attributable to improved employee relations.²²

This realization has become evident in pronouncements of those in the public sector who at one time could be counted on to decry the application of collective bargaining to education. The school reform of S.B. 813 has brought home the importance of full-scale participation by all elements of the school district. Words and phrases such as "ownership," "collaboration," "collegial," "shared decisionmaking," "shared responsibility," and "participatory" are commonly heard from these parties.²³

Conclusion

Excited about the conflict reduction and dispute prevention aspects of alternative bargaining methods, PERB is committed to generating a data base, raising their visibility to the parties within PERB jurisdictions, improving understanding of the methods, and facilitating their utilization by those parties both in crisis and not in crisis who are asking, "Is there another way to do this?"

In pursuit of research and practical training, PERB has had a practice of involving constituent

²⁰The ACSA study, referenced above, consisted of a survey of members. The survey found that collective bargaining was an accepted tool in the management of schools. It also found that over half the respondents believed that collective bargaining contracts undermine cooperation in the schools. At the same time, approximately 70 per cent of the respondents believed that the employee organization is strong, well-organized, and responsible in labor relations matters. Given the ACSA and state board surveys and PERB statistics which show that a majority of disputes come to the agency from a minority of the state's districts, it should be noted that "mature" labor relations are an achieved or sought-after goal of the majority of the districts in the state. For these districts, the motive for change will be quite different, i.e., not from a crisis mode. In any event it may be that PERB's focus on the subject is narrow simply because the agency primarily deals with those parties to the process who have problems.

²¹John R. Stepp and John L. Bonner, "States Tie Economic Development to Improved Labor Relations Climates," *Journal of State Government*, Council of State Governments (Jan./Feb. 1987).

²²The NUMMI plant is a classic example, where the technology and methods of fabrication were the same after the reopening of the plant as they were before it closed. See Stepp and Bonner, *op. cit.*

²³Indeed, at the recent PACE conference to review the progress of the first six educational policy trust agreements, the management and labor representatives were virtually indistinguishable in their endorsements of these concepts. As of this writing, it is not known whether a transcript or recording of the proceedings will be available; however, the National Public Broadcasting Corp. filmed the conference in preparation of a five-part special program on the MacNeil-Lehrer Report. The program is due to air in the spring of 1989.

groups and individuals via the PERB advisory committee. In this case, a subcommittee has been formed to focus on the topic. In addition to helping the agency staff formulate research, communication, and educational goals on the subject, the subcommittee will gather even more information on the degree to which alternatives are being practiced and their result.

A conference, jointly sponsored by PERB and the Institute of Industrial Relations at U.C. Berkeley, is scheduled for this spring. Also planned is a CPER publication which will describe the kinds of alternatives being tried in California, as well as in other states.

The Public Employment Relations Board has committed itself to a course of action that will result in the close examination of this emerging paradigm, stimulate dialogue about it, raise its visibility, and involve PERB constituents in its study and development. By way of operationalizing the results of this effort, PERB can be expected to encourage the development and application (especially in chronically troubled situations) of alternative methods of labor relations, suggest legislative initiatives if necessary, prescribe applications in difficult situations, stimulate education and training in its practice, develop resources, establish clinical applications, stimulate pilot projects for local variations, and involve PERB staff as facilitators and trainers.

Truly, there is a major shift underway in thinking and practice. The private sector has been leading the way, motivated by an urgent desire to improve product quality and remain competitive. The exciting prospect for all of us in public sector labor relations is that we may very well be the vehicle of improved product quality in our respective fields of education and public service.

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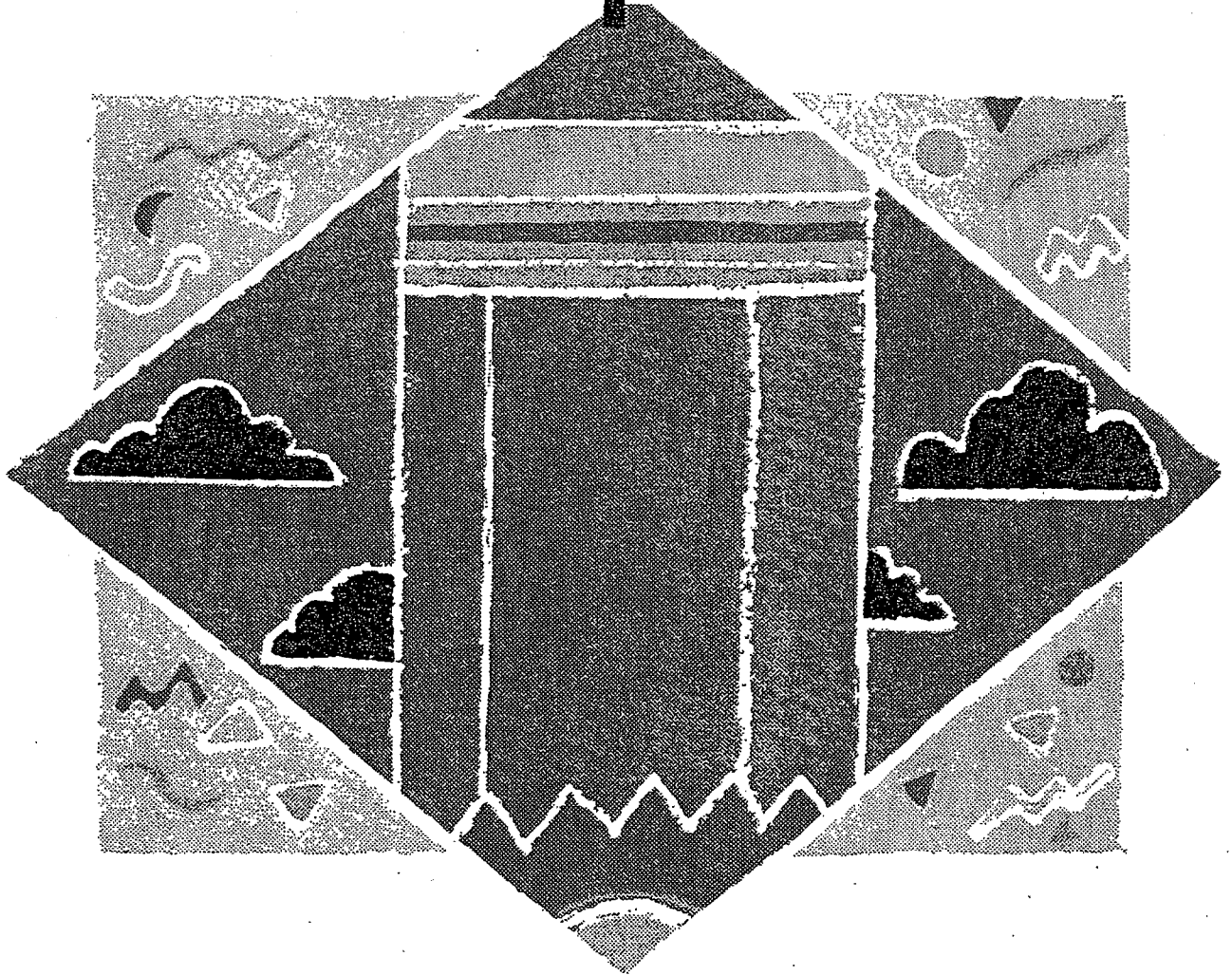
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Quality and Participation

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VISIONS OF EXCELLENCE IN EDUCATION

Chicago school reform meets TQM 6

Quality management in education: Myron Tribus 12

Participation... beyond the catchword phase 44

TQM at Kellogg 88

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THE JOURNAL FOR VOL 16, NO. 1 • \$15.00 • JAN/FEB 1993

Visions of excellence in education

- TQM and radical change in education
Chicago school reform meets TQM
 Donald R. Moore — Designs for Change.....6

- Why not in education?
Quality management in education
 Myron Tribus — Exergy, Inc.....12

- We can't use yesterday's standards anymore
Creating effective schools today and tomorrow
 Lawrence W. Lezotte — Effective Schools Products, Ltd.....22

- A quiet revolution in union-school district cooperation
Putting service back into a school's central services
 Terry Mazany.....32

- Not an oxymoron... not a fad
Quality management in schools
 Susan Leddick — Profound Knowledge Resources, Inc.....38

- Teamwork to promote student success in Jefferson County, Kentucky
Participation... beyond the catchword phase
 Dr. Donald W. Ingwersen — Jefferson County Public Schools: Louisville, Kentucky.....44

- Building a statewide movement for school change in Texas
Creating a partnership for educational excellence
 John H. Stevens — Texas Business and Education Coalition.....48

- Strategic educational planning
An empowering process
 Tena Carson-Figgins — Delco Electronics.....52

- The quest for educational quality model
Creating quality middle schools
 Diane Rivers — Birmingham Public Schools.....56

- South Huntington Schools: a decade of seeking excellence through...
Total quality in education
 Dr. Joan Wilson — South Huntington School District, Long Island, New York.....62

- When you're working on improving employee-employer relations, you're really...
Letting genies out of bottles
 Steve Barber — California Foundation for the Improvement of Employer/Employee Relations.....68

When you're working on improving employee-employer relations, you're really...

Letting genies out of bottles

Steve Barber — California Foundation for the Improvement of Employer/Employee Relations

As I was boarding another indistinguishable airplane at the end of another long day of flip charts, rental car counters, and hurried calls instead of meals, I remembered that I had promised an article for the special education issue of the Journal of AQP.

"I fear that unless the elements of the ends sought are integral to the means used to initiate and embrace the quality and participation paradigm it will eventually fail."

The deadline was but hours away; yet I had developed merely a mental outline since the commitment date a few weeks ago.

Then it occurred to me. I've got this wonderful story to tell my colleagues ushering in the quality and participation paradigm. "I'll do that!" I said to myself and save the clinical reportage for another time or for others better suited or more inclined to do so. But, how can I impart how I feel about what we are doing? How can I explain to others, who look at my schedule and pronounce me insane or addicted to work, what it is like to feel guilty to be paid for something you love to do?

How do you capture in words when one is not a wordsmith, poet, or novelist the wonderment, excitement, creativity, and energy that you see coming to life in school districts that just a few months before may have been better characterized by describing the skeletal remains of two scorpions locked in a mutually victorious embrace in the desert sand? So I thought I'd offer the same description I give anyone now who inquires into what the California Foundation for the Improvement of Employer/Employee Relations (CFIER) is all about: *We are letting genies out of bottles.*

Watch out for a simple slap dab, top down application of TQM to education... My congratulations to the AQP Journal for the foresight to pull together a special issue regarding what's happening to education today. I share the Journal's enthusiasm for the application of the paradigm of quality and participation to public education.

I'm concerned, however, that the application of this paradigm to educating and to educational organizations will be accomplished or attempted via the usual top down mandate by management.

Ends and means must be consistent... This has begun to happen already here in California, and I view it with alarm. I fear that unless the elements of the ends sought are integral to the means used to initiate and embrace the quality and participation paradigm it will eventually fail. To be thought of as "just another one of those fads that they wanted us to do" seems to be the fate of so many new ideas in education introduced without employee (union) ownership. This is a syndrome one often finds when you look closely at this very vital institution.

Work on employee-employer relations first... My prescription for avoidance of this syndrome is to focus first upon the soul of the organization: the relationship between employer and employee (union). By establishing the true participation of the employee (via the union when one exists) in the organization's decision making regarding direction and methods, a genuine shift to the quality and participation paradigm is assured.

Without employee (union) participation at this fundamental decision making level such a shift is seriously at risk. How we in California are bringing on such participation at this seminal level is outlined here.

On genies and cork pulling

In both the statewide and local view a genie has been let out of the bottle. It's a friendly genie. It's also a user-friendly genie. Importantly, it's a genie that is responsible for heartening results during a very difficult financial time. This genie shows the promise of bringing on such a fundamental change in the employment culture that the positive promise of quality improvement through the application of a variety of models of employee involvement can be legitimately realized in public education.

As one who has been wrenching the cork from the genie's bottle school district by district, I am compelled to share this story with AQP readers even as it unfolds before me. It may well be a story that is premature in its telling. It is certain that you will be looking for further information because yours truly is so consumed in pulling the cork and introducing the genie that little time remains to tell the story, yet the telling of this story is imperative if we are to expect to see the kind of improvement in educational quality we all believe necessary to achieve the desired outcomes in our economy and social conditions.

The genie defined... The genie I'm referring to is the "human relations software" Tom Peters proclaims as so vitally necessary to the success of any organizational change. This genie precipitates such a fundamental change in the seminal relationship of an organization, that relationship between employer and employee, that positive, systemic change is inevitable, legitimate, and lasting.

The genie is personified through the application of a collection of non-adversarial principles and processes to the practice of employer-employee relations and collective bargaining. This collection of principles and practices is applicable in both unionized and non-unionized settings. Accurately called *interest based negotiations*, rather than *win-win* or *collaborative bargaining*, this collection of principles and practices is quite contrary to the traditional heritage of employer and employee relationships. The interest based approach eventually erupts in trust, understanding, and mutual commitment in this critical context.

Why were we looking for change and improvement?

As we all know, in the mid-80s private industry was acknowledging a very serious wake-up call from abroad. As our culture seems more

comfortable in laying blame than in describing cause and effect, industry began looking for culprits to its demise. One culprit conveniently at hand was public education. However, the sad condition of education wasn't news to educators. By their own admission the quality of education provided in the public sector left much to be desired. We need not go into those statistics here as we know them only too well.

Do we need a new collective bargaining style in education? This fault finding by industry while injurious to the esteem and sense of worth of many well-meaning and highly educated folks involved in education was taken seriously and efforts were initiated to remedy what was seen. Among those efforts were inquiries into the impact of collective bargaining upon the quality of education.

These investigators determined that the way in which we engage in collective bargaining and employer-employee relations left practitioners fatigued and either presumed or resulted in an adversarial relationship between employer and employee (most usually articulated through the employees' union).

It was this finding that prompted the investigators to urge collective bargaining practitioners to seek out a more elegant means of engaging in their craft and handling the conflict that was inevitable in attempts to reconcile differing interests.

Overload in California's public bargaining processes... Within this context the Public Employment Relations Board (PERB) in California was faced with its own crisis of a growing caseload. Contrary to expectations at the time the agency was initially conceived (1976) the caseload of conflicts had not decreased. Projecting this caseload growth in the face of declining financial resources in state government stimulated the agency to call upon its constituent groups to join in a search for a less adversarial means of engaging in collective bargaining and employer-employee relations.

The Harvard Negotiations Project...

Through a small committee composed of representatives from the major statewide employee and employer organizations in public education the search was on. The inquiry by this committee eventually led to the *Harvard Negotiations Project* and its publication *Getting to Yes* by Roger Fisher and Bill Ury.

The starting and ending point

The acceptance of each other's right to participate in the management of the overall organization and subsequent abandonment of the adversarial approach to achieve positions (by denigrating each other's rights and interests) in favor of an approach that has each of the parties seeking to meet one another's interests.

Trying a new way of bargaining

Even though PERB Advisory Committee participants believed that they had discovered a process that may have appropriate application to collective bargaining, a concern existed (which has since been borne out) that its application to the practice of collective bargaining would be difficult without some initial introduction to practitioners.

Making the approach user friendly... As a consequence, this small group transformed itself into a "curriculum committee". Its charge was to translate the conceptualizations of an interest approach to negotiations into a user friendly form. Armed with funding from the Stuart and Hewlett Foundations and an exhaustive survey of practitioners, the PERB Curriculum Committee did just that.

Its first application was in August of 1989 with union management teams from two school districts spending a week learning the elements of interest based negotiations and the principles of a positive relationship. Since that initial start up, intensive union management relationships throughout public school districts in California and Canada have taken the initiative to attempt their own transformation from adversarial relationships to cooperative ones.

The genie outgrows its home... With curriculum in hand, pilot project under way, and enthusiasm that knew no bounds, the PERB Curriculum Committee set out to introduce this approach to collective bargaining to as many school districts as it could. Along the way it was decided that this was not the central charge of the agency itself. It became evident that the project would best sustain itself by not continuing to reside within the halls of government.

The Curriculum Committee with the help of legislators, PERB, and the organizations comprising the coalition that had brought on the project created a not-for-profit foundation called California Foundation for the Improvement of Employer-Employee Relations (CFIER). This acronym seems apropos in that it was pronounced as in *cease firing*.

Growing use of the new approach... By the time the foundation opened its door in April of 1991, some 35 employer-employee relationships throughout California had been introduced to interest-based negotiations and positive relationship principles.

The foundation received further funding from the Stuart and Hewlett Foundations to carry on its work for another two years. By charging fees to participating teams to help offset some of the cost of the initial start up transition, CFIER has been able to expand the use of interest-based negotiations to more than 100 employer-employee relationships. These relationships are found in school districts representing a cross section of schools in terms of student population, geography, and demographic variables. The two classic motivations for change are also found in these school districts and unions: breakdown or a strategic decision to improve.

Introducing the process to people and their organizations... The introduction of this approach to employer-employee relations and collective bargaining is accomplished through a variety of offerings conceived by the foundation's volunteer curriculum committee.

One such offering is the original five-day, intensive introduction to the process and principles. Primarily designed for seriously dysfunctional relationships, the five-day introduction engages the parties in 65 hours of lecture, exercises, and negotiation simulations.

CFIER also has developed a shorter three-day version which it uses to introduce less at-risk relationships to this negotiations model. With the addition of appropriate follow-up facilitation of the process itself, both models seem to be effective to date.

So is it working?

In a word, yes. But I must say that since the project is so new and because the parties most intimate to its implementation have little time for research, there has been no extensive neutral party research. However, in a short study conducted by CFIER itself, it was found that formal disputes filed with PERB dropped by 93 percent among the 25 original relationships to initiate an interest based approach. Other research work by the University of California and doctoral candidates throughout the state are showing similar results regarding both subjective and objective evaluations by participants.

Personal stories of positive experience from a handful of clients reinforces the heartening results reflected in the empirical studies. For example, one client reported the saving of over \$400,000 in seven months by discovering that it no longer

needed to resort to arbitration to resolve grievances. In another case, the client discovered that its grievance case load had dropped by over 70 percent.

More importantly, although it seems unlikely that there could be anything more important than the reduction of conflict between employers and employees in public schools, is the impact upon capacity of the negotiating parties to be creative in their solutions regarding negotiations and operational issues. At a recent annual conference, sponsored by U.C. Berkeley's Institute of Industrial Relations and CFIER, a number of employer-employee relationships practicing the interest based process eagerly volunteered to report their results to the world.

These management/union teams of negotiators and problem solvers were effusive in their reports of successful and creative solutions being crafted in response to the multi-variate problems they faced. From healthcare to curriculum and beyond, these union and management teams have found and are utilizing a non-adversarial tool with increasing skill.

As a principal consultant to CFIER, I have had the pleasure of introducing and facilitating the interest based approach and practice of positive relationship principles. And I am witnessing first hand the transformation of the employer-employee paradigm and the creative consequences of this change.

Success comes from the ends being sought being buried in the means utilized to create them. By operationalizing a few simple principles and techniques, these teams who for so long were at each others throats have begun to work together to solve common problems rather than level the accusatory finger at one another.

What does the future hold for us?

As the rest of the nation begins to show signs of recovery from our very serious economic recession/depression, California slips deeper into the downturn. Coupling this economic earthquake with the structural deficiencies in revenue (brought on in part by the implementation of property tax relief measures enacted a decade earlier) has created a serious crisis in California's public education system. It is estimated that approximately one-third of the school districts of the state are insolvent and that the remainder barely survive.

In the face of this inability to solve the chronic and acute problems faced by public organizations by utilizing the usual resource of money, some union/management teams have had the pleasure of crafting creative solutions that meet their mutual interests.

Moving on to improving education — As they continue to resolve usual issues concerning terms and conditions of employment, they have begun to turn their attention and application of the process toward educational quality issues. In fact, it is often the solutions to terms and conditions of employment issues that stimulate and precipitate dramatic reform in the provision of education.

The positive influence and experience with interest based relationships expands to new arenas... Just as observers of organizational development have been witnessing the abandonment of traditional hierarchical, authoritarian, organizational designs in favor of more horizontal

"Success comes from the ends being sought being buried in the means utilized to create them."



Steve Barber began his career in state government in 1972 after completing graduate work in political science at San Diego State University. Barber's service in the bureaucracy includes a stint as a deputy director of an office in California's Health and Welfare Agency and the post of assistant executive director of the Public Employment Relations Board. He served in that capacity for 15 years, leaving PERB in 1991 to help develop CFIER. Currently, he handles client services for CFIER.

and participatory structures, one can witness this happening within the school systems utilizing an interest based approach to employer-employee relations, collective bargaining, and problem solving.

We have seen employees holding management accountable and committed to the process. In other cases we have seen management remind employee organizations of their obligation to ensure the participation of their members in a program to which they are committed. In both cases, however, at least within the context of union/management relationships there is a high level of commitment to the process and the results that are thereby realized.

Will the customers be satisfied? The CFIER project is a fundamental response to these demands from the customers of public education: industry and the public. The coalition of teacher and non-teacher unions, management, and trustee organizations that came together in direct response to those pressures opted to be very careful in their search for a solution.

Happily, it appears that the results of their efforts will bear dramatic fruit in a time frame that will insure long term success, rather than reaching for the immediate bottom-line gratification.

The acceptance of each other's right to participate in the management of the overall organization and subsequent abandonment of the adversarial approach to achieve positions (by denigrating each other's rights and interests) in favor of an approach that has each of the parties seeking to meet one another's interests, portends solid success for the future.

It is clear to me as an observer and practitioner, that the process and principles of the interest based approach are more amenable to our multi-variate reality than the offer-acceptance approach to negotiations has ever been. ♦

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Author's note: The intent of this brief message has merely been to announce that a very exciting project is under way and meeting with great success. The references in the bibliography can provide the committed researcher with substantial information regarding its application and results. These articles and references are available through the office of CFIER, which can be reached at (916) 567-9911.

On quality and participation disconnects

What do you mean... I might be illegitimate?

Steve Barber — Improvementworks

"I fear that unless the elements of the ends sought are integral to the means used to initiate and embrace the quality and participation paradigm, it will eventually fail."

About a year ago I wrote that sentence in an article for this *Journal* which chronicled the birth and development of a non-profit organization that is introducing real, live, peaceful collective bargaining to unions and management in the public schools.*

I considered it to be the central point of my story telling in that article. Yet, because I've had to point it out to so many who've read that article (my wife says that no one understands my sense of humor either) I thought that I would focus upon this observation a bit more pointedly this time.

And it's not just my ego telling me to write some more about process failure and the importance of legitimacy. My incoming mail from those of us organizational development and quality professionals who read the *Journal*, present the concepts of participation and quality to the world, and otherwise assert its utility as a viable means of managing organizations bears witness to the need for thinking more about this problem. If the content of the mail is any indicator at all, I'd say that this problem deserves a good deal of focus and discussion within this community. Accordingly, let me, please, invite you to write to the *Journal* or to me directly with your own thoughts on this subject.

Now I'll tell you what my mail has been telling me: it's (quality and participation) not happening!

It's [quality and participation] not happening!

Somewhere between 60 to 80 percent of all the quality initiatives in the private sector have either failed or stalled. Exclamation point!!! Sixty to eighty percent. Is this just hyperbole and advertising from firms looking for more work or really a reflection of a trend? I don't know about its trendworthiness, but I can say from my own experience and from that among my colleagues' clients there is some fire creating this smoke.

If this is even partially correct, I think that I know why those that have stalled or failed have done so, and I think that I said it in my *Journal* article about CFIER last year. Again, here's what I said:

"I fear that unless the elements of the ends sought are integral to the means used to initiate and embrace the quality and participation paradigm, it will eventually fail."

Let me say this in plainer words and not buried in some other context this time:

The reason that quality initiatives are either stalled or failed is that they were probably not legitimate in the first place!

* The organization, CFIER (California Foundation for Improvement of Employer-Employee Relations), is perhaps responsible for introducing a non-adversarial means of negotiating and communicating to more labor-management relationships than any other program of its kind (CFIER has a client list of at least 300 relationships as I write this, and it is growing).

So what is this thing, legitimacy?

And why does it matter? To answer this and to address the issue one must think in very basic social and political terms. With apologies to my professors and colleagues in political science for failing to adequately attribute and reference their work in this field, I see legitimacy from the perspective of decision making, as would the political scientist.

Now, please don't turn me off yet; because you aren't interested in politics or you want to keep politics out of the office. As Joel Barker warns us all, the solution to the knots in your own paradigm may come from outside it. So, lest you disregard the idea because of its source, read on.

To understand legitimacy, start with authority — Allow for purposes of our discussion the observation that most, if not all, decision(s) in and about the workplace: the strategy of the organization, the program or product, and support for doing of that program or product must carry some authority with them before anything happens — authoritative decisions make things happen.

The HOW of how authoritative decision(s) get made goes to the heart of the matter. If an authoritative decision is not legitimate or perceived as legitimate, there is little chance of it being carried out effectively or to the benefit of the enterprise and those who derive their living from that enterprise.

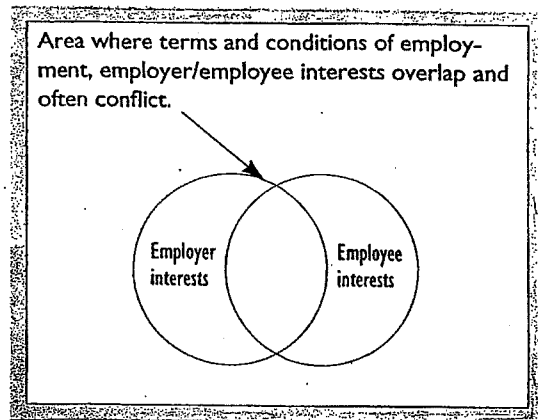
In businesses or any organization that provides goods or services such as government, the most commonplace focus for authoritative decision making is between employer and employee. This relationship may be as simple as the one between supervisor and subordinate or as complicated as between union and management or governing body and executive or executive and middle management, et cetera. **1**

Because of the nature of this relationship and its location within any enterprise I have taken to calling it the seminal* relationship. If decisions made in this relationship or which affect it are not legitimate, the desired consequences will not last, if they appear at all. The authoritative decisions taken in and about the terms and conditions of employment are those which cause things to happen (or not happen) in production and support.

Authoritative decisions about the application of human resources to information, knowledge, or capital investment are what we are talking about.

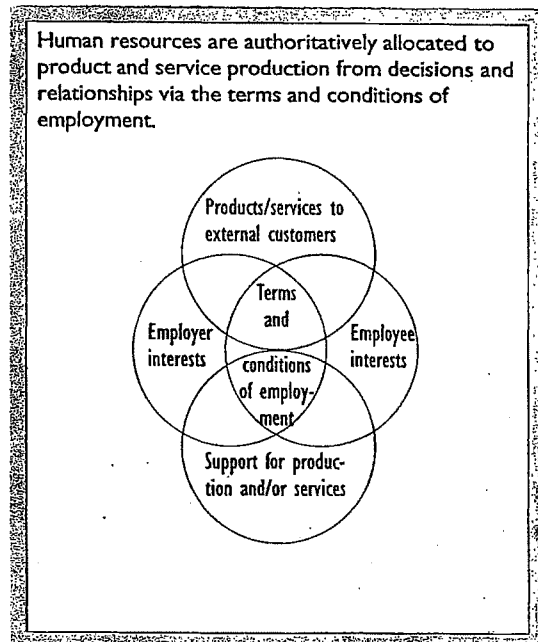
Locating the authoritative decision making employer–employee relationship...

Because of the nature of this relationship and its location within any enterprise I have taken to calling it the seminal* relationship. If decisions made in this relationship or which affect it are not legitimate, the desired consequences will not last, if they appear at all. The authoritative decisions taken in and about the terms and conditions of employment are those which cause things to happen (or not happen) in production and support.



Allocating resources from the source of legitimacy...

Authoritative decisions about the application of human resources to information, knowledge, or capital investment are what we are talking about. Enterprises make products or provide services through and as a result of the decision making that goes on in the employer–employee relationship.



Enterprises make products or provide services through and as a result of the decision making that goes on in the employer–employee relationship. **2**

There's a reason why we don't have empires anymore — And there's a reason quality initiatives get treated like a fad by too many managers, executives, and participants. History has shown us, in both business and politics, that authority without legitimacy may get things done very efficiently for awhile but in the

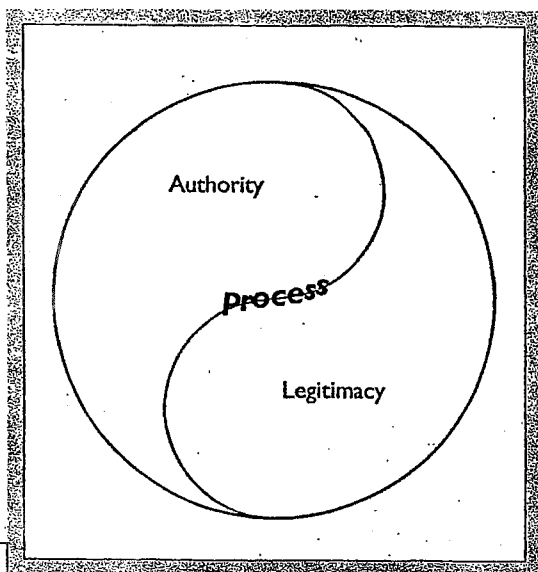
* Seminal: a seed. Like seed: in being a source or a first stage in development

The parts of effective decisions are inseparable from the process of decision making...

Effective decisions, those that are impactful, lasting and empowering, need both authority and legitimacy.

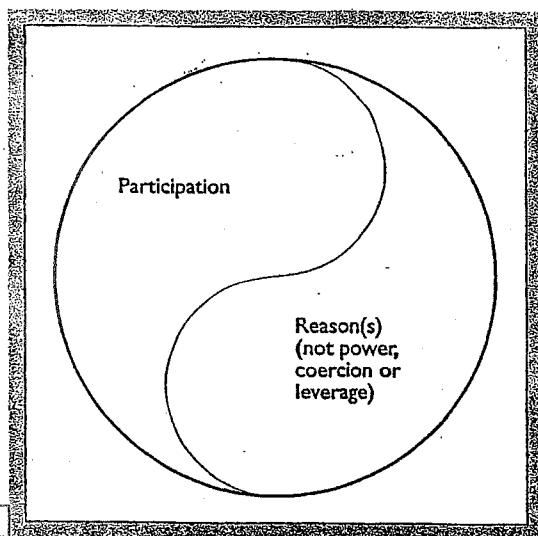
The fall of the British and French colonial empires, and the Soviet Union are examples of what happens to authority that: had no legitimacy to begin with, loses the legitimacy it once had by violating the contract between rulers and the ruled or employers and employees, or doesn't respond when new values associated with legitimacy emerge.

3



Legitimacy is composed of two significant and inseparable parts. Absent either of these or experience an imbalance between them, and you will have something other than legitimacy.

4



long run nearly all such organizations fall because they lack the seminal resource — legitimacy. The fall of the British and French colonial empires, and the Soviet Union are examples of what happens to authority that: had no legitimacy to begin with, loses the legitimacy it once had by violating the contract between rulers and the ruled or employers and employees (the fall of Eastern Airlines may in part be attributed to this type of lost legitimacy), or doesn't respond when new values associated with legitimacy emerge. 3

A closer look at legitimacy — The concept of legitimacy is composed of two significant and inseparable parts, which are that:

1. Decisions, to be legitimate in the eyes of those responsible for carrying them out, must be based upon a reason or reasons, other than power, coercion, or leverage...
2. Decisions, to be legitimate in the eyes of those responsible for carrying them out must be the consequence of some participatory process. 4

Absent either of these or experience an imbalance between them, and you will have something other than legitimacy.

Without these two key ingredients, you will not have a legitimate decision. I would suggest to you that an examination of most failed or stalled quality initiatives will reveal a significant lack of one or the other of these ingredients of legitimacy at a very critical decision point:

- When the enterprise decided to get involved in a quality or participatory initiative in the first place...
- Or at some similar choice point regarding commitment (usually management) or participation (usually employee union) along the way.

This is what I have found virtually without exception when I am asked to diagnose organizational problems and prescribe solutions.

The heart of the knowledge age

Just as Tom Peters is announcing the end of the industrial age because a company with only the human imagination as its primary asset (Microsoft) has exceeded the stockmarket value of the penultimate American industrial giant, General Motors, along comes Professor Peter Drucker to announce the end of the age of productivity and the dawning of the age of knowledge in his new book, *Post Capitalist Society*.

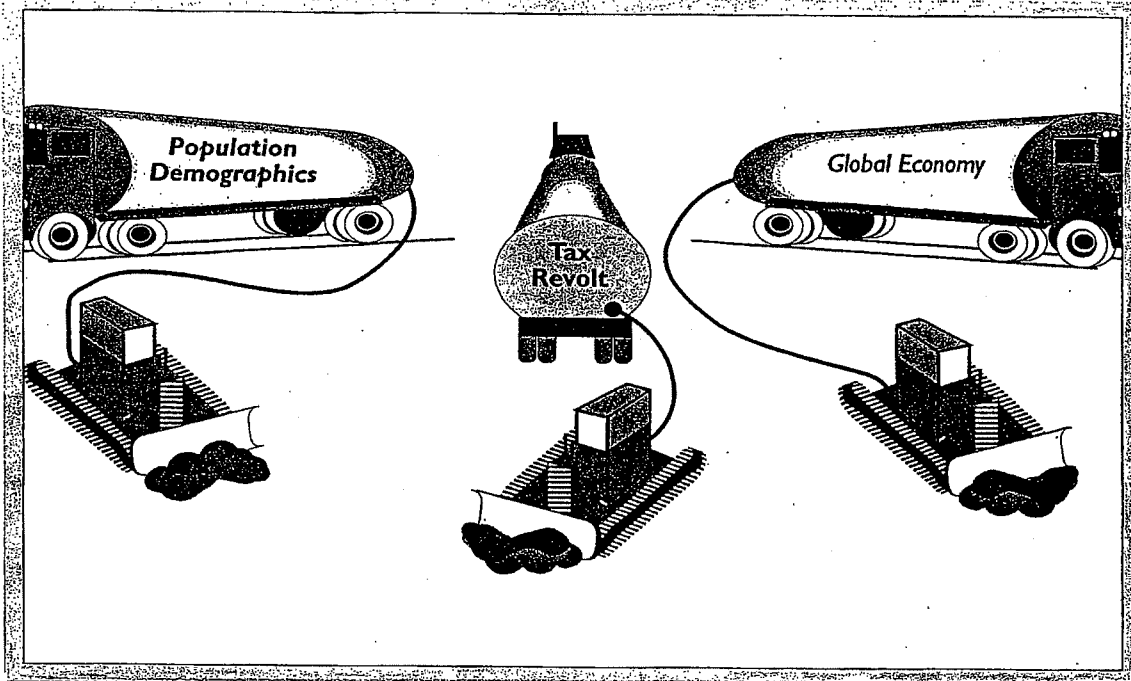
Drucker and Peters both exhort and imply that this dawning age of knowledge with a collection of variables alien to business as usual in the employment relationship will require serious dismemberment of familiar and inherited organizational structures. Here's a mere taste of Drucker's new message: the new definition of manager/management is related to the only true resource, knowledge, labor and capital being but constraints rather than resources!... the knowledge worker cannot be supervised!

Three fuels of change in the public sector...

What happens if we don't change?

Well, you become part of the road instead of being one of the bulldozer drivers creating the new road to success according to Frank Ogden (Dr. Tomorrow, Vancouver, BC).

There is a way to embrace change and not become part of the road. The way to do this is to practice principles which result in legitimate decisions. These principles are operationalized via process.



5

likes! Much of the private sector is still trying to get the first two ages/revolutions right! And the public sector is barely aware of the productivity evolution let alone introduced to it.

The importance of the employer/employee relationship is at the heart of the knowledge age... A recent publication written by the father and son team of Barry and Irving Bluestone about the importance of this seminal relationship in perspective. The Bluestones assert:

"The bottom line: in the modern era with capital and technology so mobile, global competitiveness depends increasingly on the structure and quality of employer-employee relations. Getting this right in America will likely play a greater role in raising productivity than any other single factor. Essentially the engine for efficiency growth begins with retooling the relationship between labor and corporate leadership. (emphasis added)."

Downsizing is an illusionary potion... Two recent studies, now being cited by Secretary of Labor Robert Reich as he urges management and labor to embrace a more cooperative approach to the challenges of a global economy, are even further evidence that the Bluestones are spot on about the importance of the employer-employee relationship and the survival of the enterprise.

Reich has been quoting one study by the Wyatt Company and another by Prof. Kenneth DeMeuse of the University of Wisconsin which indicate that downsizing through layoff neither improves nor stems declining financial performance.

So, now what?

These noted researchers, thinkers, and gurus of the changing world are, I believe, very correct in their assessment of things. Absent a change in the seminal relationship — the relationship between employer and employee — there will be no change at all.

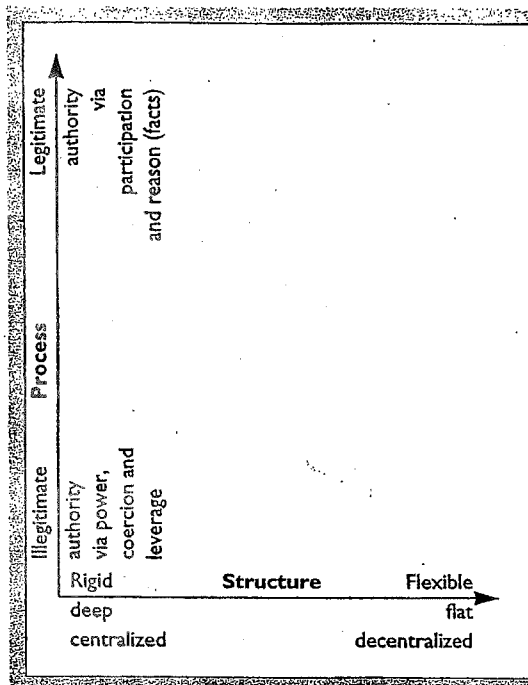
What happens if we don't change? Well, you become part of the road instead of being one of the bulldozer drivers creating the new road to success according to futurist, Frank Ogden (Dr. Tomorrow of Vancouver, BC). [5]

Which gets me back to another point that I made in my article last year. There is a way to embrace change and not become part of the road. The way to do this is to practice principles (such as those highlighted in the writings of Stephen Covey and Peter Senge) which result in legitimate decisions. Such principles are — must be — operationalized via process.

Process is the independent variable...

It's process, not structure that is the most important variable in reorganizing, reinventing or reforming for success. The independent variable is process. Structure must be thought of as the dependent variable.

To reinvent, reorganize, restructure you must first look at the principles, operationalized by process, embodied in the seminal relationship of the organization.



6



Steve Barber has been a pioneer in the introduction of non-adversarial negotiations and communications to the public and private sector labor and policy negotiations. Barber has served as the aide to state legislators, a deputy director in California's Health and Welfare Agency, and as the deputy director of the Public Employment Relations Board. After sparking the establishment of CFIER, Barber left state service in 1990 to consult with clients in both the private and public sector. He can be reached at 916-791-2748.

Success is not about boxes, top-down or bottoms-up, how flat your organization is becoming — It's process, not structure that is the most important variable in reorganizing, reinventing or reforming for success. This is bad news for those of us who were taught and believed that structure was THE independent variable for success in managing organizations. 6

The changes needed to survive into and thrive in the 21st century or the age of knowledge won't be found in structure. The independent variable is process. Structure must be thought of as the dependent variable. I think this is the message of the anecdotes and vignettes of Peters, Drucker, Deming, Bluestone(s), and Osborne and Gaebler, and futurists like Joel Barker.

So, what is the message to be seen in the success stories among myself and my colleagues; clients:

To reinvent, reorganize, restructure you must first look at the principles, operationalized by process, embodied in the seminal relationship of the organization.

Start from there or ready yourself for more disappointments and failures. ♦

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WATCHING THE PARADIGM SHIFT

by STEVE BARBER

Steve Barber is a trainer and facilitator for CFIER, and a consultant in private practice. His clients include State legislators, local government and a range of private sector organizations. Barber is a pioneer in bringing non-adversarial approaches to the labor relations arena.



Steve Barber

Have you begun to notice that since World War II the political and social institutions which western civilization spent the better part of 1100 years developing seem not to be able to cope with the exponential changes we are experiencing in technology, information, knowledge, demographics and population? The visitation of the global economy upon North America has seemingly emerged from the back pages of the newspaper business section to daily headlines almost overnight. And all of this while everyone is telling us how we *ought* to look in the future, but no one seems to be able to tell us *how* to get there.

Well, you've come to the right place! As many CFIER clients are discovering, the starting place is at the core of the enterprise, the seminal relationship as many have heard me call it, the relationship between employer and employee. Examine this relationship in virtually any enterprise and you will probably find its reflection throughout the organization. Change it and you will see the changes reverberate throughout. This seems evident to those of us who have been doing it. However, I mention it here yet again in order to set a frame of reference for some very good reading about what a successful combination of enlightened management philosophy and employer-employee relations methods look like.

As you examine what appears in periodicals and books about what the impact of the global economy (it's a competitive world, stupid) will probably look like in your corner of the world, you can indeed say to yourself "I know how to get there from here! My CFIER-introduced process offers the initial step." Being able to say that should give you deep comfort as you read a collection of articles in the official publication of the American Society for Quality Control, *Quality Progress* and a book entitled *Negotiating the Future*.

NEGOTIATING THE FUTURE

Negotiating the Future, by Barry and Irving Bluestone examines the history and response of both labor and management to social and economic challenges of the past, helping the reader to understand how people seem to define labor/management relations as adversarial "by nature." Their observations and urgings about surviving and thriving into the future draw heavily upon the approach of modern man-

agement thinking as reflected in such giants as Deming and Drucker. Focusing upon employee involvement the Bluestones paint a picture of the future workplace based on the actual success unions and managements have had to date in such places as the Saturn and NUMMI automotive plants.

Yet we know that strategic change, as opposed to "fresh paper" start-ups like Saturn or start-ups-from-the-totally-broken such as at NUMMI, comes reluctantly, if at all, without the ownership of the decision to change by those who are expected to effectuate it. From my perspective the explanation behind the lament of the "quality community" with regard to current assessments of stalled or failed efforts at "TQM" or "OD" lies in the absence of the legitimacy of the "quality initiatives" in the eyes of labor and middle management. The CFIER experience is showing us that the success of the ends is buried in the legitimacy of the means of getting there.

UNION PRESIDENTS SPEAK

So it is then that the articles by the union presidents of the Steelworkers, United Auto Workers, Communication Workers of America, and Amalgamated Clothing Workers (the Xerox Corporation union) and by researcher Sidney Rubenstein (all appearing in the September 1993 issue of *Quality Progress*) are focused upon the next iteration in the emergence of truly enlightened management philosophy: workplace democracy from the shop floor to the boardroom! Before you scoff, remember what people were saying about non-adversarial negotiations in collective bargaining, the ballpoint pen, and the "made in Japan" label before the paradigm began to shift? I think that in these articles we may very well be getting a good glimpse of the future.

The articles focus upon the successes that unions and management at the executive and workplace levels in these industries have had in the past few years as they have struggled to confront the challenge of the global economy. The one consistent ingredient found in each of their individual recipes is legitimacy or democracy. What is emerging as the modern workplace is a process of managing the enterprise by the unions and management that reflects the democratic values of our overall culture rather than attempting to sustain the values of autocracy where we work while practicing and believing antithetical values everywhere else.

Both the Bluestones' book and the article by Rubenstein introduce us to a defining concept: they distinguish the traditional and familiar collective bargaining agreement from the type of agreements which are emerging in the world of union and management cooperation. The former, focusing on immediate conditions, are termed workplace contracts

Continued on page 1

KEPPEL UNION TEACHERS ASSOCIATION AND KEPPEL UNION SCHOOL DISTRICT IMPLEMENT AN INTEREST-BASED GRIEVANCE PROCEDURE

By Ian Walke, Pacific Network for Dispute Resolution

The Keppel Union School District and the Keppel Union Teachers Association report that they are excited about the conclusion of their negotiations for the 1993-94 school year. The reason for the good feelings is because of the inclusion in their contract of an interest-based approach to their grievance procedure that assisted in the acceptance of the concept of binding arbitration.

The key departure in the process occurs if the grievant is not satisfied with the proposed resolution of the grievance at the administration level. The new process requires the Superintendent to convene a Grievance Resolution Committee comprised of no more than three representatives from the Teachers' Association and three from the District, who meet with a neutral third party selected from a panel. The role of the neutral third party is to facilitate/mediate the Committee for the purpose of reaching a consensus for resolving the grievance. The language specifically states that:

"Meetings of the Grievance Resolution Committee are to be conducted with the purpose of exploring the parties' mutual and varied interests, creating options for resolution and selection of the option(s) that best meet the interests of the parties in resolving the grievance. It is *not* the function of the Committee to determine rights, hear evidence or assess violations of the contract."

Resolution of the grievance is achieved in one of four ways:

1. If consensus is reached, that consensus is reduced to writing, signed by the Committee members and is final and binding on the parties.
2. If consensus is not reached within 15 days but a majority opinion exists, the majority opinion is reduced to writing, signed by the concurring members and is binding on the parties.
3. If no majority opinion exists, the neutral offers a proposed resolution and if any three or more members of the Committee concur, that suggestion is reduced to writing, signed by the neutral and concurring members and becomes final and binding on the parties.
4. If there are not three concurring members, then the neutral acts as an arbitrator and submits a written decision which is final and binding on the parties.

As Evelyn Hall, President of the Teachers' Association observed, "We jointly worked out the formal procedures for grievances we had tried to change for years, but weren't able to. I attribute the success of our negotiations to the interest based bargaining process." The Superintendent, Jean Fuller, notes that "The interest

based negotiations process has been tremendous for the District and produced a win-win in our negotiations... Due to a new trust and understanding of each others' interests, both sides were able to sit down together and work out an acceptable process for a formal grievance procedure."

The new procedure was also being adopted in the Classified contract. If you would like more information on this grievance process, please contact any of the parties or call me at (209) 683-3839. (*Editor's note: Ian Walke facilitated the negotiations between the Teachers' Association and the District.*)

PARADIGM SHIFT—

Continued from page 4

The latter, encompassing the immediate as dependent upon the overall condition, are termed enterprise contracts.

While Bluestone and Bluestone call it the "enterprise compact" and Rubenstein calls it the "new employee contract" they are essentially introducing us to the same concept: union and management making a transcendent agreement to manage the enterprise together, to abandon the autocratic remnants of the adversarial past and embrace the legitimate, participatory future. How this is done is well described in overview and descriptive terms. We are treated to solid, real world examples of the look of this future paradigm. The enterprise of the future looks more like community than otherwise; it is a learning environment, and it is not easily accomplished.

But the how? question lingers. What it looks like once you're there is the inspiring focus of these descriptive works. Yet what about the behaviors and emotions involved in getting there? From our experience with CFIER clients who are trying these descriptions, we hear "it takes time and commitment", "you mean we have to include them?", and "wow!, we didn't think about that solution on our own!" A process or recipe for legitimacy means building consensus, step by painstaking step.

The Bluestones, Rubenstein, Sheinkman of the Clothing Workers, Bahr of the CWA, Bieber of the UAW, and Williams of the Steelworkers inspire us to know that it can be done. The CFIER process is a big piece of the "how" puzzle.

NEGOTIATING MONEY ISSUES

By STEVE BARBER

Steve Barber is a trainer and facilitator for CFIER, and a consultant in private practice. His clients include State legislators, local government and a range of private sector organizations. Barber is a pioneer in bringing non-adversarial approaches to the labor relations arena.

In the course of responding to inquiries about the use of the interest approach in negotiations, I was confronted with a number of assertions, one of which went something like this: "This stuff might be okay for most things in labor relations, but it will never work on money issues!" My response was that in all the negotiations that I have facilitated over the past three years, I've yet to see the process NOT work on money issues!

This idea that the interest process will break down when applied to money issues is, in my view, a misconception that is relegated to the category of myth each time I see people reach satisfactory financial agreements. So let's take a look at why it's just that, a misconception.

CONTRIBUTING FACTORS

The misconception likely develops from the presence of other factors not related to money at all. These factors can cause trouble that could wrongly be blamed on an attempt to negotiate money issues. The first of these contributing factors might be the collapse of the process when the practitioners fail to carefully separate out the relationship issues from the substantive issues, with the resulting failure to deal with and resolve those relationship issues. This breakdown usually results in the placing of a heavy burden on issues of substance—all messages and interactions on money issues become highly charged with the need to address matters of relationship.

This is often seen in financial demands being used to communicate needs for acknowledgment and acceptance or for recognition of commitment and hard work as compensation for not being well treated in some way. It also occurs when the intended message is that there is a lack of trust in financial numbers being relied upon because of how the data was compiled and maintained. Response to demands of this nature are often of the "back at ya" type and the negotiations degenerate into being positional.

The process of negotiating money can also collapse when the parties have a relationship issue of a different nature: For fear of damaging a positive relationship they are building, they engage in behaviors which avoid financial issues, or which do not accurately or adequately meet the interests of the constituencies of one or both parties. Constituency reactions are almost predictable: employee organization members want to throw their negotiators out while boards, county offices and the public threaten to take over the reins, start their own schools or tighten the strings further.

Un-Learning & Re-Learning Are Needed

Another contributing factor is that frequently the parties may not allow an adequate amount of time for the learning curve to take hold. There is probably more to unlearn than to learn when it comes to using an interest approach. Unfortunately, even when the parties



Steve Barber

are committed to using an interest based process, habitual negotiators engage in positional thinking "as natural" and slip into positional bargaining almost by default. This lack of an adequate acquaintanceship with the new approach causes anxiety and recrimination among the parties. Those among them who discounted the interest approach all along relish being able to say "see, I told you so" and happily embrace the positional behaviors and language.

The lack of being creative and adequately brainstorming is another contributing factor. Despite our efforts in training and use of facilitation techniques to stimulate thinking "out of the box," there seems to be a cultural barrier to being creative.

I cannot tell you, for having given up counting the occasions, how many times all that the parties needed to do was a little more brainstorming! Far too frequently the process collapses because after one or two options have dribbled out in the negotiations, the parties look at each other and say "now what?"

Related to this factor, is the behavior by the parties of "saving the hard part for the last", meaning that they negotiate and settle everything else and then turn to the monetary issues. This creates a self-fulfilling prophecy because they've tied their hands and become boxed in by not leaving themselves anywhere to go with creative solutions to operational issues which could address interests around compensation.

THE PROCESS CRAFTS THE SOLUTION

Following are some pointers on the interest-based process that should help avoid problems in the negotiation of substantive issues.

In order to avoid the collapse of the process it is imperative that the parties *separate the substantive issues from the relationship issues*. This approach helps clarify the messages and allows the parties to address what's not working in the relationship and thereby improve communication, trust or partnership rifts. Substantive issues can then be dealt with on their merit rather than being weighted down with the impossible burden of conveying hidden messages about feelings and the relationship. So many times I have seen parties wake up to this fact, surface and resolve their relationship issues, and then to their amazement, tackle and resolve issues of substance quite rapidly.

Telling the story is a critical step in the interest process, and will support successful negotiation of money issues. This describing of the problem (opportunity) takes a lot of time, might seem boring and may feel like you're not getting anywhere, but it is vital to dispelling the assumptions that the other side views the world as you do. An adequate grasp of the situation is a must for success. This involves jointly determining what information and data are needed, jointly gathering and assembling the required information, being aware of the perspective of the other party and developing a

common understanding around the data. Time spent up front describing the situation is time well spent in crafting solutions around compensation interests.

It is key, also, to be aware of and *honest with your interests*. Breakdowns can happen either when an important interest is not presented or when a real interest is concealed. The former occurs when a particular constituency group is not represented on the team or has otherwise failed to make its interest known; the latter occurs when a party is embarrassed to present a true interest! (For example, if saving jobs is presented as more important than a negative impact of paychecks when the reverse may be true.) When interests are missing or misrepresented, solutions may be impossible to achieve. Or if a solution is crafted, it will miss the mark and either risk rejection by the constituency or contribute to an unstable agreement.

The *creative brainstorming* process is the interest negotiator's best friend. It helps the parties find those options and criteria which solve the problem and meet the parties interests. Most solutions to the money issues I've seen come as a surprise to both parties, are unanticipated, creative and rational.

Importantly, the most creative efforts are those which are jointly pursued from the beginning of the process. Successful interest negotiators abandon the "what we can give" and "what can we get" mind frame. This is not just a conscious choice of language used but also a result of the actual use of the principles through joint data gathering, interest exploration, option building and searching for mutual gain.

SOME CREATIVE SOLUTIONS

Over the years, some of the solutions I've seen to money issues are listed below. In reviewing these options, it is very important to note that there is no "right" way. There is danger (and limited thinking) in assuming that something will *never* work or *always* work. The only test is: Does the solution meet the interests of the concerned stakeholders.

- Pay and benefit contributions cut in order to maintain salary schedules, jobs and benefit levels; or conversely, layoffs mutually agreed to in order to meet compensation interests of minimal impact on paychecks for remaining employees;

- Predetermined formulas adjusted to accurately reflect economic changes and shifts in benchmarks, in order to distribute available revenue fairly;
- Fundamental operational changes that cost some money but added nothing to anyone's paycheck, in order to meet professional interests with limited funds;
- Relationship issues of communication and acceptance addressed head on in order to avoid mixed messages and worsening relationships by pretending that money can buy a friend or overcome an insult;
- Joint negotiation with certificated, classified and management to insure all interests are covered;
- Genuinely joint budgetary and strategic planning processes designed and initiated to prepare for a predicted future of austerity and hostile economic conditions;
- New and creative solutions to bussing in order to maintain class size language, and save money that was allocated to benefit compensation;
- Strong efforts to involve and inform constituent groups before and during negotiations, in order to make sure real interests are being met;
- Much greater attention paid to creating and sharing accurate and complete financial data that all parties felt they could trust. This has even included jointly sponsored audit procedures that brought in a neutral expert to help the parties sort out money issues and craft objective standards;
- Many efforts which challenge old paradigms regarding health benefits, and involve exploration of wider options to meet health care needs;
- Employee run operations in order to avoid contracting out.

We invite you to share with us what has worked and not worked for you when using the interest approach to negotiate financial issues. Send in your observations and creative solutions to *Viewpoints*, care of the CFIER office, 1325 Howe Avenue, Suite 210, Sacramento, CA 95825, or fax to (916) 567-0776, and we will publish them in future issues.

CHANGE OF ADDRESS?

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Shifting from confrontation to participation in decision making: the interest-based paradigm...

Navigating the emerging decision making paradigm

Steve Barber — Barber and Gonzales Consulting Group

I have been asked many times to describe what I do and how I help organizations learn a new, a different and better way of making decisions. But this time it started with an out-of-right-field question that really threw me for a bit.

We were sitting in a standard issue government cafeteria in the Department of Labor, taking a break from a meeting of state directors of area labor-management committees. As I was gazing into the styrofoam cup trying to figure out how anyone could do this to coffee, the guy sitting across from me says, "what's your metaphor?"

I almost spilled my coffee as I jerked my head up to look to see who had asked such a quirky out of the blue question. The guy who asked the question was Ned Hamson. I had met him briefly that morning when the meeting started. He had asked me where I was from. After I said Sacramento, California, he simply said, "Hmm. I grew up in LA."

For the moment being from LA helped to explain the strange question. Then he asked again, "What's your metaphor? The one that explains what you were talking about this morning?" I had to stall, since I didn't have an answer as yet. I said, "Ah, what's AQP and what do you do?" As he explained AQP and that he was editor of its journal, the metaphor began to take shape in my mind's eye. Then we had a most interesting conversation and were late in getting back to the meeting.

Even though four years have passed since that conversation, the metaphor that came to me that day still describes for me what change, changing (especially how groups make decisions) and paradigms are all about.

The when-you-realize-you'll-have-to-change metaphor... I'm cruising down the freeway in my very comfortable and well broken in car. I'm going the speed limit and suddenly I'm nearly blown off the road by some guy in something that looks like it might be a car, but I can't quite tell because it went by so fast. To keep up with whatever it was, I know I'd have to replace my engine, drive train, wheels and tires, body and the steering system. Worse yet, I realize that I will have to do it while I'm still driving what I have because I can't afford to start from scratch. Then, just ahead I see a "No speed limit" sign.

If the metaphor fits what it felt like when you or your organization realized that change was necessary and if you are the one who will have to help the organization out of being so comfortable in its old car (organization), the next question always is: where do we start?

As my focus is both systemic and paradigmatic, I begin with the most basic, every day act that people in all organizations do everyday: communicate with each other and make individual and group decisions. The style I use is interactive and makes use of lots of pictures or diagrams that compare the old and current model with the emergent model—the new paradigm of decision making and communication. □

So where do we start? We begin with the basics: two parties in an organization negotiating their differences over terms and conditions of employment. What are they trying to do?

They're trying to reach an agreement, right? So, then, let's say that reaching an agreement is a consequence of something: *meeting of minds*. A *meeting of minds* is a consequence of something we call understanding. The question is then, what creates understanding?

Understanding understanding

Successful problem solving, like negotiation, is essentially a consequence of the parties to an issue understanding it well enough to have a meeting of the minds about the issue and the solution. Understanding, *coming to know* or be known in the mind of another person or group, is a consequence of communication. But what is communication? What does it look like?

The interesting thing about talking and listening is that it doesn't have as much to do with words, eardrums, and vocal cords! We understand each other through communication but, how do we talk and listen? **2**

Communication involves the orchestration (as an individual or as a group) of three types of behavior: words, affect, and ritual and practice.

Communication through words... Language, either verbal or written, is used to convey or memorialize information and knowledge about the situation at hand. When making decisions or solving problems, there appear to be three word categories:

1. Words with which we set forth the situation or issue...
2. Words used in the ritual and for affect...
3. Words that memorialize solution and agreement.

Communication through affect... Affect is non-verbal posture, body language, tone of voice, facial expression, demonstration or lack of emotion. It includes such things as volume, intensity, and timing. It has many cultural constraints and connections, and often conveys commitment, urgency, intensity.

Ritual and practice... Ritual and practice involves *who* does or says *what* and *when*. Ritual includes assumptions and principles about how success is accomplished. It's both a learned and taught collection of steps, sequences and protocols that guides behaviors between and among the parties to the issue.

What is interest-based decision making?

An interest-based approach to communication, negotiation and problem solving is a non-adversarial means of achieving decisions or even just being understood in a discussion or dialogue with others. It is a collection of principles and techniques familiar to anyone. These principles include concepts such as:

- Focusing on issues not personalities...
- Making decisions based on an objective reason rather than power or coercion...
- Accepting all motives or interests as givens, rather than evaluating those interests as right or wrong.

Interest-based decision making includes recognizing that human beings are just that and as such we usually find ourselves in *relationship* to others. Because of this, the human element in any situation must be taken into account and focused on as much as the substantive if one is to achieve a good and lasting situation rather than a win (a win often guarantees that an enemy has just been created; one who will do everything possible to insure a lose next time, or as the late Jesse Unruh would say, "Don't get mad, get even.").

Although the components are familiar, to work well and serve as a tool for developing organizational effectiveness in the face of constant change, the interest approach is most successful when introduced jointly to the parties committed to using it. The introduction is through a facilitated training and practice.

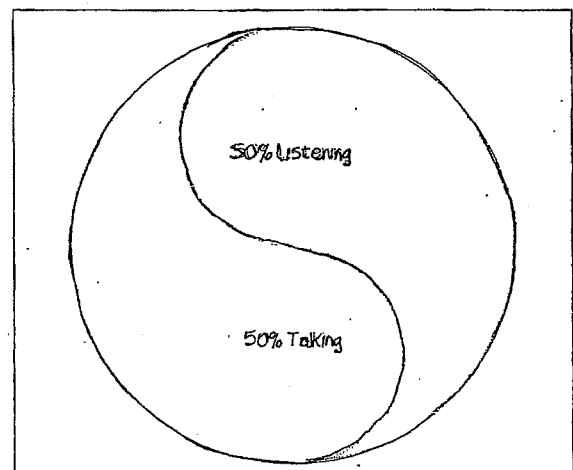
Who uses this approach? It is being used in labor relations, public policy decision making, alternative dispute resolution, international relations, economic development, counseling, planning, business, government, and more. Professionals in these fields and more are discovering that the traditional approaches are no longer effective in the face of multifaceted and constant change.

Is it effective? The approach is at one and the same time, analytic and creative. Its application in public school labor relations reduced the filing of formal complaints by 70 percent. Its application in international relations is visible today in South Africa and the Middle East. The interest approach is fast becoming the antidote to failed or stalled initiatives in quality and participatory management in business.

1

50/50 communication...

According to *Getting to Yes* author Roger Fisher communication is "50 percent talking and 50 percent listening, and the most important part is the listening."



2

The conventional communications paradigm...

Words:

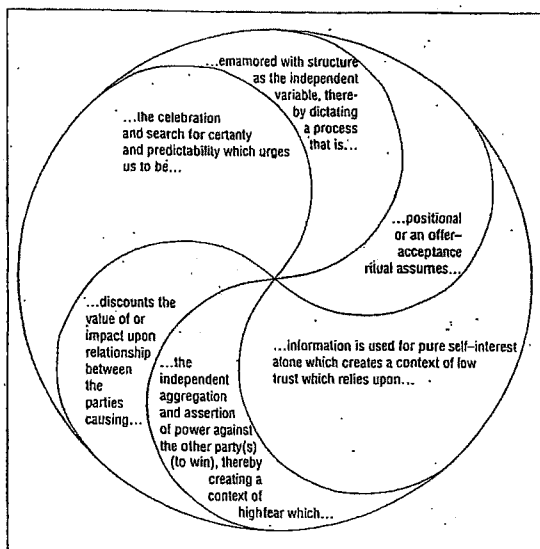
- About issues: distributive
- In ritual: constrained
- About issues: restrictive.

Affect:

- Is confrontational
- Is adversarial

Ritual:

- Is positional



The emerging communications paradigm...

Words:

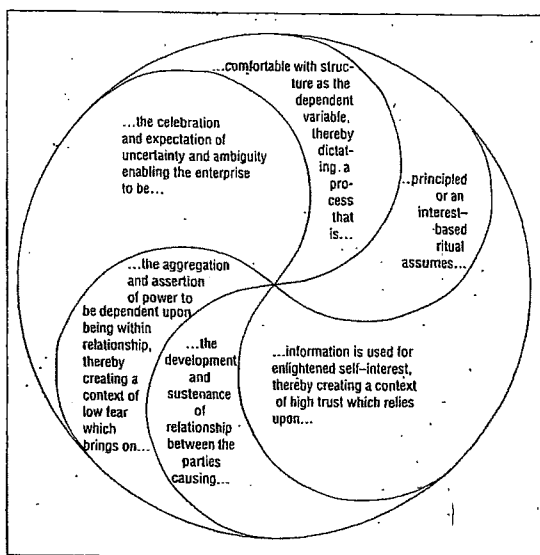
- About issues: integrative and interconnected
- In ritual they are creative and expansive
- About issues are restrictive.

Affect:

- Cooperative
- Collaborative

Ritual:

- Principled



3

How we communicate to solve problems

— If we think about decision making as paradigm driven, two significant and identifiable models of decision making or problem solving in the workplace can be defined: conventional communication and an emerging paradigm of communication for decision making. ^[3]

The conventional communications paradigm... This has been the predominate paradigm used for the better part of this millennium. In Western Civilization at least, this model represents our way of escaping from making of decisions by the assertion of raw, physical power.

The use of raw power has been diffused and/or reduced by the concept of RIGHTS and the offer/counter-offer, accept/reject method of negotiations. In the workplace we've been practicing a version of the RIGHTS concept and the conventional communications model for about 150 years. The tug of war in the workplace or elsewhere has focused on determining where one party's rights end and another's begin. This model reflects our (now outmoded) Newtonian understanding of how the universe works — for each action, there is an equal and opposite reaction.

The emerging communications paradigm... Since the *rights won through confrontation* or assertion concept became entrenched in law or logic, our understanding of the world has grown much more complex. We are now realizing that the conventional decision making model is not serving us well. And we have realized that there is a need for something other than offer/counter-offer, have or have not, win or lose. The emerging model reflects our current understanding that the universe may be understood through quantum, field, chaos, and Newtonian theories all at the same time.

What's our communication about? Most often, our communication concerns a situation, issue, dispute, problem, or an opportunity. I personally dislike the word problem and like to use *opportunity* instead. The negative qualities associated with it (problem child, problem worker, he/she is problematic) carry biases that preclude some choices and/or data from being considered. Semantics aside, when we communicate to reconcile different views of a situation, needs and/or desires it's also to settle differences over *how* the situation is to be resolved.

My colleague, Ian Walke, introduced me to a convenient way of entering into an analysis of any situation. He calls it *CPR*! I call it "Ian's triage". ^[4] Any opportunity or situation can be thought of as having three fundamental components: content, process and relationship. Each of these in turn, can be further analyzed. When all these elements are understood, diagnosis, prescription, and practice are possible. A closer look at the content aspect is presented in the boxed figure on the next page: ^[5]

The process aspect of decision making...

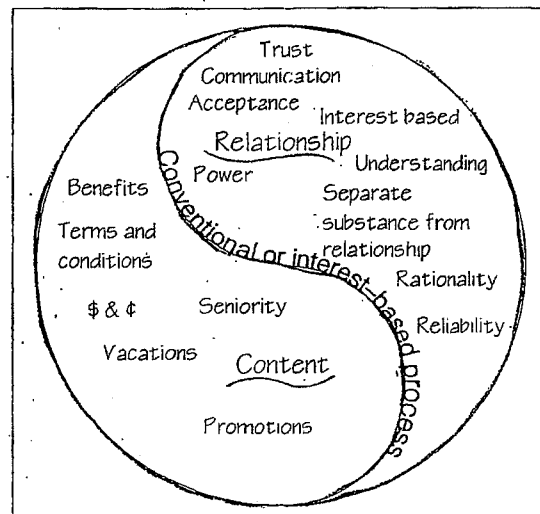
The process or ritual aspect of decision making may also be presented as alternative conventional and emerging paradigms.

The process and logistics of each offers the most visible and recognizable contrast between the two paradigms. In the conventional approach, people face off against each other as they would before

the puck is dropped (ice hockey), the ball is thrown up (basketball), or the ball dropped (rugby) to begin the game. [6]

Ian's triage for understanding issues and situations...

Any opportunity or situation is susceptible to analysis (taking it apart or disaggregating it) as to these three fundamental components: content, process and relationship. Each of these components, in turn, is susceptible to further scrutiny. Once the elements of each component are understood, diagnosis, prescription, and practice are possible.



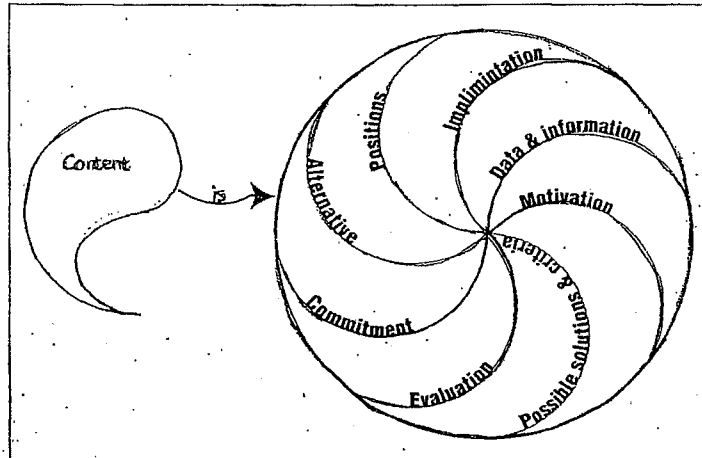
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The content aspect of Ian's triage

Think of yourself as the lens of a camera, what is seen when the shutter is opened and the snapshot taken are these:

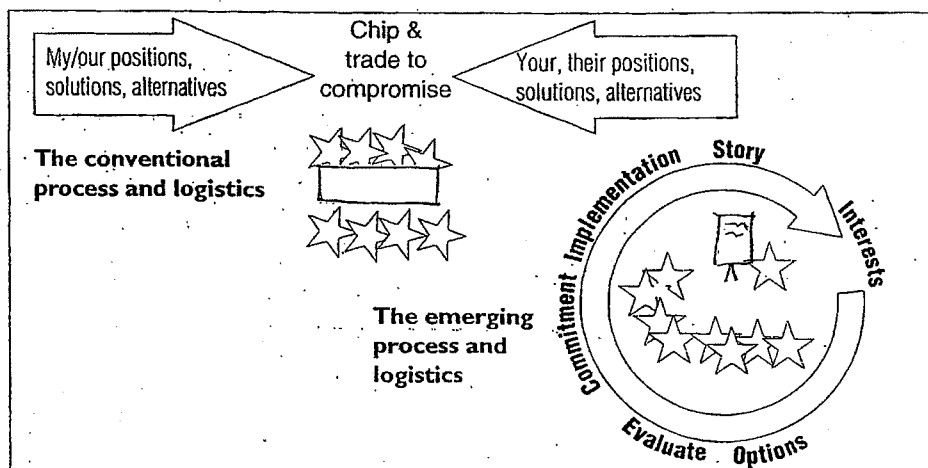
- Data or information.....Telling the story with perspectives too
- Motive, need, interestsHeritage, culture, Maslow, history.
- Position.....The solution to which one party is committed
- Possible solutions & criteriaMultiple other prospects for solving but require agreement
- Evaluative behaviorComparing solutions to motives and measures
- Decision/commitment.....Saying "yes" or saying "no"
- Alternatives.....What can be done without anyone's agreement or if can't get agreement
- Implementation behavior.....Putting the solution into action

5



The process aspect of Ian's triage

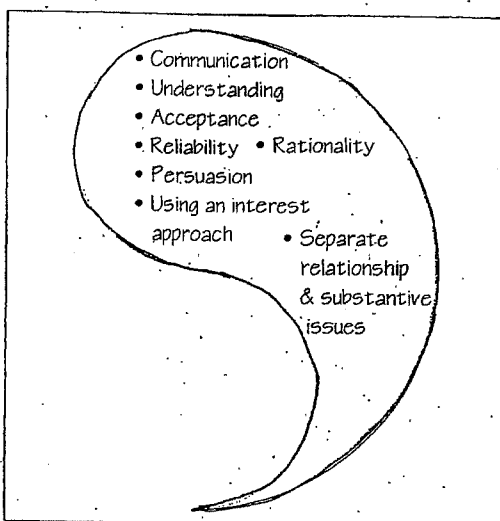
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6

The relationship aspect of decision making...

Drawing from Fisher and Brown's *Getting Together*, my and my colleague's use of the interest-based approach in many different organizations, I have found that there are eight elements to effective relationships.



7

The interest-based problem solving elements in sequence...

Problem issues are explained in detail and analyzed.

Interests: Discuss, answer questions about why we're here and motivate to solve the issue.

Clarify and detail options: Establish criteria — standards for measurements are objectively agreed to by parties.

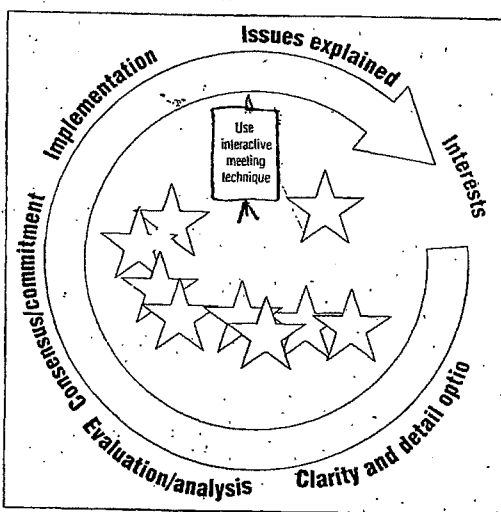
Evaluation/analysis:

Comparing options to interests & criteria stimulates improvement in plan.

Consensus/commitment: Members can live with options for now and will work to achieve its success.

Implementation: What, who, when, work: Detailed procedures are outlined and responsibilities assigned.

The dynamic aspect of the approach comes into play when elements previously discussed or agreed upon re-emerge. At that point, participants return to the previous step and begin the process again at that step.



8

The relationship aspect of decision making... Drawing from Fisher and Brown's *Getting Together*, my and my colleague's use of the interest-based approach in many different organizations, I have found that there are eight elements to effective relationships. 7

When these principles are compared with the conventional model, you begin to see why the offer-acceptance model is divisive, or non-functional as a workplace (community) building tool. A quick look back at the process figure demonstrates how the conventional model discounts the importance of relationship as a variable in problem solving/decision making. 6

Pulling the interest-based process together

To bring the principles of an interest approach to life, a dynamic sequence of steps, techniques and assumptions is recommended. 8

Those who are familiar with the brainstorming and consensus decision making approaches should find these principles quite familiar, and should be able to see why their use in other types of decision making will be beneficial:

- Focus on issues, not personalities...
- Describe, don't accuse...
- Tell the truth...
- Defer evaluation...
- Defer commitment...
- Focus on interests, not positions...
- Don't judge interests...
- Attempt to meet both separate and mutual interests...
- Develop legitimacy...
- Use consensus...
- Be systematic and celebrate learning.

The essential approach is to engage in a sequential yet dynamic application of elements and techniques to the *problem (opportunity)*.

All of this occurs in a larger setting — The larger context of practicing these principles and tools is where we discover another, fundamental principle of an interest approach to problem solving: finding, understanding and evaluating each party's unattractive unilateral alternatives. 9

Knowing the alternative and the probable reaction by the other parties to its use serves as a powerful measuring device for agreement or solution which emerges from an interest approach.

How to implement an interest-based process

The choice to launch a change in process and culture such as this is dramatic and significant. It involves a great deal of unlearning very old and ingrained habits and the learning and practice of new habits. It is very much like the struggle to recover from an addiction to accumulating and asserting power — I call those who chose to follow the new paradigm *recovering authoritarians*.

Getting started — Getting started involves some joint exploration of the concept such as a joint delegation attending a conference and/or an orientation given to a joint audience (on your site) by an experienced interest-based facilitator or practitioner. Next, an introductory training of appropriate length (3 or 5 days) is necessary. This training should be reinforced with follow-up facilitation. The necessity that the training be joint cannot be emphasized enough. Even with the training, practice in the principles is obligatory if you want to avoid backsliding into the traditional paradigm again. Once engaged in the interest approach, be advised that for a long time to come you must think of yourselves as *recovering authoritarians*. Patience, forthrightness in reminding each other of backsliding symptoms and determination to stay the course may sound like old needlepoint homilies, but they are necessary to your success nonetheless.

Final thoughts

The emerging paradigm for successful decision making is not someone's grand experiment, nor is it a *plug-in* approach. Many organizations are using it and finding that they can rebuild their vehicle while staying on the road. They have found that with this process they can not only catch up with those already using it but they can keep pace (or even pass the folks driving the old model of the new paradigm) as the paradigm evolves into an even more flexible and effective vehicle for change.

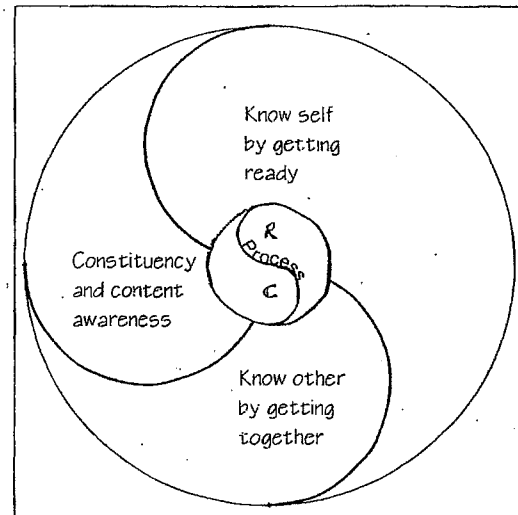
Adjusting to the ever changing demands of the marketplace just cannot be done in the boardroom, the R&D lab, or by purchasing new technology anymore. It takes making best use of the decision making capabilities of everyone in the enterprise. Think of it this way: if change is a huge powerful (and fast) bulldozer, instead of a fast car — whose help won't you need to be sure your enterprise doesn't become part of the road? ♦

The larger context of the overall process...

The larger context of practicing these principles and tools is where we discover another, fundamental principle of an interest approach to problem solving: finding, understanding and evaluating each party's unattractive unilateral alternatives.

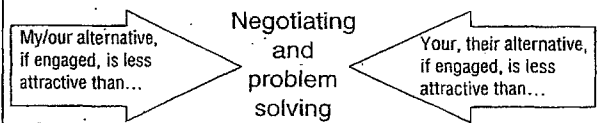
An alternative in this context is something which one party can do without the agreement of the other or what any party can do if agreement cannot be reached.

The alternatives must be evaluated for their impact if actually acted out.



9

The alternative...



Addendum: some terms of art...

Interests... The motives of the parties to the negotiation. What people or groups need. Derived and reflective of heritage, culture, and stories of the group. Can even be arranged in a hierarchy or priority as with the research of Maslow. A condition sought, a state of being.

Options... Possible solutions. In order to operationalize will need the agreement of the parties to the negotiation. The work product of brainstorming without commitment or evaluation. The "other" right answers per John Glaser.

Criteria... Objective standards of measurement. When agreed to by the parties, serve to compare against options. Work product of brainstorming and research. Often externally derived or imposed by control agencies or funding sources. Presenting practitioners with a paradox in that they are also options. There is no one "magic" criteria for any issue.

Alternatives... What either party to a negotiation can do without the agreement of the other. What can be done in the event that no agreement can be reached. Feel like threats when perceived by the other party. Don't take your gun out of the holster unless you intend to use it.

Positions, demands, proposal... The solution to which one party is committed. Due to the nature of our familiarity and comfort with the conventional model of offer-acceptance negotiations, these often invite evaluation... usually in the form of judging the interests of the party presenting the proposal.



Steve Barber has spent the better part of the past decade (12,000+ hours) introducing union and management groups to non-adversarial means of labor relations and negotiation. Barber, a native of Taft, California, served a variety of posts (including that of deputy director) during 15 years of service in California's Public Employment Relations Board. Barber's groundbreaking work at PERB led to the creation of the California Foundation for the Improvement of Employer-Employee Relations (CFIER).

Continued on next page

Evaluation... The comparison of possible solutions (options) to criteria, interest, and the issue or problem. *How well does this option meet our mutual and separate interests, fit the criteria, and solve the problem?* This exercise is accomplished without commitment.

Consensus... When the parties to the negotiation can say that at the very least the option is one that they can live with and support for now. Note that so long as a party to the negotiation is saying "no" consensus doesn't exist. However, the naysayer participant is obliged to explain why, so that the naysayer and other participants can continue to focus on creative solution designing.

Interactive meeting... A facilitated meeting of a group of people. Utilizes a non-conventional format in setting and process.

BATNA... The best alternative to a negotiated agreement.

Legitimacy... The psychological condition of ownership or support for a decision. A consequence of using reason(s) and participation rather than power, coercion, or leverage as the basis for a decision.

Background and recommended reading:

This short bibliography will provide you with some windows into the emerging paradigm. Each of these books in turn contains substantial references for further reading and inquiry.

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THE FAD PHENOMENON Steve Barber and Wendy Cowan

What'll it be for you this year? Contracting out? Nope, that was three years ago ... or was it the year before? How about privatization? Is that what everybody is doing this year? Nope, that was two years ago.... How about downsizing or right-sizing? Nope, the CEO of PetroCanada said that was like trying to "shrink to greatness". This year's fad is *PAY FOR PERFORMANCE!!!!* Ah, now we know what to do!

Every year there's a new buzzword. Unhappily, a fad isn't reality. These fads are wrapped in all the froth of anecdotal success stories, presented by well-coiffed consultants, tripping over the lips of colleagues, and encountered on the pages of various association magazines with solicitations for quick and dirty workshops.

As a consequence of facilitating issues related to improving productivity and quality we have found ourselves becoming unexpectedly knowledgeable about "pay for performance" and "merit pay". Because this is the latest of the parade of management fads which seem to find their way through America's public sector, we thought it was time to offer some straight talk on the subject.

The Myths that Satisfy

This menagerie of management methodologies does have a certain attraction, residing as it does in our subconscious understanding of how the universe is "supposed" to work. Things are "supposed" to be predictable, right? Government is "supposed" to be run like a business, right? Management makes decisions and others are "supposed" to carry them out, right?

While our elected and ascribed officials find themselves seduced by these simple homilies, a reality check gives lie to these myths. Yet they continue to spawn quick fix solutions captured in buzzwords.

Where does this stuff come from?

Our practice takes us to many venues in both the public and private sectors, giving us the opportunity to trip over some rather surprising learnings. Perhaps the most sobering of these learnings is that much of the furor generated on behalf of these buzzwords comes from self-serving consultants and brokers who profit from introducing dramatic solutions such as privatization and contracting out.

We are also observing that the private sector is screaming specific solutions at the public sector. The demands are for more services at less cost or for a reduction in onerous and intrusive regulation. Unfortunately, public sector officials don't understand the interests buried in these demands. The medium of the message as well as the message itself are interpreted as threats and condemnation thereby eliciting a defensive response. The defensive response is taken as a denial or condemnation of the underlying motives assumed to be understood in the message. As a consequence the real message never gets heard by either party.

Why do these fads emerge?

One reason these buzzword methodologies are attractive is the erroneous belief that human behavior is solely driven by a stimulus/response impulse. Because we never really understood the psychology of Pavlovian behaviorism in the first place we think that people respond to treats, e.g. pay for performance and merit pay, like dogs and chickens were thought to do.

It appears to us, from our experiences where the rubber meets the road, that the what's motivating a belief in these myths is fed by three basic fuels of change. The *first* of these is the combination of global events/economy and the velocity of technological change. The *second* of these fuel sources is the demographic shifts occasioned by the first. The *third* is the awkward and ham-fisted attempts to respond to the first two through

financial and institutional reordering such as property tax initiatives or marketplace analogies applied to public sector services.

Global and economic events drive e/immigration of people and money around the world as witnessed by the out-migration of California's middle class to places like Arizona, Idaho and Washington following the collapse of the aerospace industry (a peace dividend!). The sociological upheaval occasioned by these events has transformed the demands made upon the public sector by an increasingly penurious public. One need but eavesdrop on a school board meeting, teacher's lounge or bus barn tool locker to discover that the service demands placed upon public education which would have seemed wildly out of place as little as ten years ago are a reality today. An identity crisis in public education has resulted: "Are we educators, baby-sitters, social workers, probation officers, public health nurses, or what?"

In order to respond to these and similar demands the public sector is wrestling with how best to transform itself. Yet, rather than allow the public sector entities to pull off of the freeway to change the flat tires, the public expects transformation to be accomplished while driving down the road, all the while yelling "Go faster!"

When the public sector's response is too slow or inept at meeting the public's need for immediate gratification (whether as a consequence of a lack of courage by elected officials to educate (lead) the public or its deliberate, accountability-driven approach to decision making) the public takes matters into its own hands through initiative processes or the election of decision-makers full of anti-government animus. The resultant dismantling of public sector entities as a means of punishment for this lack of responsiveness is well chronicled. The implications for economic and political infrastructure are staggering.

Accordingly, the fad phenomenon seems to emerge as a response to management panic attacks. Seeking to be calm the troubled waters and appear responsive to the snarling and fist-pounding demands of the electorate, advocacy groups, and the platitudinous prescriptions of elected officials, managers grasp at the straws of methodology myths that promise the instantaneous achievement of desired outcomes.

Legitimacy

We seem to get involved after the 911 call: After elected officials and their eager-to-please managers attempt to unilaterally implement these mythological methodologies in their organizations. The resulting eruption and/or failure to achieve the desired result prompts some decision-makers to question whether there might have been "a better way to have gone about this."

The literature on organizational development/effectiveness is full of stories about the failure of these fads to achieve their stated promises. It would appear that 70 - 80 % of the initiatives implementing the likes of TQM, restructuring, downsizing, contracting out, privatizing, and the like stall or fail within 18 months. Because of the damage to the workplace relationship by the unilateral decision the resultant clean-up effort presents an even greater problem to the decision makers than the problems prompting the initiatives in the first place. So what was missing?

The answer is that *those who were expected to implement the decision were not party to making it*. There are common characteristics about decisions which thrive, survive, and actually bring on something resembling that which was sought in the first place. These effective decisions are based upon asking those who are expected to behave within the decision to help make it, and they are based on reason rather than power or coercion.

This year's fad -

Pay for performance

The myth of pay for performance or merit pay, a concept which has been around since the turn of the century is that you can use extrinsic rewards to incent employees to change their behavior to achieve outcomes described by management. This is based upon the direct translation of Pavlov's and Skinner's success with animals. What we really know is that human motivation is in large part intrinsic. The Hawthorne effect, which essentially revealed that you could improve productivity simply by changing the illumination level in the factory, is a notable example that dispels the common beliefs about human motivation being based solely on extrinsic "rewards".

A further fallacy surrounding this myth is that the employer can control behavior through the allocation of fear and discipline in an institutionalized master/servant relationship. Employers seeking to reduce liability and improve outcomes with predictability cling to the mistaken belief that the route to this end is the control of employee behavior.

The fallacy in the pay for performance myth is that there is a connection between the idea of incenting for outcomes and behavioral adjustments by employees, managers, and supervisors. Obsession with controlling behavior supports an hierarchical fear-driven organization. A better way might be to focus on outcomes. This is an organic concept dependent upon systemic thinking and the development of a learning organization.

A Better Route...

We urge that you explore the science of human motivation whereupon you will find that human beings in today's workplaces are *not* solely motivated by the promise of extrinsic rewards. Alfie Kohn, in his book The Punishment of Rewards identifies three central criteria which create what he calls the "conditions for authentic motivation" First, *collaboration*. The employees, managers and supervisors need to be participants in the design and development of their work rather than the mere recipients of directions

from another who holds power. Second, *content*. Employees, managers and supervisors will seek to achieve a "good job" if it offers a chance for them to engage in *meaningful work*, work that makes a difference. Third, *choice*. Kohn restates what seems like common sense to us in a democratic culture, that "we are most likely to become enthusiastic about what we are doing - and all else being equal, to do it well when we are free to make decisions about the way we carry out the task." Yikes! Since when did the word democracy have a place in describing the employment relationship!!

In other words, the science of human behavior would indicate that a competitive approach to motivating human beings through "merit pay" or "pay for performance" is ineffective. What we have found, when we facilitate the discovery of good science around human motivation by collaborative employer/employee teams, is that their inquiries about pay for performance or merit pay call into question the entire power-based, fear-driven hierarchical model of organizations. The inquiry launches the negotiation into a penetrating exploration of process, assumptions about power, authority, responsibility and more.

This inquiry can indeed be an entry point for true and fundamental transformation of an organization; yet it may be perceived as a threat to those in positions of power and their co-dependent subordinates who are responsibility averse as it suggests a dismantling of hierarchy and movement toward democracy in the workplace. So, unless you are prepared to accompany Alice into Wonderland you should think twice about leaping after this white rabbit called "pay for performance".

Suggested reading on this topic:

The End of Bureaucracy and the Rise of the Intelligent Organization by Gifford & Libby Pinchot

The Fifth Discipline by Peter Senge

WHEN THE WHEELS FALL OFF THE WAGON . . .

What Happens To Cause Interest-Based Negotiations/Labor-Management Cooperation to be Abandoned

by STEVE BARBER

Steve Barber is a principal in the consulting firm of Barber & Gonzales and a trainer and facilitator for CFIER. His clients include State legislators, local government and a range of private sector organizations. Barber is a pioneer in bringing non-adversarial approaches to the labor relations arena.

They were waiting for me when I arrived to set up the room for yet another day of facilitating their negotiations. There was great consternation on their faces, and they looked hurt, too. I knew what they were about to say. I've seen these looks before. Many times.

"It's about their commitment to this process," he coaxed from her throat, voice trembling. "How can we make them participate in this? I feel so, o....betrayed." "Listen to the words you've just said," I said. "You really can't make someone do something if you expect what you want them to do to last and thrive," I suggested. "What we are talking about here is a *change of mind*. 'The way to doing something differently is being different.'"

Feeling that the other party has abandoned its commitment to labor/management cooperation and/or interest based negotiations is a very common experience.... because it's too often true! But, "seek first to understand" the behavior you are concluding to be a abandonment as it may simply be awkward practice or an unconscious reversion to the comfort of habit. The internalization of the fundamental precept of both labor/management cooperation and interest based negotiations, enlightened self-interest, is a tough one to acquire (be) and practice (do). The magnetic strength of its opposite paradigm, myopic or raw self interest, is so powerful that it is impossible for many to understand that in order to "win" the other side need not "lose."

Thanks to CFIER hundreds of labor management relationships in the public schools have been introduced to the elegant principles and practices of an interest based decision making approach. Entire union and management institutions are now including the approach in their overall mission; and other segments of the public sector have begun practicing the principles. Yet, despite the initial enthusiasm, the fantastic numbers of attendees at the annual conferences, and the almost universal acclaim for the attractiveness of the principles, I suspect that the principles are *consciously* living in only 20% or so of those relationships. Why is this so? Why do people tell me, in moments of candor, that while things are so much better in their relationship, the paradigm hasn't really shifted? Am I expecting too much? Has the message that the approach is powerful and effective as a transformational methodology for lasting and meaningful organizational success not been heard?

Based on my experience working with many labor-management groups, here are some of my answers to these questions.

◆ People trip on a "pitfall."

Remember the "Pitfalls to Success" we include in the CFIER index? Did you read them? Do you go back to them when you are doing your implementation planning and designing? Do you consult them when things don't seem to be going "just right"? They are still as valid today as when we developed them. You can read the



Steve Barber

full explanation of each in articles by Janet Walden in the February and October 1995 issues of *Viewpoints*. My purpose in writing this current article is not to simply review the pitfalls list, although that's not a bad idea. No, what this article is about is capturing and reflecting upon some of the underlying "stuff" that cause the pitfalls to happen. Read on.

◆ Surprise! The interest approach wasn't just a new "manipulative" management tool (employer perspective) or "another way to win" (union perspective)!

Perhaps the most common reason that the interest approach to negotiations or labor management cooperation doesn't survive, let alone thrive, is that it turns out not to fit the preconceived expectations of it held by management or union leadership in the first place. Coming from the conventional workplace model as most people do, they tend to develop their understanding and expectations of the model based upon the idea that it will "just enable us to do what we now do, only better"!

If sobriety doesn't set in during the introductory training, it soon does during the course of implementation and application afterwards. "Uh oh. You mean I have to change the way I do business with *them*?" Yup.

This surprise if often not consciously acknowledged. If it is, then the abandonment choice which sometimes follows is a conscious one. So is the denial choice which sometimes follows. Often the abandonment choice following the surprise is unconscious because the conventional paradigm of management/union relations simply has no place for this different model to fit; so the operational choices continue to perpetuate the conventional, e.g., the union isn't included in the budgeting process or rejects the opportunity to become part of hiring and evaluation processes.

◆ "You are in bed with management." or "You are giving away the store."

The absence of conscious, committed, and ongoing efforts to develop an understanding within one's constituency of the principled approach to labor/management relations and interest-based negotiations usually haunts. The efforts can be simple, such as the negotiating teams mutually designing a series of communiqués to all constituents by developing a "dog and pony show" that is presented jointly by site union reps and managers. Or they can be elaborate such as ongoing, formal introductory and refresher training for all employees and managers.

Constituencies need to understand the principles because they lead the practitioner to engage in different behaviors. Absent a

continued on page 8

When The Wheels Fall Off the Wagon —

from page 4

prior understanding of these behaviors they will be understood from the conventional perspective and condemned as wrong. Understanding is the consequence of communication/education. No ongoing educational effort regarding your constituency? Don't be surprised that they don't like what you are doing to the point of political action!

❖ "They're the ones who aren't committed! I'm not changing the way I do things until they do!"

Externalizing responsibility, and therefore blame, is the conventional, institutionalized approach to doing business and solving problems. It makes things very easy for the individual and keeps the courts busy. If the above quote sounds like you, my question to you is this: Who is going to practice these principles if you don't? These principles get abandoned because each of the many individuals in any institutional relationship *choose* not to practice them! You can really, ultimately only be responsible for yourself!

❖ The interest approach is only thought of as a conflict resolution or crisis resolution tool.

Again, back to the absence of an "ah ha" about the truly transformational capacity when practicing interest-based principles. As a student, consultant, and instructor of organizational development (OD) I have come to have great respect for what I call "state of the art" OD practice: intervene, assess, prescribe, implement. Unfortunately, because this model fails to take the concept of legitimacy into account its impact tends to be short lived. Relying upon legitimacy (decision making through participation and reason rather than direction/coercion/power/leverage) as a fundamental constraint of developing an effective organization/relationship is critical.

Unhappily, it has been my experience that many managers, administrators, and union leaders think of the interest approach solely as a pigeon holed product rather than the powerful transformational methodology that it is. That's the optimistic view. The pessimistic one is that people in positions of leadership do in fact recognize the interest based principles for the transformational tool it is and want nothing do with them, as it would mean that they have to change the way they do their day to day business! Either way, interest-based principles seem to have been narrowly pigeon holed as something for use in crisis, formal negotiations, and problem solving only.

❖ "Some people never really stepped into it in the first place."

This was the response when I asked a school district superintendent why she thought that the principles were sometimes abandoned. To her reckoning there seems to be a "test drive" period wherein people try it out half-heartedly for awhile to see if it does what the presenters and testimony from other practitioners say it does. Rapidly forgetting the "three to five years" to become fully acquainted with the principles and to achieve a level of feeling practiced with them" learning curve that we present in the initial training. Such "test drivers" have a shortsightedness that does not serve them well if their test driving consists of sticking a big toe

into the shallow end of the pool as opposed to diving in with a can-do spirit. This approach is a disaster if it is how they decide whether or not to commit. I will always remember Jan Abbott's observation to every group about the unseen principles that one must also practice alongside the principles we formally introduced. One of these unseen principles: stick-to-it-ive-ness.

Then I suppose there are those who believe that there is nothing new under the sun. And if this stuff is so hot how come they didn't see it somewhere else first? You know 'em. The 'been there, done that' type.

❖ The culture of the "fad"

Fads are interesting. The best explanation that I ever heard about how it works is that most people figure that if they see something new in their workplace still around in about 3 to 5 years, it probably wasn't a fad, and *then* they'll give it a try! Sound familiar? Probably. We are all reluctant to be taken in. No matter how bad it is now it could only be worse, not better, right?

The interest based principles of decision making and labor management cooperation are at the heart of the success stories such as Harley Davidson, Saturn, Xerox; yet such empirical evidence seems not to dent those who self-protect by dismissing new ideas as fads. The funny thing is that while they are dismissed, people seem to think that there will be another coming along any minute now! So they really don't want to get too invested in the one they're dealing with at the moment! The judgmental me says that such thinking is lazy and displays an arrogance about the duality of learning and knowing: awareness and practice. I prefer Socrates: lead the examined life. And to examine the "doing" one must participate in the "being."

❖ Transition is ignored

Despite verbalized and behavioral commitments to the interest based principles, key players who leave the relationship are unthinkingly replaced by someone who is actually or virtually ignorant of the commitment to the approach by the institution or the labor management relationship. They practice what they know, which is conventional, and in practicing this "betrayal" is communicated to the other parties.

The wheels fall off fast this way! Knowledge, practice, and awareness of interest based principles must become part and parcel of recruitment and hiring, as must ongoing training in the principles become a part of introducing people to their new jobs or institutions.

❖ Strong "partners" backing away rather than helping weak "partners"

One of the basic principles of an effective labor/management decision making relationship is the idea that the parties accept one another as legitimate partners. The years of conventional experience, literature, learning, and cultural constraints seem to make this concept very difficult to even understand let alone adopt or practice. It lies at the heart of the success stories. The behavioral principle that operationalizes a partnership through meeting ones own needs by meeting the needs of the other party (enlightened self interest) is what brings forth elegant and delightful contractual and workplace solutions.

The difficulty in wrapping one's mind around this idea so that it is reflected in behavior is a true predicament and often a cause of process abandonment. The idea that a union's best ally is strong

continued →

management or that management's best friend is a strong union seems to catch in many, otherwise enlightened throats. How many times is it implicitly communicated in the tone of voice, gossip, or agenda setting that some situation or other is "their problem" and "if we just stand and watch maybe it will become so bad as to handicap them in some significant way"? Listen for this attitude.

Not your problem? Maybe not, but you do have one because your partner has a problem. *That's your problem.* Not taking the initiative to reach out the helping hand is actually like shooting yourself in the foot and accounts for many of the explanations as to why the principles are abandoned. It's overcoming the conventional mindset that "if they are strong, it means I'm weak" that you must work on.

❖ Fear of Failure

Often we will refrain from advocating our own interests for fear of the reaction we think such advocacy will create in the other party to our relationship. We seem to think that such advocacy will actually ruin the relationship. But such fear on our part doesn't necessarily inhibit the other party. As a consequence of your inhibition, then, your interests get submerged or even ignored by the untempered assertion of interests by the other party. Then what? Resentment? Blaming the other party for being selfish? A constituency that isn't served?

Again, choice making is the key. Avoidance, as usual, doesn't work. Listening to your own choice making is critical so that you are aware that you are making such a choice in the first place. Once you become aware that this may be the course you are on, what then? The answer probably lies in practicing one of those underlying concepts that make for good understanding in the mind of the other party: describing one's behavior before it is engaged in. Let the other party know, openly, that the relationship is important, that what you are about to say or do isn't meant to strain it or question it but rather to work within it. Then be careful to truly advocate your interests rather than push a position.

❖ Roots we didn't even know we had

Much like the "law of scarcity," a myth which undergirds modern capitalism, the concept of "agency" has defined both the structure and practice of the modern workplace. "Agency" is the legal principle that the employer is *liable* for the acts of the employee while the employee is acting in the course of employment. This concept came from an early (14th or 15th Century) court case that arose from a time when the principal employment relationship wasn't that of employer/employee as we know it but rather that of master/servant.

Accordingly, employers through the centuries reasoned that the best way to reduce liability was to *strictly control behavior* of the employee(s). This obsession with controlling behavior as a way of reducing liability and achieving our desired outcomes (products and/or services) appears to me to be the root of our familiar institutions: hierarchical organizations, motivation through reward and discipline, ordinate and subordinate ranks within the hierarchy etc.

While the realities of customer relations, customer demands, literacy levels, and the age of knowledge no longer call for such a structure or interactive methods, the modern descendants of the master/servant relationship exist as they do as a consequence of institutionalization and socialization processes. Is it any wonder that

the introduction of what is essentially a democratic process to the workplace is met with such cognitive dissonance?

❖ Voltaire

We've allowed our left brain and belief in the salience of reason to overshadow our right brain and the human element. To understand how this happened read a book by John Ralston Saul entitled Voltaire's Bastards. Light bulbs will pop in your head. In the meantime let me observe that one of the reasons that people, good people, well-intended people abandon a principled approach to labor/management relations and negotiations is that the notion that the human element, or how we relate to each other, is as important as the substantive components of the enterprise (such as the work we do or the compensation we receive) is so very different from our conventional thinking that people have a very difficult time accepting it consciously and a very easy time unconsciously reverting to the conventional.

In his introduction to the book Synchronicity by Joseph Jaworski Peter Senge writes: "First, Joe said, we need to be open to *fundamental shifts of mind*. We have very deep mental models of how the world works, deeper than we can know. To think that the world can ever change without changes in our mental models is folly. When I asked Joe more specifically what these changes might be about, he said that *it's about a shift from seeing a world made up of things to seeing a world that's open and primarily made up of relationships*."

❖ Finally, there is a small collection of *personal qualities* that only you can practice.

Commitment or sticking to it. Practicing an interest based approach despite the behaviors of the other party just as the Aikido master transforms success from the aggression of the other party.

Courage in initiating and advocating a better way of doing business with each other. Asking, out loud, in response to your discomfort with the behavior of yourself or others "is this a principled thing to do?" Leadership is both paradigmatic *thinking* and adaptive *behavior*.

Willingness to be open and humble. We cannot and do not know it all. Are you reveling in the learning you experience from mistakes? Are you "thriving on the 'no'" you hear from the other party, pursuing the interests behind the "no," and using it to stimulate the creativity? Or are you simply condemning it and feeling insulted? Are you listening more than talking? Are you saving face or being honest?

Vision — picturing in your personal and collective consciousness what you want to be. This "vision thing" is a conscious decision that must actually be made and not assumed. Has a vision in fact been jointly reached? Is it being periodically revisited and refined? Has it been well and broadly communicated? Is your relationship listening to your joint constituency to determine whether the vision has been heard and is being used as the ultimate criterion in all decision making?

❖ **In sum** let me suggest that *abandonment* of the interest based approach is really a *choice that you make*. Consciously or unconsciously, when it comes to the labor-management relationship I think that you are getting what you choose to have. Doing is being.

DANCING WITH THE BROOM

"fresh fish doesn't smell fishy"

by Steve Barber

"Did you know you can dance with that broom?" my granddad asked when he saw me, at age 5, struggling to sweep the sidewalk in front of my dad's auto parts store kitchen broom style with a push broom. After ten minutes or so inside the store he emerged to "inspect" my progress. Seeing that his earlier "dancing" lesson had taken hold he asked me if that just wasn't a lot more fun. My affirmative response brought forward his "real" lesson to me: "when you grow up, you should always try to find a job where they pay you not to work."

My Grandpa and his lesson to me popped into my mind when I first saw "FISH, the video" three years ago. It was a couple of weeks after I'd received a preview copy to review. When I saw the video, I immediately knew I'd just been presented with a "missing link" to my OD training activities. Because these four simple concepts presented by FISH can be found as vital connective tissue for virtually any organizational effectiveness initiative, I've sketched a "fishbone" chart to offer a quick illustration of what I mean.

The author of THE FIFTH DISCIPLINE would probably agree that these simple concepts are threaded throughout any decent (read "effective") OD initiative. Accordingly, they can serve as an effective springboard for a host of training and strategic undertakings in a variety of settings. A warning: while these concepts elegantly encapsulate the successful if the message is not utilized in the spirit of the concepts themselves, the result worsens the conditions prompting the initiative to improve. Here's a contrast to explain:

First: a success model(s)..... FISHCAMP!

The producers of "FISH!, the video" and the mnemonics they've "spawned" to help organizations sustain the momentum asked a bunch of us consultants who were "early adopters" to consider and elaborate upon what they thought would be a particularly successful mode of introducing the concepts to an organization.

Called "FISHCAMP", the event is a series of interactive exercises designed to acquaint participants ("campers") with the four simple concepts, which the video producers "discovered" while editing their documentary about the Pike Place Fish Market in Seattle. The attendees were encouraged to go forth as practitioners and customize their own version of "FISHCAMP" to their particular practice and client needs.

Our (BARBER & GONZALES Consulting Group) version of "FISHCAMP!" varies from one to four days depending upon the assessed/negotiated needs of the organization. A single day event simply introduces the ideas contained in the video and gets the participants started on their own initiative without follow-up by us.

At the other end of the spectrum we use FISHCAMP as an approach to organizational transformation. Longer versions of FISHCAMP are designed to address the assessed needs of the work group/organization more thoroughly. In particular we use a four day FISHCAMP as an intense *introduction* to the principles of interest based decision making for labor and management negotiators who have also realized that the long term success of their organization not only starts with the labor/management relationship but also must rely upon a complete paradigm shift in how they do business throughout the organization, not just at the bargaining table. (For an elaboration on legitimacy please refer to my earlier articles in the Journal) Combined with obligatory follow-up sessions, organization-wide trainings, and internal capacity building to sustain the initiative, this four-day version seems to have lasting impact. . We suspect that weeks and months long "training academies" for middle managers/supervisors could also use the FISHCAMP concept as a skeleton upon which to hang their entire curriculum.

Not quite a FISHCAMP: using "FISH!!, the video" to illustrate the botanically correct metaphor of a thriving organization:

Introducing executive, middle and line staff to a more interactive decision making model in conventional paradigm organizations (translation: bureaucratic and unlikely to change much, but discovering that the scientific management model doesn't work and are accordingly toxic and hungry for change) inevitably brings forward the question from these change hungry employees of all stripes: "what do you do when you want to do business differently, but your coworkers, supervisor(s), or executive managers don't?"

We establish the context for the one word answer to this question by introducing a more systemic rather than mechanical metaphor of an organization. The four concepts presented in the FISH video serve to illustrate the molecular level interactions of the metaphor in order for it (the organization) to survive and thrive. We have attached a digital photo of a completed flip chart page developed as part of a training segment to illustrate this metaphor.

The fruit references the outcomes realized, the leaves illustrate a desirable working environment, the trunk/branches/twigs illustrate the ubiquitous structural tissue, and the roots stand for the basic principles or statements of "ought" presented in every situation. As an aside... the beauty of this metaphor is that it can be further used to illustrate the realities of an "open system". It's all quite quantum, don't you think?

In our longer versions of FISHCAMP we use this metaphor as our "nature hike" with each component of the training exploring a different aspect of the metaphor. By the time that FISHCAMP is concluded and the "campers" are packing their duffle bags (a FISH mnemonic) each has their own graphic much like the one seen here. It takes all four days to completely illustrate the metaphor/graphic.

Second:smelly fish.

"Here, watch this video. You need to change."

Probably without describing it you already understand how the video can be (is being) used as a weapon. Usually without intending to do harm an ignorant supervisor or manager spots the video, borrows a copy from HR or the training dept., throws it in the VCR at the only staff meeting they've had in months, and admonishes the troops to do things like they do in the video, turns off the TV, and concludes the meeting. Having their worst suspicions thereby confirmed the employees continue to flee, soldier along, maliciously comply, or sabotage. The supervisor, continuing to rely upon the people skills God gave a goat, goes ignorantly on certain that "I tried, but *they* are hopeless."

Yes, we've seen and heard about this version of how people have used the FISH video both from the disappointed supervisors who've tried it and the employee victims who've experienced it. I've no doubt that had my granddad simply scorned and scolded my nascent efforts with the push broom, told me how to do it, and marched off that I would not to this day, 50 years later, enjoy dancing with a broom.

Author Steve Barber's resume confirms that perhaps without realizing it he followed his granddad's advice: bowling alley pin setter, cowboy, firefighter, fruit picker, truck driver, oil worker, auto mechanic, machinist, teaching assistant, political campaigner and subterranean politico, race car driver, executive, entrepreneur, college instructor, pilot, wooden sailboat skipper, and now a consultant and trainer. You can reach him and his colleagues (fellow camp counselors) at <http://www.paradigmpilgrim.com>.

This article is scheduled for publication in the Journal for Quality and Participation in Jan / Feb 2002.

STEVE BARBER is considered by human resources, labor relations, negotiations, dispute resolution, and political professionals to be a "consultants' consultant". His leadership in the field of non-adversarial negotiations, decision-making, problem-solving, organizational effectiveness, and communications is recognized both nationally and internationally. Since 1989, Steve has logged over 30,000 hours as a facilitator of change initiatives.

Client reactions to Steve are overwhelmingly positive, focusing on his communication skills and capacity to render complex concepts usable in the real world.



EXPERIENCE: Public speaking, filmmaking, research, publishing, business, government, legislation, bureaucracy, politics, pilot, car racing, motorcyclist, mechanic, catalyst, and idea generator.

ROLES: Consultant, trainer, facilitator, author, manager, employee, partner, and confidant.

EDUCATION: Undergraduate/graduate political science, philosophy, psychology, law and jurisprudence.

CLIENTS: Legislative and policy making bodies, union/management cooperative teams, school districts, transit agencies, hospitals, water agencies, community organizations, colleges, cities, counties, trucking, rail, land use planning, state agencies, manufacturing, dispute resolution agencies.



❖ After serving as the top aide to two state legislators and as a Deputy Director in an office of the State Health and Welfare Agency, Mr. Barber held the posts of executive secretary and Deputy Director of the Public Employment Relations Board (PERB) during his 15 years with that Agency. While involved in the legislative and regulatory processes of State government, Steve found multiple opportunities to utilize a principled, interest approach to communication and decision making.

❖ Described by his colleagues as a "Johnny Appleseed", Steve Barber has spent the better part of a past decade introducing union/management relationships to a non-adversarial means of doing labor relations and collective bargaining. His initiative at PERB brought into being a coalition of union and management organizations which eventually formed the California Foundation for the Improvement of Employer-Employee Relations or CFIER (See-Fire). Mr. Barber has been a primary architect of this unique and revolutionary project that is changing the labor-relations paradigm. He has been replicating this initiative in Arizona, Canada, and the private sector. Success in this application has legitimized the extension of a principled approach into public policy, regulatory, and community issues management.

❖ His pioneering work as a change initiator in this field has brought him national and international recognition. He was invited by the United Nations to be one of 10 people from the United States to attend the first ever international conference convened to develop methods of introducing and sustaining interest approach negotiations and relationship principles to employers and unions. He was recently invited to help create the first ever Institute to introduce collaborative and interest-based decision making principles as a effective and legitimate practice for organizational development to the International business and government communities by the Association for Quality and Participation. Steve serves as instructor in Organizational Development/Effectiveness for the UC Extension Certificate Program in Human Resources. The University of California at Davis Extension Program

has solicited Mr. Barber to serve on a newly created advisory committee for the development of a Certificate Program in Organizational Development/Effectiveness.

❖ Steve Barber is a native-born Californian, born and raised in Taft. His employment experience includes machinist apprentice, retail clerk, cowboy, ranch hand, firefighter, oil worker, truck driver and mechanic. Upon his graduation from UCLA with a degree in Political Science, he attended graduate school in Political Science and Philosophy at San Diego State College. Steve has been contributing to the development of curricula for the Political Science Department of San Diego State in mediation as a component of their Interdisciplinary Degree Program in International Conflict Resolution. Annually he presents a seminar on decision making to the Graduate School of Political Science at San Diego State, and frequently presenting to state and regional conferences on the subject of employer/employee relations, organizational development/effectiveness and change initiatives.



in the crow's nest

A publication from STEVE BARBER, PARADIGM PILGRIM

NOVEMBER 1994

Barber & Gonzales Consulting Group

No. 3

HIGH PERFORMANCE ORGANIZATIONS

Not an experiment!

The message was clear from the Seventh National Labor-Management Conference in Washington, D.C. in June that high performance organization is available to anyone who is committed to investing the time and effort to realize 30-60% improvements in productivity and other measures of impact and profitability

VISIONS OF INSTITUTES DANCING IN THEIR HEADS?

For several months now a group advocates and practitioners of a new model in labor relations have been meeting in Sacramento nurturing the formation of a collaborative organization (an "Institute") designed to facilitate a cultural transformation they see enfold in the workplace-from adversarial relations to cooperative.

The group is scheduled to meet again in late October when their "visions" of an "Institute" will be revisioned as "interests", personal and group, then worked through the interest-based process toward its creation. The prime elements of vision, leadership, and commitment are present in this group. Now it is simply a matter of relationing their dreams into reality.

To learn more about the "Institute", please call Cathy Arostegui of Beeson, Tayer, & Bodine at 916 441-2196 or Deidra Rose, IN PRAXIS, 916 688-5962.

INSIDE THIS ISSUE

- ⇒ Institute
- ⇒ City of Petaluma Training & Facilitation
- ⇒ City of Roseville Firefighters
- ⇒ City of Roseville Homeless
- ⇒ El Dorado County & Deputy Sheriffs
- ⇒ Legitimacy



CALGARY IN PETALUMA

Calgary School Board member, Jennifer Pollock poses with Kevin Marks, City of Petaluma Firefighter. Kevin recently participated in a three day introductory training in interest based negotiations conducted by Steve Barber for the Petaluma Firefighter Association and City management staff. Jennifer traveled to Petaluma from Calgary to serve as a volunteer facilitator in the training in order to practice her skills as a facilitator and revisit the principles of an interest approach.

Also serving as facilitators in the training were Rich Thickens, Firefighter, FFA, Craig Robinson, Administrative Services Director, Phil Ezell, CFO, and Larry Layton, Electrical Supervisor, IBEW. These facilitators all hailed from the City of Roseville. Their service as facilitators was motivated by the same interest as Jennifer... to improve their interest-based skills. According to Barber this approach to introductory training accelerates the unlearning curve for the "borrowed" practitioners and helps reduce the overall cost of introductory training for the client.

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Transients and the homeless....only two of the many manifestations of the economic and demographic winds blowing hard in our nation's communities.



These and other issues facing elected officials seem insurmountable when addressed with the usual tools for reaching important political decisions. If politics is the authoritative allocation of values (according to political scientists, this is the correct definition), then the questions for politicians and the communities they represent is, how do we go about making the choices so that we don't create even greater problems than we are trying to solve.

According to Mayor Mel Hamel, and the City Council of Roseville, the answer to the question is to use a decision making tool that builds consensus rather than division. As a result of their faith in an interest approach, born of solid successes using the method in the city's labor relationships, the city leaders have demonstrated the courage of paradigm pioneers in applying an interest approach to much broader community issues.

A series of community forums have been slogging through the hard work of a consensus approach to decision making. As our newsletter goes to press the work of problem definition is barely completed. Interests are being identified and will be articulated at the next meeting (Oct. 20th), and the brainstorming of possible solutions will get underway full bore on October 22nd. We'll provide a process report in our next newsletter.

VIDEO AVAILABLE

"Let's face it, every time Steve does 'the lecture about the principles and elements of IBN, effective relationships, and the paradigms of communications, new light bulbs pop in our heads! It's like an effortless process check, and I swear I hear him say something new every time I see it."

So says a client of Steve Barber about Steve's basic lecture. "The Lecture" is now captured on video tape as an experiment for the Federal Mediation Board. A full production tape is in the works. \$900.00 gets you a copy of the experimental tape right away and insures you of a production copy when available next summer.

IMPROVED RESPONSE TIME

Changes save minutes, lives

by Stew Hintz
of The Press-Tribune

Roseville - Three weeks ago, fire officials promised a reorganization of their department would improve response times. Saturday, those promises came true with the resuscitation of heart attack victim.

Rescue crews were sent to the 1800 block of Discovery Drive at about 12:45 p.m. to come to the aid of a 47-year-old man, said Battalion Chief Jeff Carman.

It took the firefighters less than three minutes to respond to the call once dispatchers alerted them and when Carman, the supervisor on duty that day, arrived at the scene nearly five minutes later, both drugs and machines were being used to revive the patient.

What makes this case significant, Carman said, is since the changes were made, each engine is equipped with a paramedic and the equipment he or she needs to save lives. In the past, those services were dispatched from Roseville's central fire station on Oak Street and it could take several minutes before the paramedics arrived.

While firefighters can start CPR on a patient, administering drugs and the heartstarting jolts of electricity is the job of paramedics.

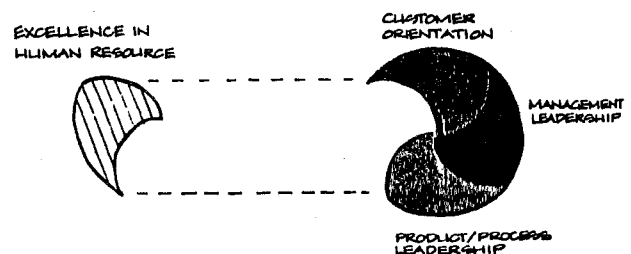
In a job where seconds count to restart a stopped or quivering heart muscle, having trained and well-equipped crews at the scene quickly translates into more lives saved, Carman said.

The victim, whose name was withheld by the fire department, apparently felt ill after a morning of yard work and was slipping into unconsciousness as emergency dispatchers were called. Carman estimates his heart had stopped for only four minutes by the time paramedics were able to restart it and within minutes he was responding to their attempts at saving him.

While the department has had several cases of saving a patient in the field since the department was reorganized, Carman said Saturday was a perfect example of the nearest fire crews providing life saving services that once had to wait until paramedics arrived.

Reprinted from The Press-Tribune, Tuesday, July 26, 1994

**THE MISSING LINK IN MOST QUALITY INITIATIVES IS LEGITIMACY.
THE OWNERSHIP OF THE IDEA BY EMPLOYEES AND MID-MANAGERS.**



ORGANIZATIONAL EFFECTIVENESS STARTS WITH LEGITIMACY

A futurist in Vancouver, Canada who goes by the nom de plume of Dr. Tomorrow warns that change is like a bulldozer. Change will happen whether we want it or not. Our choice is to help shape it, or become part of the road.

Population demographics, financial restructuring, and the global economy are the three most powerful bulldozers of change in the larger sense. These variables set up the issue of intraorganizational conflict which stimulate the creative growth or death by denial of any organization. The choice is yours.

These bulldozers take on different manifestations in different contexts. In education they go by the name of charter schools, contracting out, voucher, privatization, gangs, site management, restructuring, etc. In other areas of government they go by the name of privatization, contracting out, competition, deregulation, term limits, budget deficits, and so forth. In the private sector, the issues are similar with the added pressure of product innovation, cycle times, product espionage, social costs, etc.

The most appropriate response? The non-experiment or proven approach has been to increase organizational effectiveness through a significant shift in the employer-employee relationship. This shift gets its most effective start through a legitimate or mutually made decision to do business in labor relations in a radically different way-by using an interest approach. The forensic work prompted by the failing or stalling of about 80% of the TQM efforts initiated nationwide has revealed that this approach has made the difference. Those who start with this approach, rather than a mandated-from-the-top-down, "packaged" approach, quickly discover the efficacy with paradox of their decision.

Steve Barber

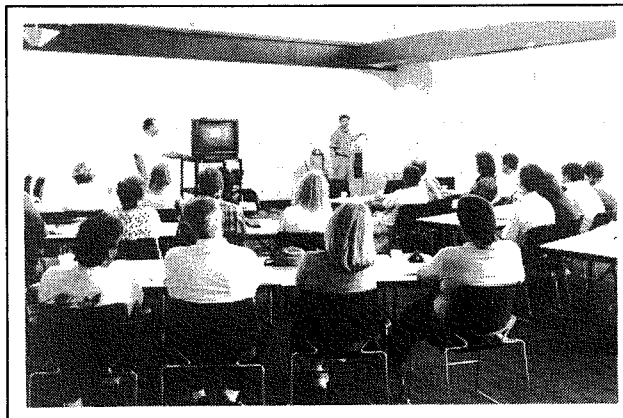
EL DORADO COUNTY and the DEPUTY SHERIFF'S ASSOCIATION settle pernicious lawsuit

El Dorado County and the Deputy Sheriff's Association (DSA) entered into training in the IBN process in preparation for the upcoming negotiations. In the last several years, the relationship between the County and the DSA had devolved into an increasingly contentious square off. Issues of money and assignment became overshadowed by issues of mistrust and lack of respect. These surfaced not only in negotiations but in the day-to-day attempts to deal with grievances and operational issues within the Sheriff's Department. When evaluating the merits of whether or agree to training in IBN, the parties agreed that "it can't make things worse and any improvement is desirable."

After much skepticism, the parties participated in three days of the IBN training. The key decision makers from Sheriff's management and the DSA attended. Did it help? The answer is a resounding "YES".

A subcommittee of Sheriff's management, DSA representatives and County officials met to apply the principles to develop a settlement to a lawsuit previously filed by the DSA against the County's implementation of a mandatory time off provision, which reduced deputy's work hours and pay by approximately 50 hours over a six month period of time. The parties set aside their positions and in three hours, defined the problem, identified interests and cracked out a settlement option that has since been ratified by both sides.

"I had some real doubts" stated one Captain participating in the process, "but this worked great." "Our goal was to find something both sides could live with", said Dennis Small, President of the DSA; "we accomplished that goal and this has gone a step to rebuilding the relationship that has been broken. "The taxpayers are also winners", stated Kathryn Libicki, Director of Human Resources, El Dorado County. "A better working relationship and a problem solving approach saves hours which would have been spent in acrimonious debate, and puts those hours into serving the public, which is all of our goal."



TO TRAIN.....OR NOT TO TRAIN ? There is no question!

A "train trainers" model for distributing the principles and techniques of an interest approach is one of the methods used by our consulting practice to help organizations become acquainted with and acquire the "technology" of an interest approach to communication and understanding. Here you see a union-management team of facilitators presenting to a group of colleagues and co-workers from throughout the organization. "Our desire is that the client be able to practice a principled approach to employer-employee relations throughout the enterprise without being dependent upon us to do it. This means that we are attempting to replicate ourselves in every client," says principal consultant, Steve Barber.

THE VIRTUAL CORPORATION APPROACH TO CONSULTING
practiced by **BARBER & GONZALES**

As paradigm pilgrims we find that we do business slightly different from most consulting firms. Because of our multiple affiliations with other consultants and firms, we can be as small and specialized, or as large and diversified as the needs of the client organization or enterprise require.

We are usually in collaboration with another consultant or firm on some project. Either we initiate this collaboration or they do depending upon the assessment and ongoing interaction with the client. Our specialized focus is helping organizations make the commitment to and then practicing an interest approach to decision making in public policy, labor relations, community/regional issues, etc. While we serve to assist client organizations in laying the theoretical and communications foundation for change

efforts, our colleagues in affiliation specialize in specific and systematic applications such as TQM, workplace and compensation re-design, being legal with change, management or union team effectiveness, international relationships, cultural diversity, dispute resolution, conflict management, health/benefit issues, sales methodology, and more.

In this nebulous and difficult-to-describe fashion, we have found an organic and incredibly flexible means to respond to the multiple situations presented to us by organizations and enterprises committed to surviving and thriving in the face of the ubiquity of change.

TO REACH BARBER & GONZALES:

CALL: 916 786-4368

"PARADIGMATIC" THINKING

What? Thinking in paradigms or using paradigms or models to illustrate, explain, or understand different ways of doing things in order to accomplish or fulfill fundamental needs or purposes. A tool to make change possible while taking the anxiety out of the future.

"We think this stuff is great, but they'll never go for it."

How many times I've heard this from both union and management! If you've said it yourself about your desire to see change happen in your organization's or enterprise's labor relations, we can help you with this important step in getting started. Letting the genie out of the bottle comes first. If the decision to do this is made using the principles and techniques you seek to embrace, the genie's magic is **ENDLESS!!**



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in the crow's nest

A publication from Steve Barber, PARADIGM PILGRIM

Barber & Gonzales Consulting Group

Spring 1997

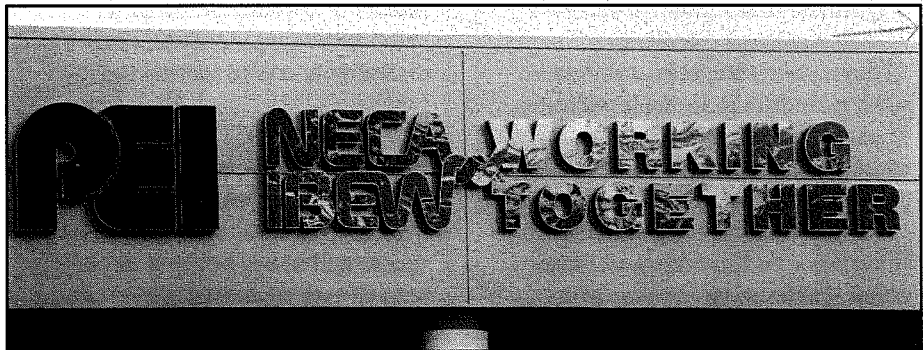
Canadian Justice Promotes Interest-Based Bargaining

by
Don Quinn
Calgary Board of Education

On June 13, I attended the opening of the 1996 Labour Arbitration Conference in Ontario, Canada. Since the topic was Labour Dispute Resolution, I did not expect to hear much if anything about interest-based bargaining, but was I pleasantly surprised!

The keynote speaker, a Mr. Justice George Adams of the Ontario Court system, spent virtually all of his hour and a half extolling the merits of interest-based negotiation. During his comments, Justice Adams pointed out that the labour-management and economic environments have changed so much that the positional approach no longer serves anyone well. He also recounted his experiences with 11th hour bargaining, and noted that the interest-based approach tends to become operational when things get down to the "nitty-gritty".

These comments come from a man with strong credentials. Justice Adams, among other things, designed the dispute resolution provisions of the no-fault motor vehicle insurance legislation in



A sign on the side of a building in Placer County, California captures the commitment of the National Electrical Contractors Association and the International Brotherhood of Electrical Workers (IBEW). These two national giants have realized that each is the other's best ally in a very competitive world. You've probably seen similar signs at construction sites and decals on new cars proclaiming a similar partnership between the UAW and Ford.

Ontario, mediated the Algoma Steel Corp. restructuring and mediated a legal dispute brought by the Public Trustee against the sale of the Toronto Maple Leaf. More recently, Justice Adams was appointed to chair eleven mediation-arbitration commissions to concurrently deal with a national railway dispute. His strategy included hiring a number of mediators to work with the parties in getting ready as well as a number of industry experts to help them craft options into solutions. Justice Adams explained that, in the event they would be unsuccessful, he planned to use these experts to help him write the settlements. The results are a testimony both to Justice Adams' credentials and to the merits of the process; five of the eleven unions settled through

this process, and the remaining six made substantial progress so that Justice Adams was left with only the key issues on the table.

Canadian court judges generally aren't as public as Lance Ito! To hear such a distinguished gentleman enthusiastically embrace the seeking of "elegant solutions" (his words) and to use his influence on some 500 management, union (public and private), and government employees was, to say the least, encouraging. The CBE was also represented by members of its staff and classified associations. We all heard a very interesting and relevant endorsement of this approach to doing business as we are seeking at the CBE.

Surf's Up! Interest-Based Solutions

On The Rise

By Jennifer Harder

BARBER & GONZALES has known for years that the interest approach is a valuable problem-solving tool. We hoped that the pebble we and others dropped in the labor relations pool in the 70's would create a ripple effect throughout the public and private sectors. It did. In the past twenty years, awareness of the benefits of consensus has grown from a single drop in the ocean to a surging tide of vast proportions. Organizations, workplaces and communities have caught the wave of consensus; at its crest they are streamlining budgets, improving health and safety, revitalizing education, increasing jobs, planning development, managing resources, and bolstering the economy. The following recent examples illustrate the breadth of this growing movement:

- In Maryland, environmental activists, private industry, county and local governments, and 110 citizens' groups used a consensus approach to solve fractious landfill issues.
- In California, the interest approach helped heal the scars of contract wars between school districts and unions, enabling schools to focus on their real mission - educating students.
- In Arizona, officials designed a successful desert planning law, supported by both home builders and conservationists, that allows development while preserving native washes.
- In Maine, legislators, supported by their constituents, shaved \$1 billion from a \$3 billion budget

while preserving essential programs and services.

- In Massachusetts, citizens and regulatory officials overcame a history of mutual distrust to develop new regulations insuring disability access to marine facilities.
 - In New Mexico, environmentalists and sheep grazers triumphed over deep cultural divisions to devise a land-use policy that respects both groups' interests.
 - In Ohio, administrators curtailed a consistent \$200 million per year overage on Medicaid spending without alienating constituents or stalling the system.
- Why is the tide of the interest ap-

proach rising? The answer is that the method does not depend on luck, chance, or the position of the moon. It is based on sound principles that provide a firm foundation for building relationships within a community.

For surfers, the big waves are not simply a form of recreation unrelated to the "real" world. Instead, they are the foundation of a life philosophy: they provide an exciting challenge, an opportunity to excel, a learning experience for the mind and the body. The interest approach similarly frames the relevant experience - conflict - as a challenge instead of an obstacle, an opportunity to excel. So the next time you face conflict, grab your board and jump on the consensus wave, 'cause...Surf's Up!

Jennifer Harder is a U.C. Davis Law Student and summer intern for Barber & Gonzales

It's Not "Just Getting A Deal"

We have heard it said that the interest approach to negotiations is "just another way to get a deal." This is said as though that is all there is to negotiations, as though there is nothing but the "deal" or agreement.

The condition of the relationship is an important part of every negotiation. Every aspect of a relationship involves negotiation, however formal or informal. From deciding where to eat dinner with your family, to wages and working conditions in the workplace, people must make decisions which involve others with whom there is a lasting or ongoing relationship. In their day to day lives, people with good relationships take into account the impact their negotiations have on their relationship. They do this because they know that after the "deal" the relationship goes on.

In work relationships, the "industrial model" usually simply denies that relationship issues arise, seeking to "blame" instead. The result is a dysfunctional relationship. Using the interest approach "just to get a deal" does not allow for the future. The result is no less dysfunctional because it denies the future of the relationship. Such an application is inconsistent with the principles of the interest approach which require the future of the relationship to be a primary issue. To seek "just to get a deal" will have no better long term result than pounding on the table, calling names, bargaining in the press and threatening in order to achieve the "bottom line."

Placer County High on Dispute Resolution

By Cynthia Spears, Placer Dispute Resolution Service

Immediate gratification has not been a hall mark of the development of Placer Dispute Resolution Service (PDRS), a non-profit, volunteer, community mediation service which has resolved disputes in Placer County since June, 1992. It's the phenomenon of a "mediation high" (that exhilarating sensation occurring when disputants, so angry they won't even make eye contact, experience a breakthrough and are transformed by the mediation process into partners jointly defining and solving their conflict) which has kept us motivated on the long road to success.

PDRS worked with county officials from June, 1991, until March, 1992, to get the Dispute Resolution Programs Act (DRPA) program passed in concept by the Placer County Board of Supervisors. the DRPA allows individual counties to set aside three dollars of civil court filing fees in a trust fund which is used to fund community mediation. A year later, in 1993, the Board officially passed a resolution allowing filing fees to accumulate in the DRPA trust fund.

In the interim, PDRS, developed procedures policies, systems for running the organization, trained our volunteer mediators and extensively marketed PDRS, forming a network of referral sources within the community. Then, in September, 1994, we received our first county funding. Prior to that, PDRS was run on a strictly volunteer basis with in-kind contributions of time and supplies augmented by proceed from our public course on collaborative negotiation and mediation.

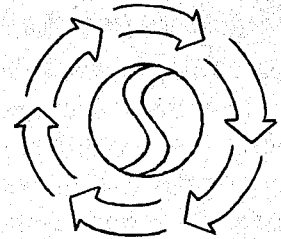
Our Goal has been to create a viable forum where mediation can exist as a conflict resolution option for the citizens of Placer County while establishing the credibility and professionalism of our organization. Making PDRS a reality has been a long haul requiring lots of persistence, patience and commitment. We jokingly refer to ourselves as "perpetual cheerleaders" since our greatest challenge is educating the public on the value and effectiveness of mediation. Establishing the program in a rural community has been an addition challenge. Happily, each time we mediate a dispute and the

"mediation high" kicks in, we know it's all been worth it!

C.S.

BARBER & GONZALES has an extensive collection of articles illustrating the use of interest-based agreements in different venues.

Request a copy from:
Barber & Gonzales
6963 Douglas Blvd., Suite 102
Granite Bay, CA 95746-6256.
Phone 916 786-4368
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South Fork Dialogue Takes Off

"Today, land use planners, naturalists, bureaucrats, and even many of the engineers who have remade the rivers of the state are recognizing the economic, aesthetic, and environmental benefits of symbiotic blending of the designs of men and rivers."

Jeffrey F. Mount, California Rivers and Streams

It sounds good, but how do you do it?

People in El Dorado County have been fighting over the South Fork of the American River for years. Lawsuits, negative political campaigns and public name-calling all have paralyzed effective use of the resource and created deep wounds within the community.

In an effort to break the standoff, a small yet diverse group of stakeholders from the South Fork watershed convened last fall. Individuals from state and local resource agencies, water districts, electric utilities, commercial and private boaters and environmental advocates showed up. Their mission as simple: Do we want to continue doing business as usual or do we want to try something that might work better?

After a three hour "lecturette" on the principles of interest based negotiations by Steve Barber, the group decided to give it a try. Since that first meeting more than year ago, the South Fork Dialogue has evolved into a "multi-stakeholder" process of about 40 participants. The group has weathered several major challenges around the issues of trust and communication. Participants are committed to learning the information gathering, communication and process skills which will enable them to tackle the big questions over allocation of the river's resources.

BARBER & GONZALES CONSULTING GROUP

Who are we? Barber and Gonzales Consulting Group is a loosely affiliated group of people, led by Steve Barber, dedicated to helping organizations develop processes for effective communications and negotiations. We help answer the question,

Is there a better Way? This question is most often asked after communications and negotiations have broken down. There is a better way! It is called the **"Interest Approach"** to negotiations. This process asks people to address the issues that face them, identify their needs and interests as they relate to the issues, and develop solutions that meet the interests of all the parties.

What do we do? We offer a variety of services, based on the needs of the client. In order to inform groups considering the **interest approach**, we offer an orientation which gives information upon which a rational decision to proceed can be made. A comprehensive 3 day training begins the learning process. During the third day of training the teams actually begin to address issues belonging to the client. In order to help reach our goal of "working ourselves out of a job," we provide experienced facilitators to enable our clients to succeed in the process of becoming self-sufficient. We also provide ongoing support and follow-up for our clients.

Barber & Gonzales Consulting Group

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LEADERSHIP ALERT.....

The need felt by many organizational leaders to transform their enterprise, whether in the public or private sector, is causing them to leap into strategies they later regret: Total Quality Management (TQM), Participatory Management Teams (PMTs), Self-directed Work Teams, Continuous Improvement Systems (CIS), Quality Circles, Employee Involvement, Site-Based Management, Contracting Out, Privatization, Competitive Contracting-in, Performance-based Pay, and more.

Each of these strategies have a lot to offer any organization faced with shrinking resources and escalating demands for improved quality and service. Yet many leaders and organizations bounce from one to the other, trying this one and then that one, in search of the "magic pill". These efforts are short-lived "flashes in the pan", ultimately leaving organizations more dysfunctional and cynical. Their leaders, criticized for faddishness, are left without credibility.

The research is showing that **80% of these efforts stall or fail within two years of inception!** Many of these systems are rather elegant, represent systemic and lasting changes that can occur for the betterment of the organization and the services rendered to customers, taxpayers, and elected officials. Many of these systems do indeed have the capacity to cause remarkable, even dramatic, transformations in organizations. Why, then, do they fail?

Here's why! As a rule, most of these organizational management methodologies fail or stall because they **lack legitimacy** in the first place or are **implemented without an operating system** even when they are legitimate in the eyes of those expected to practice them.

These methodologies are so dramatically different at their core that (1) understanding and commitment to engage them by the employees, managers and supervisors who will be expected to function within them is a prerequisite. Once committed to, (2) they must be operated by utilizing a process of communication, problem-solving and decision-making that reflects the principles of mutual ownership and responsibility contained within each of these methodologies. Absent these two components, the leader who "forges ahead regardless" should expect to fail.

Interestingly, both components can be found in one process:

interest-based negotiations

We consider the interest approach to communication, problem-solving, and decision-making to be the necessary process enabling these management methodologies to succeed. Much like the operating system of a computer or the DNA of a living organism the interest approach provides the operational process for these methodologies to come to life in any organization. Our successful clients have provided us with the basis for this claim.

Barber & Gonzales Consulting Group

Paradigm Pilgrims
in

Communication ⇔ Negotiation ⇔ Organizational Effectiveness

6963 Douglas Blvd., Ste. 102, Granite Bay, CA 95746

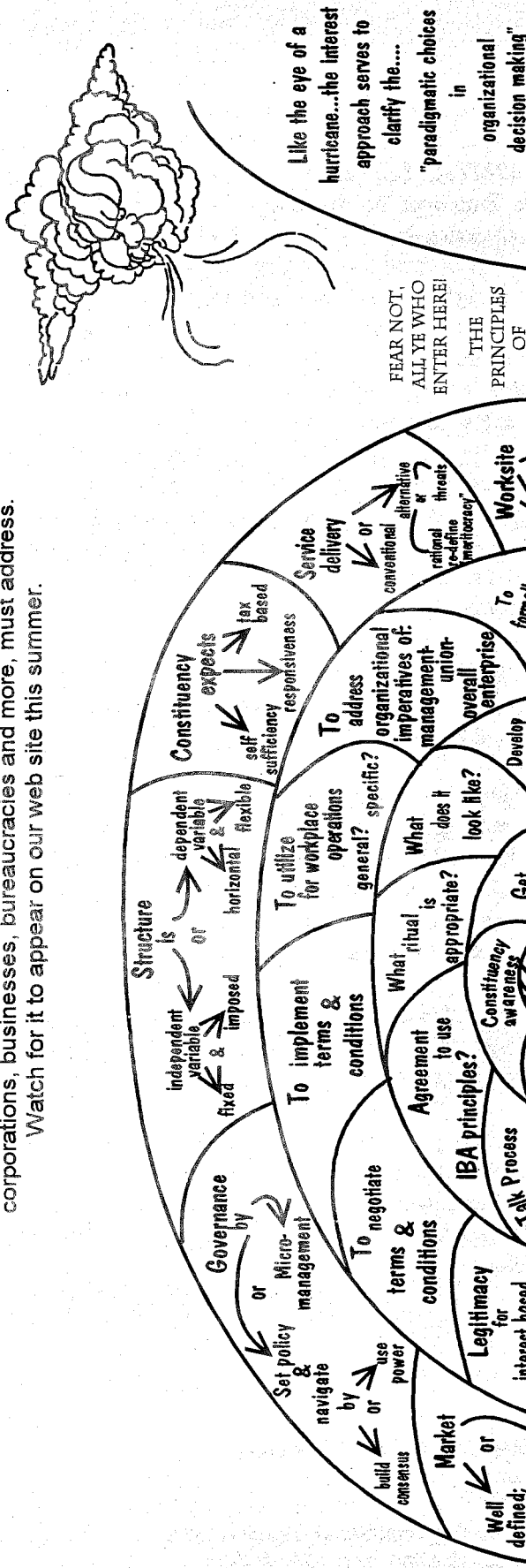
Phone 916 786-4368 - Fax 916 786-0750 - Email: PrdymPlgrm@aol.com

Web page: <http://pcpc.com/sbarber>

What the heck is this? Just something that Steve has been working on to help interest based practitioners diagnose where they've gone off track.

But, more importantly, it is a tool for those truly committed practitioners to use to reduce the possibility of difficulty. Each "cell" in the nautilus is a point of focus which any and all relationships in human organizations known as corporations, businesses, bureaucracies and more, must address.

Watch for it to appear on our web site this summer.

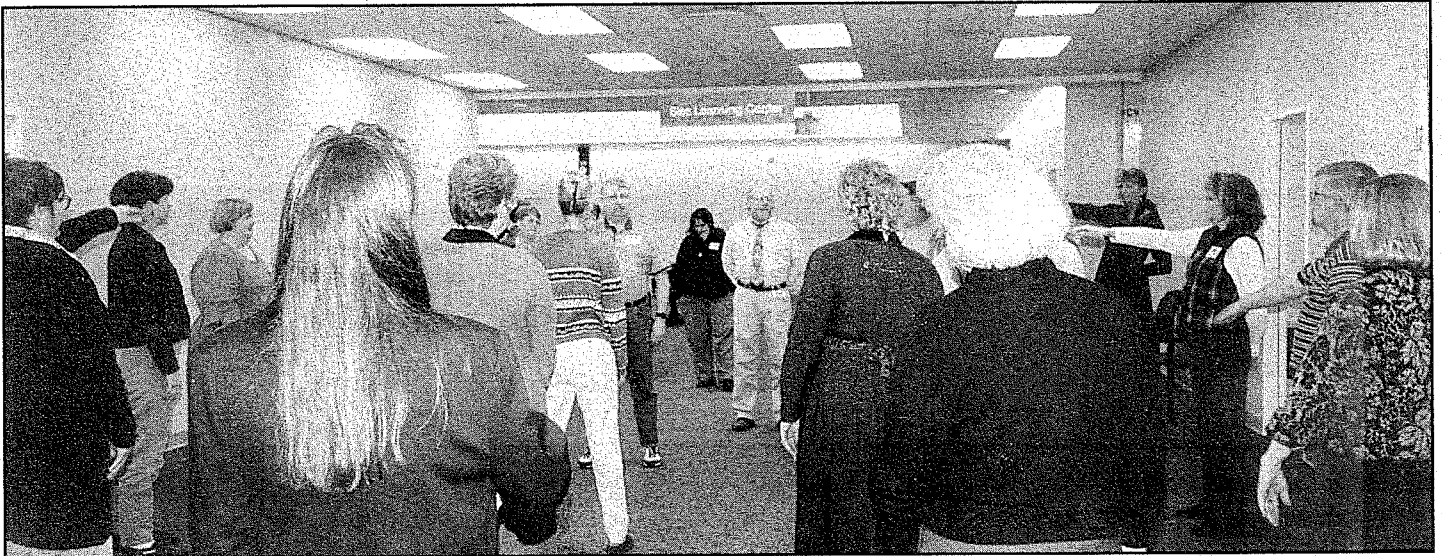


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Steve Barber

Newsletter...

Spring / Summer 2000



Training enhancements we're now using

FISH!

Through an exploration of the world famous Seattle Fish Market, participants discover four principles they can use to build an organizational focus of service, personal responsibility, fun, and passion.

**OUR WEBSITE AS YOUR
RESOURCE**

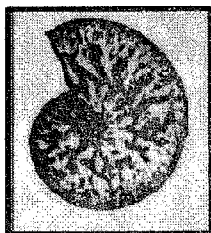
www.paradigmpilgrim.com



more about the website inside...

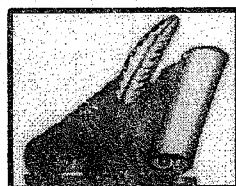
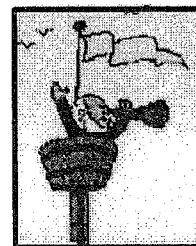
The Barber and Gonzales website hosts "group memory" from "drills" in day 3 of Basic Interest-Based Approach introductory courses...

www.paradigmpilgrim.com



**33 questions
you must answer
before you do an
interest-based
negotiation**

**Our basic
"work book"
we use in
training**



**Articles we've
written about the
emerging paradigm
of decision-making
and more...**

Barber & Gonzales
Consulting Group

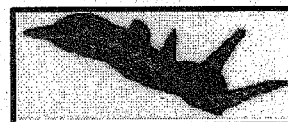
PARADIGM PILGRIMS IN
COMMUNICATION
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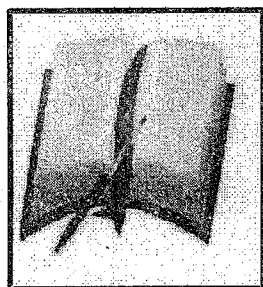
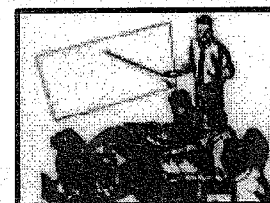
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Exercises			
A Brief Overview of the Interest-Based Approach: Barber-Gonzales			
	Articles by Barber & Gonzales and related authors		Links and Bookmarks to organizations, associations and persons related to IBA
	Discovering a better way: Advice/Gloss about IBA in Labor, Environment, Community, Public Policy, Organizations, Development/Economic Planning (Web collection)		

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Last revised: 10/26/2005

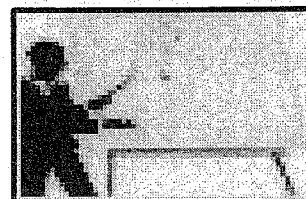
**The principles
and process
at a glance.**



**This thing
is bigger
than both
of us!!!**

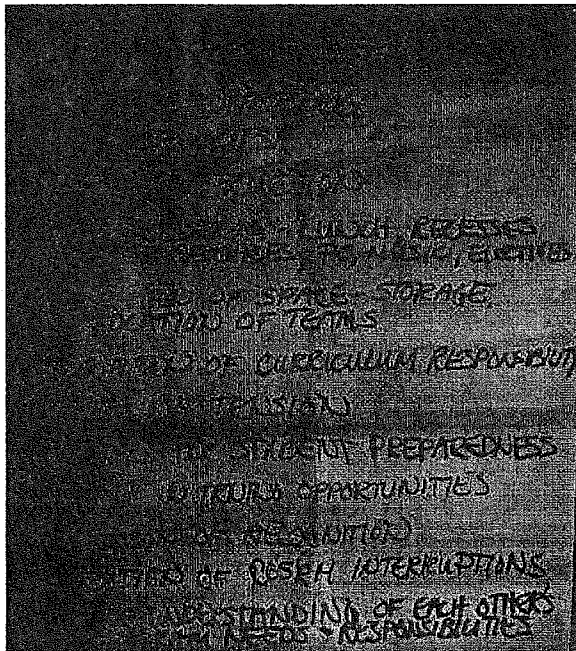


**We aren't the only ones
advocating the end of ideology
and the self-examined life!!
There are real examples to find.**

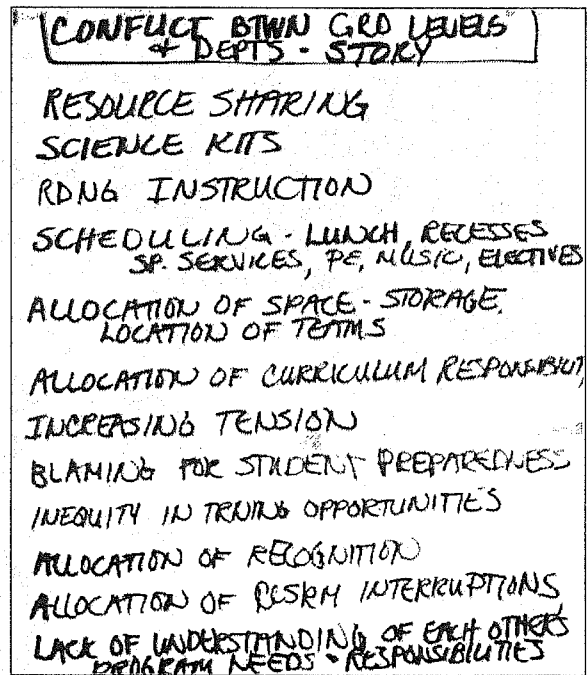


**We do drills on Day 3
"inside" organizations
and "practice" IBA principles
on real issues**

We are now using Whiteboard Photo to enhance our "group memory" for later reproduction and posting on the website. We were frequently left with a gray or yellow background—a problem easily corrected with this excellent software. Check out our "before and after" shots below, or go to the www.pixid.com website for more information on this product. If you are memorializing your group memory for distribution or web posting, this is the tool you need.



BEFORE



AFTER

We found...

...an excellent set of articles on management (not leadership) and work groups at the Gallup website:

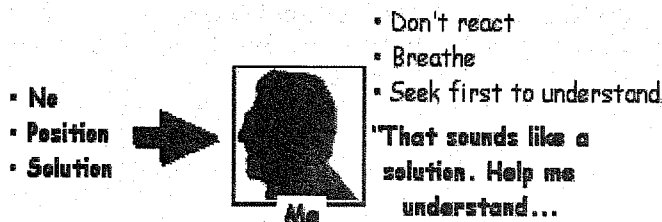
www.gallup.com/poll/managing/Workplace.asp

This is an ongoing set of articles written by the authors of **First, Break All the Rules**, Marcus Buckingham and Curt Coffman.

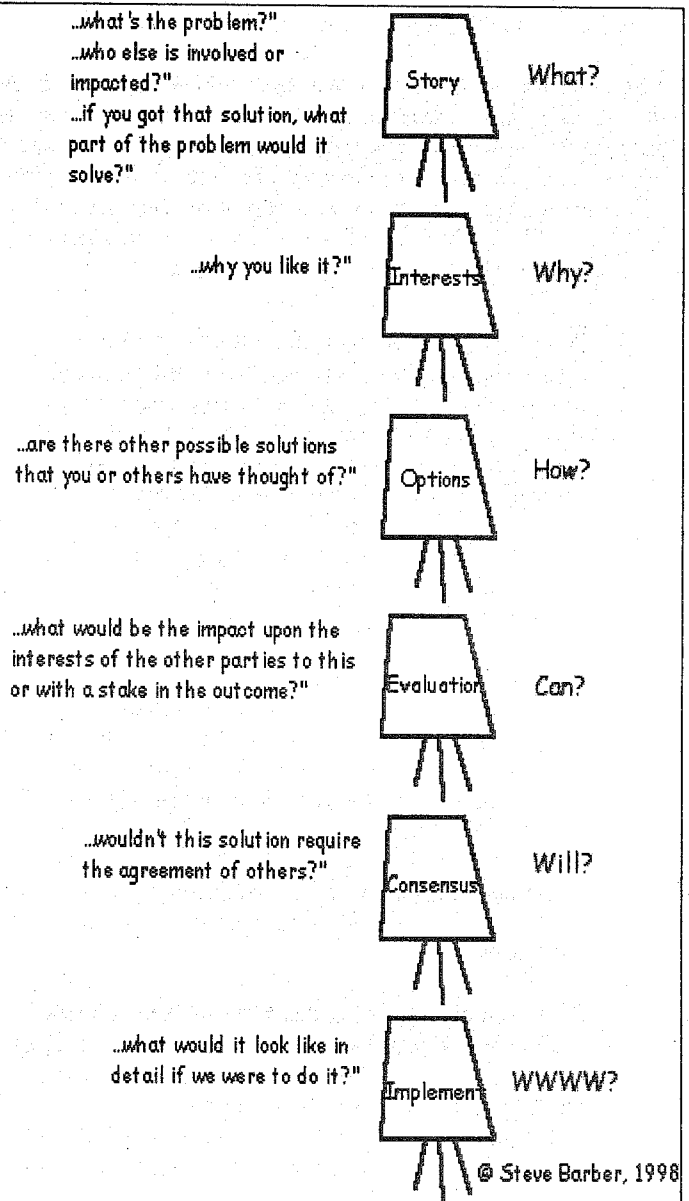
These articles examine workplace satisfaction and motivation in a counter-intuitive manner...focusing not on wages, benefits, and other rewards that are commonly believed to be the more predominant reasons employees stay in their jobs. Take a look.

Chris Rust, a facilitator in the Battle Ground School District (Vancouver, WA), thought enough of our "AIKIDO" Diagram he made it legible using his computer.

Thriving on the **KNOW**



Practice "Principled Aikido" in the face of unilateral power or ignorance-based positional behavior by others.



We are planning...

...a three-day training in interest-based decision making in the context of the organization and the community. Steve Barber will present this popular course in "The Emerging Paradigm" in Rocklin (Sacramento area) this November. Contact us for the details!!!

LEADERSHIP ALERT....

Ed's Note: Some time ago we sent along a bulletin to our clients and prospective clients containing a "warning" about the siren song of various workplace transformation initiatives. Recently, the "pay for performance" bug has been infecting a number of people in positions of leadership within the public schools, notably the Los Angeles Unified School District. All we can say regarding this news is "here we go again!"

In an extensive article about this topic which appeared in the Los Angeles Times (April 8, 2000) it was noted that that this approach to making a difference in education has worked in only one case, Denver. Interestingly, the reason that it worked in Denver was that the parties seemed to have been reading our bulletin!! Why? They asked the people to be affected by the initiative to design it!! Here's our article again:

The need felt by many organizational leaders to transform their enterprise, whether in the public or private sector, is causing them to leap into strategies they later regret: Total Quality Management (TQM), Participatory Management Teams (PMTs), Self-directed Work Teams, Continuous Improvement Systems (CIS), Quality Circles, Employee Involvement, Site-Based Management, Contracting Out, Privatization, Competitive Contracting-in, Performance-based Pay, and more.

Each of these strategies have a lot to offer any organization faced with shrinking resources and escalating demands for improved quality and service. Yet many leaders and organizations bounce from one to the other, trying this one and then that one, in search of the "magic pill". These efforts are short-lived "flashes in the pan" which ultimately leave the organizations more dysfunctional and cynical and their leaders, criticized for faddishness, without credibility.

The research is showing that **80% of these efforts stall or fail within two years of inception!** Many of these systems are rather elegant, represent systemic and lasting changes that can occur for the betterment of the organization and the services rendered to customers, taxpayers, and elected officials. Many of these systems do indeed have the capacity to cause remarkable, even dramatic, transformations in organizations. Why, then, do they fail?

Here's why: As a rule most of these organizational management methodologies fail or stall because they lack legitimacy in the first place or are implemented without an operating system even when they are legitimate in the eyes of those expected to practice them.

These methodologies are so dramatically different at their core that (1) understanding and commitment to engage them by the employees, managers and supervisors who will be expected to function within them is a prerequisite. Once committed to, (2) they

must be operated by utilizing a process of communication, problem solving and decision making that reflects the principles of mutual ownership and responsibility contained within each of these methodologies. Absent these two components, the leader who "forges ahead regardless" should expect to fail. Interestingly, both components can be found in one process: **Interest-based negotiations.**

We consider the interest approach to communication, problem-solving, and decision making to be the necessary process enabling these management methodologies to succeed. Much like the operating system of a computer or the DNA of a living organism the interest approach provides the operational process for these methodologies to come to life in any organization. Our successful clients have provided us with the basis for this claim.

From Barber and Gonzales:

Tools we are fiddling with...

We have been examining recent developments of "systems thinking" in an effort to expand our abilities in the area of organizational development. In the setting of a social system, like an organization, "systems thinking" seeks out leverage points where small efforts can create large changes. These changes are often far away in time and distance from the point where the leverage is applied. Systemic changes create their own energy and inertia...offering sustainability where more direct action might fail in the long-term.

With training in interest-based decision making, behaviors realized as effective for group decision making are introduced and practiced within the organization. Employees, supervisors and managers who continue to practice these skills and who remain aware of the ineffectiveness of their old behaviors in the modern workplace, are seeing an emergence of participation and cooperation in areas extending beyond traditional boundaries of negotiation. Organizational structure changes to accommodate participation and inclusiveness.

In a future bulletin, we'll talk more about the toolbox of a "systems thinker." At the present, we would recommend the following materials from the Internet:

http://newciv.org/ISSS_Primer/seminzl.html

What is a system? by Bill Shireman

Describes the difference between a system and a program with some insights as to how systems can approach many problems more effectively than programmatic solutions.

<http://wholeearthmag.com/ArticleBin/109.html>

Places to intervene in a system

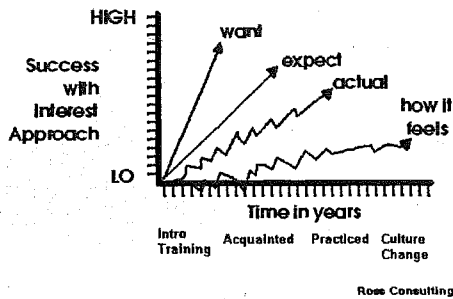
by Donella H. Meadows

Dr. Meadows offers a brief outline of leverage points for systemic change. She demonstrates how most people use their intuition in applying systemic change leverage, where a *counterintuitive* approach yields better results.

From Introduced to Acquainted

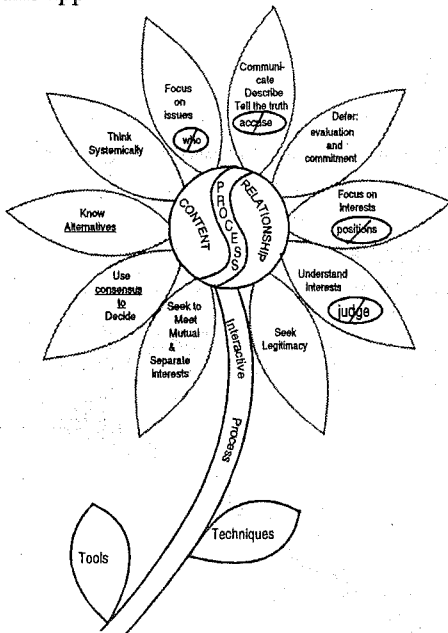
By Wendy Larsen

Wendy Larsen is a practitioner and consultant in the "virtual corporation" known as the Barber and Gonzales Consulting Group



Much of the initial learning in an interest based process focuses on the interactive process used to develop the elements of Story, Interests, Options, Evaluation, Commitment and Implementation. Groups struggle to weed out options from interests, to defer evaluation during brainstorming, and to root out the urge to get to solution without fully understanding the issue and interests. With careful tending by a facilitator the group is able to use the tools and techniques of interactive process to strengthen its use of the elements to arrive at creative solutions.

Still, the beauty of an interest approach does not reside in its elements. It is in seeding the field of relationships in the organization with the principles of this approach.



Growing in the process is most evident when practitioners use the principles as a matter of habit rather than deliberate choice. Growth takes time and nurturing. The nutrients needed are: awareness of the choice points, a deep commitment to this effective process, and patience.

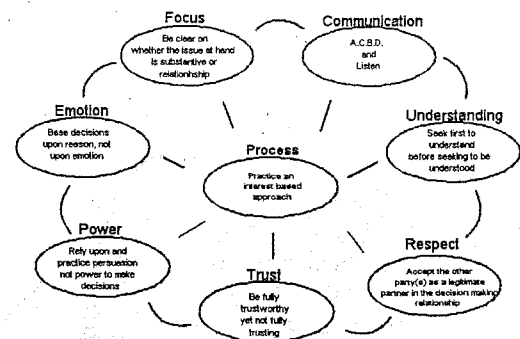
Questions and reflection are like air and water to a living organism. Question why we do things the way we do, who should be involved in this decision, how can we improve our process in both getting ready

and getting together, what has been effective for us and what could be improved. The questions are not for the purpose of being confrontational or judgmental, but rather to gain a greater understanding.

Reflecting on our own practice ought to be integral and reflexive. Practice will build skills. It is through reflection that we learn. Reflection will enable us to holistically incorporate the principles of an interest approach into our lives.

Seeding the field organizationally involves continuous education. People in positions of leadership are obvious choices for education. It is, however, when the principles of the interest based process are being practiced at the outermost branches of the enterprise that the process has truly taken root.

As the "flower" begins to grow within an organization the strengths and weaknesses in the relationship become more and more evident. So, as the transformation begins so does the work on building truly effective relationships.



Effective communication links between parties in the organization are designed and/or strengthened when information becomes a tool for all to work with - not a privilege of leadership. With effective communication comes greater understanding not only of issues, but also of other members of the organization and their roles and responsibilities. Understanding leads to respect - the kind of respect shared by partners. Showing dignity and respect to people within an organization allows trust to build. Power becomes a commodity that grows as it is shared.

With the internalization of the principles of an interest based approach, the transformation of an organization or an individual begins in earnest. It is exciting.

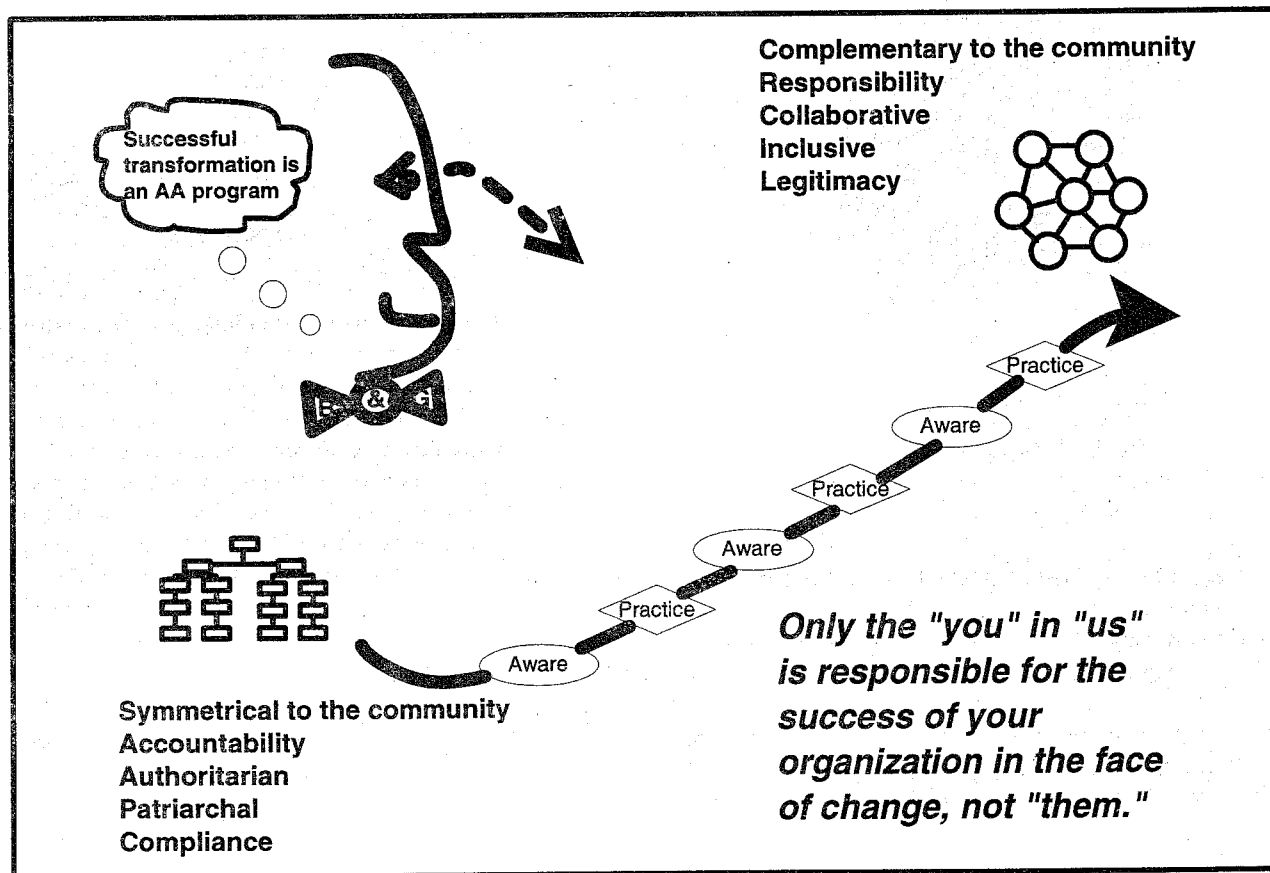
Stop and smell those roses!



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'Interest-based' parleys add trust to labor talks

Alternative negotiation model shuns demands for mutual compromise

BY MIKE ALLEN
Staff Writer

Teachers at Grossmont-Cuyamaca Community College District are still in the midst of negotiating their contract, but you won't hear any saber rattling from a member of its negotiating team.

Donne Leigh, a counselor at Grossmont College, said since the district has adopted a new way of bargaining, relations among the district's administration, faculty and classified staff has steadily improved.

"It's had a positive impact on how the entities view each other," Leigh said. "I expect that by the end of the next school year, we will have a new contract."

Leigh can remember the way negotiations occurred before the district adopted a process called "interest-based bargaining" more than two years ago.

"It is more cordial and so far, at least, we're pretty much satisfied with the results," he said. "So far, it's worked well and it's better than the old way."

The "old" way is still used as the predominant method of collective bargaining between management and labor groups in this country. Essentially, it is an adversarial model where one side comes to the table with a list of demands and the other side tells them all the reasons why the demands are unreasonable and cannot be met.

In subsequent meetings, the demands are amended and somewhere down the line, through mutual give and take, an agreement is reached.

In the "interest-based" alternative, the parties don't make demands. Instead, they look at all sides of an issue — the "interests" of the respective parties — and discuss ways those interests can be equitably satisfied.

Charlene McMahan, vice chancellor of human resources and administrative services for the district, said interest-based bargaining focuses not on answers, but on the problems facing all parties. Once all the interests are presented, a long list of possible solutions are put on the table and discussed, and eventually, an agreement is reached.

"With this approach, you don't come in with demands; you come in and look at both sides of a story," McMahan said. "You say, let's look at this together. Let's look at all kinds of ways to solve this problem. It's like a joint problem solving exercise."

Last year, Grossmont-Cuyamaca put the new system to its toughest test, in hammering out agreements with both faculty and classi-

fied staff in the face of shrinking revenue projections, no employee cost-of-living increases for the previous three years, an outdated computer system and delayed building maintenance concerns.

By using the new process, the district came up with a comprehensive solution that included providing a pay raise to the employee groups, renovating several buildings, and putting a down payment on a new computer system, she said.

McMahan said when the decision to try the new bargaining strategy was made, relationships between the bargaining groups and administration were strained at best, and not everyone was enthusiastic about making the change.

"The teachers were telling us, 'Why should we do this? We've got a good agreement now and we've done very well,'" said McMahan. "Now, they are one of the strongest advocates of it."

Classified staff also find the new system far more to their liking.

Gail Standing, past president of the district's unit of the California School Employees Association, said for a long time, the feeling among many classified staffers, such

"Now we meet in a setting where there's no animosity between us."

Gail Standing

as secretaries and janitors, was that "we were always looked upon as second-class citizens and we weren't being heard. ... In an organization that was run by administrators and faculty, we were just sort of there."

But, as the group got involved in the process, those perceptions changed.

"Now we meet in a setting where there's no animosity between us," she said.

The process isn't perfect. Agreements take much longer to develop, perhaps about a third longer, "but it saves a lot of heartache and hard feelings," Standing said.

Also, making the system work takes a commitment from every party, especially the leadership.

Grossmont-Cuyamaca's new chancellor, Jeanne Atherton, and several other key administrators, including McMahan, are key reasons the new system has taken root, she said.

"There has to be a level of trust and that took a long time in coming," Standing said. "But with the new group coming in, we're basically dealing with people who have gained

our trust and because of that, buying interest-based bargaining came a lot easier."

The interest-based approach has been catching on in this state and across the nation, said Steve Barber, a consultant with the California Foundation for the Improvement of Employer-Employee Relations.

So far, about 70 school districts in this state as well as a number of special municipal districts have adopted the system. It is also being used to some degree in several cities, including Sacramento, Petaluma and Roseville, Barber said.

The concept of interest-based bargaining grew out of strategies first promoted by Roger Fisher in his book, "Getting to Yes," and were used by President Jimmy Carter in forging the 1978 Camp David Accords between Egypt and Israel, said Barber.

Of those agencies that try the new system, about 10 to 15 percent abandon it, and returned to the traditional model, mostly because the new method requires hard work and continuous evaluation, he said.

For those that stay with it, the consequences are almost universally improved levels of trust, more cooperation, and less labor strife, he said.

One San Bernadino area school district estimated it saved about \$750,000 and its teachers union said it saved about \$150,000 because of the reduction in the number of labor grievances, Barber said.

Still, everyone isn't convinced interest based bargaining is suited for every place.

The city of San Diego, while aware of the new system, says it likely will continue working with its various employee groups using the traditional model.

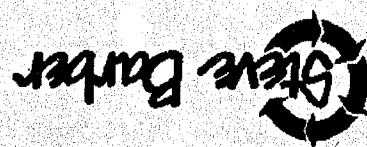
Cathy Lexin, labor relations manager for the city, said the process demands a lot of trust among the different groups, "and we've got some mending of relationships that have to occur."

She also noted that case law governing collective bargaining is all based on the traditional model. Should negotiations break down using the new process, "no one knows how the courts would deal with that so it's a little bit scary," Lexin said.

Barber said in such cases, groups always have the option of returning to the traditional way of negotiation.

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WHAT'S INSIDE.....

We're sending along an interesting newspaper article about using an interest approach in labor relations and the struggle to shift the paradigm in organizational relations from confrontation to participation and collaboration.

It shows again that the best place to start a change process that is legitimate and assured of lasting results is at the crucible of the employer-employee relationship: in negotiations about terms and conditions of employment. The parties to the relationship featured in this article offer their sober assessments of the effort.

THE VIDEO!!!!

Ah, the video! Yes, it's true, people actually like the video. The business about lightbulbs always going on everytime Steve presents "the lecture" fits.

THE CD-ROM!!!

Well, not quite...yet. But it's coming along. We have a "chapter outline" available for \$10 if you want one.

Call to inquire: (916) 786-4368

MANAGEMENT AND TEACHERS' ASSOCIATION TALLY SAVINGS FROM PRACTICING AN INTEREST APPROACH: \$1 MILLION IN CORONA-NORCO

By:
Shelby E. Wagner, Ed.D.
Assistant Superintendent
Personnel and Evaluation Services
Corona-Norco Unified School District
and
Jim Kearney
Chief Negotiator
Corona-Norco Teachers Association

Twenty-four employees and school board members from the Corona-Norco Unified School District participated in the CFIER training activity in Sacramento during February 1992. As a result of that meeting, many positive relationships have developed and crises survived!!!

The interest-based concept has been utilized as a collaborative bargaining process and in other applications. A small committee was formed which provides introductory and supportive activities throughout the school year at various district sites and to various personnel. These orientations utilize and introduce the concepts as taught to us in Sacramento.

Periodically, the original group of 24 employees and school board members continue to meet with our CFIER consultant/facilitator, Steve Barber, for renewal and "process-check" purposes. At our meeting in February, 1994, a comment was made as to how much money the district as well as the local CTA affiliate had saved because of the process. This prompted our deliberate examination of the subject. The following are estimated savings for both the district and the Corona-Norco Teachers Association as a result of using this CFIER process to resolve major issues.

Our estimate of savings in the following nine (9) applications is based upon (1) our prior experience of how we have traditionally resolved situations of the nature we've described, and would have used but for the application of the interest-based model: (2) our candid assessment of the details of each situation as known to us both.

APPLICATION: Contract Implementation and Interpretation

At the end of the tenth month, the District and CNTA analyzed their efforts at reducing tension and solving problems short of grievances and/or legal action. After the first ten months, forty-three problems and concerns had been resolved utilizing the CFIER process.

Estimated savings to the District: \$86,000
Estimated savings to CNTA: \$25,000

APPLICATION: Non-reelection of Probationary Teacher Steve Barber

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Past practice for the district was to non-reelect any unsatisfactory first or second year probationary teachers. Because of the adversarial relationship, grievances were often filed and attorneys were involved during the non-reelection process. As a result of the CFIER process, a method has been established wherein if there are probationary teachers who are subject to non-reelection, all parties know and understand the reasons and rationale in sufficient time to avoid all problems.

Estimated savings to the District: \$100,000

Estimated savings to CNTA: \$20,000

APPLICATION: Year-round/Conventional Track Transfers

Teachers were voluntarily and involuntarily transferred from a year-round school to a school with a traditional track. As a result the teachers went from being paid on a twelvety to a tently basis. Again, utilizing the CFIER process, a method was worked out so that no one would suffer economically because of the unexpected loss of two paychecks during the summer months.

Estimated savings to the District: \$50,000

Estimated savings to CNTA: \$7,000

APPLICATION: Problem-solving on Single Employee Situation

There was teacher who had suffered from ill health and wanted to retire although he could not retire at the present time. After looking at the teacher's sick leave days, it was determined that the teacher could utilize his sick leave days, be provided a retirement bonus, and retire effective at the end of the school year. Utilizing the CFIER process, the District and CNTA were able to avoid a lengthy series of legal and medical issues.

Estimated savings to the District: \$75,000

Estimated savings to CNTA: \$15,000

APPLICATION: Physical Condition of Classrooms

The negotiated agreement between the parties addresses issues pertaining to the conditions of the classroom. There have been complaints regarding air conditioning, heating, and classroom equipment which could easily result in grievances. Utilizing the CFIER process, these issues have been resolved quickly and without grievances.

Estimated savings to the District: \$80,000

Estimated savings to CNTA: \$15,000

APPLICATION: Interpreting District Policy vis a vis the Contract

There have been several instances where the school site administration and faculty do not agree on interpretations entered in District policy as adopted by the Board of Education or in the negotiated

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agreement. Utilizing the CFIER process, representatives of the school district and CNTA have met to resolve all issues.

Estimated savings to the District: \$75,000

Estimated savings to CNTA: \$15,000

APPLICATION: "Mainstreaming" Special Education Students

There was a major concern shared by some teachers regarding the mainstreaming of Special Education students into their classes. Utilizing the CFIER process, The District and CNTA resolved these issues.

Estimated savings to the District: \$50,000

Estimated savings to CNTA: \$10,000

APPLICATION: Disciplinary Action

The District initiated disciplinary action on a certificated, tenured employee for lack of competency. The proceedings started with the issue of taking deposition. After one meeting, it was determined that the CFIER process could be utilized by the parties to meet the needs of all concerned.

Estimated savings to the District: \$125,000

Estimated savings to CNTA: \$50,000

APPLICATION: Employee in Distress

The District and CNTA mutually worked to assist a teacher who was having difficulty. The teacher was placed on a paid leave of absence for the remainder of the year and the complete following year. The teacher utilized her sick leave days and retired at the end of the year. Utilizing the CFIER process, dismissal proceedings were not initiated.

Estimated savings to the District: \$86,000

Estimated savings to CNTA: \$25,000

SUMMARY:

The total estimated savings to the District and Union of \$909,000 should be seen not only as cash and human energy not expended on behalf of acrimony, but also as resources or assets applied to the true mission of the organizations.

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Steve Barber
Barber & Gonzales Consulting Group

PARADIGM PILGRIMS

in

COMMUNICATION ⇔ NEGOTIATION ⇔ ORGANIZATIONAL EFFECTIVENESS

August 1, 1997

Hello. . . .

Let me be blunt: *pay for performance, merit pay, compensation by objective*, and a litany of other motivational compensation schemes may sound good, but unless you are selling used cars, they just don't seem to work.

The article we have sent along here was due to be published in our next newsletter (it was originally published in the Arizona Alliance for Collaboration newsletter). However, there is developing a virtual "rash" of interest in how to motivate employees, managers, and supervisors in the face of increasing demands and diminishing resources by using such schemes. So, we're sending it along to you now, rather than later.

The problem is systemic. So are the effective solutions. Yet, the rash of interest in non-systemic, Pavlovian schemes shows how seductive is the need for immediate gratification.

A comprehensive look at successful systemic responses is contained in the Report of the *Secretary of Labor's Task Force on Excellence in State and Local Government Through Labor-Management Cooperation*.

Check the back page to learn about an opportunity to become acquainted with this cutting edge research.

Please, if you or someone you know of in your organization is talking about or contemplating the introduction or implementation of any kind of *pay for performance, merit pay, or compensation by objective* scheme, **give us a call**. Perhaps we can help you or your organization keep from making a serious mistake that will take many years to overcome.



Steve Barber

THE FAD PHENOMENON

Steve Barber and Wendy Cowan

What'll it be for you this year? Contracting out? Nope, that was three years ago... or was it the year before? How about privatization? Is that what everybody is doing this year? Nope, that was two years ago... How about downsizing or right-sizing? Nope, the CEO of PetroCanada said that was like trying to "shrink to greatness." This year's fad is *PAY FOR PERFORMANCE!!!* Ah, now we know what to do!

Every year there's a new buzzword. Unhappily, a fad isn't reality. These fads are wrapped in all the froth of anecdotal success stories, presented by well-coifed consultants, tripping over the lips of colleagues, and encountered on the pages of various association magazines with solicitations for quick and dirty workshops.

As a consequence of facilitating issues related to improving productivity and quality we have found ourselves becoming unexpectedly knowledgeable about "pay for performance" and "merit pay". Because this is the latest of the parade of management fads that seem to find their way through America's public sector, we thought it was time to offer some straight talk on the subject.

The Myths that Satisfy

This menagerie of management methodologies does have a certain attraction, residing as it does in our subconscious understanding of how the universe is "supposed" to work. Things are "supposed" to be predictable, right? Government is "supposed" to be run like a business, right? Management makes decisions and others are "supposed" to carry them out, right? While our elected and ascribed officials find themselves seduced by these simple homilies, a reality check gives lie to these myths. Yet they continue to spawn quick fix solutions captured in buzzwords.

Where does this stuff come from?

Our practice takes us to many venues in both the public and private sectors, giving us the opportunity to trip over some rather surprising learnings. Perhaps the most sobering of these learnings is that much of the furor generated on behalf of these buzzwords comes from self-serving consultants and brokers who profit from introducing dramatic solutions such as privatization and contracting out.

We are also observing that the private sector is screaming specific solutions at the public sector. The demands are for more services at less cost or for a reduction in onerous and intrusive regulation. Unfortunately, public sector officials don't understand the interests buried in these demands. The medium of the message, as well as the message itself, is interpreted as a threat and condemnation, thereby eliciting a defensive response. The defensive response is taken as a denial or condemnation of the underlying motives assumed to be understood in the message. As a consequence the real message never gets heard by either party.

Why do these fads emerge?

One reason these buzzword methodologies are attractive is the erroneous belief that human behavior is solely driven by a stimulus-response impulse. Because we never really understood the psychology of Pavlovian behaviorism in the first place, we think that people respond to treats, e.g. pay for performance and merit pay, like dogs and chickens were thought to do.

It appears to us, from our experiences where the rubber meets the road, that what's motivating a belief in these myths is fed by three basic fuels of change. The *first* of these is the combination of global events/economy and the velocity of technological change. The *second* of these fuel sources is the demographic shifts occasioned by the first. The *third* is the awkward and ham-fisted attempts to respond to the first two through

financial and institutional reordering such as property tax initiatives or marketplace analogies applied to public sector services.

Global and economic events drive (e)immigration of people and money around the world as witnessed by the out-migration of California's middle class to places like Arizona, Idaho and Washington following the collapse of the aerospace industry (a peace dividend). The sociological upheaval occasioned by these events has transformed the demands made upon the public sector by an increasingly penurious public. For example, one need but eavesdrop on a school board meeting, teacher's lounge or bus barn tool locker to discover that the service demands placed upon public education which would have seemed wildly out of place as little as ten years ago are a reality today. An identity crisis in public education has resulted: "Are we educators, baby-sitters, social workers, probation officers, public health nurses, or what?"

In order to respond to these and similar demands the public sector is wrestling with how best to transform itself. Yet, rather than allow the public sector entities to pull off of the freeway to change the flat tires, the public expects transformation to be accomplished while driving down the road, all the while yelling "Go faster!"

When the public sector's response is too slow or inept at meeting the public's need for immediate gratification (whether as a consequence of a lack of courage by elected officials to educate [lead] the public or its deliberate, accountability-driven approach to decision making), the public takes matters into its own hands through initiative processes or the election of decision-makers full of anti-government animus. The resultant dismantling of public sector entities as a means of punishment for this lack of responsiveness is well chronicled. The implications for economic and political infrastructure are staggering.

Accordingly, the fad phenomenon seems to emerge as a response to management panic attacks. Seeking to be calm the troubled waters and appear responsive to the snarling and fist-pounding demands of the electorate, advocacy groups, and the platitudinous prescriptions of elected officials, managers grasp at the straws of methodological myths that promise the instantaneous achievement of desired outcomes.

Legitimacy

We seem to become involved after the 911 call: After elected officials and their eager-to-please managers attempt to unilaterally implement these mythological methodologies in their organizations. The resulting eruption and/or failure to achieve the desired result prompts some decision-makers to question whether there might have been "a better way to have gone about this."

The literature on organizational development/effectiveness is full of stories about the failure of these fads to achieve their stated promises. It would appear that 70 - 80% of the initiatives implementing the likes of TQM, restructuring, downsizing, contracting out, privatizing, and the like stall or fail within 18 months. Because of the damage to the workplace relationship by the unilateral decision the resultant clean-up effort presents an even greater problem to the decision makers than the problems prompting the initiatives in the first place. So what was missing?

The answer is that *those who were expected to implement the decision were not party to making it*. There are common characteristics about decisions that thrive, survive, and actually bring on something resembling that which was sought in the first place. These effective decisions are based upon asking those who are expected to behave within the decision to help make it, and they are based on reason rather than power or coercion.

This year's fad -

Pay for performance

The myth of pay for performance or merit pay, a concept that has been around since the turn of the century is that you can use extrinsic rewards to incent employees to change their behavior to achieve outcomes described by management. This is based upon the direct translation of Pavlov's and Skinner's success with animals. What we really know is that human motivation is in large part intrinsic. The Hawthorne effect, which essentially revealed that you could improve productivity simply by changing the illumination level in the factory, is a notable example that dispels the common beliefs about human motivation being based solely on extrinsic "rewards."

A further fallacy surrounding this myth is that the employer can control behavior through the allocation of fear and discipline in an institutionalized master/servant relationship. Employers seeking to reduce liability and improve outcomes with predictability cling to the mistaken belief that the route to this end is the control of employee behavior.

The fallacy in the pay for performance myth is that there is a connection between the idea of incenting for outcomes and behavioral adjustments by employees, managers, and supervisors. Obsession with controlling behavior supports a hierarchical, fear-driven organization. A better way might be to focus on outcomes. This is an organic concept dependent upon systemic thinking and the development of a learning organization.

A Better Route...

We urge that you explore the science of human motivation whereupon you will find that human beings in today's workplaces are *not solely motivated* by the promise of **extrinsic rewards**. Alfie Kohn, in his book, The Punishment of Rewards, identifies three central criteria which create what he calls the "conditions for authentic motivation". First, *collaboration*. The employees, managers and supervisors need to be participants in the design and development of their work rather than the mere recipients of directions from another who holds power. Second, *content*.

Employees, managers and supervisors will seek to achieve a "good job" if it offers a chance for them to engage in *meaningful work*, work that makes a difference. Third, *choice*. Kohn restates what seems like common sense to us in a democratic culture, that "we are most likely to become enthusiastic about what we are doing when we are free to make decisions about the way we carry out the task." Yikes! Since when did the word democracy have a place in describing the employment relationship!!

In other words, the science of human behavior would indicate that a competitive approach to motivating human beings through "merit pay" or "pay for performance" is ineffective. What we have found when we facilitate the discovery of good science around human motivation by collaborative employer/employee teams, is that their inquiries about pay for performance or merit pay call into question the entire power-based, fear-driven hierarchical model of organizations. The inquiry launches the negotiation into a penetrating exploration of process, assumptions about power, authority, responsibility and more.

This inquiry can indeed be an entry point for true and fundamental transformation of an organization; yet, it may be perceived as a threat to those in positions of power and their co-dependent subordinates who are responsibility averse as it suggests a dismantling of hierarchy and movement toward democracy in the workplace. So, unless you are prepared to accompany Alice into Wonderland, you should think twice about leaping after this white rabbit called "pay for performance."

Suggested reading on this topic:

The End of Bureaucracy and the Rise of the Intelligent Organization by Gifford and Libby Pinchot

The Fifth Discipline by Peter Senge

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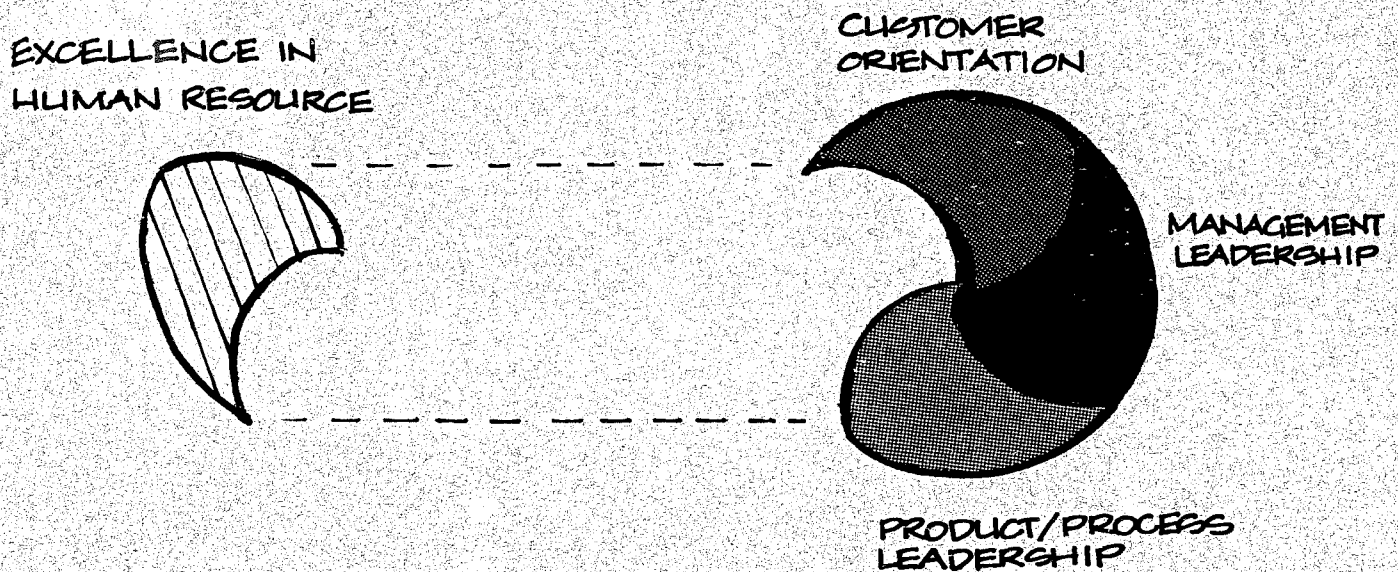
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IN
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IN
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"...my mail has been telling me, 60 to 80% of all the quality initiatives have failed or stalled. I think that I know why..."

Steve Barber, BARBER & GONZALES,
Journal of Quality and Participation, 1994

Customer orientation, human resource excellence, product/process leadership, and management leadership-the four corners of TQM. These are universal imperatives for organizations of all types to prosper in the emerging economy.

adapted from a speech by Jack West, President, ASQC

" Customer satisfacton begins with employee satisfaction."

Fred Smith, Chairman, FEDERAL EXPRESS

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"Ray has been the most neutral and effective member of the PERB; his honesty and integrity are unsurpassed." ...a State senator, author of the legislation creating the Public Employment Relations Board

"Since Steve Barber introduced us to an interest approach to communications, we have saved \$1,000,000 in a two year period by resolving disputes ourselves." ...a school district associate superintendent and a union business agent

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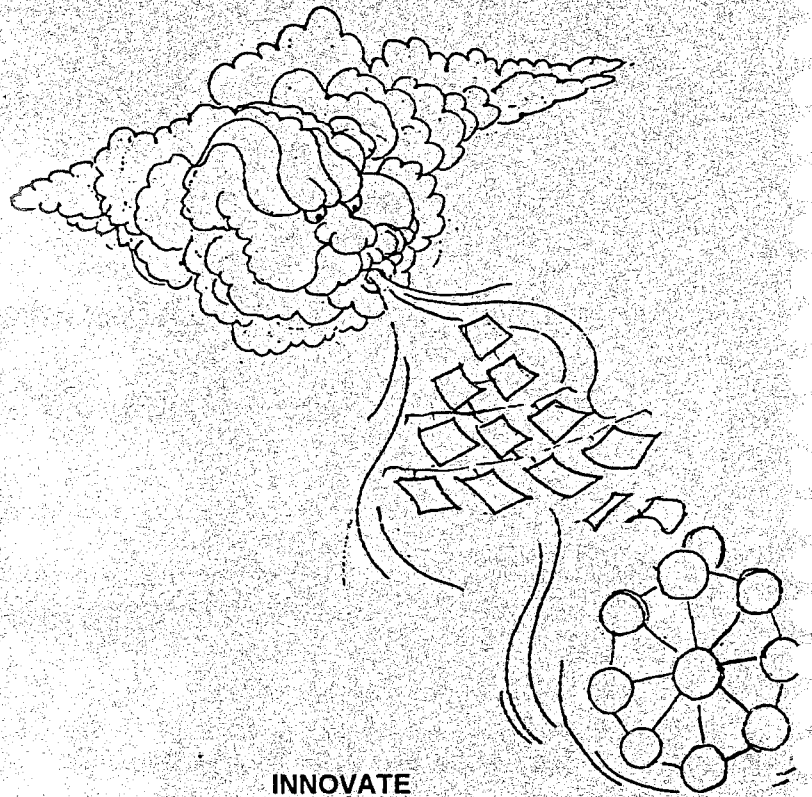
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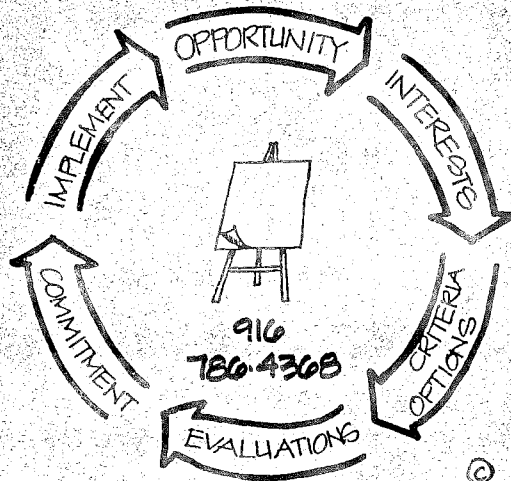
ONE APPROACH TO SURVIVING AND THRIVING IN THE FUTURE IS TO



ANTICIPATE



INNOVATE



AND BE EXCELLENT

Change is ubiquitous! Change is unsettling!

Change will happen with or without our participation.

It is applicable in our own places of work and in our own specialization or profession as surely as it is in the "other guy's."

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THROUGHOUT YOUR
ORGANIZATION.

YOU CAN CHOOSE TO
CHANGE OR IMPROVE
IT.

WE SHOW YOU HOW.

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negotiation, conflict management, and
problem-solving-
builds an effective organization or
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"...process, not structure, is the independent
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**NAVIGATING THE EMERGING
ECONOMY**

AN INTEREST APPROACH

What is it

An **interest approach** to communication, negotiation and problem-solving is a non-adversarial means of achieving decisions or just being understood in a discussion or dialogue. It consists of a collection of principles and techniques familiar to anyone. These principles include such concepts as focusing on issues not personalities, making decisions based on an objective reason rather than power or coercion, accepting all motives or interests as givens rather than evaluating those interests as right or wrong.

An interest approach

recognizes human beings as "human" and "in relationship" with each other. Because of this the human element in any situation must be taken into account and focused on as much as the substantive if one is to achieve a good and lasting situation rather than a "win." Outside of playing games, a "win" often guarantees the winner that an enemy has just been created who will do everything possible to insure a "lose" next time, as in the late Jesse Uriuh's advice, "Don't get mad, get even."

Who uses this approach?

Although to work well and serve as a tool for developing organizational effectiveness in the face of the ubiquity of change, the **interest approach** is most successful when introduced jointly to the parties committed to using it. The interest approach is introduced through a facilitated training and practice.

The **interest approach** is being introduced and used in labor relations, public policy decision-making, alternative dispute resolution, international relations, economic development, counseling, planning, business, government, and more. Professionals in these fields are discovering that traditional approaches are no longer effective in the face of multi-variate change.

Is it effective?

An **interest approach** is at once analytic and creative enabling people to turn loose both of those strengths that define us as human. In public school labor relations, the filing of formal complaints has been dramatically reduced by 70% in the labor-management relationships introduced to it. Peaceful outcomes have been effected in international relations visible today in South Africa and the Middle East.

The **interest approach** is fast becoming the antidote to failed or stalled initiatives in quality and participatory management in business because it provides what we think is the missing link-excellence in human resource.

What we hear!

Thanks for providing a very important, critical process..."

"Great job! I appreciate the openness and eagerness to improve relationships"

"Excellent insight to our needs. Applicable problem solving through understandable, persuasive, and sensible presentation."

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All we need is another acronym, right? Not! But, then again, if it really did the job...OK.

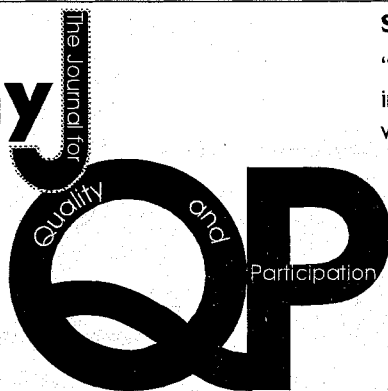
Seems like our lives could be profiled by acronyms. No? Then take this little test and see if you can guess which acronym has been giving folks consistently high quality about how to make things run well.

1950s	1960s	1970s	1980s
HST (Harry S. Truman)	MG (The car, not the Green Onions group)	RMN (President Nixon)	QWL (Quality of worklife)
AEN (Alfred E. Neuman)	JFK (President Kennedy)	TW3 (David Frost, Candice Bergen show)	JIT (Just-in-time)
MAD (the magazine or mutually assured destruction)	RFK (his brother Bobby)	DISCO (You do too remember)	LBO (Leveraged buy out)
DDE (I like Ike)	MLK (Martin Luther King Jr.)	FYI (BYOB talk)	TQM (Total quality management)
DDT (no red ants or birds)	KKK (Do you want the burning cross in your yard or your face?)	MBO (The deluge begins)	TQEI (Total quality employee involvement)
MFP (a toothpaste additive)	SCLC (No more Mr. KKK)	ZBT (Zero based budgeting)	CQI (Continuous quality improvement)
ROR (Rate of Return)	SNIC (In your face KKK)	QCC (Quality control circles)	SMTs (Self-managing teams)
VW (the beetle, remember?)	LBJ (President Johnson)	QC (US quality circles)	AQP (Another hint)
MM (Marilyn or Mickey Mouse)	LSJ (Lucy in Sky like Diamonds?)	TQC (Total quality control)	MBNQA (the Baldridge Award)
M&M (candy or Mantle and Manis)	TCB (taking care of business)	CWQC (Company wide quality control)	
MGM (the movie studio)	EAP (The King: Elvis comes back)	JQP  Hunt, hunt, hunt, hunt, hunt, hunt, hunt, hunt!	

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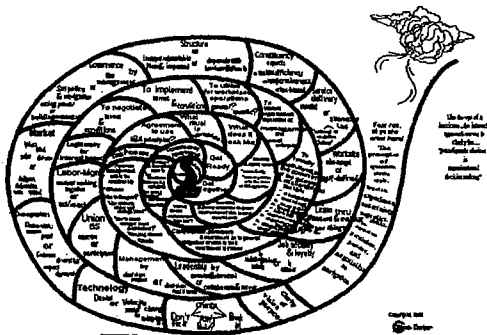
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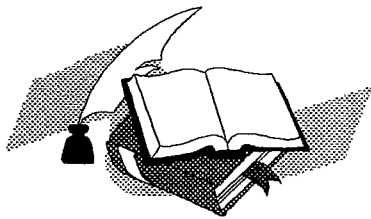
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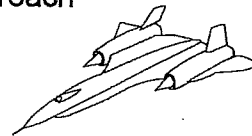


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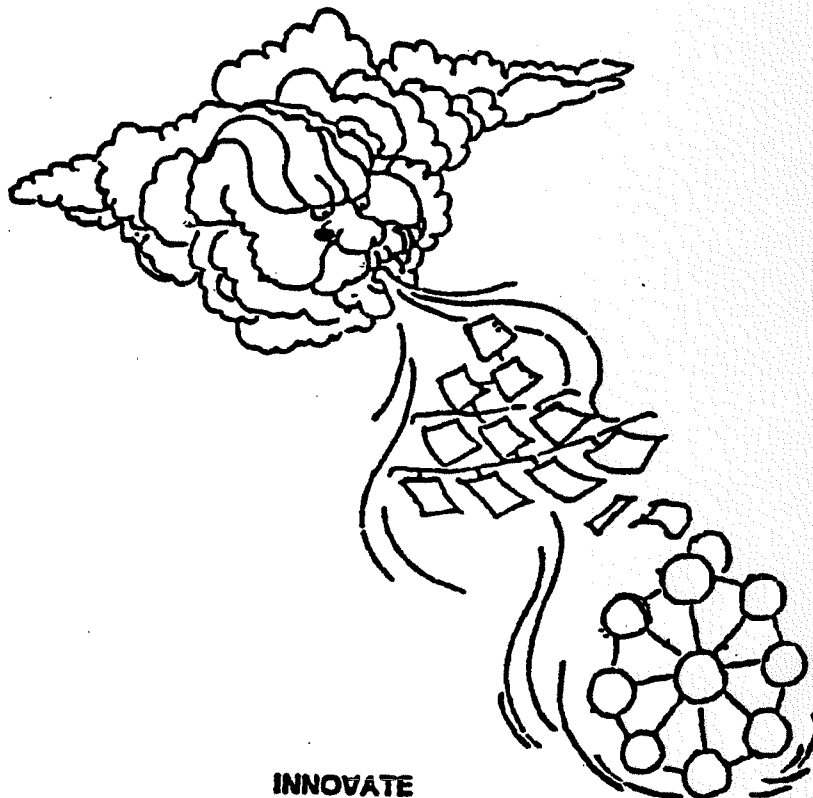


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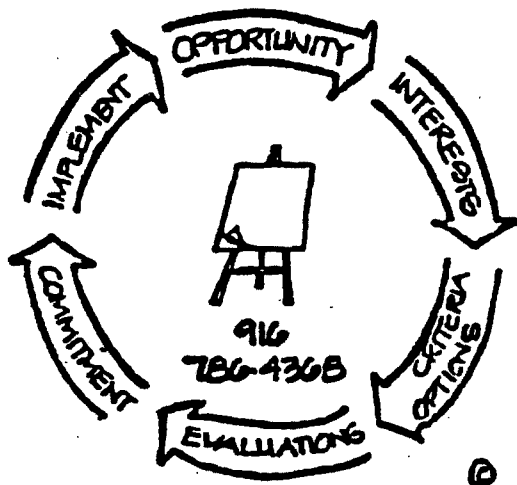
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