Sports, card games, board games, war…

Life is full of competitions designed to result in winners and losers!
Interest-Based Bargaining (IBB)

- *Alternative* to traditional process of negotiations
- *Interests* rather than *positions*
- Goes beyond *what* to *why*
Relational Problem-Solving Process

- Interest-based Cooperation
- Mutual Gains
- Win-Win Bargaining
- Integrative Bargaining
- Principled Negotiation
- Interest-based Negotiation
- Interest-based Problem Solving
- Interest-based Bargaining
<table>
<thead>
<tr>
<th>Traditional</th>
<th>IBB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximize outcome in a single solution for a fixed period of time</td>
<td>Time available for on-going problem solving</td>
</tr>
<tr>
<td>– focus on past</td>
<td>– focus on future</td>
</tr>
<tr>
<td>– guard data/info</td>
<td>– share data/info</td>
</tr>
<tr>
<td>– quick decision</td>
<td>– better decisions</td>
</tr>
<tr>
<td>– winners/losers</td>
<td>– win-win</td>
</tr>
</tbody>
</table>
IBB Approach

• Defining the *interests* of the parties on a particular issue/problem

• Generating and considering *multiple options* to address interests

• Applying agreed-upon *standards* to each of the options
Principles

- Separate people from the issue.
- Focus on interests, not on positions.
- Focus on present and future, not past.
- Sharing relevant information is critical.
- Use consensus decision making.
Iowa Collective Bargaining Law
Teacher Timelines

• January 31  “Request for Impasse” filed with PERB
• April 16  Deadline to file request for arbitration
• May 13  Deadline to commence arbitration hearing
• May 31  Completion deadline
Are you ready?
Is your organization ready?

- Readiness Assessment
  - Level of trust/History of relationships
  - Inhibiting factors/forces
  - Team’s communication skills and abilities
  - Commitment to new way of thinking

- Overview

- Training
  - Once implemented, ongoing evaluation occurs.
Structure and Operation

• Composition of team
  – Ground Rules

• Meetings
  – Frequency, Time and Duration
  – Location

• Recorder

• Facilitator
Role of Facilitator

- Is neutral as to content
- Monitors process, not content
- Encourages participation by all members
- Helps group reach consensus
- Reminds group of ground rules
- Keeps group on task
Problem-solving Cycle

- Select an issue
- Clarify and understand interests
- Establish standards
- Generate options/brainstorming
- Apply the standards to the options
- Develop the solutions
- Reduce the solution to written language
Key Ground Rules

1. Be honest and open.

2. Leave titles at the door.

3. Respect others’ opinions and take no punitive action or retaliation against another at work due to statements made at the meetings.
4. Listen attentively; don’t interrupt; clarify, ask questions, don’t assume.

5. Everyone will be given an opportunity to speak.

6. Committee structure and operation are defined.
IBB Principle--Consensus Decision Making

A group reaches consensus when all members agree upon a single solution, and each member can honestly say:

- “I believe that you understand my point of view and that I understand yours. Whether or not I prefer this decision, I will *publicly* support it because:
  - It was reached fairly and openly, and
  - It is the best solution for us at this time.”
IBB Process

Requires:

– Time
– Participation by all
– Creative thinking and open-mindedness
Preliminary Steps

• Exchange interests

• Find commonalities

• Determine order
Process Steps

1. Determine issue
2. Identify and clarify interests
3. Determine standards, criteria and data
4. “Brainstorm” options
5. Evaluate options and reach solution to the problem through consensus decision making.
Step 1—Determine Issue

*Issue to be solved; “*the what*” or “*the how*”*

- Share data and perceptions
- Bring in the people with special expertise
- Ask questions
- Check your assumptions
Step 2—Identify and Clarify Interests

- An interest is a party’s concern, need, desire or goal behind an issue; why the issue is being raised.
  - **Shared** interests
  - **Differing** interests
  - **Opposing** interests

- Interests are *not* positions. Positions are **one** party’s solution to a problem.
Step 3—Identify Standards or Criteria and Data

• Agreed-upon criteria, standards, and data used to compare and judge options.
  – Each should be clearly defined
  – May use same for each interest
Examples of Standards

- Acceptable
- Affordable
- Comparable
- Doable
- Legal
- Satisfies mutual interests
Step 4—"Brainstorm" Options

Options are potential solutions to an issue.

- Use shared interests as the primary source for developing options
- Generate a variety of possibilities for mutual gain before deciding what to do
Nothing is more dangerous than an idea when it’s the only one you have.

--Emile Chartier, French Philosopher
The best way to get a good idea is to get a lot of ideas.

--Linus Pauling, Nobel Prize winning chemist
Brainstorming

• Purpose: generate options
• Select a method:
  Round-robin
  Free-wheeling
• Give everyone a minute or two to think about the issue
• Record all options as stated
• Upon completion, clarify and consolidate options
Brainstorming Rules

1. Define the issue.
   Make sure everyone understands the issue.

2. No judgment.
   Don’t critique options. Avoid saying: “that’s ridiculous” or “we’ve tried that before.” Avoid nonverbal feedback: groans or grimaces.
3. **Be creative.**
   Don’t hold back any options even if they seem silly at the time. “Think outside the box.”

4. **Build on other’s options.**
   Combine or expand upon ideas generated by others.
Brainstorming Rules

5. **Aim for quantity.**

The more options, the better.

Don’t stop to note duplication, ask questions, or give explanations as it interrupts the flow of options. Silence allows creativity. Creative options often come toward the end of brainstorming.
6. **Record options.**
Write all options down exactly as stated.
Step 5—Evaluate options and reach solution to the issue

- Evaluate options using pre-determined standards, criteria and data.

- Reach *resolution* of the issue through consensus decision making.
  
  *(Resolutions are measured by the degree to which they meet the parties’ shared or similar interests)*

- Refine the solution and put in writing, if needed.
Consensus Guidelines

1. **Listen to understand:**
   Check your assumptions (cyah)

2. **Encourage participation by all members of the group.**
3. **Share information:**
   If information is withheld, decisions will be less accurate, not supported, and effective.

4. **Avoid changing your mind simply to reach agreement or maintain harmony:**
   Ask questions. Yield to reason, but not pressure.
Consensus Guidelines

5. Don’t trade support or bargain:

“Horse-trading” of issues is not conducive to finding the best possible solution to an issue. When a “dissenter” finally agrees, that member should not be rewarded by having their way on some later issue.
Questions to be asked of a “Dissenter”

• What are your reasons? Why are they important to you? Are you thinking about what is best for the group or is it something personal?

• Is there information the group needs that would help them understand your interests?

• Are you affected by the decision? Must you implement the decision?
Consensus Guidelines

6. **Don’t vote, use coin flips, or averaging:**
The decision should be one that best reflects the thinking of all members.

7. **Treat differences as strengths:**
Differences of opinion are natural and should be expected. Differences can become avenues to gather information, clarify issues and obtain better solutions.
8. Create a solution that can be supported: Consensus is finding a solution that is acceptable so that all members of the group can support and no member can oppose it.
9. **Avoid arguing for your own views:**
   Present your position as clearly and logically as possible, but listen to others’ reactions and consider them carefully before you press your point.
10. **Aim for a “gain/gain” solution:** Do not assume that someone must win and someone must lose when the discussion reaches a stalemate. Probably no one will be completely satisfied, but everyone can live with the decision.
Thank you!
Readiness Assessment Survey

_____ 1. What is your perception of the level of trust between the faculty and the Community College?

_____ 2. What is your vision for a productive labor-management relationship between the parties?

_____ 3. What factors/forces may be inhibiting the parties to change to a different bargaining approach?

_____ 4. What factors/forces may be encouraging the parties to change to a different bargaining approach?

_____ 5. Describe your bargaining team’s communication skills and abilities.

_____ 6. How is the Community College and the Association viewed in the community?

_____ 7. How and to what extent will the history of bargaining and labor relations in your organization influence the parties’ decision to engage in IBB?

_____ 8. Is bargaining working now? How do you feel it can be enhanced and/or improved through a collaborative interest-based approach?

_____ 9. What skills/ability training would you like to receive in the areas of problem solving, bargaining and/or labor-management relationship
STATEMENTS ON CONFLICT/BARGAINING STYLE

Choose a number from 1 to 5 to indicate the frequency with which you use each of the following statements at work or in bargaining - based on the following scale.

1=rarely  2=occasionally  3=sometimes  4=often  5=always

___ A. I argue my position tenaciously.
___ B. I try to put the needs of others above my own.
___ C. I try to arrive at a compromise both parties can accept.
___ D. I try not to get involved in conflicts.
___ E. I strive to investigate issues thoroughly and jointly.
___ F. I try to find fault with other persons’ positions.
___ G. I strive to foster harmony.
___ H. I negotiate to get a portion of what I propose.
___ I. I avoid open discussions of controversial subjects.
___ J. I openly share information with others in resolving disagreements.
___ K. I enjoy winning an argument.
___ L. I go along with the suggestions of others.
___ M. I look for a middle ground to resolve disagreements.
___ N. I keep my true feelings to myself to avoid hard feelings.
___ O. I encourage the open sharing of concerns and issues.
___ P. I am reluctant to admit I am wrong.
___ Q. I try to help others avoid “losing face” in a disagreement.
___ R. I stress the advantages of “give and take”.
___ S. I encourage others to take the lead in resolving controversy.
___ T. I state my position as only my point of view, recognizing there are other perspectives.
Use the following scoring key to tabulate your results – linking your conflict/negotiation style to a different bargaining strategies:

<table>
<thead>
<tr>
<th>Competing</th>
<th>Accommodating</th>
<th>Compromising</th>
<th>Avoidance</th>
<th>Collaborative</th>
</tr>
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<tbody>
<tr>
<td>A. _______</td>
<td>B. _______</td>
<td>C. _______</td>
<td>D. _______</td>
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<tr>
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</tbody>
</table>

Primary negotiations strategy supported by your bargaining style (highest score) ____________________

Secondary negotiations strategy supported by your bargaining style (2nd highest score) ______________

Blind side – negotiations strategy least supported by your bargaining style (lowest score) __________