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From Stalled to Successful: The Art of Negotiating

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By David A. Dolph, Ph.D.

In times of limited resources, the likelihood of difficult negotiations between labor and management may increase even in the best of school districts. The negotiation process can range from traditional to positional to competitive to a more collaborative and cooperative interest-based approach. The most productive approach is a matter of debate and can vary from district to district.

Regardless of the negotiation model used, bargaining can break down because of poor relations between parties, a lack of understanding of each other's needs, and a variety of other reasons. When breakdowns occur, it is difficult for either side to achieve its desired goals. In addition, hostile negotiations can contribute to a negative work environment and tarnish the reputation of the district.

What can the negotiating parties do to get back on track and move toward a reasonable solution when things go wrong? By exercising prudent leadership and considering the three strategies offered here, school business officials may be able to turn stalled negotiations into positive outcomes.

Plan Carefully

Successful negotiations require careful planning before the process even begins. Cathy Cronin-Harris (2004) suggests that a casual approach to the preplanning phase of negotiation can lead to major problems during the process. Therefore, the first step in avoiding problematic negotiations is to take the time before the process begins to plan carefully.

Cronin-Harris suggests that negotiators determine their own interests and prioritize them accordingly. For most negotiators, identifying their interests is not a problem; topics of negotiation typically surface in the normal day-to-day operation of the school. However, prioritizing the issues may take a bit of thought.

Cronin-Harris suggests that negotiators should then research the other side's priorities. Knowing the other party's interests, needs, and key issues can be helpful when negotiations become strained.

For example, one issue that typically surfaces in contract negotiations is money. Business management theorist Frederick Herzberg's theory of motivation suggests

that money is a hygiene or maintenance factor rather than a motivating factor (Hersey, Blanchard, and Johnson 2008). In other words, money itself does not increase performance or improve the school operation. Instead, such factors as recognition for performance, increased responsibility, and achievement improve performance and thus the workplace in general. Although this theory is open to debate with regard to practicality during negotiations, it does give one pause to consider another aspect of needs and wants.

Finally, it is worth noting that negotiations usually involve more than one topic. Although interest-based negotiation proponents often discourage the packaging or combining of issues, this approach is customary in traditional and positional approaches to bargaining. Repackaging issues based on the flow of negotiations can sometimes restart fruitful discussion because the new combinations may provide both parties with a fresh perspective on bargaining issues.

Considering these suggestions before starting negotiations is helpful. And if the process breaks down, the suggestions can provide thoughtful points for reflection that, if revisited, might help the negotiating parties get back on track.

Recognize Goal Interdependence

In her 2003 essay "Negotiation," Michelle Maiese discusses conflict resolution scholar Morton Deutsch's stance that topics or goals of negotiation can be classified as having positive goal interdependence or negative goal interdependence. Deutsch describes positive goal interdependence as the circumstance in which the goal of one party can be attained more readily when the goal of the other party is also reached. Conversely, Deutsch describes negative goal interdependence as a situation in which one party's goal is difficult or impossible to reach if the other party attains its goal. Negative interdependence between goals often causes difficult negotiations.

One approach to overcoming difficult negotiations is to refocus a sense of the organizational "big picture" with both bargaining parties. Although individual goals may exhibit varying degrees of positive or negative interdependence, negotiators should remember that both parties must work together for long-term organizational viability and success. In essence, the professional survival of both sides depends on successful negotiations of essential issues.

Losing sight of the long-term goal of organizational success can be detrimental to the district, especially today when families have alternatives to a public school education, including charter schools and online programs. The appearance that the administration and staff cannot work together is hardly conducive to attracting and retaining students. Therefore, administrators and staff must work cooperatively for the common good of providing quality instruction for students while maintaining a positive work climate and a culture of continuous improvement.

This image of districtwide cohesiveness is enhanced when negotiations are conducted in a professional and positive manner, even if parties strongly disagree.

Consider Interest-Based Principles

Another general category to consider when negotiations become difficult relates to the basic principles associated with interest-based bargaining as espoused by the Bureau of Labor-Management Relations and Cooperative Programs. Interest-based bargaining is based on collaboration, with both parties striving to find a win-win solution based on their needs, desires, and concerns.

Practitioners of interest-based bargaining understand that, although there is often great temptation to do otherwise, it is helpful if negotiators focus on bargaining issues rather than the personalities sitting at the table. Personal attacks have no place during bargaining—they are counterproductive and contribute to the negativity often associated with negotiations.

Another way to restart negotiations when the situation has deteriorated is to refocus on the interests of the parties instead of their positions. This requires open and honest discussion. Frank discussions made in the spirit of overall organizational well-being and success can expand the options available to meet the goals of both parties.

Part of the Plan

These strategies are most effective if they are part of initial negotiation efforts because negativity between parties will not have a chance to fester. In addition, negotiations are usually more positive if there is a history of cooperative relationships between the administration and staff. Yet, even if this is the case, negotiations for a labor contract may become contentious, especially during times of economic woe. The wise school business official has a plan of action for dealing with challenging situations during negotiations.

References

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