

Group 6: Lesson 4 Team Product

Interest- Based Bargaining Workshop

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**Introduction**

The task of this team is to provide assistance for the trainers, Jack and Latitia, who share concerns regarding their current Interest-Based Bargaining (IBB) workshop. Jack and Latitia work for a substantial, quasi-independent labor relations agency. This well respected agency is an established business whose services are sought locally, nationally and internationally by both labor and management trainees. Jack and Latitia have been working as trainers and educators of adults for over 20 years but over the last 10 years have specialized in the IBB process. They believe the process is applicable to negotiation of labor contracts and to a wide range of potential conflicts or interpersonal issues faced by workers and managers. One area they have worked in over the last 5 years is unionized nursing groups and their management teams. The typical group of trainees consists of 12-15 members including an equal amount of union representatives and hospital supervisors and managers. Participation is voluntary; however, they come from a variety of cultural, social and educational backgrounds.

**Problem**

The problem in this case is that IBB training is ineffective when applied to conflict resolution. Jack and Latitia feel that IBB is a powerful concept that should work in resolving conflict in the workplace. Our team suggests the problem is a symptom of speculative assumptions coupled with pedagogical inconsistencies. The assumption that the process should extend to conflict resolution is unsupported by scholarly review and by their students' inability to transfer their learning into the workplace.

This is a problem for several reasons. Firstly, students are not benefiting fully from the application of IBB theory. Representatives from both union and management report that the process is not effective in addressing interpersonal issues and conflicts among nursing staff or

between nursing staff and their supervisors. The trainers aim for positive outcomes of their training at the bargaining table and within the workplace settings, but they are not meeting the outcome goals in the workplace. In reviewing the structure of the IBB workshop, the team found several reasons for the disappointing outcomes.

### **Factors Contributing to the Problem**

After review of the workshop agenda, teaching methods, and the feedback from the attendees, the team identified the following factors that led to the undesirable outcomes. The team's focus will be on establishing solutions for these problems.

In this workshop, the 'Needs Assessment' is performed *quickly* at the beginning of the training session with minor changes implemented before diving into the objectives of the program. The first contributing factor to the problem is that the needs assessment did not occur before defining the objectives. An essential component of any successful workshop is meeting the needs of the learner. The second factor is that the trainers do not use the same workshop design nor do they allow the same amount of time when training on conflict resolution. The third factor is the workers (nursing staff & supervisors) are not present at the conflict resolution training. The fourth contributing factor is that the context of the situation differs when addressing conflict resolution issues compared to contract negotiations. Currently participants in the workshop are voluntary and self-directed learners. Voluntary participation is necessary for the collaboration that is crucial for contract negotiations. Employers may require conflict resolution participation and this leads us away from the voluntary scenario. Finally, the trainers did not report any self-reflection of their work through debriefing or examination of their training techniques.

**Specific Recommendations**

The team recommends that a thorough needs assessment is performed so that the agenda and objectives can focus on the specific issues the participants are having. Jack and Latitia should conduct the needs assessment after enrollment is complete, so there is plenty of time to customize the workshop to meet the needs of the participants. We encourage a significant amount of dialogue education and practice of the IBB conflict resolution process to make sure that the learning and response is based on experiences of the participants and good examples given during the workshop that make the information relevant. The revised assessment will allow collection and integration of important information into the training material. “Discovering what is meaningful to a person, group or organization is your first essential task” (Vella, 2002, p.6) A specific needs assessment is necessary for each workshop to promote positive outcomes.

The original workshop design was for contract negotiation for union and management representatives. Jack and Latitia may be wasting valuable time of the participants, who are not there to learn about conflict resolution. The team analyzed the components of the contract negotiation portion of the IBB workshop. We concluded that reinforcement and summary of key points, role playing, reflections and group activities are necessary to create successful learning outcomes. Similar to Kolb’s learning cycle, Jack and Latitia focus on “the felt experience, from which learning can be initiated, reviewed, challenged and reconsidered” (Smith, 2001). An obvious discrepancy exists in the use of these methods and principles to teach IBB for conflict resolution. The training lacks opportunity for the trainees to reflect on the role-playing scenarios. The workshop does not allow for the “involvement of the whole person, [including] intellect, feelings and senses” (Smith, 2001). In addition to that, the conflict resolution segment is at the end of the day. There are fewer activities planned, less time planned, and the energy level may

be lower than earlier in the day. The recommendation from the team is to separate the training session into two different workshops-one for contract negotiation and one for conflict resolution-so that essential elements of the learning process may be fully addressed.

Next, we will focus on the appropriate participants and context within the workshop. The participants for the contract negotiation agenda are appropriate, but the participants for conflict resolution need to include the nursing staff and their supervisors. There will likely be a variety of participants in the conflict resolution workshops. “A person’s race, class, gender, and sexual orientation, among other positional ties, intersect to influence the development of that person” (Merriam, Caffarella, & Baumgartner, 2007, p. 315). It is important that the workshop for conflict resolution is comprised of the community involved in these situational issues. The objectives need to be designed around the needs of every participant. In this particular case, the community will likely include the nursing staff and supervisors; and possibly the higher management. “Community provides the setting for the social interaction needed to engage in dialogue with others to see various and diverse perspectives on any issue” (Stein, 1998).

The workshop should include an environment where authentic context learning can occur. The context between the use of IBB in contract negotiations and the use of IBB with conflict resolution are completely different. The information provided to the team does not discern if the trainees are interested in using IBB outside of contract negotiations. “Instruction must be concerned with the experiences and contexts that make the student willing and able to learn” (Constructivism and Learning, n.d.). Conflict resolution processes tend to be more emotional in nature. “Another important connection to adult learning is the importance of context and the learner’s interaction with the environment to explain behavior” (Merriam, Caffarella, & Baumgartner, 2007, p. 289). The trainers will need to be prepared for learners who may lack

motivation and self-direction. “Behavior is a function of the interaction of the person with the environment, which in turn influences the way they behave” (Merriam, Caffarella, & Baumgartner, 2007, p. 289). There needs to be significant time for the participants to practice role playing scenarios after learning the IBB process to facilitate conflict resolution. “Almost every textbook on adult education practice affirms the importance of experiential methods such as games, simulations, case studies, psychodrama, role play and internships...” (Brookfield, 1995).

The final recommendation of the team is the implementation of opportunities for the trainers to reflect. The trainers need to reflect on the training theory, teaching methods, materials used and their personal teaching styles. Are they getting stale in their presentation? Are their video clips and demonstrative tools outdated? “The mode of reflection is presented by most authors as primarily an analytical exercise, which results in new perspectives on experiences, changes in behavior, and commitments to action” (Merriam, Caffarella, & Baumgartner, 2007, p.174-75). Jack and Latitia perceive the IBB for conflict resolution to be a powerful concept that is lacking application for conflict resolution. Is this an evidence-based theory? “Critical examination of discrepancies between espoused theories and theories in-use often begin with a feeling that something could be improved upon in one’s practice” (Merriam, Caffarella, & Baumgartner, 2007, p.175). The trainers may gain valuable feedback if they spend time at the end of each workshop to debrief the participants and utilize the information to make adjustments for future workshops. The team suggests that Jack and Latitia complete the Teaching Perspectives Inventory to see if their perspectives on teaching have changed. The final recommendation from the team is for the trainers to engage in the various self-reflective and self-evaluation practices to improve outcomes in the conflict resolution workshop.

### **Challenges and Solutions**

Jack and Latitia's employer may challenge the recommendation to separate IBB contract negotiation training from IBB conflict resolution training. IBB is well known as an innovative way to approach contract negotiations, not conflict resolution. Although Jack and Latitia believe that IBB "has applications well beyond the limited realm of negotiating contracts", (Lesson 4 Case Study) their limited attempts to test it have been unsuccessful. Program participants have commented, "Training in IBB appears to have little to no effect in helping address interpersonal issues and conflicts" (Lesson 4 Case Study). Their proposal must contain well-supported reasoning to make the case that the IBB theoretical construct supports conflict resolution in order to overcome any objections based on the poor results achieved from their current training. Jack and Latitia need to overcome objections made by IBB skeptics that "...it should not be applied to disputes involving human needs or deep-rooted value differences" (Conflict Research Consortium). Rothman and Olson (2001) argue that contract negotiations are interest-based and have a "precondition that the fundamental identity issues be articulated and mutually engaged first" (p. 295) whereas, interpersonal workplace issues are identity-based and "involve interpretive dynamics of history, psychology, culture, values, and beliefs..." (p. 297) and best resolved with alternative resolution models. In order to argue effectively, Jack and Latitia must move beyond their personal opinions and review the literature on this topic. To overcome resistance and skepticism, we would recommend preparation of a position paper presenting their research-based arguments for the workshop and a detailed program plan that describes the pedagogical basis for the program activities, the intended outcomes, and planned assessment.

The first challenge is to help Jack and Latitia identify the elements that make their IBB contract negotiation program successful. This information can be used to analyze the conflict

resolution portion of their program in order to gain some insight into possible causes and solutions. Given that they have been unable to identify these issues on their own, Jack and Latitia require assistance to articulate the successful pedagogical elements in their IBB contract negotiation program and those missing in that program and the conflict resolution training. We will approach this through the application of Vella's (2002) Twelve Principles for Effective Adult Learning and the theoretical construct of situated learning (Stein, 1998) to guide the learning activities.

We will review the current workshop's plan using Twelve Principles for Effective Adult Learning (Vella). For example, the needs assessment in the current workshop does not meet the criteria described by Vella (2002) as beginning prior to the program and used to inform the effective use of materials and activities in customizing a program for a particular group of participants. This will likely benefit the already successful contract negotiation workshop, but is critical to the success of the new conflict resolution workshop. Jack and Latitia cannot assume that the context and expectations of the adults attending the new workshop are the same as the participants in the contract negotiation workshop. It is important that they "discover what they [the workshop participants] already know and what they think they need or want to know" (Vella, 2002, p.6). In this way, we will work with Jack and Latitia to identify how each of the Twelve Principles for Effective Adult Learning supports the success of the contract negotiation workshop or determine if some are missing. Armed with this information and new understanding, Jack and Latitia can apply the Twelve Principles to structure the approach to the conflict resolution training.

We recommend using the Situated Learning (Stein, 1998) approach in reviewing the activities of the contract negotiation workshop and while planning the conflict negotiation



workshop activities. Situated learning is based on “creating meaning from the real activities of daily living” and “create[s] opportunities for learners to live subject matter in the context of real-world challenges, knowledge is acquired and learning transfers from the classroom to the realm of practice” (Stein, 1998). In practice, this means that students “learn content through activities” where “content is inherent in the...task...and not separated from the...group interactions prevalent in real work environments” (Stein, 1998). Planned activities will be reviewed to ensure they promote individual and group problem solving, use the experiences of the participants in creating context, engage participants in dialogue, and create opportunities for group interaction in order to construct meaning and explore perspectives (Stein, 1998). The role of the instructor in a situated learning environment is to present information and then facilitate as the participants problem solve and construct meaning through the lens of their experiences. It is particularly important to create the format, information presented, and activities to promote the ability to utilize the information in real-life situations.

The recommendation to market the conflict resolution program to participants with characteristics differing from those of the contract negotiation participants may be a point of resistance by Jack and Latitia and their employer. We think this resistance is mitigated by the first two recommendations. The contract negotiation workshop pairs management and labor in the simulated context of the workshop as they are in their jobs. Transfer of learning to the workplace is evidence of the desired learning outcome. Creating an environment for learning conflict resolution requires participants to be situated in a context resembling that in which the conflict occurs. The learning transfer in a conflict resolution workshop may be enhanced by having several people from a particular workplace learning and practicing together in the safety of a training environment before attempting to utilize the principles in the work environment.

**Summary**

The team provides the ammunition with Vella's Twelve Principles for Effective Adult Learning and the Situated Learning approach for Jack and Latitia to build workshops that will provide a practical environment for learning. We are optimistic that the recommendations to overcome the contributing factors will assist the trainers in a successful launch of separate workshops that enforces the concept of IBB for conflict resolution in the workplace and contract negotiations. Workshops based on relevance to the participants will improve effectiveness of interest- based bargaining in both contexts.

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## **Appendix**

### **Review needs assessment-like activities**

- Develop a better idea of participants' background & experiences in bargaining, conflict resolution, and interpersonal communication strategies.

### **Ice-breaker**

- Participants get to know each other
  - Participants “get into the objectives and content of the workshop”
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### **#1: IBB Conflict Resolution in Contract Negotiation: PowerPoint- IBB Principles**

- Participant scenarios
  - Identify fundamental issues to articulate and engage the participants in the precondition issues surrounding contract negotiation.
  - Reinforce and summarize key points of IBB
  - Show how IBB might be implemented and used within an organization
  - Participants provide real-life scenarios and identify potential situations to use IBB
- Role playing: Negotiation processes
- Debriefing
- Video: Potential conflict situations within contract negotiation
- Small group work: Discussion & analysis by the participants
- Report out: small groups to larger group

## **OR**

### **#2: IBB Principles and Methods in other workplace situations requiring problem resolution**

- Participant scenarios
    - Involve interpretive dynamics of history, psychology, culture, values, and beliefs to determine content for conflict resolutions
    - Reinforce and summarize key points of IBB
    - Show how IBB might be implemented and used within an organization
    - Participants provide real-life scenarios and identify potential situation to use IBB
  - Role playing: Negotiation processes
  - Debriefing
  - Video: Potential conflict situations within contract negotiation
  - Small group work: Discussion & analysis by the participants
  - Report out: small groups to larger group
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**Wrap-up & Summarize Key Learning Points: Roundtable**

- How participants intend to use this information in their own organizations
- What are the organizational challenges participants will face in using IBB in process of negotiation
- Small Group Work: brainstorm strategies for addressing challenges
- Report out: small groups to larger group

**Feedback**

- Provide debriefing and feedback to the trainers
- Complete this with a dialogue session and written survey

**\*Distribute booklet that describes all information covered in each training session.**

**\*\*Workshops will have similar agenda process, but one will focus on contract negotiations specifically and the other will be conflict resolution in the workplace.**

**\*\*\*Follow up phone calls to participants to assess the outcomes once the workshops have been delivered separately.**