



The Skills and Process of Collaboration

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What is (not) Collaboration

- Collaboration is Not Compromise
- Collaboration is Not Soft Persuasion
- Collaboration is a certain Mindset and Behavior that Requires a very Specific Process or it Won't Happen
- All Relationships Have Some Motives to Compete and Motives to Collaborate
- The Opposite of Collaboration is Not Always Competition



What do People Do When Faced With Resistance?

- Avoidance
- Compromise
- Coercion
- Decision by 3d Party
- Voting
- Norm Following
- Feeling out Procedures
- Formal Negotiations (which can include some of the above)

Norm Following and Feeling Out Procedures

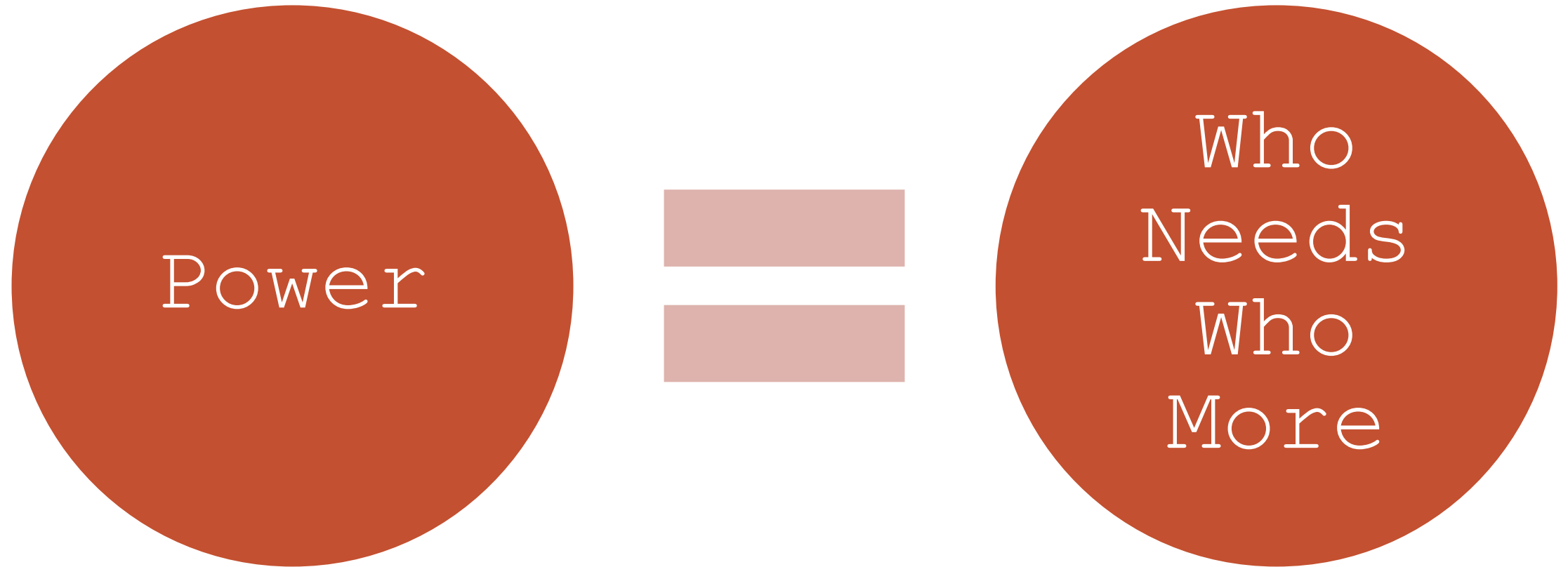
Norms

- Authority
- Ethics
- Equality
- Equity
- Needs

Feeling Out

- Talking around issues
- Whose needs are stronger (norms)
- Better Arguments/Persuasion (about norms or power)
- Mutual responsiveness
- Usually not problem solving

Norms and Power



Power in Labor Relations

Collective Bargaining:

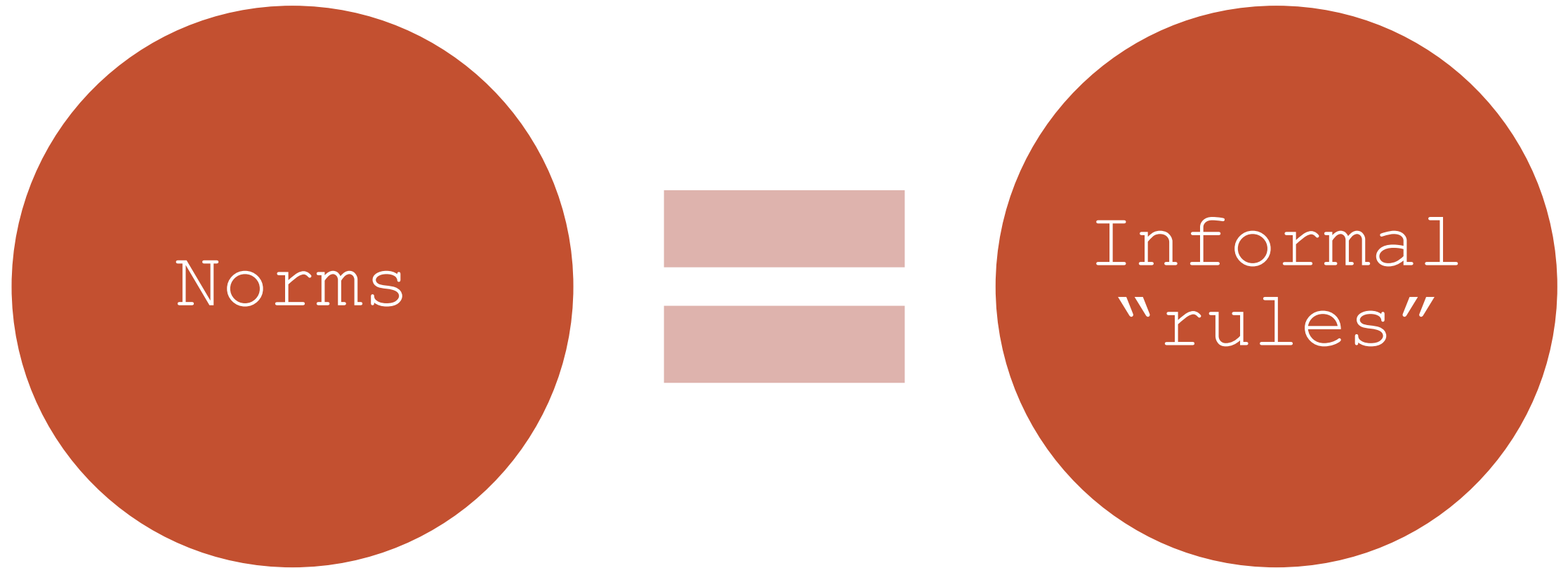
- Who needs the change in the CBA (or Binding Past Practice)
- Who Can Win the Formal Job Action
- Who Wins and Impact of Winning Impasse Resolution (not really NLRA relevant)

Day-to-Day Operations:

- Who Needs the Change in Behavior
- Who Wins the Informal “Job Action”
- Who Wins and Impact of Winning Dispute Resolution (e.g., ULP, Contract/Discipline Arbitration)



Norms



Standards and Norms

Equity

Equality

Needs

Precedents

Social
Proof

Personal
Rules

Standards and Norms in Labor Relations

Collective Bargaining:

- Other Settlement Patterns
- Economic and Labor Data (e.g., CPI, Unemployment Rate, etc.)
- Uncommon Norms (e.g., ideology – union avoidance, corporate greed, etc.)
- Business Related Norms
- Interpersonal Norms

Day-to-Day Operations:

- Status Quo (Past Practice both norm and power)
- Business Related Norms (e.g., productivity, presentism, budget)
- Employee/Labor Related Norms (e.g., work-life balance, involvement)



Collaborative vs. Non-Collaborative Approaches

Mindset

Behavior

Process

Mindset

Non-Collaborative:

- Zero-Sum Fixed Pie
- Need to Persuade (hard and soft)
- Compete, Concede, Compromise

Collaborative:

- Positive Sum Possible – Not a Fixed Pie
- Growth Mindset (about the people and issues)
- Need to Communicate, Learn, Share, Be Open



Non-Collaborative Behavior and Process

Non-Collaborative Behavior:

- Persuasion (Hard and Soft)
- Rely on Power and Norms

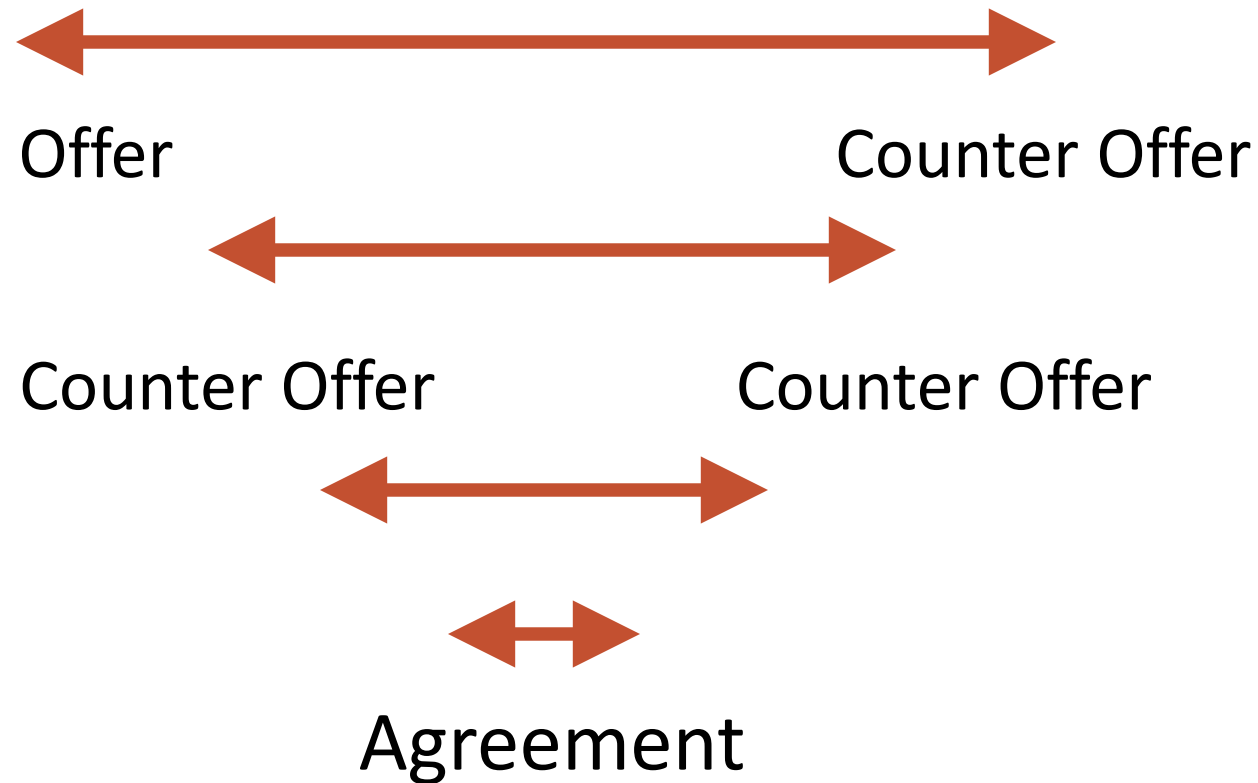
Non-Collaborative Process

- Formal: Offer-Counter, Anchoring and Concessions, Use of Deadlines, Strategic Release of Information
- Informal: Feeling out Procedures

Non-Collaborative Process

Party A-Position

Party B-Position



Collaborative Behavior and Process

1. Focus on Interests, the Underlying Problem
2. Scope Out the Problem (who, what, where, when, why, how)
3. Develop Selection Criteria / Neutral Statement of the Problem
("allow employees to attend last minute family events while maintaining deadlines")
4. Generate Options Do Not Make Offers
5. Select
6. Implement
7. Revisit

Interests vs. Position

Position

A party's stated solution to a problem

Often is inconsistent with other position; creates appearance of pure conflict



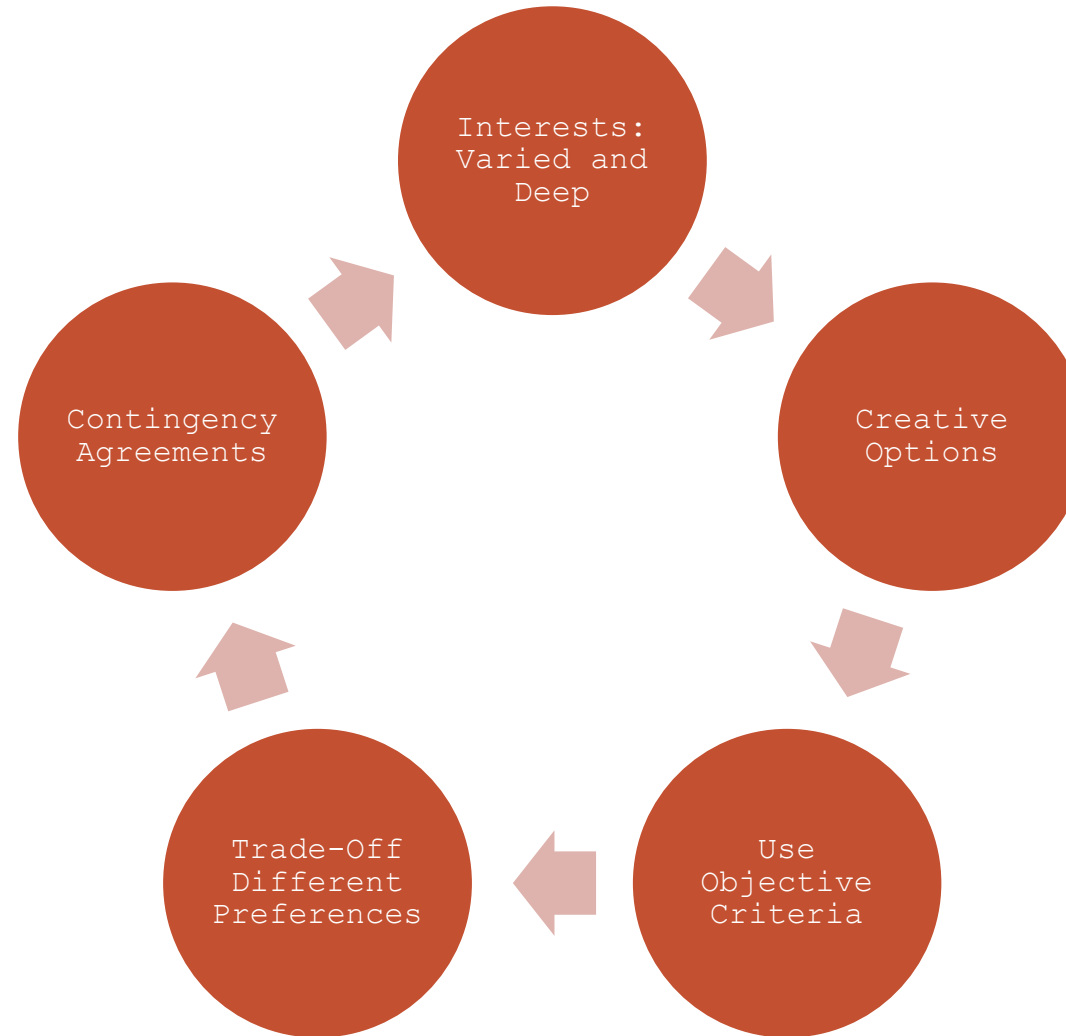
Interest

The underlying problem the position is supposed to solve

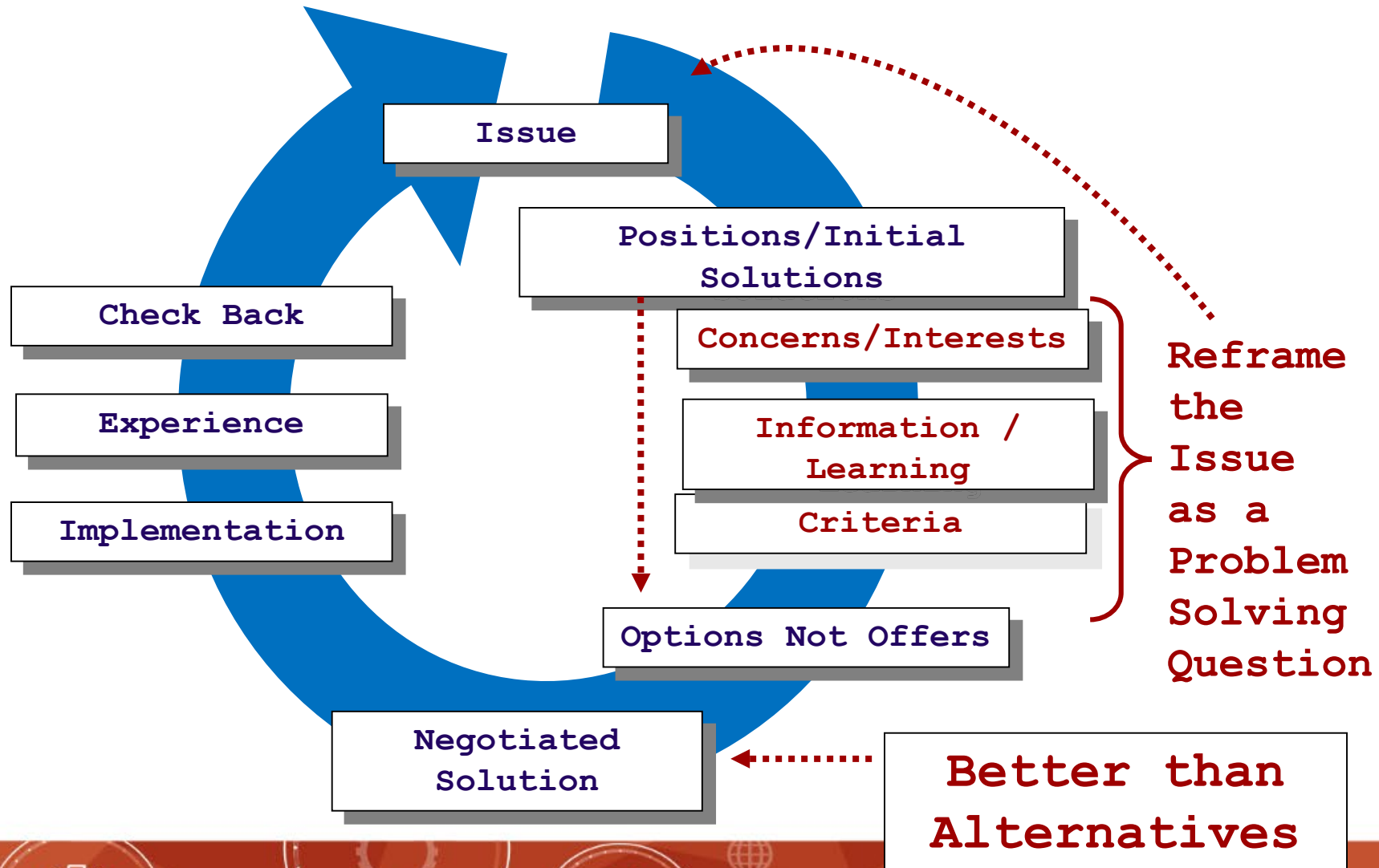
Allow for other solutions for problem

Facilitates finding of common interests or no-conflicting interests

Creating Value / Problem Solving



Collaborative Process



What Are Interests

Employer

- Maintain Staffing
- Limit Overtime
- Get Work Done
- Limit Admin Burden
- Morale

Steward

- Equal OT?
- More Senior OT?
- More OT?
- Workload?
- Morale

Scoping the Issue

Dig Deeper into the Issues / Get Data

- Who Wants the OT
- Who Doesn't Want the OT
- Who Wants to Be Home Early
- Who Wants to get to Work Late
- When is the Real Peak Time
- What's the Deal with Trucking Time



Selection Criteria / Problem Statement

One Possible Version:

- How to Distribute the Overtime More Equally without Increasing OT and Maintaining Safe and Proper Unloading of Equipment that day/evening

Generating Options

What are Some Options

- Leave it the same
- Rebid Schedules
- Separate OT from Schedule
- Let Union Run OT
- Change when Trucks Arrive

Labor Relations Certificates

Negotiating a Collective Bargaining Agreement

- Labor Relations Law
- Contract Language and Interpretation
- Negotiation Skills for the Workplace
- Preparation for Collective Bargaining
- Effective Collective Bargaining Skills and Techniques
- Collective Bargaining Simulation

Working in a Union Environment

- Labor Relations Law
- Contract Language and Interpretation
- Negotiation Skills for the Workplace
- Performance Management in a Union Environment
- Investigations
- Conflict and Collaboration in a Union Environment

Advanced Collective Bargaining

- Advanced Negotiations Strategies and Techniques
- Agreement Writing
- Negotiating with Difficult People
- Costing the Contract

Labor Relations Certificate Programs in NYC. Click Below for more Info and Registration

