Loyola University Chicago
Loyola eCommons

Dissertations | Theses and Dissertations

1993

An Analysis of Collective Bargaining Based on the Win-Win Philosophy of Conflict Resolution Used by Six Selected Chicago Suburban School Districts

Gaetana Lynn Calabrese Mollin
Loyola University Chicago

Follow this and additional works at: https://ecommons.luc.edu/luc_diss

Part of the Education Commons

Recommended Citation

Mollin, Gaetana Lynn Calabrese, "An Analysis of Collective Bargaining Based on the Win-Win Philosophy of Conflict Resolution Used by Six Selected Chicago Suburban School Districts" (1993). *Dissertations*. 3250.
https://ecommons.luc.edu/luc_diss/3250

This Dissertation is brought to you for free and open access by the Theses and Dissertations at Loyola eCommons. It has been accepted for inclusion in Dissertations by an authorized administrator of Loyola eCommons. For more information, please contact ecommons@luc.edu.

This work is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 License.
Copyright © 1993 Gaetana Lynn Calabrese Mollin

LOYOLA UNIVERSITY CHICAGO

AN ANALYSIS OF COLLECTIVE BARGAINING BASED ON THE WIN-WIN PHILOSOPHY OF CONFLICT RESOLUTION USED BY SIX SELECTED CHICAGO SUBURBAN SCHOOL DISTRICTS

A DISSERTATION SUBMITTED TO
THE FACULTY OF THE SCHOOL OF EDUCATION
IN CANDIDACY FOR THE DEGREE OF
DOCTOR OF EDUCATION

DEPARTMENT OF EDUCATIONAL LEADERSHIP AND POLICY STUDIES

BY

GAETANA LYNN CALABRESE MOLLIN

CHICAGO, ILLINOIS

JANUARY, 1993

Copyright by Gaetana Lynn Calabrese Mollin, 1993
All rights reserved.

Gaetana Lynn Calabrese Mollin

Loyola University Chicago

AN ANALYSIS OF COLLECTIVE BARGAINING BASED ON THE WIN-WIN PHILOSOPHY OF CONFLICT RESOLUTION USED BY SIX SELECTED CHICAGO SUBURBAN SCHOOL DISTRICTS

Collective bargaining in education has a brief history spanning only three decades. Although it is not old, it has become a very complex procedure that has an effect on all aspects of education. This study was designed to be an examination of the win-win method of conflict resolution as it was applied to collective bargaining in the public school setting.

Two Chicago suburban school districts who have been identified as having used this method, from each of the following categories, are included in the study: unit districts; elementary districts; and, high school districts. After reviewing the literature, four research questions were developed. Information to answer the research questions was obtained by developing a questionnaire and interviewing six people, three from the managerial negotiation team and three from the teacher negotiation team, from each district.

These schools are being studied because the literature

describes the win-win philosophy of conflict resolution as a highly effective method of conflict resolution when used as an alternative to traditional collective bargaining. The win-win philosophy of conflict resolution is based on the belief that it builds relationships and reduces the stress and antagonism generally connected with the collective bargaining process.

ACKNOWLEDGMENTS

A task of this stature cannot be completed without the support of faculty, colleagues and family. I am particularly indebted to my dissertation advisor, Dr. Max Bailey, for his encouragement and his understanding. His suggestions and guidance throughout this process proved to be invaluable. The many hours of working through the process are finally complete and I thank him most sincerely.

I next must express my gratitude to my co-workers especially Glen Littlefield and Dr. Robert Schneider who gave me the time I needed outside of my job responsibilities to complete the tasks and data gathering that brought me to this point. I would be remiss if I also did not mention Michael Wierzbicki, my co-principal, for lighting the fire and getting me back on track. To Dr. Jack Lane, thanks for believing in me.

Last, but by far not least, I must thank my family. To my mother who cooked the dinners and watched the children, thank you. To my husband who was ignored and made to wait too many times, I appreciate your understanding. Hildur, it's done just as I promised. Finally, to my boys, Benjamin and Eric I finally made it. I love you all.

VITA

The author, Gaetana Lynn Calabrese Mollin, was born in Chicago, Illinois.

Her elementary education was obtained in the public schools of Chicago, Illinois. She completed her secondary education in 1971 at Fenger High School, Chicago, Illinois.

In September, 1971, she entered DePaul University, Chicago, Illinois, receiving the degree of Bachelor of Music Education in June, 1974. The author received her Master of Arts in Educational Administration, with distinction, in February of 1984 also from DePaul.

Gaetana Mollin currently serves as the principal of two elementary schools in the south suburbs of Chicago. She is married and has two children.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS..... v

VITA..... vi

Chapter

I. INTRODUCTION

Purpose of the Study..... 1
Research Questions..... 1
Methodology..... 1

II. REVIEW OF RELATED LITERATURE

Philosophies of Conflict Resolution..... 5
Styles of Collective Bargaining..... 13
Summary of Styles..... 23
Current Methods of Non-Adversarial Bargaining..... 25

III. PRESENTATION AND ANALYSIS OF DATA..... 38

Research and Supporting Questions..... 39
Research Question I..... 42
Research Question II..... 58
Research Question III..... 70
Research Question IV..... 89

IV. SUMMARY, CONCLUSIONS AND RECOMMENDATIONS....106

Summary.....106
Conclusions.....108
Recommendations.....115
Recommendations for Further Research....116

REFERENCES.....117

APPENDIX

A. QUESTIONNAIRE.....119

B. LETTER TO SUPERINTENDENTS.....122

CHAPTER I

INTRODUCTION

The Purpose of the Study

The purpose of this study was to analyze the reasons for the choice, the process, the planning, and the outcomes of collective bargaining in six selected Chicago suburban school districts who were identified as having used the win-win philosophy of conflict resolution. The literature describes the win-win philosophy as a highly effective method of collective bargaining when it is used as an alternative to traditional collective bargaining.

Research Questions

The following research questions guided this study:

I. What were the philosophical reasons for choosing a collective bargaining method that was based on the win-win philosophy of conflict resolution?

II. What planning/preparation was involved before the bargaining process began?

III. What steps were used during the process of negotiations?

IV. What outcomes were achieved?

Methodology

School districts in the Chicago suburban area were

identified as having participated in collaborative collective bargaining practices based on the win-win philosophy of conflict resolution. In order to obtain a cross section of opinions about the process, schools that were invited to participate in this study represented different organizational structures. Included in this study were two unit districts, two high school districts and two elementary school districts.

A questionnaire was developed based on research questions that were formulated, after a review of the literature, to guide the study. Once the questions had been formulated for inclusion in this study they were field tested with school administrators and teachers who were familiar with this collective bargaining process. They were briefed on the purpose of this study and were asked to evaluate the questions based on the purpose of the study. The questions that they identified as most adequately answering the research questions were included on the questionnaire.

In order to answer the research questions five questions were included on the questionnaire for the first three research questions. The scope of the fourth question was broader so seven questions were included on the questionnaire to answer the final research question.

A letter was sent to the superintendents of the six

districts (see appendix B) asking them if they would be interested in participating in the study. In every instance the superintendents that were contacted agreed to participate. The letter told the superintendents that they would be receiving a follow-up phone call asking for the names of three members of the management team who were familiar with this process who would be willing to participate in this study and the name of the head of the teacher's association who would subsequently be contacted for the teacher participants. All of the interviews were held face-to-face. At the interview session, the participants were given a copy of the questionnaire and asked to reply to each question. Their responses were taped.

In all, thirty-six people were interviewed, six from each district with three being from the management team and three being from the teachers. Of the management team members interviewed there were five superintendents, four assistant superintendents, four business managers, four principals and one school board member. Of the teachers interviewed there were six association presidents, one chief negotiator (in five of the districts the presidents were also the chief negotiators), and eleven teachers.

At the conclusion of the interviewing process the answers

given by the respondents were compiled to state both the management responses and the teacher responses to each question. The final analysis consisted of summarizing the responses to all of the questions. Each research question was then answered.

CHAPTER II

REVIEW OF RELATED LITERATURE

The review of the literature is divided into three component parts including: the philosophies of conflict resolution, styles of collective bargaining, and current methods of non-adversarial bargaining.

The first component, the philosophies of conflict resolution, includes win/lose, lose/lose, lose/win, and win/-win. The second component, styles of collective bargaining, includes traditional collective bargaining, Collective Gaining, Getting to Yes, and Win-Win collective bargaining. The third component, current methods of non-adversarial bargaining includes collective gaining, the Goldaber Win-Win model and one of Win-Win's key components, the "Communications Laboratory."

Philosophies of Conflict Resolution

The first component is philosophies of conflict resolution. Collective bargaining is a method of conflict resolution.[1]

---

[1]Irving Goldaber, Transforming Conflict into a "Win/Win" Outcome. Salem, Oregon, Confederation of Oregon School Administrators, 1982.

In the beginning, prior to the development of the conditions for the conflict, a state of calm exists. But because ideas travel from community to community, creative minds conjure up new demands, and because some needs are not met or some wants satisfied by the institutionalized power structure, a group emerges feeling as though they have less than which they are entitled. At this point conflict is imminent. There is a meeting of both forces at a crossroads. The institution is perceived as the have force and the group perceives itself as the have-not force.

The conflict relationship which now exists may move in one of four directions. These directions are lose/win, lose/lose, win/lose, or win/win.

The first direction is one of avoidance which is known as lose/win. In lose/win the "have" force may elect to avoid any encounter with the "have-not" force. Similarly, the "have-not" force may proceed to ignore the "have" entity. It may feel that it is not too deprived since its position could technically be worse. This position may be due to the fact that the "have not" group feels that now is not the time to press for change or it may just come to accept its second-

class status.[2]

The exercise of any of the above options by either party creates a chasm between the two forces which is likely to widen with the passage of time.

In this contact-free arrangement the "have not" force is inevitably the loser since it never took the opportunity to engage its adversary. But, in a sense, the "have" group is a loser of sorts since it won by default. At this point, while a conflict has not occurred, it preys in the background waiting for just the right moment when both sides will confront each other at the "locus of the crossroads."[3]

This model of avoidance does not place the two forces in a direct interface. Should the conflicting parties, however, proceed beyond this point to directly engage each other, a condition of conflict will exist.

It is possible, however, for the forces in conflict to be counterbalanced, and to maintain their existence, neither at war nor at peace. This is the second direction, lose/lose.

By choosing this direction the forces attempt to live in an existence which Goldaber describes as a cross-checkmated state. This state of alienation may persist indefinitely.

---

[2]ibid., p. 4.

[3]ibid., p. 5.

When the two forces are bound together in a lose/lose arrangement much of their energy and resources will be utilized in maintaining this homeostasis.[4]

The force which is striving for self-preservation must now choose which direction it is going to pursue to assure its existence. This is the moment when war may be declared.

The human species and the human being are obligated to further life. Any force which seeks to destroy that life must be destroyed first. The problem with this notion, however, is that, in many instances, a death seeking adversarial force will have been backed into that posture, because it will not tolerate avoiding the conflict or existing within it and knows of no other direction to pursue but to seek the destruction of the opponent force. In this instance, as in all others where destruction is pursued, before the warring force is engaged in mortal combat, models other than that of win/lose must be explored. Goldaber provides three alternatives to the confrontation between the challenged force and the challenger.

If an accommodation does not develop, a crisis is apt to materialize. At the crisis stage, new resources, if available, may be deployed. The crisis state is the last station on the path toward war.

---

[4]ibid., p. 6.

The deployment of new resources, if they are brought into play, constitutes crisis-intervention. Such a move may redirect the conflict constructively or it may take the form of a compromise and lead to a lose/lose arrangement. A compromise should be considered as a lose/lose outcome since both conflicting parties tend not to receive what they really desire but reluctantly accept what they are offered.

If the crisis stage is passed and the collision course of the conflict has not been altered, a clash might take place. The clash may be either overt or covert; it may be either violent or non-violent. It may involve bullets or budgets. In the war mode, one force emerges as the victor and the other as the vanquished.

This counter-active process necessarily involves a change in the relationship between the two forces; the outcome is of a win/lose nature. A calm finally returns.[5]

The preceding three directions are universally understood. It is the fourth direction, win/win, which presents serious problems in its comprehension by others, since it is based upon an abstraction which is alien to common cultural patterns of conflict resolution. In this relationship the forces will enter into a communication. They

---

[5]ibid., pp. 6-7.

will share concerns, they will learn to recognize, appreciate, and surmount cross-cultural difference, and they will learn to participate in a two-way dialogue at the feeling level, with input from the receiver of the communication.[6]

At that point, a condition of comfort should emerge in this venture of consensus. The development of this comfort is encouraged by a recognition on the part of the adversarial forces that they share a goal, that they are in need of each other, in no small way, because they might be in a position to destroy each other, and that there exists a modicum of trust between them.

With this sociological comfort, movement to a state of co-existence is possible. The characteristics of the win/win arrangement, only a single one of which needs to be present, include a voluntary yielding of power, "newpromise," and a willingness to disagree agreeably.[7]

The voluntary yielding of power is distinctively different from an involuntary surrender. The involuntary surrender hurts; it is resisted because it creates a deprivation. Yet individuals who will not at one juncture yield voluntarily will do just that at another juncture. The

---

[6]ibid., p. 7.

[7]ibid., pp. 7-8.

interpretation to resisting individuals, those fearing involuntary surrender, that at a given time and under given circumstances which are natural and appropriate, an act of yielding voluntarily is an expansion, rather than a diminution of power, is the key to a successful outcome of the conflict situation. Members of a nuclear family tend to recognize this conceptualization in interpersonal relationships, but these same individuals have difficulty comprehending it in any other context.

"Newpromise," a word coined by Goldaber, is a solution to a conflict situation employing a restatement of the original stand-off to arrive at a valid articulation of the obstacle. An example is in order. When the airlines decided to focus their attention upon the practice of permitting passengers to smoke on airplanes, they had a problem. On the New York to San Francisco flight, for example, if smoking were banned, smokers would experience a torment. But if smoking were permitted, non-smokers would experience a torment. A compromise might have been employed, giving permission to smokers to smoke only from New York to Denver. A "newpromise" sets the arrangement in another way and it gives both parties what they seek.

With this format smokers may smoke during the entire

trip, but they must sit in the smoking section. This solution addresses itself to the real problem: the non-smokers do not ask that the smokers be prevented from smoking; they merely desire to be outside the range of the smoke. With this "newpromise" solution, both sides receive their desired result. Both sides win. The problem, it is clear, was not one of smoking, but one of seating.

The "newpromise" restates the problem to reveal what the protester really desires. With this critical revelation, it is often easy to decide upon an arrangement meeting the needs of both parties.[8]

In the former of the previous two arrangements, a voluntary yield does not constitute a loss. Hence, neither side loses. If this arrangement cannot be implemented, then perhaps a "newpromise" may be found. Here, with the resister acceding readily and willingly, neither party loses. But what if it is not possible to achieve a voluntary yield or to locate a "newpromise?"

In this regard it may be concluded that the arrangement must be a concurrence on the part of both parties to disagree agreeably.[9] Here, the strategy is to make the goal of winning

---

[8]ibid., pp. 8-9.

[9]ibid., p. 9.

unimportant. What is important is to reach consensus. This arrangement does provide time. Time for a search to be undertaken, or continued, to find other avenues to a win/win outcome of change.

With that changed relationship, a new state of calm then settles upon the former adversaries. The state of calm continues until the process is regenerated by new forces.

Styles of Collective Bargaining

In order to resolve a conflict forces meet and consciously or unconsciously chose a direction: win/win; win/lose; lose/win; or lose/lose and then go about the process of trying to affect a change. The process of trying to affect a change when two forces meet is called negotiations, or for the purposes of this paper, collective bargaining. The next section of the review of the literature deals with the second component part, styles of collective bargaining. This section describes traditional collective bargaining, Collective Gaining, Getting to Yes, and Win-Win collective bargaining. Each of these methods of collective bargaining are based on one of the styles of conflict resolution that were discussed in the previous section.

Traditional collective bargaining is an approach that is based on the application of the following elements:

1. A process designed to identify management's rights and preserve them with as few restrictions as possible.
2. A process designed to arrive at employee wages, benefits, and working conditions that are fair and consistent with management's rights.
3. Preparation periods ranging from little or no preparation to preparing for subsequent sessions immediately after the last agreement is signed.[10]
4. A win/lose type of contest or a cooperative problem solving venture.
5. A team that represents management whose basic concerns are to agree to individual items as long as the total package does not exceed the fiscal limits set by the board, the items do not significantly impair managerial efficiency, and does not involve political or community issues.[11]
6. The replacement of the needs of individuals by needs of

---

[10]Judith K. Meyer, "The Supervisor's Role in the Collective Bargaining Process," School Library Media Quarterly, 11:287-8, Summer 1983. p. 292.

[11]William F. Caldwell, A. Terry Lehr, and Ross S. Blust, "Improving Public Sector Bargaining," Educational Forum, 47:77, Fall , 1982.

the group.[12]

7. A team that represents labor whose basic concerns reflect an all-for-one and one-for-all concept.[13]
8. Tends to be adversarial in nature.[14]
9. Has the potential to be emotional and diverse.
10. A style that might follow a pattern of establishing ground rules, receiving the initial proposal, and providing a counterproposal.
11. Has strike as a provision for impasse resolution.
12. May or may not accept the decision of an arbitrator as binding.

Collective Gaining is an approach that contains the following elements:

1. Conflict resolution in a positive and productive environment which is proactive rather than reactive.
2. Participants who possess the skills necessary for:
   a. rational inquiry

---

[12]Douglas E. Mitchell, Charles T. Kerner, Wayne Erk, and Gabrielle Ptyor, "The Impact of Collective Bargaining on School Management and Policy, " American Journal of Education, 88:77.

[13]Max A. Bailey and Ronald R. Booth, Collective Bargaining and the School Board Member, Illinois Association of School Boards, 1978, p. 11.

[14]ibid., p. 12.

b. peaceful persuasion

c. sensitivity to the individual's needs, interests and abilities

d. understanding of group dynamic processes

e. group problem-solving and decision making skills

3. Both parties working toward a settlement which is mutually beneficial and represents the integration of the wants, needs, and desires of all involved.

4. An integrative approach where:

a. participants trust each other

b. each party must strive to understand and accommodate the other side

c. participants must be open and honest and have the ability to listen objectively

d. there must be mutual respect among participants

e. communication of ideas and recommendations must be unrestricted; participants cannot become defensive when their rights, responsibilities or authority is questioned

f. diversity of input and open discussion is essential

g. the circle of participants is constantly enlarging

h. no hidden agendas exist

5. Two teams that represent the attitudes and opinions of

the group he/she represents.

6. Striving for collaborative problem-solving and decision making to find solutions that are beneficial to the total group.
7. Does not deal with personnel matters, i.e., evaluation, dismissal, transfers, or grievances.
8. No caucuses.
9. Impasse resolution takes place with chosen teams and a neutral third party facilitator who serves as a catalyst.

Getting to Yes was written to publish the conclusions developed during the Harvard Negotiation Project. It illustrates a method of collective bargaining designed to decide issues on their merits rather than through a haggling process focused on what each side says it will and won't do.[15] It contains the following elements:

1. producing a wise agreement if agreement is possible
2. efficiency
3. improving, or at least not damaging, relationships
4. not bargaining over positions but focusing on interests
5. separating the people from the problem

---

[15]Arthur E. Jones, Collective Gaining: A Collective Bargaining Alternative. Northwest Educational Cooperative Conference, 1984.

6. insisting that the results be based on some objective standards[16]
7. generating a variety of possibilities before deciding what to do
8. three stages; analysis, planning and discussion
9. inventing options for mutual gain[17]
10. understanding the other side's perceptions[18]
11. giving people a stake in the outcome by making sure they participate in the process[19]
12. face-saving[20]
13. dealing with emotions[21]
14. active listening[22]
15. avoiding:
    a. premature judgement
    b. searching for the single answer

---

[16]Roger Fisher and William Ury, Getting to Yes. New York: Penguin, 1981. page xii.

[17]ibid., p. 11.

[18]ibid., p. 12.

[19]ibid., p. 22.

[20]ibid., p. 27.

[21]ibid., p. 29.

[22]ibid., p. 29.

c. the assumption of a fixed pie

d. thinking that solving their problem is their problem[23]

16. a process that includes:

a. defining your purpose

b. choosing participants (between five and eight people)

c. changing the environment

d. choosing a facilitator[24]

e. brainstorming

1. face the problem side by side[25]

2. clarifying ground rules including no criticism

3. recording the ideas in full view

17. identifying shared interests[26]

18. using objective criteria

a. frame each issue as a joint search for objective criteria

b. reason and be open to reason as to which standards are most appropriate and how they should be applied

---

[23] ibid., p. 30.

[24] ibid., p. 35.

[25] ibid., p. 59.

[26] ibid., p. 63.

c. never yield to pressure, only to principle[27]

19. developing a best alternative to a negotiated agreement[28]

20. strategies for getting the other side to play[29]

The Win-Win Labor-Management Contract Development Program is designed to bring both labor and management to a signed contract in which both parties attain their desired goals. It is designed, further, to achieve this end more rapidly and with less cost than is the rule in the traditional collective bargaining model. And, still further, it is designed to enable both parties to emerge from the experience in a shared exuberance, stimulated by their newly found reality; that they are not enemies, but friends.[30]

The traditional collective bargaining model too often involves arsenal creation, deterrence politics, threat and bluff. Duplicity and fakery are frequently employed. The ability to destroy the other side is valued sometimes as the ultimate weapon. Yet, the traditional bargaining procedures

---

[27]ibid., p. 63.

[28]ibid., p. 65.

[29]ibid., p. 91.

[30]Irving Goldaber, Transforming Conflict into a 'WIN-WIN' Outcome (Salem, Ore.: Confederation of Oregon School Administrators, 1982), p. 1.

are supposedly fashioned to bring the two sides together, magically, into a working and supportive relationship. In truth, the bitterness created often generates its own momentum. On both sides, animosity and enmity usually breed distrust and, at the worst, disloyalty.

The Win-Win Program is based upon an understanding that adversaries should maintain their separate advocacies and propensities, while engaging in a collaborative search for outcomes in which each side gets what it seeks, what it wants. Essentially, when two groups, operating within the same economic system, are in a competitive interface, each group, although employing the phraseology, does not really mean that "our group must win and the other group must lose."[31] Each group, most often unaware of it, is in reality stating, "our group must win." It is not interested with whether the other group wins or loses...again, as long as it emerges victorious."

Win-Win Collective Bargaining is a method which utilizes the following elements:

1. setting your destination before beginning
2. mutual commitment to settling on a pre-established

---

[31] ibid., p. 11.

date, within thirty days[32]

3. the assistance of a neutral facilitator
4. adoption by both sides of a clearly articulated value system
5. involving the entire Board of Education
6. large team involvement on both sides
7. viewing issues hung on the walls
8. discussing each issue until four seconds of silence ensues
9. no hidden agendas
10. stripping conflicts down to the essentials of the disagreement
11. each of the parties willingly yielding where no creative solution exists
12. resource people present as aides to the teams
13. complete honesty
14. agreed upon protocols

---

[32]Irving Goldaber, The Goldaber WIN/WIN Contract Development Program: A Thirty-Day Program (Shaumburg, Ill.: Northwest Educational Cooperative Conference, March 1-3, 1984), pp. 1-14.

Summary of Styles

ELEMENTS	TRADITIONAL	COL. GAINING	GETTING-YES	WIN/WIN
PREPARATION	Sides prepare apart from each other, each defining their own objectives	Parties work together toward a mutually agreed upon objective	Decide issues on their merit	Shared goals from the start
PARTICIPANT RELATIONS	Participants are adversaries	Participants trust each other	Participants are problem solvers	Participants share values, have a family relationship
GOALS	The goal is victory. Demand concessions as a part of the relationship; hidden agendas.	The goal is agreement. Make concessions to cultivate the relationship. No hidden agendas.	The goal is a wise outcome reached efficiently and amicably, separate the people from the problem avoid having a bottom line.	The goal is for both sides to collaboratively arrive at a shared solution in which neither side has been forced to give up its desired goals. No hidden agendas.
PHILOSOPHY	Be hard on the problem and the	Be soft on the people and the	Be soft on the people and hard on	Shared goals dealing

ELEMENTS	TRADITIONAL	COL. GAINING	GETTING-YES	WIN/WIN
PHILOSOPHY (CONT.)	people, distrust others, dig into your position; make threats, mislead as to your bottom line search for the single answer: the one you will accept try to win a contest of will	problem, trust others change your position easily, make offers, disclose your bottom line, search for mutual answers with mutual consessions, try to avoid a contest of will	the problem proceed independent of trust, focus on interests not positions, explore interests, avoid having a bottom line, invent options for mutual gain develop multiple options, use objective criterea, reach a result based on standards independent of will	with the essentials of the disagreement, willing yield.
TIMELINE	Not defined	Not defined	Not defined	Thirty days
CONFLICT RESOLUTION STYLE	Lose/lose	Win/win	Lose/win Win/lose	Win/win

Current Methods of Non-adversarial Bargaining

The third component of the review of the literature focuses on current methods of non-adversarial bargaining; Collective Gaining, the Goldaber Win-Win Model and one of Win-Win's key components the "Communications Laboratory."

Richard Wynn developed an approach to collective bargaining based on the win/win philosophy of conflict resolution which is referred to as Collective Gaining. According to Wynn, collective gaining is based on a socio-psychological theory whose main components are: creating readiness-->communication-->understanding-->trusting--> accepting-->caring-->gaining.[33] This will be referred to as the "RCUTACG Sequence."

Communication is the trigger of the "RCUTACG Sequence." The goal is to establish an open, unrestricted, intensive communication between board members and teachers. With this developing communication, each party begins to have a better understanding of each others' concerns and views. With a better understanding of the problems, the parties tend to yield to intelligent attack or, if the problem is, in part,

---

[33]Richard Wynn, "Collective Gaining: An Alternative to Conventional Bargaining," Phi Delta Kappa Fastback 185 (1983). p. 36.

unsolvable, it will be comfortably accepted as such.[34]

The Collective Gaining model attempts to create an environment in which people move more easily and surely from parent and child to adult. The objective is "I'm OK, you're OK."[35] In Collective Gaining there, oftentimes, is a variety of "crossed transactions" resulting in parent and child transactions. The outcome is "I'm not OK, you're not OK," and "I'm OK, you're not OK."

Wynn says that the outcomes of traditional bargaining are win/lose, lose/lose, and compromise. The normal focus of discussion is on wages, hours, and conditions of employment.[36] In Collective Gaining the outcome is win/win. Anything is open for discussion. Wynn feels that once the adult-adult relationship is established, the remainder of the "RCUTACG Sequence" is almost assured.

The critical event of understanding is evaluated on the basis of the ten elements of the decision making process as developed by Wynn. The decision making process includes:

1. recognition of the problem
2. definition and analysis of the problem

---

[34]ibid., pp. 37-40.

[35]ibid., p.45.

[36]ibid., p. 46.

3. establishment of criteria for an acceptable solution
4. collection of relevant information
5. identification of alternative solutions
6. evaluation of each of the alternatives
7. selection of the preferred solution
8. formulation of the solution into policy or practice
9. implementation of the decision
10. evaluation of the solution

In Collective Gaining, both groups begin together at the first step. The groups agree to work together as they face each step of the decision making process. Through the collaborative process they reduce the discrepancies in the definition and understanding of the problem and the background information related to the problem. When both groups travel through the sequence of events, as they do in Collective Gaining, win/win solutions or voluntary deferences, rather than demands tend to emerge naturally.

Trusting and accepting are direct results of communicating. The trusting event can only be procured when one party trusts the other. Trust is contagious. Wynn says "trust given begets trust received."[37]

Collective Gaining puts people together. The acceptance

---

[37]ibid., p. 47.

of the other, without the presence of what could be perceived as outside guns, permits "I'm OK, you're OK" transactions to emerge.[38]

With acceptance comes caring. As Wynn says, "caring about others is the essence of mortality. When we care we can no longer celebrate the defeat of others."[39] When one cares one tends to develop an ownership for the other by "drawing the other in."

The explanation of the final event is captured in Wynn's conceptualization of the term bargaining as it is used in Collective Gaining. He says:

> "A slight alteration--deleting the first three letters in bargaining--creates a profound change in the concept and the process. Collective gaining suggests that when persons interact in a truly collective and collaborative transaction they may all gain together. The consequence is peace not war."[40]

A win/win outcome of labor-management negotiation describes the provisions of a contract in which each side obtains the results it desires. The Win-Win Process specifically avoids compromise, for compromise entails, as a

---

[38] ibid., pp. 47-48.

[39] ibid., p. 48.

[40] ibid. p. 7.

rule, the reluctant, or even anguished, loss of something prized for exchange for something, which may or may not be prized, when that relinquishment is essential to satisfy the needs or demands of another party or group.[41]

In the Win-Win approach, both sides collaboratively arrive at shared solutions, in which neither side has been forced to give up its desired goals.

First and foremost, both contending parties must come to recognize that they are in a "family" relationship and that the survival of the "family" is the over-riding priority. In other words, the "families'" interests come before those of either of the conflicting groups.

When both sides participate in the Win-Win Process, conflicts confronting them are stripped down to the essentials of the disagreements. The creative arrangements are formulated, at that rock bottom level, through which the needs of both sides are met. These outcomes may be found, when, and only when, both adversaries are looking for them. In instances where the situation prevents the formulation of creative solutions, each of the parties will, in this process,

---

[41]Irving Goldaber, Dorothy Dillemuth and Rodney Kuhns. "School Directors Seminar: The `Win/Win' Process." Panel discussion presented to School Board members at Bucknell University. January 29, 1986.

willingly yield <u>not involuntarily surrender.</u> A willing yield, though not attaining the end originally sought, can not be equated with a loss, since a loss involves an unwilling forced surrender.

An equal number of participants representing each of the two contending parties come together in a structured "Communications Laboratory" for the purpose of educating each other on a number of crucial issues and attitudes. Often, the attitudes of each toward the other involve long histories of distrust.

The result of the dialogue and face-to-face interchange in this structured setting, during which, by design, solutions are not actively sought, although mythologies do tend to disappear, is the recognition of some critical understandings. These are: the two parties are, indeed, in a "family" relationship; each needs the other to solve the conflict; and feelings of trust, loyalty and support have been visibly generated.

After the "Communications Laboratory," small committees comprised of members of each side develop the provisions of the contract, or come as close as possible to agreements. At a reconvening of the total group of participants, the products of the various committees are molded into a unified whole.

This set of unified provisions constitutes the basic material of the final document and is then polished by a Contract Writing Team, comprised, again, of members from both sides.

At no time in the Win-Win Contract Development Program is there forced participation on the part of either contending group or any of its individual members; participation is always voluntary and withdrawal possible.

In Win-Win, management and labor negotiate directly with each other. There is no mediator or "go-between." An equal number of members, not to exceed ten on each side, is involved in the negotiation. One or two expert resource persons, the number is the same for both sides, are included in the teams. The guidelines for the selection of the individuals involved in the negotiations, as well as the specifications of all arrangements in Win-Win, are set forth in the Protocols of the Program. These Protocols are developed jointly by the presiding officers of each participating body and the Facilitator as a primary step at the inception of the Program. Once agreement is reached by these three, the Protocols are submitted by each presiding officer to his or her group for approval.

When the decision to use this Program is being considered, the Facilitator meets with representatives of each

side to share with them information concerning all aspects of the approach, the process and the procedures.

All during the Program, the Facilitator serves as the interpreter of the Protocols. In a dispute, the Facilitator does not decide which party is right or wrong. There is no right or wrong; there is merely process to reach agreement. In the first and last analysis, the set of Protocols to which both parties have agreed is the governing entity.

Resource persons, who are professionals in the negotiations arena, are present as aides to the principals to supply data as needed, to provide background and historical information on items and issues under discussion and to bring a perspective based upon experience in other geographic areas.

The sequence of this ten-phase Program, from inception to conclusion, is planned for the relatively short period of thirty days. This is made possible by a unique design.

Customarily, in bargaining, a multilayered history of compounded distrust creates an impenetrable wall preventing the two parties from dialoging openly and honestly with each other and dealing with the realities of their problems. The result is a long, drawn-out series of maneuvers and counter-maneuvers on the part of each adversary. In the Win-Win Program, trust is achieved first, made possible by the

recognition of the interdependent existence in one "family," and then agreements are reached through a collaborative search, eliminating the need for protracted hostilities.

The Win-Win Labor-Management Contract Development Program is designed to bring both labor and management to a signed contract in which both parties attain their desired goals. It is designed to achieve this end more rapidly and with less cost than is the rule. It is also designed to enable both parties to emerge from the experience in a shared exuberance, stimulated by their newly found reality; that they are not enemies, but friends.

The Win-Win Program is based upon an understanding that adversaries should maintain their separate advocacies and proponencies, while engaging in a collaborative search for outcomes in which each side gets what it seeks. Essentially, when two groups, representing opposing sides within the same organization, are in a competitive situation, each group does not really mean that "our group must win and the other group must lose." Each group, most often unaware of it, is in reality stating, "Our group must win." It is not concerned with whether the other group wins or loses...again, as long as it emerges victorious.

The social science theory undergirding the Win-Win

approach establishes that it is truly possible for both sides to win. When they utilize this theoretical framework by participating in the Win-Win Program, they do.

A key component of the Win-Win Program is the "Communications Laboratory." In its structural composition, the "Communications Laboratory" is divided into a sequence of activities which is presented in ten Phases. In Phase One, the presiding officers of the association and board get together to set up the rules by which the procedure will be generated. In this Phase, Goldaber provides a set of standard rules, in outline form, Protocols, and the parties make adjustments based on their needs.

The Second Phase provides the two participating bodies, acting separately, with the opportunity to accept the protocols which were developed in Phase One. During this stage both parties also prepare a list of concerns which will be discussed during Phase Three. Each concern is placed on a sheet of paper and fastened to the wall of the "Communications Laboratory" where eventually it will be discussed by the group.[42]

---

[42]Irving Goldaber, Center for the Practice of Conflict Management, Sequence of Activity used in the "Win-Win Program for Labor-Management Contract Development." Established March 10, 1983.

In Phase Three the two parties meet, in total, for their first weekend of discussion. The groups meet on Friday evening and all day Saturday for the purpose of expressing their concerns. The goal for this weekend is for both groups to recognize that they are family. In achieving this goal, they realize that no side is going to go away, both sides are interested in their destiny, and each side is a resource for the other. Both parties begin to have a feeling for the concerns of the other.

Phase Four occurs by the end of the first weekend when all parties have become family. In this Phase, all of the participants take part in reducing the questions which were originally developed in Phase Two and formulating them into contract issues. Both groups appoint committees to deal with the issues that have been identified. Normally the issues fit into one of four categories including:

1. salary and benefits
2. rights and responsibilities
3. working conditions
4. miscellaneous issues of concern

Phase Five consists of three weeks of committee meetings. Each committee contains three people from the teacher's group and three people from the board group. Each

group consists of two members and one technical person. For the teachers the technical person might include a Uni-Serv Representative from the Education Association, an attorney or a resource person. For the board the technical person might be a School Board Association Representative, a business manager or an attorney. The committee meeting begins with an agenda that was developed during the first weekend. The goal of Phase Five is to try to resolve all of the issues in preparation for the second weekend in Phase Seven. All resolutions are tentative until the final weekend.

In Phase Six the two parties meet, in total, for the second weekend of interaction. The individual committees report their progress on the issues which they attempted to resolve. As the weekend continues all issues that are resolved are placed on the chalkboard. Both presidents must agree to take an item off of the chalkboard to be placed into the resolved hopper. Items can, however, be placed back on unresolved chalkboard if new information is brought forth. This requires the consent of the presidents of both teams. The goal for this weekend of activity is to reach agreement on all contract matters and to appoint a Contract Writing Committee.

Phase Seven is characterized by the writing of the

contract based on the resolution developed in Phase Six.

Phase Eight deals with all of the participants acting on the presented contract.

Phase Nine deals with both Governing Bodies of the participating bodies acting separately to ratify the contract.

Phase Ten is the reality of all participants interacting in a formal signing of the contract.

At this point the groups have come together as one family to enjoy the win of each other. How do they win? They win when they give up nothing but through a joint decision, get what they want.

CHAPTER III

PRESENTATION AND ANALYSIS OF DATA

Introduction

This study was designed to analyze the collective bargaining process, based on the win-win philosophy of conflict resolution, in six selected Chicago suburban school districts. Of the six schools used in this study there were two high school districts, two elementary districts, and two unit districts. In each instance six people from both bargaining units were interviewed. Three of the people represented labor and three of the people represented management.

In order to gain the cooperation of the districts a letter of introduction was sent to the superintendent of the district (appendix B). A follow-up phone call was then made for the names of the people to contact. Interviews were subsequently scheduled.

This study was developed around four research questions. They were developed after a thorough review of the related literature and related studies. A questionnaire was then developed with questions designed to provide answers to the research questions. The questionnaire was field tested by representatives from labor and management from a seventh

school that had participated in non-adversarial win-win collective bargaining. This district was not included in this study.

The research and supporting questions were:

I. What were the philosophical reasons for choosing a collective bargaining method that was based on the win-win philosophy of conflict resolution?

   A. Why was this method of collective bargaining chosen? Who suggested it?

   B. Did the participants view each other as adversaries or colleagues at the beginning of the process? Did it change during the course of negotiations? How?

   C. How did labor view this approach?

   D. How did management view this approach?

   E. Would you use it again? Why? Why not?

II. What planning/preparation was involved before the bargaining process began?

   A. What were the goals that you felt this process would achieve? Were they accomplished?

   B. What planning was done prior to starting?

   C. How were the teams selected?

   D. How was the facilitator selected?

E. How were the bargaining issues selected?

III. What steps were used during the process of negotiations?

A. What role did the facilitator have in the process?

B. How were problems dealt with?

C. Was game playing used during negotiations?

D. How do you describe this approach in terms of the steps that you used?

E. What were some procedures used to demonstrate trust?

IV. What outcomes were achieved?

A. What successes do you attribute to the use of the win-win approach? Examples.

B. What non-successes do you attribute to the use of the win-win approach? Examples.

C. What changes in school climate and/or teacher morale are attributable to the use of the win-win approach? Examples.

D. What changes in school/community relationships are attributable to the use of the win-win approach? Examples.

E. Has there been an impact on students and/or programs as a result of using this approach?

Examples.

F. What changes in the internal structure of board/administrator/teacher relationships are attributable to the use of the win-win approach? Has there been any change in contract management as a result of using this approach? Explain.

G. What is the difference in the cost of negotiations using the win-win approach compared to other methods you have used?

The questionnaire in its entirety appears in appendix A.

This chapter follows an organization where the research questions are identified and then each supporting question for each research question, from the questionnaire, is answered. The answers will follow this format:

1. The question will be listed.
2. The answers will be compiled and summarized from all of the members of the management team who participated in the survey.
3. The answers will be compiled and summarized from all of members of the teacher teams who participated in the survey.
4. The complete answers from both sides will be summarized.

Research Question I

<u>What were the philosophical reasons for choosing a collective bargaining method that was based on the win-win philosophy of conflict resolution?</u>

A. Why was this method of collective bargaining chosen? Who suggested it?

<u>Interview Question I-A Management Responses</u>

In every instance but one, the members of the management team cited that labor relationships had deteriorated over the past several years. The last negotiations in five of the six districts had resulted in a strike. No one from those districts wanted to enter into another bargaining session that would foster bitterness and divisiveness.

Irving Goldaber was offering workshops in the area and all of the superintendents that were surveyed went to hear what he had to say about the win-win method of collective bargaining. Five of the six superintendents indicated that the traditional bargaining of the past had been unsuccessful and relationships were shaky. They decided to try the win-win method to see if something better would come of negotiations using this method.

In every district the superintendents made the initial suggestion to look into learning more about this method. A

committee made up of administrators and teachers went for training. Committee members from both teams then suggested win-win to their respective negotiation teams, put it to a vote and decided to go ahead with the implementation of the program.

One district did not have a history of bad labor relationships. In the past, management team members had never before negotiated with an organized union. There had been a long history of positive relationships with the teachers. The teachers had recently decided to unionize and wanted a more formal structure for the bargaining sessions. The district had used a modified version of collective gaining for years, so it seemed to be a logical transition to go into the win-win program since it most closely paralleled their past practices which included sitting down together without attorneys present to discuss the issues and coming to consensus.

Interview Question I-A Teacher Responses

The teachers from five of the districts expressed the belief that labor relationships over the past few negotiation sessions had deteriorated. There had been bitter strikes in these five districts. The teachers had heard about this new method and recognized that anything would be better than what

they had previously gone through. When the superintendents first suggested it there was some reluctance, but, after attending the training session and learning about key components of the program, they voted to give it a try.

The teachers from the district that had just unionized believed that the administration and the board had patronized the teachers in past negotiations. Therefore, when they unionized they recognized that a change in the way they had previously negotiated was necessary. The teachers were tired of feeling like "big brother" was taking care of them. They were pleased to learn of the win-win process because the teachers had not been looking forward to entering into what they perceived as the negativity that is fostered by traditional bargaining. Win-win was suggested by the superintendent and voted on by the teachers.

Interview Question I-A Summary

In every instance but one, from the district that had just unionized, the win-win method of collective bargaining was chosen because the members of both of the bargaining units came to the conclusion that traditional methods of bargaining led to poor relationships and often bitter strikes. They agreed that the time was long overdue to have a method of collective bargaining to use other than the model that came

out of industry.

The administration was the key, in all instances, in suggesting the win-win method. Both sides then agreed to go to initial training and then report back to their respective groups. They were able to present the program to their constituents in a way that it was agreed upon for implementation.

The only difference that surfaced in the answers to this question were expressed by the six respondents from the district that had just unionized. That difference was that there had not been a history of labor unrest or strikes that led to the decision to adopt a win-win method. Rather it was the formation of a union, for the first time, that led the leaders of the teachers and the administration to look for a format to follow that would assure the continued good relationships between the parties. Win-win was suggested by the superintendent and agreed upon by the teachers after attending a workshop.

B. Did the participants view each other as adversaries or colleagues at the beginning of the process? Did it change during the course of negotiations? How?

Interview Question I-B Management Responses

Definitely as adversaries in five of the districts. As

it was previously mentioned, five of the six districts had come off of a bad strike. Morale was low and no one trusted anyone else. The management respondents expressed that they had given away more than they had intended to, in the last negotiations, and that they were misinformed and misunderstood.

The management respondents from the five districts with a negative history with labor indicated that relationships definitely changed. The change started in the first weekend at the communications laboratory. Everyone was given a chance to speak what was on their mind without interruption. It was frightening to the administrators at first because all of the board members were there. The administrators were afraid that the communications laboratory would turn into a "dirty laundry" session. That didn't happen because of the ground rules that had been established that stated that only a problem could be attacked and not a person. Sub-committees, where both sides had to work together, were formed. That quickly built a relationship. It was no longer "our guy talking to their guy." Everyone had an equal part. There was no hierarchy that existed. The agenda was out in the open and the points that were mutually agreed upon were on the table for everyone to see. When that kind of open dialogue exists,

it is very difficult not to work together. The hidden agendas had completely disappeared and people began to trust each other.

In the district that had just unionized the three administrators stated that there never had been bad relationships with the teachers. The teachers had some problems that they wanted to address, but, in terms of being adversaries, the teams were never that far apart. As was mentioned earlier, the decision to go to this was because of the teachers' desire to unionize. Relationships, though, did grow stronger during the process.

Interview Question I-B Teacher Responses

The teachers from five of the districts expressed that it was definitely adversarial at first. They weren't sure if they could really say what they needed to say without fear of reprisal. It took a lot of courage to stand up that first weekend in the communications laboratory and state the problems in front of the people who, it was perceived, had created them.

Another problem that all of the teachers expressed the need to deal with was that it was very hard to only attack the issues and not the people. It took a great deal of monitoring of the teachers by the teachers to make sure that their team

remained professional and that there was no hitting below the belt. They indicated that it was very strange to be able to get up in front of the whole board and speak about their perceptions of the problems that they had identified as important. The teachers had often questioned if they had been misrepresented in the past because they were never sure how much the board actually knew or how accurately the superintendent had portrayed their concerns when he went to the board.

As the first weekend progressed a definite collegial feeling developed. The teachers became aware of the fact that both sides had many common concerns and that the best solution could be reached when they brainstormed and worked together. After the initial meeting it would have been impossible to an outsider to tell who was who in terms of the teams.

Dividing into small sub-committees to continue to develop solutions to problems that could not be solved that first weekend significantly helped to devlop a feeling of trust.

The three teachers that represented the district that had just unionized noted that the relationship with management could not have been perceived as adversarial before the process began, but, it wasn't collegial either. The relationship was looked upon more as patronizing than anything

else. The teachers stated that they had always left feeling like children after the process. They perceived that the administration and the board were taking care of them. There was a belief that the teachers should feel grateful for what they were getting and just trust that it was the best offer.

As a result of the negotiations using the win-win method a collegial relationship did develop. There was a lot less skepticism than there was in the past, in terms of what the board had to offer, because everything was out in the open. One of the most important elements in developing a sense of collegiality is trust and it is a lot easier to trust when you are meeting face-to-face and talking openly.

Interview Question I-B Summary

All of the respondents indicated that they developed a collegial relationship with members of the other team regardless of how they viewed themselves at the onset of the process. In the worst case scenario, the participants had little good to say about each other, their motives or their methods at the beginning of the process. Even when the relationships started out being good they progressed past that to a new understanding of each other and what they represented.

Two things that came out of the interviews, and can be

stated rather unilaterally, are that the traditional superior/subordinate relationships gave way to collegial relationships and that a feeling of trust developed. The development of trust will be further described in another question.

C. How did labor view this approach?

Interview Question I-C Management Response

The management respondents thought that the teachers who represented the five districts that had experienced strikes were eager to try something different. Management perceived that the teachers recognized that everybody loses in a strike and they didn't want to have to go through that again. After the initial suggestion that this method be tried, a training workshop with teams that represented both sides was attended. The administrators liked what they saw and the teachers liked what they saw. This type of bargaining couldn't have been entered into without the teacher's support. The teachers were cautious at first, but, as the process evolved and everyone got to know each other and trust each other, they bought into the method.

The management team from the district that had just unionized indicated that the teachers wanted to start with something that would be as close to what they were used to as

was possible. The teachers portrayed themselves as not wanting to engage in traditional negotiations because of the bad reputation of building poor relationships and the high incident of leading to strikes that it had in other districts. They liked this method because it maintained and expanded the dialogue between the teams.

Interview Question I-C Teacher Responses

All of the members of the teacher teams that went for the workshop with the management teams were very much in favor of this method. Some of the membership at large in two of the districts were doubtful. They voted to try this method after it was explained because they were totally disenfranchised with the traditional way of bargaining and the past strikes. They were willing to try something new and they trusted the judgement of the teacher committee that had attended the training. The teacher respondents from one district stated that even after the success of the program a small number of teachers would still rather have bargained traditionally.

For the teachers that had just unionized this was really the first time that there was going to be bargaining done as an association. It was important to them that things go right. The fact that this method was offered as an option, because it came out of the same philosophy of problem solving

that they were used to and would expand their role in the process, was pleasing to the teachers.

Interview Question I-C Summary

The members of all of the management teams that were interviewed believed (correctly) that this method was viewed with cautious optimism by the teachers. The teachers grew more and more favorable with the method as they became more educated about it.

The teachers admitted that they were cautious at first. They also stated that this method provided them with an opportunity to directly communicate their needs to management and that they were very pleased with the decision to use it. The teacher respondents from one district also mentioned that even after repeated successes there were still a few "hold outs" who prefer to do battle and feel that the agreements that this method produced do not give them as much as they got in traditional negotiations. The respondents were careful to add that these people make up a small minority and that their views do not represent any consensus among the teaching staff.

D. How did management view this approach?

Interview Question 1-D Management Responses

After reading about the method in professional journals, speaking with colleagues who had used it, and hearing Goldaber

speak at the national convention all of the superintendents interviewed were eager to try the win-win method. The management team members who were interviewed noted that it was way past the time for the development of a method that would allow two groups of professional people to sit down and talk with each other. Almost all of the management respondents looked forward to trying win-win. They indicated that it was time to move past the game playing and the strong arm tactics used in traditional bargaining. It was also believed that traditional bargaining was used because it was the only model that had existed up to this point. The management respondents also looked forward to completing the process in thirty days which was the focus of this method.

Business managers from two districts expressed displeasure at the acceptance of the win-win method and approached it with great caution. They were worried that, in the spirit of collegiality, more would be offered to the teachers than the district could afford. One assistant superintendent stated that the sub-committee's power to make the decisions on the items that were assigned to them emasculated the power of the district management structure.

Interview Question I-D Teacher Responses

The teacher respondents from all six districts indicated

that the administration recommended that they try this method. It was their idea. The business managers in two of the districts included in the study would have preferred to stick to the traditional way of collective bargaining because the win-win method had the reputation of giving away the store. All in all, though, the management team members appeared to be in favor of it. The teachers perceived that one of management's main concerns was what the teachers were going to say in the communications laboratory and how it would come off in front of the board members. Two administrators, one assistant superintendent and one business manager, would have preferred to keep the dialogue between two people rather than change to an open forum like the communications laboratory.

Interview Question I-D Summary

In general, the perception of all of the teachers accurately portrayed the view of the majority of the management respondents. Management looked forward to a method that would terminate with a contract in thirty days but were a bit apprehensive about the relinquishing of traditional powers. There was also a genuine concern about the communications laboratory and what would come out of those sessions in terms of the professional credibility of the administrators. However, the management team felt, as a

group, that the possible gains greatly outweighed the possible liabilities. They proposed the use of this method and encouraged and supported the process.

E. Would you use it again? Why? Why not?

Interview Question I-E Management Responses

Yes, definitely. All but one of the administrative respondents would use it again. As a matter of fact it already has been used again in five of the six districts included in the study. The respondents from all six districts agreed that they would modify the method for future use. Four districts out of the five that have used this method again have used it with some modifications. One maintained it in its pure form. Five districts' administrators felt that it was not essential to use Irving Goldaber as the facilitator, and, in some instances, two district management teams, indicated that he was less effective than some of the facilitators that he had trained. One superintendent believed that it would not be necessary to use a facilitator at all in subsequent sessions.

Another change that would be made would be to extend the time period to past thirty days but continuing to adhere to an agreed on completion date. They noted that trying to get it done in thirty days was too intense. Three district teams

indicated that there were too many loose ends left to close up at the end of the bargaining sessions in terms of language.

All of the administrative respondents cited that the philosophical conflict resolution style behind the win-win method was the essential key to the success of the method and that the method could be modified and remain successful without strictly adhering to the guidelines delineated by Goldaber. The keys to the success of this method were the open communication and the development of trust.

Interview Question I-E Teacher Responses

Yes, it would definitely be used again. Five district's teacher teams expressed that the time lines would need to be extended to longer than thirty days. Teacher respondents in two of the districts did not feel that the administration was comfortable with the board of education present. The teachers in all of the districts noted the necessity to involve new people in the process for subsequent sessions so that team membership would not get stagnant.

One of the teachers who participated in the study expressed a preference to return to the traditional method of collective bargaining because he/she beleived that it was too much work and too great a time commitment. He/she would rather return to smaller teams with more power.

Interview Question I-E Summary

With noted exceptions, both the teachers and the administrators liked the method and would like to see its use continue. In fact, in five of the districts, the win-win method has been used more than once (the sixth district plans to use it again at the next negotiations). The teachers and the management team members, in all but the one district that maintains the process in its pure form, agreed that the program would be better suited to their needs if they could modify the process so that specific agendas, especially in the area of time lines, could be employed. Some of the modifications that they suggested were choosing facilitator(s) other than the Goldabers (Irving or his wife), extending the time period to greater than thirty days while maintaining an agreed upon completion date, and having a finalized contract with no loose ends in terms of language.

With the exception of two of the respondents, one teacher and one business manager from different districts, the teachers and management agreed that this was a more productive and professional method. They also agreed that it ultimately developed a better contract because the participants had a greater sense of ownership in the finished product. In terms of modifications, it is interesting to note that the teachers

indicated that the administrators would opt to exclude the board in future negotiations. The teachers stated that they believed the administrators were uncomfortable with the amount of free access that this method gave the teachers to the board members. None of the administrators who participated in this study included leaving the board members out of future sessions as a necessary modification of the process.

Research Question II

What planning/preparation was involved before the bargaining process began?

A. What were the goals that you felt this process would achieve? Were they accomplished?

Interview Question II-A Management Responses

The management teams from all of the districts hoped that the program would live up to their expectations and that there would be a contract in thirty days. To go even further than that, they hoped that they would be able to build a rapport with the teachers and foster an atmosphere of open communications.

All of the management team members had specific items that they wanted to see included in the contract that they had not been able to get into previous contracts. They hoped that this process would allow for open dialogue so that they could

get the teachers to understand where they were coming from and the importance of their items.

Management in all of the districts wanted to paint, as accurately as they could, the financial picture of the district. They wanted to be very up front. They gave the teachers all of the financial documents. It was hoped that by using this process and being up front about what could be afforded that it would curtail some of the last minute posturing.

The management team from the district that had just unionized had an additional goal of trying to understand the reasons behind the teacher's recent decision to formaly organize. They were very hurt that the teachers had decided to unionize. They had to come to grips with some emotional and personal issues and come to the realization that it was not an attempt on the part of the teachers to appear ungrateful.

The goals that were identified at the beginning of the process were definitely accomplished. This was expressed by all of the respondents.

Interview Question II-A Teacher Responses

In five of the six districts, a dominant goal expressed by the teachers was to not have another strike. The teachers

went into the communications laboratory with a real laundry list of items. One of the things that had to be taken care of was identifying what was really wanted, what was really important to them as a whole and not just the agenda of one person.

Of course, one goal shared by all of the teacher respondents, was to have an equitable settlement. The teachers expressed the belief that an equitable statement was their main concern. They also hoped that there would be a settlement in thirty days so that school could start with the contract in place. They were able to accomplish these goals and have a contract signed by the opening day of school. Another goal was to be able to express, in an open forum, their concerns in front of the board so that the teachers knew that the board heard and understood, directly from them, what the issues were and why they were important.

Interview Question II-A Summary

There seemed to be two sets of goals in operation. The first goal was contractual. This would include an equitable settlement, a signed agreement before the opening of school and final language that was clearly understood by everyone involved and therefore not open to interpretation.

The second goal could be identified as relationships.

This would include open communication, a development of trust and the ending of the traditional role playing and posturing that traditionally exists in collective bargaining. Both sides wanted to build a rapport with the other side.

To weight the importance of accomplishing these goals, the management team expressed more goals in terms of relationships and the teacher team expressed more goals in terms of contract. Both sides, however, were very pleased with the outcome of the process and indicated that their goals were met. They also expressed that, during the process, the goals of the other team became equally important to both sides.

B. What planning was done prior to starting?

Interview Question II-B Management Responses

There was extensive planning done prior to starting in all of the districts. The first thing that had to be done was approaching the association and asking them if they were willing to try this method. A group of administrators and a group of teachers attended a training session led by Irving Goldaber. Representatives then went back to their respective groups and explained the program. They were asking for their group to accept the recommendation that this method be used in the up coming negotiations.

The number of members that were going to be on the teams had to be decided on and agreed to by the teachers. It also had to be decided on how many people each team would have, outside of the bargaining team, to act as resource people. Once those numbers were agreed to, a facilitator(s) had to be selected.

There were also logistical concerns. The teams had to find a place that was neutral territory that would be large enough to accommodate their space needs and be comfortable. Food also had to be decided on as did the division of the costs.

After the decisions that affected both teams were made, the management team had decisions to make as an independent bargaining unit. They had to sit down together and prepare the items that they wanted to take to the communications laboratory.

After all of that was done they had to take a look at all of their financial records: the budget, the annual financial report, the end of the year audit, and the tax levy. This being finished, an agreement on a starting date with the teachers had to be decided. The process was then ready to begin.

Interview Question II-B Teacher Responses

As was expressed by all of the management respondents, all of the teacher respondents also indicated that there was a tremendous amount of planning done prior to starting. One of the major hurdles that had to be faced in all of the districts, except the one that had just unionized, was selling this program to the membership at large. Those teachers who had attended the training session were very much in favor of using this method. However, many of the bad feelings from previous negotiations were still present and some teachers who were not members of the team that were trained did not trust management and were therefore leery of trying a method that management so heartily embraced. The teachers had quite a sell job to do with these members. What finally convinced the skeptics to endorse this method was when they were asked by the team members if things could possibly get worse than they had been in prior negotiations. The teachers representing the district that had just unionized did not feel that management had any hidden agendas by suggesting this method and they collectively agreed to try it without any opposition from their membership.

The next task was to choose the team members. When that was done the issues that were to be brought up at the

communications laboratory had to be decided and they also had to decide on what they considered their bottom line.

The next step was to again meet with management to choose a meeting site, plan menus, choose a starting date, select a facilitator(s) and work out the division of the costs. After all of this was done the process could begin.

Interview Question II-B Summary

Both the management and teacher teams noted that a lot of planning went into this process, far more than what was demanded by traditional bargaining.

One aspect that was unique to this process was that the initial planning had to be done together. Both teams had to reach consensus on the starting date, the facilitator(s) to use, the facility, the size of the respective teams and the division of the final costs of the process.

In retrospect, they indicated that this was the beginning of relationship building because it was one of the first times that they had been able to come to an agreement that was mutually acceptable without anyone having doubts as to the motives that were involved.

After the decisions that involved the teams working together were made, the process for the teams working individually closely paralleled each other. They had to get

the membership at large to agree to this process, choose the issues to bring to the communications laboratory, decide on their bottom line, and choose a bargaining team.

C. How were the teams selected?

Interview Question II-C Management Responses

The exact administrative configurement of the team depended on the administrative structure of the district. The decision process remained the same in all of the districts but personnel differed due to the fact that the respondent districts were organized differently in terms of administrative structure. The whole board was on the team in every district. The rest of the team was made up of: the superintendent, the business manager, the assistant superintendent in charge of personnel, and/or principals representing different grade levels depending on the administrative structure of the district. The attorney was going to be present as a resource person in each instance, but would not be a member of the team which meant that he/she would not be able to speak directly at the table per the protocols.

Interview Question II-C Teacher Responses

In all of the districts the president of the association, the chief negotiator of the association and then as many

teachers as were needed to match the number on the administrative team were on the team. The teachers were selected from those who volunteered with the focus being put on balancing the number of men and women, single and married, building representation, subject representation, and grade level representation. The Uni-Serve Director (from the Illinois Education Association) would also be present, but as a resource member, without the right to directly speak to the group as per the protocols.

Again, the demographics of the district created the differences in the team make up. Unit districts provided the most diverse teams because of the span of grade levels that they include. The main focus for the selection of the teacher team, regardless of the type of district, was balance and diversity.

Interview Question II-C Summary

Both teams were actively recruiting members that would represent a wide cross section of people. Care was taken to see that all groups were represented. The teams were equally careful to make sure that no group was over represented. Both teams chose the remaining members, after the core was in place, from a pool of volunteers. Both teams chose to have a representative present as an ex-officio member of the team to

use as a resource person, but per the protocols, did not give that person team status which precluded them from speaking during the communications laboratory.

D. How was the facilitator selected?

Interview Question II-D Management Responses

Someone who was well versed in the process was selected by the management team and then his/her name was given to the teachers for their approval. In two districts both teams agreed to use Irving Goldaber as the facilitator for the process.

Interview Question II-D Teacher Responses

The teachers received a list of facilitators from IEA (Illinois Education Association), chose a facilitator and then gave the name to the administrative team for their approval. Two districts did not use process of providing the other side with a list. In those districts the teams agreed to use Irving Goldaber as the facilitator for the process.

Interview Question II-D Summary

The selection of a facilitator(s) was by far one of the least complicated parts of this process. The teams either chose a facilitator from a list and submitted it to the other side for acceptance and one or two people facilitated the process or, in two instances, they agreed to use Irving

Goldaber as the sole facilitator.

E. How were the bargaining issues selected?

Interview Question II-E Management Response

The superintendents and the boards in all of the districts met and discussed their concerns and delineated the items they wanted included in the bargaining. The superintendents then met with district and building administrators and solicited their input. A list of all the bargaining issues was developed and brought to the communications laboratory.

At the communications laboratory, the teams presented their issues and posted the issues on newsprint around the room. The person who presented the issue was then allowed to address the issue and state why it was presented.

When all of the issues from both sides were posted and addressed, the process of condensing them to a workable number began. Like issues were grouped together, other issues were placed with similar issues as sub-categories. Some issues were simply discussed and the terms agreed to right there. Other issues were identified as not being of major importance and they were dropped.

All of the districts followed the same procedure. The only difference was which administrators were asked for their

input. This was determined by the administrative structure of the district. For example, one district considered department heads to be a part of the administration while in the other five districts they were a part of the bargaining unit.

Interview Question II-E Teacher Response

A questionnaire was developed by the teacher team and sent to all of the bargaining unit members in five of the districts. The questionnaire asked the membership at large to list items that they wanted brought to the table. It could either be a change in the current contract or new language that they wanted included.

The officers of the association then met and compiled this list. The compiled list then went back to the membership for them to prioritize. The leadership of the association then looked at this second list and decided what items were significant enough to be discussed at negotiations.

Those items were then brought to the communications laboratory where they were presented to the whole group, explained in detail, and then posted around the room. When both teams had finished posting their issues all of the issues were looked at by the collective group. At that point some of the issues were dropped and others were combined.

The only difference that existed in the procedure that

the teachers used to determine what the bargaining issues would be came in the district that had just recently unionized. In this district all of the teachers were polled not just the teachers that were members of the bargaining unit.

Interview Question II-E Summary

The teachers and management basically used the same method to select their bargaining issues. The teachers went to the people they represented and asked for their input. Management issues were decided after conversations between the board and the administration. Both teams then prioritized the items and brought them to the communications laboratory. At the communications laboratory the issues were presented, discussed, and then posted on the walls. Both sides then took a look at all of the issues and worked with them to combine, categorize, agree to adopt or agree to drop them.

Research Question III

What steps were used during the process of negotiations?

A. What role did the facilitator have in the process?

Interview Question III-A Management Responses

The facilitator(s) had many roles which were unilateral in all of the districts. The first role was to help in the establishment of protocols. The protocols were the rules that

both teams had to agree to live by. Following that, the facilitator's main role was to see that there was adherence to the protocols. The facilitator(s) went between the groups to move both sides along in the process. One of the main focuses of the facilitator(s) was to make sure that both teams adhered to the protocol that only problems could be attacked and never the person.

In some instances, if it became necessary, the facilitator(s) acted as a referee or mediator. In every district the facilitator(s) encouraged brainstorming and problem solving. He/she asked pertinent questions. The one thing that the facilitator(s) did not and would not do was provide an answer.

One of the respondents, a superintendent, indicated that the use of a facilitator(s) was unnecessary after going through the process one time. This person felt, that after the initial meeting, the groups could be self monitoring in subsequent negotiations because they would be familiar with the process and the protocols.

Interview Question III-A Teacher Response

Teachers from five districts indicated that in many instances the facilitator(s) acted as a referee. He/she helped both teams to strongly adhere to the protocol of only

attacking the problem and not attacking the person. That was more difficult for the teachers than it was for management. A job that was mentioned by all of the teacher respondents was that the facilitator(s) also kept both teams on task. He/she would watch the time and listen to the conversations. When anyone would begin to wander off the track he/she would redirect them. The facilitator(s) never gave either team the answers. He/she asked questions that would guide the teams to discover, for themselves, their own answers.

Interview Question III-A Summary

With the exception of one management respondent, a superintendent, both the teachers and management agreed that the facilitator(s) provided an essential function in the success of this method of collective bargaining.

The facilitator(s) played many roles. He/she was the referee, the leader, the suggester, the sounding board, the encourager, and the peace keeper. The facilitator(s) saw to it that the protocols were adhered to and that the teams remained on task.

The facilitator(s) also acted as a quasi mediator in that he/she manipulated the discussion by asking open ended and probing questions so that consensus could be reached. The facilitator(s) never directly provided solutions.

B. How were problems dealt with?

Interview Question III-B Management Responses

The majority of management respondents indicated that there did not seem to be the same kind of problems that had been encountered in traditional bargaining. There certainly was no movement toward an impasse at any time.

There are several reasons for this. The first was the agreed upon protocols. They served as a type of constitution that governed what the teams were able to do and say. The second was the facilitator(s). He/she kept the teams on task and continually reminded the teams that they were here to attack the problems and not each other. A third reason was the time constraints. Both teams had all bought into getting this done in thirty days so there was no time for the traditional bargaining games such as grandstanding or posturing. Issues that would have traditionally gone to impasse were either talked through or assigned to a sub-committee. The management respondents indicated that it was very refreshing to treat each other as professionals and eliminate the game playing.

One business manager expressed the belief that non-monetary issues were easy to settle. He/she believed that when it came down to salary it reverted back to traditional

bargaining and deals were struck and sidebars still existed. It was just different in how it came back to the table. The big difference was that the board had disclosed their final, best offer in the beginning. Management had nothing to hide so it was more how the money would be divided up and getting both teams to agree.

Interview Question III-B Teacher Responses

The problems that were dealt with using this method came nowhere near the problems that the teachers from five of the districts were used to dealing with in traditional collective bargaining. A priority for the teacher teams was to try very hard to police their own ranks. There were people on the teacher teams that were used to pounding the table and walking out. This type of behavior was not allowed under the protocols that had been agreed to.

The facilitator(s) was very good in making sure that the people that did the talking for both teams kept personalities out of the discourse. If either team began to stray away from the topic he/she would redirect them.

Another thing that helped minimize problems was the openness of communication that existed between the teams. The teachers felt like they were being treated as equal partners in coming to consensus. The teacher team also felt that the

other side of the table was genuinely concerned about what the teachers had to say and that management was listening to them.

An additional component of the program that helped to alleviate problems was that the teams worked out their own problems, the board didn't try to shove a solution down the teachers' throats.

The component that prevented going to impasse was the time commitment that had been agreed on. The teachers didn't want to be the ones that caused this process to fail. They were very invested in its success.

This opinion was expressed by three teacher respondents, one from each high school districts and one from a unit district. There are still some teachers, who did not serve on the bargaining team, that thought the teachers gave away more than they should have and that they could have gotten more. The members of the teacher team from those districts believe that these disgruntled employees still don't understand this process.

Interview Question III-B Summary

Both teams agreed that this process eliminated many of the problems traditionally associated with collective bargaining. The level of trust that was developed and the openness of the communication served to eliminate a lot of the

guesswork and suspicion that is generally a part of negotiations. The facilitator(s) also played a major role in stopping problems before they started. He/she made sure that the protocols that had been agreed upon were followed. He/she also kept both teams on task and redirected the conversation when it began to move away from the problem.

Another thing that served as a deterrent to declaring an impasse was the ownership that both sides had for this process. No one wanted to be responsible for the failure of the win-win process and, in this spirit, would continue to brainstorm and look for solutions, often with the help of the facilitator(s), where traditionally fists would pound and people would walk out.

Some negativity still exists in solving salary issues. One business manager and some teachers not directly involved in the negotiations still feel that the win-win process deteriorates when money is the issue. These people, however, represent a small minority of those people either directly or indirectly involved with the process.

It is interesting to note that this process has the reputation among administrators who have never used this method of "giving away the store." The management respondents in this study expressed the exact opposite. Management felt

that the settlements were equitable. Some of the teachers, that were not on the teacher team but who had expressed their feelings to the respondents, felt that the team had settled for too little after conceding too much.

C. Was game playing used during negotiations?

Interview Question III-C Management Responses

No, in every instance the management team was open and honest and that was returned. All of the respondents expressed that it was a refreshing difference not to have to say something and mean something else.

One assistant superintendent expressed the belief that some game playing will exist whenever people sit down with different interests. However, in this method, he/she noted that the games were greatly diminished and not looked upon too favorably by the group when they were identified.

Interview Question III-C Teacher Responses

Some of the old regime, one teacher on each of two teams, tried to bring the games to the table but they were very effectively shut down by the rest of the team. When the team didn't identify what was being attempted, in terms of game playing, the facilitator(s) did and stopped it. It was the collegiality and trust that developed over the course of the process that shut down the games.

Interview Question III-C Summary

The majority of the respondents from both teams indicated that this process encouraged openness, honesty and collegiality. They also noted that the protocols were developed to specifically shut down the traditional games that exist in the collective bargaining arena. When games were attempted, however infrequently, there were two means used to shut them down. The first was by the monitoring of the group by the group who would stop the person and identify their behavior as inappropriate. The second was by the careful observations of the facilitator(s) who kept the process rolling and wouldn't let it get bogged down by game playing.

One more reason for the lack of game playing was the ownership felt by both teams to make this process work. Therefore, there was no significant game playing and that which was attempted was shut down before it could become counterproductive.

D. How do you describe this approach in terms of the steps that you used?

Interview Question III-D Management Responses

The first thing that had to be done in all of the districts was obtaining information about this process that would add to the body of information that had already been

acquired and see if the association was open to trying this method. After the interest of the association was ascertained, the superintendents invited a team of teachers to attend an informational workshop with members of the management team. Relationships began to form between the two representative groups even in that short time. That was very encouraging to both teams. Management and the teachers then went back to their respective groups to sell the program to their teams. A speaker came in to give an impartial presentation to the groups as a whole. The groups then voted to try this method.

The next step was to choose the actual team that would be involved in the negotiations and decide on the issues that management wanted to bring to the table. From there the management team met with the association to decide on a facilitator(s). The projected ratification date of the contract was then set by both sides. Two required weekends were agreed upon so that calendars could be cleared and arrangements made for these extensive sessions. Both teams looked over a list of recommended protocols, proposed by the facilitator(s), and made additions or deletions. The president of the union and the president of the board finalized the protocols and took them to their respective

teams for acceptance.

On the first weekend all of the people on both teams met together to discuss all matters related to the district. Each team had prepared problems, in question form, on large sheets of paper, which were hung on the walls of the room. All of the concerns were gone over verbally with the teams alternating the presentation of the problems. Both sides had no limit on issues or time. A discussion then ensued. After four seconds of silence during the discussion the next question was addressed. The teams then sorted the questions into categories. These categories would form the issues for the sub-committees that would meet to actually negotiate the contract.

These committees met independently of each other during the next three weeks. During these three weeks the board held meetings and the association held meetings apart from each other in order to keep their respective colleagues informed. In the mean time the sub-committees would reach a "newpromise". Newpromise is different than compromise in that neither side gives in. Instead of yielding, you redo the issue so that both sides get what they want and willingly agree.

If any issue couldn't be decided it was brought back to

the big group on the final weekend. Each sub-committee brought back solutions or information.

The fourth weekend everyone came back together. The purpose was to take all remaining issues and not to leave until everything had been solved, no impasses were allowed no matter how long it took. A contract writing team was then appointed. It consisted of three members from each side. They put everything into formal language. When the contract writing committee had finished a rough draft another meeting was held where everyone was given a copy of the tentative agreement. Language corrections were discussed. The meeting was then adjourned and the tentative agreement taken back to both sides for a membership vote. The next day a contract signing party was held for both teams and the contract was signed.

All of the respondents listed the same steps in the same sequence. The only differences that existed were found in the classification of administrative personnel that took part in the process, the number of issues that were presented and the number of committees that were formed.

Interview Question III-D Teacher Responses

In all of the districts the superintendent approached the leadership of the association and asked if they would be

interested in looking into the win-win method. The association officers attended a workshop with several board members and administrators to learn more about this method. The method was then presented to the association and the teachers were asked for their support and approval.

A negotiating team was then chosen and items were identified to bring up for discussion. When the team was selected, the board president and the association president met to discuss the protocols and guidelines that had been suggested by the facilitator(s). Both teams then brought the protocols back to their groups to make sure that nothing was missed and to make the groups aware of the protocols.

Both teams then met for the first prearranged weekend. Question sheets had been previously prepared by both sides. Questions and concerns from both sides were listed, a type of laundry list, and posted on the wall all around the room. This session was used to clear the air, get it all out. One by one each side spoke to each question or concern and then crossed them off in red ink.

The next step was to categorize the items and assign them to sub-committees. The sub-committees worked for the next three weeks doing research, meeting and trying to reach consensus. The sub-committees were also responsible for

reporting back to their respective groups.

The subsequent phase was meeting again as a large group for the final weekend. The original list was reviewed. Agreements were reached by the entire group based on the recommendations of the sub-committees. A contract writing committee was then appointed. It was their job to put the decisions of the group into language.

When the contract writing committee was finished the whole group met again, read the contract, and recommended ratification and approval. The tentative contract was taken back to the respective groups and voted on for ratification and approval. The negotiating teams then met for a contract signing party and the process had been completed.

The only variance that existed among the teachers was in the number of items that they presented. The number varied from twenty to sixty-eight. All of the respondents described the same steps in the process.

Interview Question III-D Summary

In an effort to make it as concise as is possible, the steps will be enumerated in the order they were performed.

1. The superintendents approached the association to see if they would be interested in trying this method.
2. Members of management, association officers and

negotiators attended an informational workshop to learn more about the process.

3. Representatives that had attended the workshop went back to their respective teams to get the approval to engage in a win-win program of collective bargaining.
4. Management and the teachers chose their representative bargaining units.
5. The teams met separately to choose the issues that they wanted to bring to the table.
6. The heads of the two teams agreed on a facilitator(s).
7. The facilitator(s) provided the teams with the protocols .
8. The teams looked at the protocols and made additions or deletions.
9. The heads of the two teams agreed on the protocols.
10. The calendar was established and meeting dates decided.
11. The teams met for the first weekend.
12. Issues were discussed and posted on the walls around the room.
13. Items agreed to were red lined.
14. The remaining items were categorized so they could be assigned to a sub-committee.
15. The groups were divided up into sub-committees with

members representing both sides to discuss and reach consensus on the remaining items.

16. The sub-committees met over the next three weeks.
17. Both sides met independently with the sub-committee members from their teams over the next three weeks.
18. Everyone came back together for the second weekend session.
19. Each sub-committee brought back solutions or information.
20. All remaining issues were solved.
21. A contract writing committee was appointed.
22. Everyone was given a copy of the tentative agreement for discussion.
23. The agreement was taken back to the membership of both sides for a vote.
24. A contract signing party was held for both teams and the contract was signed.

E. What were some procedures used to demonstrate trust?

Interview Question III-E Management Responses

The management respondents from five of the districts indicated that there was nothing concrete that they could easily identify or define. There hadn't been one magic moment when they could say now we trust each other. It evolved

during the process. Trust was probably more difficult for management than it was for the teachers. This was because of the history involved in past negotiations in five of the six schools and their concern about how and what would be brought up during the communications laboratory.

The process began when a group of administrators and board members attended a workshop with a small group of teachers. It seemed as though spending all of that time together, eating together and discussing the benefits of the program, brought the sides closer together. It made them feel like they were on the same side. It didn't seem necessary to have to talk the company line. Both sides were able to be open and honest with each other.

The communications laboratory was probably the greatest trust builder. It was hard to sit and listen to all of the allegations and complaints and keep an open mind, but management was very vested in having this method work. Having the board present also was an indication of the administrative level of trust. The administrators had to be very trusting that the teachers would adhere to the protocols and only attack the problem and leave personalities out of the process. The facilitator(s) helped with this but mostly the teacher team policed its own ranks. Giving the teachers all of the

documents that management had and not keeping anything a secret was also a demonstration of trust on the part of management. They really had more to lose than the teachers did in terms of trying this method so that, in and of itself, was a risk. It seemed that the more risks the administrators would take and the more vulnerable they would allow themselves to become, the higher the level of trust became.

The three administrators that comprised the team for the district that had recently unionized indicated that trust was really not an issue. Relationships between the teachers and the administrators had always been good. Perhaps because this was the first negotiations with an organized union there was not the baggage that is brought to the table in other districts. They were pleased that they had chosen this method because it allowed good relationships to continue.

Interview Question III-E Teacher Responses

It was hard, initially for the teachers from five of the districts, to trust the administration. There was a pervasive feeling of are they really putting everything on the table or are they hiding something. As the teachers got further and further into the process and had the time to thoroughly go through the documents that the administrators had given them, they began to see the sincerity in which the offers were made.

The teachers noted that management must have had similar concerns about what the teachers really wanted. The one thing that most illustrated the level of trust on the part of the administrators was when they sat in the communications laboratory with the entire board and allowed the teachers to speak freely on any issue that the teachers felt was important.

This was also a time when the teachers demonstrated that they could be trusted because they adhered to the protocols and did not allow personalities into the discussion. When they had to, the teachers curbed their people and followed the rules.

The three teachers that comprised the team from the district that had just unionized relayed that the teachers always trusted the administration. However, the teachers did feel that the administration had patronized them and were never completely sure that what the board gave the teachers was always the best that they could have gotten.

This process opened the doors to answer many questions that had remained unanswered for years. It was very reassuring for the teachers to see the financial reports and the audits.

Interview Question III-E Summary

The communications laboratory and the adherence to the protocols are the primary factors in building a trusting relationship. The next highest trust builder was the administration disclosing all of its financial reports. The last noteworthy trust builder was the desire to openly and honestly communicate with each other without the presence of the traditional collective bargaining games such as posturing, grandstanding, pounding the table, and walking out.

Research Question IV

What outcomes were achieved?

A. What successes do you attribute to the use of the win-win approach? Examples.

Interview Question IV-A Management Responses

All of the respondents believed that they had accomplished what they set out to accomplish and more. The examples are as varied as the respondents but a few of the successes that management cited were: a longer school day; a longer school year; improved communications; better climate; improved teacher morale; less grievances; a closer working relationship with the teachers; and, on going committees to maintain the problem solving that was started during the process.

Interview Question IV-A Teacher Responses

Again the successes varied from district to district but some examples that were cited by the teachers were: a longer school day; better insurance; more equity in pay; improved communications; a feeling of worth; the addressing of safety needs; access to the board; on going committees for problem solving; less grievances because they were settled before the problem progressed to the grievance state; and, a return of the department heads to the bargaining unit.

All of the respondents indicated that they had accomplished what they set out to and more. One of the respondents noted that there were a few teachers, who did not participate on the team, that believed that the teachers could have gotten a better agreement. It was noted by the respondent that these people are seldom happy with anything and are not given much credibility by their peers.

Interview Question IV-A Summary

In looking at the answers to this question from both the teachers and management all of the respondents indicated that this process allowed them to obtain all of their stated goals. In addition to that they also expressed the relationships that emerged as a result of this process as another success. They all agreed that they had put together a good package without

having to make any concessions. There was a contract in place for the opening of school which made coming back something which to look forward.

This process had eliminated the traditional roles that other methods of negotiations force people into. For example, the superintendent was no longer forced to play the role of the middleman. There were no worries about information leaks because everyone got the same information at the same time. There was open communication. The board and the teachers saw each other as real people. This process created a new working relationship between the teams.

The only exception to this relates to the district who was negotiating with an organized association for the first time. Their goal was to perpetuate relationships rather than restore them. This goal was also accomplished.

B. What non-successes do you attribute to the use the win-win approach? Examples.

Interview Question IV-B Management Responses

All but one of the management respondents indicated that there were no non-successes. They believe that this approach accomplished everything that was set out to be accomplished and more. One business manager expressed that the process deteriorated into traditional collective bargaining when it

came time to discuss salary issues. He/she also beleived that the district had to be very careful that they could afford what they gave away. Another question, although it may not be considered as a non-success, he/she stated, is will this be as effective when the district doesn't have as much money as they did this year?

Interview Question IV-B Teacher Responses

The majority of the teachers expressed that it was very difficult to think of non-successes. One teacher indicated that there were too many committees created to continue after negotiations were over. He/she noted that it made it feel as though the process never ends, it was too intense and there was too much information to deal with in such a short time.

Interview Question IV-B Summary

Both sides strongly believed that the successes far outweighed the non-successes. The non-successes were trivial in terms of the gains that were made. The management team respondents agreed that there were few or no non-successes. The only questions were raised by a district business manager who was basically uncomfortable with all of the openness this method brought into financial dealings.

The teachers had a few more concerns but they were hesitant to label them as non-successes. They expressed the

belief that the process needed more time from beginning to end and that too many on-going committees were formed.

C. What changes in school climate and/or teacher morale are attributable to the use of the win-win approach? Examples.

Interview Question IV-C Management Responses

The morale and the climate definitely improved in all of the districts. No one likes to work without a contract. Being able to start school with the contract already in place made everyone feel better about coming back. There was a feeling of anticipation at the beginning of the school year. The administrators didn't have to deal with any informational picketing or other types of harassment that they had to endure in past years in five of the six districts.

Another big change was in the way the teachers in five of the districts dealt with the administration. They were friendly and open. The open hostility and stand-offishness was gone. It also helped increase productivity.

The teachers were far more responsive when they were asked to do a task or complete paperwork than they had been before. It seemed as though they viewed things in terms of their worth to the system and not just an administrative chore that was imposed on them.

An additional benefit that came from using this method was the network of communication that it created. Instead of having every complaint go directly to a grievance, both sides were now able to sit down, either individually, or in a committee and work things out. This would never have happened before.

The respondents from the district that had just unionized cited that morale and climate had always been good. The management team wasn't as concerned about improving morale and climate as they were about maintaining it. The interesting thing that came out of this, though, was learning that the teachers had perceived the management as very patronizing in the past. This process did away with that and the teachers did start school with a renewed sense of professionalism and self worth. That, of course, had a positive impact on climate and morale but it came indirectly from using this process and was not a goal that had been identified at the onset of the process.

Interview Question IV-C Teacher Responses

Using this process had a tremendous effect on teacher morale and school climate in all of the districts and it was for the good. This was the first time in many years that school started with a contract in place. That, in itself,

gave a tremendous boost to morale which, of course, directly affects climate. Also, many of the bad feelings that had come out of the strikes were gone. Teachers and administrators were able to look each other in the eye without having a hidden agenda. It was perceived that the settlement had been fair and that the teachers had been treated professionally. There were also great hopes that the relationships that had been built up during the process would be maintained now that the school year had started. The establishment of ongoing committees was in place to assure this. The resolution of many of our concerns in terms of working conditions also added to raising the morale of many of the teachers. The teachers actually looked forward to coming to work. That was a new feeling for many of them. Having not had to give in during negotiations also helped the climate and the morale. The teachers felt that they had developed a partnership in the district and that they had some ownership in how things were going to be done.

The teachers from the district that had just unionized cited that the only morale problem that the teachers had were being made to feel like they were being taken care of like children. The act of unionizing, in and of itself, caused some climate problems because management did not understand

the need to organize. Many of the teachers believed that things were fine just the way they were and that there was no need to unionize. The choice of unionizing, when it came to a vote, had won by only one vote. It is understandable then to see that the teacher negotiating team had a lot riding on it when the process started. Fortunately the process ended with an excellent settlement and developed a collegial relationship with management which helped to erase some of the betrayal that the administration had perceived when the decision was made to unionize. The choice to use this method was not made because of morale or climate problems but, indirectly, both improved because of the results of this process.

Interview Question IV-C Summary

At the onset of negotiations some districts knew that a lot of wounds had to be healed and were counting on this method to cure some of the past ills. Other districts did not have issues that dealt exclusively with people as a part of their identified goals because they believed that things were already pretty good. It is interesting to note, that whether climate and morale improvement was a direct or indirect goal or whether it had not been considered at all, that climate improved in every case as did teacher morale and the overall

relationships between the teachers and management.

D. What changes in school/community relationships are attributable to the use of the win-win approach? Examples.

Interview Question IV-D Management Responses

Actually, in most cases, there has been very little change in school/community relationships. Most of the general public was relatively unconcerned with what went on in the schools unless it directly involved them. The use of this process had one very positive impact in school/community relationships in five of the districts because there was no strike or threat of a strike. Therefore, the media was not able to publish and/or air dirty laundry which causes people to take sides. School was able to open on time which of course affects the community positively. One negative that has come out of this was that some residents, after looking at their tax bills, blamed this settlement on an increase in their tax bill. This occurred in three districts. They don't realize that the increase was inevitable and would have happened no matter what method had been used.

Interview Question IV-D Teacher Responses

The district was able to start school on time. That means parents were able to send the children back without

having to make arrangements for extended child care. It seems as though that was a major concern in five of the districts. In that light it would seem that there was a positive impact on school/community relationships.

One teacher cited that the community had been dealing with quite a lot of unemployment. Some of the residents expressed the belief that teachers make too much money as it is. When the tax bills went up after these negotiations they blamed it on the settlement. He/she indicated that there needs to be more public relations work so that the public can be more informed about what goes into the tax rate used for funding schools.

Interview Question IV-D Summary

In terms of changes in school/community relationships there were some positives and some negatives. The most positive change that was noted by the respondents was that school started on time. By so doing, the negotiation process did not have a negative impact on the community by prolonging the opening of school. The community was also not forced to take sides. The negative change was the increase in taxes which some residents blamed on the agreement.

E. Has there been an impact on students and/or programs as a result of using this approach?

Interview Question IV-E Management Responses

The most direct impact that was cited by any of the respondents came from the district that had extended the school day because they were able to extend instructional time which had a positive impact on student achievement. The other respondents indicated that the impact was less direct and came from the increased quality of instruction that came from happier teachers and a climate that was more conducive to learning.

Interview Question IV-E Teacher Responses

As it was stated in the management response, the teachers from the district where the school day had been increased cited that the increased school day had an impact on students and programs but that this was the only direct change that could be attributable to this process. All of the teachers noted that more indirect changes were a result of this process such as increased productivity from the teaching staff and a willingness to go the extra mile. They also agreed that the increase in teacher morale and the positive change in school climate was an indirect positive change for both students and programs.

Interview Question IV-E Summary

Both the teachers and management from the district that

increased the length of the school day indicated that this had a positive impact on both students and programs. The rest of the respondents from both sides agreed that the changes were positive but far more subtle such as happier teachers work better than unhappy teachers and can therefore teach better.

F. What changes in the internal structure of board/administrator/teacher relationships are attributable to the use of the win-win approach? Has there been any change in contract management as a result of using this process? Explain.

Interview Question IV-F Management Responses

The management team respondents from five districts indicated that the changes that took place in terms of relationships and contract management were very positive. They can be delineated in several ways. The first change was that the relationships that developed during the negotiations continued after the contract was signed. Committees were formed to meet on a regular basis consisting of team members from both sides. An administrative advisory committee was formed comprised of teachers, administrators and board members. Their purpose was to meet regularly to see if any problems with the contract had come up. If so, they were empowered to deal with them. They could go so far as

recommending an amendment to the contract language.

Another change was in the area of grievances. No grievances went past the informal stage in any of the districts included in this study. All problems that were brought to the grievance chair of the association were taken directly to the administrator in charge of first level grievances and solved there.

For the management team from one district the most positive change that came out of this process was what was called memos of intent. That means that management, with the consent of the association, had the freedom to add new language that is binding on both sides without having to reopen the contract.

Interview Question IV-F Teacher Responses

Probably the most significant change in the internal structure, according to all of the teacher respondents, was the direct accessibility to the board. The teachers were given a chance, even after negotiations were over, to sit on problem solving committees made up of teachers, administrators and board members. This went a long way to remove the isolation from the board that they had perceived for so long.

In terms of contract language there were two significant changes. The first one was the handling of grievances. No

grievances progressed past the first step. The communication and the understanding of each other's needs had developed so strongly that a problem solving committee was able to solve the grievance at the first step. The second thing was the fluidity of the language. A committee was created to regularly review the contract to see if what it said was really what was meant to be said. If it didn't the committee rewrote the section and sent it to their respective teams for approval and/or inclusion in the contract.

One respondent stated that the continuing committees were a waste of time. This respondent believed that the contract language should remain in tact until the next bargaining session.

Interview Question IV-F Summary

There were positive changes in both relationships and contract management as a result of using this process. The openness that was fostered during the communications laboratory continued after the contract was signed. Problems were dealt with expeditiously so they did not have a chance to grow out of proportion. The board continued to work on committees that included teachers so that they continued their line of communication and didn't lose touch. Language changing opportunities existed in far less rigid a format than

had existed before. Grievances were settled at the lowest level.

G. What is the difference in the cost of negotiations using the win-win approach compared to other methods you have used?

Interview Question IV-G Management Responses

The management respondents from five districts indicated that it was neither more or less costly. What used to be spent on attorney's fees was spent on the facilitator(s) and his/her expenses. Expenses for the meeting facility and the food also had to be incurred. All of the expenses incurred by these negotiations, with the exception of the first workshop that was attended by teachers and administrators and was paid for by the board, were split right down the middle with the associations in all six of the districts. The package might have cost a bit more but in the end money was saved because strikes are very expensive for all involved.

Negotiations in the district that had just unionized were previously done with no one from the outside, so, the costs associated with former negotiations had been minimal. This time the costs of the facilitator(s), the rooms, and the food were split with the association. To go from virtually no expenses to any expense was of course an increase in cost.

Interview Question IV-G Teacher Responses

Teacher respondents from five districts expressed that no matter how expensive it was that it was far less expensive than a strike. The associations and the board split all of the expenses equally. The costs included the facilitator(s), the meeting rooms, and the food.

The teachers from the district that had just unionized had a different experience than the teachers from the other five districts. There had never been an association before so this was really the first time the teachers actually bargained as a unit. It was very expensive but, in the end, they agreed that it was worth it because of getting a very equitable package. The teachers also understood the workings of the district and established a highly professional relationship with the administrators.

Interview Question IV-G Summary

In districts where there had been strikes as the result of previous negotiations or in districts where the "hired guns" did the negotiations, the cost of using this program either came out even or less than was spent before. In the district that had not formally negotiated before the cost was, of course, higher. The respondents from that district, however, agreed that the outcomes more than justified the

expenses.

CHAPTER IV

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Summary

The purpose of this study was to analyze the purpose, process, planning, and outcomes of the collective bargaining process when it is based on the win-win philosophy of conflict resolution. The literature defines the win-win philosophy of conflict resolution as a highly effective method of conflict resolution when used as an alternative to traditional collective bargaining which is based on the win-lose philosophy of conflict resolution. The win-win philosophy of conflict resolution is based on the beliefs that it builds relationships and reduces the stress and antagonism generally connected with the collective bargaining process.

The purpose of using this method of collective bargaining was to find a method that would take the participants away from the antagonism and stress traditionally associated with collective bargaining and develop a contract that everyone was happy with. The planning was extensive on the part of both teams. There was a lot of work done in preparation to start. Many hours were then spent in committee work. The process continued even after the negotiating was over. The continuation took the form of ongoing committees. The

outcomes proved that, in the six districts studied, the win-win method of collective bargaining can provide a viable alternative to traditional collective bargaining.

Collective bargaining in its current status in the schools is most often antagonistic, adversarial, and divisive. The purpose of this study was not to indicate what the best method of collective bargaining is; rather it was to show that the win-win method of collective bargaining can be successful and generate negotiations that are based on trust, collegial relationships, and shared purposes.

This section answers the four research questions and summarizes the responses from the teachers and the administrators. This section summarizes the procedures, lists the research questions and draws conclusions based on the responses to the questionnaire.

This study was designed around four research questions that were identified after surveying the literature. A twenty-two item questionnaire was then developed to provide answers to the research question. Six Chicago suburban school districts participated in this research. There were two unit districts, two high school districts and two elementary school districts. Six people from each district, three from management and three from labor, were interviewed. In all

eighteen teachers, five superintendents, four assistant superintendents, four business managers, four principals and one school board member were interviewed.

The research questions that were developed to guide the study were:

Research Question I

What were the philosophical reasons for choosing a collective bargaining method that was based on the win-win philosophy of conflict resolution?

Research Question II

What planning/preparation was involved before the bargaining process began?

Research Question III

What steps were used during the process of negotiations?

Research Question IV

What outcomes were achieved?

Conclusions

Research Question I

What were the philosophical reasons for choosing a collective bargaining method that was based on the win-win philosophy of conflict resolution?

Conclusion I: The participants wanted a collective bargaining method that would build collegial relationships and avoid

strife and antagonism.

Five of the six districts included in this study had a history of antagonistic labor relationships and bad strikes. The other district had good relationships but had just unionized for the first time and wanted to use a method that would not ruin the existing relationships.

The respondents in this study felt that the time had come to try something different. They were tired of the bad feeling and ill will that traditional bargaining fostered. They wanted to open the lines of communication and walk away from the bargaining table without feeling used or abused. Therefore, they made the decision to embrace this philosophy of conflict resolution to maintain current relationships or to try to mend fences and avoid any more strikes.

The teachers felt a strong desire to be dealt with up front and in a professional manner. Therefore, when the administration approached them with the suggestion to learn more about this method of collective bargaining they saw a way to get out from underneath the bad history that followed the collective bargaining that had taken place for years. They felt that the strikes they had voted for were necessary but not in anyone's best interest. They looked forward to this method to open communications, give them direct access to the

board and perhaps prevent future strikes. The teachers liked this method and would like to see it continued in future negotiations.

Research Question II

What planning/preparation was involved before the bargaining process began?

Conclusion II: Both sides had to decide to use the process, then choose the issues to bargain and work out the logistical arrangements with each other.

The first area of preparation they had to do was gather enough information about the process so that they could feel comfortable with the decision to use this method. They did an extensive amount of research and reading on this process, attended seminars at professional conferences and conventions, and talked to other districts across the country who had used this method successfully.

Members from both teams attended a weekend workshop where the nuts and bolts of this method were presented. This proved to be a great experience because the collegial relationship between the teachers and management that is so essential to this process began to develop during this weekend. The method was then presented to and voted on by the respective memberships.

The teams were chosen, the items to be negotiated were determined, a facilitator(s) was chosen and the protocols approved. The decisions on times, dates, place and location followed.

Research Question III

What steps were used during the process of negotiations?

Conclusion III: Presenting bargaining issues at the communications laboratory, agreeing to what could be agreed on in the communications laboratory, dropping items of mutual consent, and assigning sub-committees to negotiate or fact find the rest of the issues were done on the first night. Sub-committee work was followed up in three weeks with another full group session where the agreement was reached and sent to the contract writing committee. When the proposed contract was approved a contract signing party was held.

After the initial planning and preparation was done it was time to go about the actual process of negotiations. This process began in an arena that was called the communications laboratory. At the communications laboratory all of the participants met together. The purpose of this first meeting was to get all of the items out in the open. This was done by writing all of the concerns on a piece of paper, addressing them, and then posting them around the room on the walls.

Each side then addressed each concern and a discussion ensued. Those items where consensus could be reached were lined out in red.

One of the steps that must be noted here was the adherence to the protocols. One of the first and most important protocols dealt with only dealing with the issues and not allowing personalities to come into the process. The teams were responsible for self monitoring but the facilitator(s) was really responsible for the open and non-threatening discourse on the issues that took place.

When all of the items had been addressed, those that were not lined out were grouped together into general categories. The groups were then divided up into sub-committees with members from each team being on each sub-committee. These sub-committees were called subject matter committees and it was their job to take the unresolved issues and meet separately from the rest of the committees to come up with suggestions for agreement to their issues.

The sub-committee process lasted three weeks. At the end of this time all of the groups reconvened. At this reconvened meeting the agreements to the contract matter were presented and the contract writing committee was appointed.

At the final weekend the contract writing committee

presented the proposed contract to all of the participants meeting together. The two sides separated to consider the contract and to vote on it. The two sides presented the contract to their constituencies for ratification. Everyone on both teams got back together for a contract signing party. The final step was organizing ongoing committees for the school year.

Research Question IV

What outcomes were achieved?

Conclusion IV: The outcomes that were achieved were improved climate, improved teacher morale, an atmosphere of open communications and a feeling of mutual respect, understanding and trust.

The outcomes that were most outstanding were the development of a rapport and a level of communication that had never before existed. Instead of walking away from negotiations with the bad feelings generally associated with the process, they had parted as colleagues. Two groups of people had united to a common cause, to write a contract that was best for all concerned.

Most of the outcomes are hard to measure on a scale because they involve feelings and relationships. Some outcomes that are considered successes are the improvement in

school climate and teacher morale. Another success was the raised commitment and energy level of the teachers and their willingness to go the extra mile. A direct result of this was the turn around time for required paperwork decreasing significantly. Grievances were settled at the informal stages. School was able to start on time and the community basically remained uninvolved during the process. The respondents from both teams felt that they had gotten language into the contract that was important to their representative groups and had not given up anything that should either be in or out of the contract. Committees were formed to be a continuation of the process after the contract was signed and formalized negotiations were over.

The cost for the teachers, in terms of money, was greater than it had been in traditional bargaining because they split the cost of the facilitator(s) and the accommodations, including the food, with management. The cost for management remained constant or decreased slightly. There were many more people involved in this process so the people cost, although non-monetary, was greater. This was, however, perceived as a plus. The respondents felt that by getting more people involved in the process that more people would understand how the decisions were made.

The teachers agreed with management that the time constrictions being only thirty days did force them to deal with a tremendous amount of information in a short period of time and they would like the process to be a little longer but still have an ending date. They believed that a commitment to reaching a completed contract by an agreed upon date was essential to the success of the program.

Recommendations

1. The participants must possess a willingness to be open to listening to the ideas of others.
2. The participants must be willing to relinquish power.
3. The participants must be willing to look past what is important to them as individuals to the good of the organization.
4. The participants must be willing to make an extensive time committment.
5. The participants must be willing to adhere to agreed upon protocols.
6. The participants must be willing to stay with the issues and away from personalities.
7. The participants must be willing to trust people who represent opposing views.
8. The participants must be willing to accept that the

win-win process is ongoing.

Recommendations for Further Research

1. Assess climate using a climate scale before win-win collective bargaining is used. Re-assess climate with the same scale at the conclusion of the process and do a comparison/contrast study.
2. Give the administrators who are going to use this method for the first time Blake and Mouton's managerial grid to ascertain their style. Use this information to predict whether or not the use of this method will be successful.
3. Replicate this study with schools in rural areas.
4. Redesign the questionnaire to one which makes statements for the respondents to answer based on a Likert scale.

REFERENCES

Atkins v. City of Charlotte, 296 F. Supp. 1968 (North Carolina, 1969).

Bailey, Max A. and Booth, Ronald R., Collective Bargaining and the School Board Member, Illinois Association of School Boards, 1978.

Blake, Robert R., and Mouton, Jane S., The New Managerial Grid. Houston, Gulf Publishing Company, 1978.

Caldwell, William R., Lehr, A. Terry, and Blust, Ross S. "Improving Public Sector Bargaining," Educational Forum, 47:77, Fall 1982.

Fischer, Roger and Ury, William, Getting to Yes. New York, Penguin, 1981.

Goldaber, Irving, "The Win/Win Approach to Social Conflict," in Goldman, George and Milman, Donald S., Psychoanalytic Perspectives on Aggression. Dubuque, Kendall/Hunt Publishing Company, 1978.

Goldaber, Irving, Transforming Conflict into a "Win/Win" Outcome. Salem, Oregon, Confederation of Oregon School Administrators, 1982.

Goldaber, Irving, Win/Win Program for Labor-Management Contract Development. Linesville, Pennsylvania, Conneaut Education Association and the Conneaut School District, 1983.

Hortonville Education Association v. Hortonville Joint School District No. 1, 225 N.W. 2dn. 268 (1975); 275 N.W. 2nd. 697 (1979).

Jascourt, Hugh D., "Labor Relations in the Decade Ahead: A Management Perspective," Journal of Law and Education, 10:365, July 1981.

Jones, Arthur E., Collective Gaining: A Collective Bargaining Alternative. Northwest Educational Cooperative Conference, 1984.

Lieberman, Myron, "Teacher Bargaining: An Autopsy," Phi Delta Kappan, 10:232, December 1981.

McLaughlin v. Tilendis, 398 F. 2nd 287, 7th Circuit, (1968); and American Federation of State, County and Municipal Employees, AFL-CIO v. Woodward, 406 F. 2nd. 137.

Meyer, Judith K., "The Supervisor's role in the Collective Bargaining Process," School Library Media Quarterly, 11:287-8, Summer 1983.

Mitchell, Douglas E., Kerchner, Charles T., Erk, Wayne and Ptyor, Gabrielle, "The impact of Collective Bargaining on School Management and Policy, American Journal of Education, 88:77.

Norwald Teachers' Association v. Board of Education, 83A. 2nd. 482 (Connecticut, 1951).

Resinas, Joan, "Teachers and Professional Autonomy," Educational Forum, 47:31, Fall 1982.

Schachter, Hindy Lauer, "Collective Bargaining and School Policy," Peabody Journal of Education, 58:81, Winter 1982-83.

Scott, William T., Sanders, James R., and Weber, Michael, "How to Cope with Collective Bargaining in Times of Fiscal Crisis: A Union Perspective," Journal of Law and Education, 9:224-5, April 1980.

Seattle High School Chapter 20, AFT v. Sharples, 293 N.W. 984 (Washington, 1930).

Slavin, Richard L., Wholers, Arthur F., and Licata, Joseph W., Journal of Experimental Education, 51:81 Winter 1982-83.

Springfield v. Clouse, 206 S.W. 2nd. 539 (Missouri, 1947).

Turner, Donald G., "Negotiations in Public Education: State of the Art," School Library Medial Quarterly, 11:279, Summer.

APPENDIX A

Interview Questions

Demographics: Date _____ Name _____

Position_____ District _____

Years in position _____ Years on bargaining team _____

Position on bargaining team _____

1. Why was this method of collective bargaining chosen? Who suggested it?
2. Did the participants view each other as adversaries or colleagues at the beginning of the process? Did it change during the course of negotiations? How?
3. What were the goals that you felt this process would achieve? Were they accomplished?
4. How did labor view this approach?
5. How did management view this approach?
6. What planning was done prior to starting?
7. How were the teams selected?
8. How was the facilitator selected?
9. What role did the facilitator have in the process?
10. How were problems dealt with?
11. What were some procedures used to demonstrate trust?
12. Was game playing used during negotiations?

13. How were the bargaining issues selected?
14. How do you describe this approach in terms of the steps that you used?
15. What successes do you attribute to the use of the win-win approach? Examples.
16. What non-successes do you attribute to the use of the win-win approach? Examples.
17. What changes in school climate and/or teacher morale are attributable to the use of the win-win approach? Examples.
18. What changes in school/community relationships are attributable to the use of the win-win approach? Examples.
19. What changes in the internal structure of board/administrator/teacher relationships are attributable to the use of the win-win approach? Has there been any change in contract management as result of using this approach? Examples.
20. Has there been an impact on students and or programs as a result of using this approach? Examples.
21. What is the difference in the cost of negotiations using the win-win approach compared to other methods you have used?

22. Would you use it again? Why? Why not?

APPENDIX B

February 4, 1992

Dr. Supt.

Dear Dr. ,

I am a candidate for an Ed.D. degree at Loyola University. My dissertation advisor, Dr. Max Bailey, suggested that I contact you in the hope that you will be willing to assist me in completing this process.

The topic of my research is the win-win method of collective bargaining. I would like to interview six people from your district, three from management and three from labor, to get more insight into this process of collective bargaining.

I am willing to work around your schedule. Each interview should take no longer than thirty minutes. Ideally I would ask you for the names of three people representing management, perhaps a district level administrator, a building level administrator and a board member. I would also appreciate being put in contact with the president of your union or association so I could get three people from labor.

I will contact you by phone on or before February 20, 1992 to ascertain whether or not you are willing to be a part of this research project. If I can answer any questions

before that time, or provide you with any additional information, I can be reached at 708- .

Thank you for your consideration in this matter.

APPROVAL SHEET

The dissertation submitted by Gaetana Lynn Calabrese Mollin has been read and approved by the following committee:

Dr. Max Bailey, Director
Associate Professor, Educational Leadership and Policy
Loyola University Chicago

Dr. Philip Carlin
Associate Professor, Educational Leadership and Policy
Loyola University Chicago

Dr. E. Rancic
Associate Professor, Educational Leadership and Policy
Loyola University Chicago

The final copies have been examined by the director of the dissertation and the signature which appears below verifies the fact that any necessary changes have been incorporated and that the dissertation is now given final approval by the Committee with reference to content and form.

This dissertation is therefore accepted in partial fulfillment of the requirements for the degree of Doctor of Education.

10-12-92
Date

Director's Signature