REFRAMING NEGOTIATING STRATEGY FOR IMPROVED OUTCOMES

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ABSTRACT

This paper examines techniques, beyond the traditional systematic approach to collective bargaining and negotiations, for public managers and human resource professionals, by exploring the formulation of strategies, through use of multiple lenses or frames. Three frameworks identified by authors Bolman and Deal are discussed, which include the structural, symbolic and political frames, all of which can serve as tools for negotiators. The structural perspective demonstrates the influences of organizational structure, hierarchy and maturity. The symbolic framework highlights organizational rituals and customs, as well as the use of theatrics, to highlight its influence on negotiations outcomes. Finally the power of politics is presented as a framework having both potential positive and negative ramifications. A new revised strategy through the utilization of multiple perspectives, such as the organizational, symbolic and political frames, may inspire more positive resolutions to negotiations outcomes.

Keywords: negotiations, framework, perspective, collective bargaining, symbolic, structural, political

INTRODUCTION

The words “collective bargaining” and “negotiations” raise a multitude of emotions ranging from readiness and anticipation for change to dread and anxiety. Authors Colosi and Berkeley in their book, Collective Bargaining: How it Works and Why, describe collective bargaining as “simultaneously a ritual, a game, a catharsis and a problem-solving process” (Colosi and Berkeley, 1992). Negotiators, recognizing the rough and uncertain road to reaching a final contract, must therefore come to the bargaining table with tools to recognize and address the challenges along the way. Authors Dur and Mateo, in their research entitled Choosing a Bargaining Strategy in EU Negotiations: power, preferences and culture, stress that from the early 1960’s, key international diplomats, such as Harold Nicolson, stressed the importance of early recognition of negotiations styles and their impact on negotiation outcomes. This went unnoticed. “The relative neglect of this issue is remarkable given that bargaining strategies likely make some difference to the negotiation process and its outcome.” (Dur, 2010, p.680) In approaching negotiations, various perspectives, lenses or frames serve as useful tools for decision-makers, regardless of which seat at the table they are occupying. In dealing with organizational issues, such as: negotiations, a collective and customizable menu of information analysis, multiple frames, in addition to creativity and judgment, can all be utilized to addressing past issues for positive future negotiation outcomes. Public management theories of lenses and
frames are presented, in this paper, in an effort to reframe, reformulate and thus, freshly re-evaluate problem solving and planning. The following analysis, aims to demonstrate the theory of reframing as a tool to improve outcomes and more importantly enhance resulting labor-management relationships when creating negotiation strategies.

Bolman and Deal, in their book *Reframing Organizations*, describe utilization of multiple frames as a tool of approaching problem-solving and organizational change for managers. New lenses to re-examine may include frames defined by factors such as the structure, symbols and politics. Structural perspectives consider how the organizational structure of the organization affects negotiation outcomes. Symbolic perspectives relate how the symbols and rituals found in negotiations impact the tone of negotiations. Finally, political perspectives aim to understand how the power of politics has both positive and negative ramifications to negotiation outcomes and relationships.

**STRUCTURAL FRAMEWORK**

Understanding the core mission and goal of an organization, as well as its basic organizational structure, can be one of the first steps in formulating a negotiation strategy using the reframing negotiations tool. Organizations can be structured in a more traditional hierarchical or divisional form, based on services and even formed in a matrix layout to accommodate its multiple demands. For example, if there has been a history of contentious negotiations in the past, the question as to whether the type of structure and its implications has led to a road block in the bargaining process may lead to answers that provide a guiding strategy. Along with the structural hierarchy, the phase of the organization’s life cycle may also highlight key strategizing hints. The flat and simple organization experiencing an inception or growth phase to accommodate developers, designers and builders will need the power to be innovative and flexible to thrive. Organizations in the maturity phase of the cycle have solidified hierarchies through formalized policies, procedures and practices. Are these formalizations limiting the organization’s ability to react to the environmental changes it may face such as financial downturn or natural disaster? By this stage of the organization’s life, the structure may have morphed into a machine-like organization with schedules perfected and formalized for efficiency. Solidified hierarchies traditionally have a strong patriarchal structure, a clear hierarchy of offices and division of labor and are present in highly unionized environments. Understanding how the organizational life cycle and structure impacts the flexibility of the organization for change and employee loyalty and tenure can serve as a key tool when creating strategies for negotiations.

**SYMBOLIC FRAMEWORK**

Bolman and Deal also discuss how “the symbolic frame focuses on how humans make sense of the chaotic, ambiguous world in which they live” (2008). There is no doubt that labor negotiations are filled with moments of chaos and ambiguity. In order to make sense of it all there are symbols and rituals that, while they may not have any practical or measurable outcome, become the building blocks of negotiations and serve to set the tone. In searching for symbolism during negotiations, it is apparent that ceremonies and rituals that are practiced, tell the story.
There are:
- ground rules meeting establishing political hierarchies.
- battle fields set up with large meeting rooms and strategically seated negotiators.
- caucuses extending through the night, wearing each side down.
- Media appearances to gain sympathies
- Deals and side bar conversations bypassing key stakeholders.

What message do these rituals convey in fostering inter-socialization, confidence, respect and resolve? Are there negative rituals in place that are maintaining the status quo and limiting innovation of ideas or are there positive, transformational rituals that reinforce solid relationships? A story can paint a picture and often times highlight perspectives that may not otherwise have surfaced. As Bolman and Deal eloquently state, “rituals and ceremonies provide scripts for celebrating success and facing calamity” (2008). What symbols have been set as the building blocks of the culture surrounding the story of past labor negotiations at your organization? Does the story describe the tone of the negotiations that you would like to see in the future?

Symbols can be found in the rituals and traditional practices. These, however, may also serve as powerful tools for manipulation and leverage. Consider the traditional rituals of negotiations:
- Endless public information requests consisting of hundreds of pages of documents.
- Claims that information is being withheld and misconstrued.
- Layers of hierarchy from the negotiating teams to the leaders of the organization

Are these claims a ritual of posturing or is there some real validation? Understanding the nature of the existing culture, its development, its purpose, and how it can be changed through symbols and practiced values can increase transparency during bargaining.

**POLITICAL FRAMEWORK**

In addition to understanding the structure of the agency, it is important to map the political landscape surrounding negotiations. The influence of politics should not be overlooked in formulating negotiation strategy. Organizations may be run by elected board representatives, appointed political officials, or vested financial stakeholders. In any case, politics has a presence and a very influential role. Some immediate forces include employees and their unions, mid-level management, followed by executive management, financial stakeholders and also elected or appointed board members. Not so obvious, and yet also very powerful, are the clandestine forces of legislative bodies and their regulations, larger union affiliates, local politicians and even national organizations and government personnel. Politicians are the facilitators of power. Dur and Mateo link the power tool to negotiations by saying that “The reasoning that links power resources to the choice of a specific bargaining strategy is that the possession of relatively large capabilities facilitates the use of hard bargaining tactics.” (Dur, 2010, p.684) The question arises
on an ethical note as to whether it is “possible to be political and still do the right thing?” (Bolman & Deal, 2008) An assessment not only of structural hierarchy but also of power and interests that highlight areas of strong support and even weak opposition must be analyzed. What stakeholders are involved when negotiations take place? At the center is the organization itself that is subject to all the forces that surround it, tugging at it from all sides. Agenda setting is an example of a political tool. The setting of agenda guides discussions with focus but also can also limit discussion by precluding conversations about other topics. Understanding the political influence and role that your organization plays in agenda setting highlights how much buy-in both sides of the negotiating table have to what is being discussed at the table. While the theatrical performance of negotiating may offer entertainment and a learning opportunity for those participating, what it should not lead to is repeating unsuccessful and limiting actions. Author Steven Roberts, in his article on negotiations checklist stresses that “Each negotiation is going to be different, no matter how often we’ve addressed similar situations. We will always be negotiating with people who have different styles, goals and objectives, and who are coming from different circumstances and have different standards.” (Roberts, 2011) Preparing for negotiations using new frames of perspective, such as the organizational, political and symbolic frames, may invite the story of negotiations to be re-written in a more positive light at your organization at the next round of bargaining.

ANALYSIS

Collective bargaining involves an intricate exchange of information, problem solving and tactical anticipation. While organizations traditionally exhibit a lack of skills in the area of anticipation, it is naïve to believe that, had different steps occurred, unexpected events would not still have happened. The Principle of Containment, as described by Weick and Sutcliffe, addresses learning from past practices to facilitate the reframing of negotiations. “To learn from error and to implement that learning through fast negative feedback, which dampens oscillations, are at the forefront of operating resiliently.” (Weick & Sutcliffe, 2007)

Reframing negotiations identifies the political power struggle between sides as well as symbolism in the theatrics that is played out. The media has the power to create a story of the struggle that both sides experience during bargaining. While exposure to the media is unavoidable and the tradition of the struggle for attention and empathy will probably never fully subside. Each side has its role to play. Each side has stakeholders to whom they must respond. Was your organization able to bounce back from surprises received through the media? Or did the agency receive it with adversity and charge forward? Consider how organizations limit their response actions by what has just transpired on television and the lessons learned thereafter. In a resilient organization, “your challenge is to avoid adjusting to surprises in ways that reduce your adaptability” (Weick & Sutcliffe, 2007). It is when organizations are true to the realities of what actually happens during negotiations, like media bashing and the attempt to gain public sympathies on both sides, that there is found the power to do something about it and to, hopefully, utilize this information in a more positive light.

While a structural change may not be plausible for the immediate future or even in the best interest of the organization, a more comprehensive understanding of the existing structure,
and the various political and symbolic perspectives, has highlighted areas of strengths that can be tapped into and weakness that can be improved upon. As identified by authors Budd, Warino and Patton in their research article on the patient care industry, “a combination of traditional and non-traditional strategies may be most effective, depending on the bargaining goal and labor-management relationship.” (2004) The relationship between management and union leaders is an intimate one with parties meeting throughout the year on a regular basis to deal with issues such as implementation, grievances, interpretation and organizational change initiatives. Over time, a working relationship has been established by both parties and they each understand the other’s needs, goals and even working styles. This relationship can be utilized and maximized in upcoming negotiations. Most importantly as a leader, communication and information is of the utmost importance. This is especially true for the staff in Labor Relations because, if they are not closely linked with upper management, there cannot truly maximize their abilities and talent, which can be utilized during and between negotiations.

REFLECTION

Reframing negotiations leads to thinking differently about the definition of success in negotiations. Is a positioned-bargaining approach one that fosters positive labor management relationships? Or rather does a win-win atmosphere yield optimal long-term results? It is also difficult for managers and leaders to be completely open and public about everything. It is difficult for managers to be fair to everyone in all cases. Their manager roles are dual in nature, in serving the employees while they manage the organization. The unions have their roles as well in representing the interests of its members. In their representation, they too find it difficult to be fair to everyone in all cases. It’s hard not to be a politician in a highly political environment. “Many people think of politicians as arm-twisters, and that is, in part, true. But in order to be a successful arm-twister, one needs to know which arm to twist, and how.” (Weick & Sutcliffe, 2007) An open discussion about roles, obligations and associated concerns allows for interests to be understood and interchanged. Phrases like, “What can I do to help you explain our situation to the Board?” or “What information do you need to take back to your members so that they understand how this will affect them?” facilitate a working relationship that leads to trust and respect.

A focus on the symbolic perspective would require some establishment of traditions or rituals that would encourage teamwork and trust. Opening negotiations with a kick-off barbeque where everyone pitches in to cook a feast and share a meal together might be a good start. A symbolic ritual of writing down on a piece of paper what was bad about the last negotiations and throwing it into the barbeque pit would signify a new and fresh start. A retreat may allow the opportunity to voice concerns and fears about previous negotiations and hopes for the upcoming negotiations. Something as simple as picking apart contract language with funny or hilarious interpretations and stories that start with, “I remember a time when…” These symbolic gestures are easily stated and difficult to practice, yet, it is with small gestures that situations associated with intimidation and anger can be changes to exchanges of trust and respect.
CONCLUSION

Welcoming a new perspective on an issue or problem through the utilization of multiple frames, such as the organizational, symbolic and political frames, may inspire more positive resolutions to negotiations. Successful and positive negotiation rests on constant fostering of relationships and working towards improvement. “By analyzing the types of conflict into categories, negotiators can have a better understanding of the real measure of the disputes, and frame or focus their strategies more effectively.” (Roberts, 2011) Organizational culture is the glue that holds groups within an organization together and it is also inclusive of the way in which the organization as a whole perceives negotiations. Furthermore, it is important, when strategizing, to identify negotiation focus areas and their alignment with organizational goals and objective. A single individual view is limited and when varying frames and perspectives are not explored, the degree of satisficing in decision-making is increased. Roberts again reminds us that, “it’s vital that we, as negotiators, consider the impact or consequences of an agreement in developing our strategy.” (Roberts, 2011) While there is no single secret recipe for success, perhaps with the perspectives realized from reframing negotiations, the process of creating a new stage backdrop, updating props, and revising lines for a new and improved negotiating forum can take place at your organization.

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Citations and References


