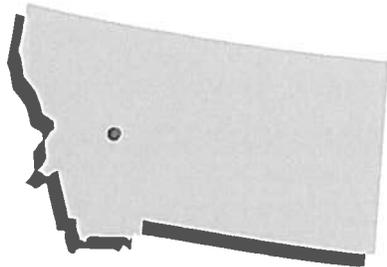


# INTEREST BASED BARGAINING TRAINING

Presented by:  
Board of Personnel Appeals  
Collective Bargaining Unit



Montana Department of  
**LABOR & INDUSTRY**  
Employment Relations Division

### Ice Breaker



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### Brain Power



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### What are your expectations?



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## Trust Exercise



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## Conflict is Healthy!

Conflict is like pain

- Don't have to like it
- But it serves a purpose
- Tells you that something needs fixing
- So fix it



Don't view negotiations as a sign of  
(or penalty for) failure...  
look at it as an opportunity for improvement

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## The Labor Management Relationship



- Just what is it, anyway?
- What is the union representative's role?
- What is the supervisor's role?

**Who is responsible for improving  
the relationship?**

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## The Marriage



### Similarities?

- Long term
- Know secrets about each other
- Share collective memory of their joint past history

### The big difference?

**YOU CAN'T GET A DIVORCE!!!**

- Even if the people change, the "units" are still in the relationship

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## The Press Conference



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## Interest Based Bargaining

A training program to increase your ability to bargain more effectively by turning *face-to-face* confrontation into *side-by-side* problem solving.

Goals – Participants will be given:

- An overview of the IBB process
- An opportunity to experience the process



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**What is Labor/Management  
Cooperation?**

**PHILOSOPHY**



**ATTITUDE**

**PROCESS**

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**PHILOSOPHY**

Espousing mutual interests in the  
operation of an organization in  
accordance with the values of a  
democratic society



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**ATTITUDE**

That values and nurtures an open  
climate conducive to mutual sharing  
of information and the building of  
trust.



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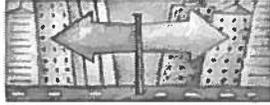
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## PROCESS

Providing a vehicle for participation in problem solving and decision making to improve the effectiveness of the organization and to enhance the quality of work life



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## Principles of an Effective Relationship

**Purpose** – build a relationship to:

- *Survive changes in key people*
- *Survive differences over substance*
- *Survive mistakes, problems and surprises*

**Principles** – an effective relationship involves:

- o “ACBD” – *Always Check Before Doing*  
*Always Consult Before Deciding*
- o *Active Listening*

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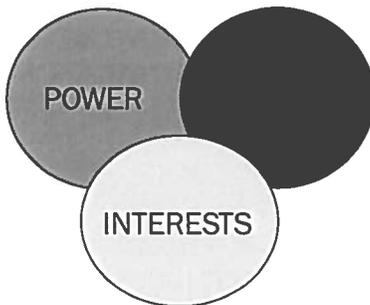
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## The Three Ring Circus- Power, Rights, Interests



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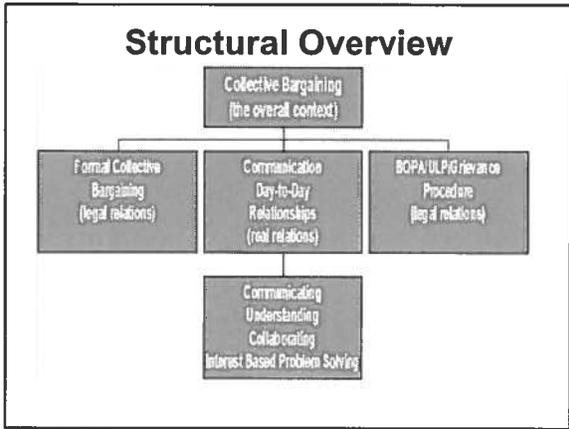
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# HARVARD NEGOTIATIONS EXERCISE

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Round	Your Choice	Group's Pattern	Your Payoff	Your Balance
1	X Y	_X _Y		
2	X Y	_X _Y		
3	X Y	_X _Y		
Round	Your Choice	Group's Pattern	Your Payoff	Your Balance
1	X Y	2X 2Y	2	2
2	X Y	_X _Y		
3	X Y	_X _Y		
Round	Your Choice	Group's Pattern	Your Payoff	Your Balance
1	X Y	2X 2Y	2	2
2	X Y	1X 3Y	-1	1
3	X Y	_X _Y		
Round	Your Choice	Group's Pattern	Your Payoff	Your Balance
1	X Y	2X 2Y	2	2
2	X Y	1X 3Y	-1	1
3	X Y	1X 3Y	3	4

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## Problem Solving Process

- ✓ To avoid overt or subtle domination of the team by high status persons or strong personalities.
- ✓ To generate a large number of potential solutions.
- ✓ To generate ways to discuss and analyze ideas without threatening those who presented the ideas.
- ✓ To set priorities among possible solutions in a way that is consistent with consensus decision making.
- ✓ To set personal responsibilities for follow-up actions, and to share these responsibilities

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## Interest-Based Problem Solving the P.A.S.T. Model

Based on PRINCIPLES, ASSUMPTIONS, STEPS, AND  
TECHNIQUES which trained problem solvers to use to  
achieve positive results for both parties.



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## PRINCIPLES



- ✓ Focus on issues not personalities
- ✓ Focus on interests not positions
- ✓ Create options to satisfy both mutual and separate interests
- ✓ Evaluate options with standards, not power

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## ASSUMPTIONS

- Decision makers approve the process
- Both parties have the right to exist
- Every interest is legitimate
- Both parties can have their interests met
- Problem solving enhances relationships
- Parties should help each other
- Open discussion expands mutual interests and options
- Standards can replace power relative to solutions
- Solutions are more durable and sustainable



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## STEPS

Identify issues

Identify interests

Develop options

Develop standards

Apply standards  
to options

Achieve a mutual  
gain agreement



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## TECHNIQUES

Consensus

Brainstorming

Idea Charting



Understanding  
Differences

Effective  
Communications

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# WORKING STYLES



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## Traditional Problem Solving Negotiations



Focus on a limited pie

### LIMITED PIE IMPLICATIONS

- Every slice I get is one less for you
- What I win – you lose

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## Interest-Based Problem Solving Attempts to Expand the Pie By

- Helping each other
- Sharing interest information
- Discovering differing value
- Creating many options

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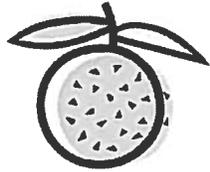
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### ISSUE

Who gets the orange?



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### POSITIONS

- |   |       |                        |
|---|-------|------------------------|
|    | John  | "I want it!"           |
|    | Bob   | "I've got to have it!" |
|   | Tom   | "I need it now!"       |
|  | Steve | "Let me have it!"      |
|  | Joe   | "Give it to me now!"   |

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### INTERESTS

- |   |       |              |
|---|-------|--------------|
|  | John  | Juggling     |
|  | Bob   | Orange Juice |
|  | Tom   | Seeds        |
|  | Steve | Peeling      |
|  | Joe   | Pulp         |

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## ORANGE IMPLICATIONS

Positions are mutually exclusive.

Interests are not mutually exclusive

Position taking precludes

Discovery of mutual interest

Interests and options



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### Example:

#### POSITION

I must have work hours from 8:30 A.M. to 3:00 P.M.

#### INTEREST

I am concerned about my child, who will be home alone after school until I get home.



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### What's the Difference?

#### POSITION

One party's proposed solution to an issue;

THE HOW

#### INTEREST

One party's concern, need, desire, fear or hope behind an issue;

THE WHY



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## Exercise A

Distinguishing Position Statements  
from Interest Statements



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## Telling the Story



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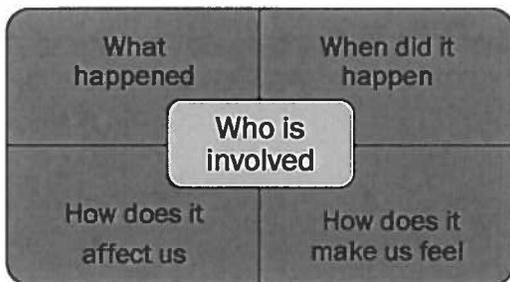
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## Explain the Problem and Issues in Detail



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## During the Story...

Honor  
Perceptions  
of Others



Seek Perceptions,  
Texture,  
Background

Describe, don't  
Characterize or  
blame

Clarify

Record for  
Group  
Memory

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## Exercise: Information Sharing



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- Understanding:** Seek first to understand before seeking to be understood.
- Respect:** Accept other parties as equal partners in the relationship.
- Trust:** Be wholly trustworthy, yet not wholly trusting.
- Emotion:** Make decisions based on reason not emotion.
- Focus:** Separate relationship and content issues.
- Process:** Use an interest-based strategy

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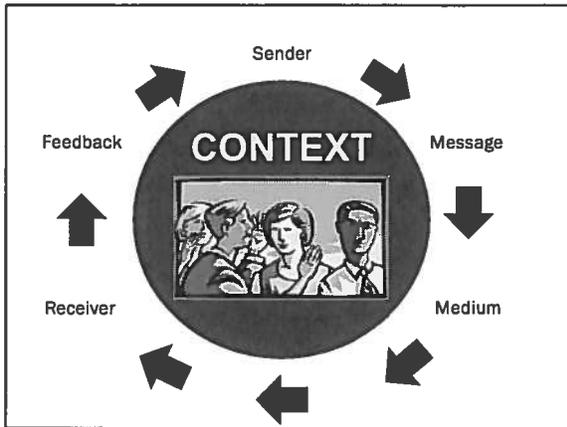
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**Sender:** must think through the intended message, then speak... articulate thoughts to be easily understood to avoid losing the value of the message.

**Message:** is of lesser (or no) value if conveyed in words or manner that the receiver cannot understand.

**Medium:** must be conveyed through an appropriate medium.

**Receiver:** must be ready for the message. must be focused (not thinking of anything else). must process the message and not just hear the words.

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**Feedback**  
**The Most Important Part!**

Feedback is how people know they are communicating; without it, the sender doesn't know if:

- The receiver got the message.
- The receiver understood the message.
- The receiver agrees or disagrees with the message.
- The receiver will react or respond.




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I know you believe you understand what you think I said, but I am not sure you realize that what you heard is not what I meant...



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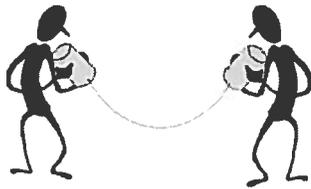
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### Communication



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### Perceptions & Paradigms

❖ Perceptions – Your reality

❖ Paradigms – Your way of thinking



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## Perceptions



Your perception is how you see and hear things.



Your perception influences what you hear and affects how you respond



Some Factors:  
• Age  
• Gender  
• Ethnicity  
• Culture  
• Personal History

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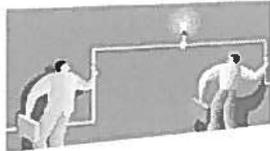
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## Paradigms

A framework in which you understand things.



Paradigms include the way organizations and groups believe how they understand things.

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For reference, some of these techniques are seen in The Seven Norms of Collaborative Work

**Pausing:** Pausing before responding or asking a question allows time for thinking and enhances dialogue, discussion and decision-making.

**Paraphrasing:** Using a paraphrase starter that is comfortable for you "So..." or "As you are..." or "You're thinking..." and following the starter with a paraphrase assists members of the group to hear and understand each other as they formulate decisions.

**Probing:** Using gentle open-ended probes or inquiries such as "Please say more..." or "I'm curious about..." or "I'd like to hear more about..." or "Then, you're saying..." increases the clarity and precision of the group's thinking.

**Putting ideas on the table:** Ideas are the heart of a meaningful dialogue. Label the intention of your comments. For example, you might say, "here is one idea..." or "One thought I have is..." or, "Here is a possible approach..."

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**Paying attention to self and others:**

Meaningful dialogue is facilitated when each group member is conscious of self and of others and is aware of not only what she/he is saying but how it is said and how others are responding. This includes paying attention to learning style when planning for, facilitating, and participating in group meetings. Responding to others in their own language forms is one manifestation of this norm.

**Presuming positive presuppositions:**

Assuming that others' intentions are positive promotes and facilitates meaningful dialogue and eliminates unintentional put-downs. Using positive presuppositions in your speech is one manifestation of this norm.

**Pursuing a balance between advocacy and inquiry:**

Pursuing and maintaining a balance between advocating a position and inquiring about one's own and others' positions assists the group to become a learning organization.

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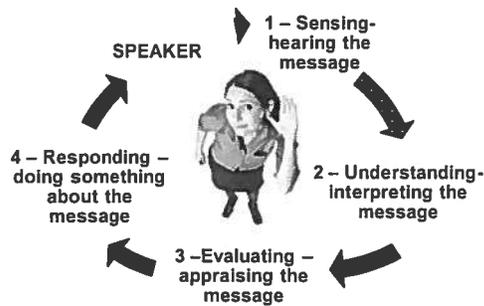
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**Active Listening  
The Four Stages**



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**Active Listening Test**



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COMMUNICATION THAT WORKS	POSITIVE EFFECTS
<p>Active listening</p> <ul style="list-style-type: none"> <li>• With an open mind</li> <li>• For feelings as well as information</li> <li>• Striving for understanding</li> <li>• Acknowledge the speaker is heard before responding</li> </ul> <p>Clarity and focus Depersonalization Create common ground Collaborative attitude</p>	<p>Encourages participation and positive feelings Provides a chance to vent Improves communication Develops positive feelings and better relationships Helps transition in situations of change Consensus decision-making</p> 

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### Communication That Does NOT Work

<ul style="list-style-type: none"> <li>⊗ Interrupting</li> <li>⊗ Logic/reasoning</li> <li>⊗ Overreacting</li> <li>⊗ Redirecting responsibility</li> <li>⊗ Rehearsing responses</li> <li>⊗ Controlling/closed minded</li> </ul>	<ul style="list-style-type: none"> <li>⊗ Avoidance</li> <li>⊗ Hopefulness or mind reading</li> <li>⊗ Assuming others think like you</li> <li>⊗ Criticizing the message</li> <li>⊗ Pulling rank coercion</li> <li>⊗ Pretending to listen</li> </ul>
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### Negative Effects



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- Bad Communications
- Misunderstanding
- Bad relationships
- Hurt feelings
- Lack of consensus
- Status quo

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## Non-Verbal Communication



### What to look for:

- Open posture
- Attentive attitude (the nod)
- Positive signals

### What to look out for:

- Folded arms
- Hands covering mouth
- Hands at the ear, nose, mouth, throat
- Praying hands
- Clenched fists
- Hands behind head
- Hands over face
- Others???

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## Exercise F



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### A Position Statement

- Focuses on a particular solution,
- Makes a demand, and
- Sets up confrontation before the problem had been clearly defined.

### An Interest Statement

- Focuses on the problem,
- Articulates one of a range of needs, and
- Establishes a climate and common language so the real issue/problem can be understood, discussed and negotiated.

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### Converting Positions to Interests

If a demand, solution, proposal, or position appears on your interest list, convert it to an interest by asking what problem it is trying to solve or what concern it is intended to address. Determined best by review of THE STORY.....

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### Identify Interests (not positions)

Intangible motivations: needs, desires, concerns and fears



Focusing on interests, not positions, leads you to choices or options that could never be considered if you focused on your concrete positions.

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### Exercise B

Developing Interest Statements

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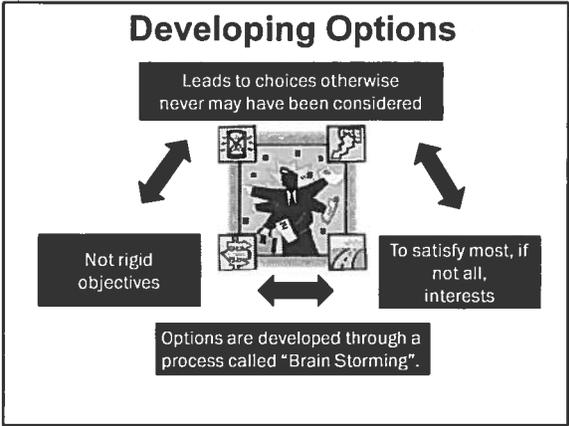
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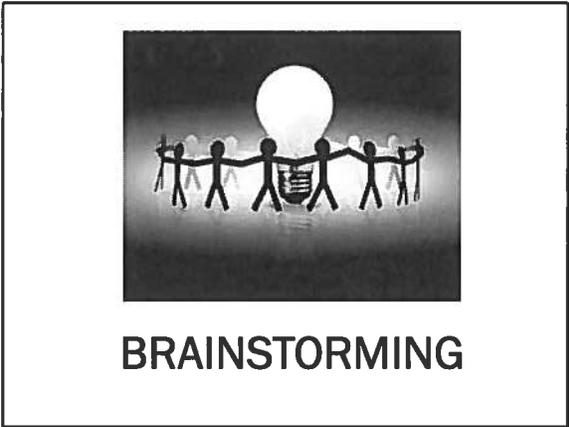
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- ### Rules of Brainstorming
- ✓ Always review rules before brainstorming
  - ✓ Everyone has the opportunity to suggest
  - ✓ Record for group memory
  - ✓ Be free-wheeling: use imagination - take risks
  - ✓ Combine, expand hitch-hike ideas
  - ✓ Understand IDEAS not offers/proposals
  - ✓ Go for quantity and variety
  - ✓ Make no criticism
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### Standards/Criteria

- Area Standard
- Simple
- Ratifiable
- Legal
- Cost Effective
- Equitable
- Understandable



**Must be set by consensus**

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### Exercise C

#### Developing Options Based on Interests



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#### Consensus Decision-Making



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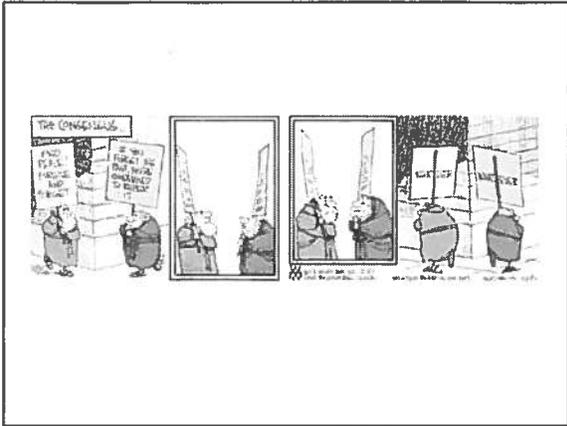
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### Definition of Consensus

A group reaches consensus when all members agree upon a single alternative, and each group member can honestly say:

I believe that you understand my point of view and that I understood yours.

Whether or not I prefer this decision, I support it because:

- It was reached fairly and openly, and
- It is the best solution for us at this time

**70% rule...**

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### Our Definition....

“A decision everyone can live with.”

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## Creating Consensus

- Listen Actively
  - Listen to ALL Ideas
  - Yield to reason not to pressure
  - Encourage participation
  - Share information
  - Combine ideas creatively
  - Look for mutual gains approaches
- BUT DON'T**
- Ø Horse Trade
  - Ø Change your mind to get along
  - Ø Argue for an idea just because it's yours

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## Consensus Exercise



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## Benefits of Consensus

- Builds trust
- Build ownership of decisions
- Builds support and lessens opposition
- Eases implementation of changes
- Is very powerful



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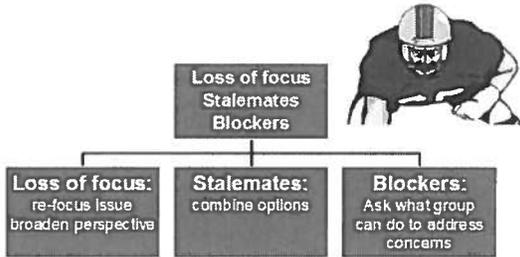
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## Obstacles to Consensus



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## Testing for Consensus

- Has everyone been heard?
- Is there anyone who can't live with the proposed solution?
- Dissenter obligations:
  - Explain why; and
  - Propose solution building on or modifying proposed solution

Another Simple Test



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**No one just gives in;  
No one gets all they want;  
Not always a compromise;  
But the best solution for us at this  
time.**

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**You can't always get what you want,  
But if you try sometimes...  
You just might find...  
You get what you need.**



**~Mick Jagger**

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**Considerations for  
Effective IBPS Strategies**

**While preparing for and carrying out an IBPS strategy for negotiations, the parties should consider:**

- **Building and maintaining understanding and support of an interest-based strategy among constituents.**
- **Helping constituents understand interests—their own and the other parties'.**
- **Communicating during the process (no written proposals as markers of progress).**

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- **Dealing with the perceptions that the process "takes too long."**
- **Maintaining clarity on organizational interests as well as constituents' interests**
- **Analyzing options for unintended consequences.**
- **Moving from conceptual agreements to effective agreement or policy language**
- **Dealing with questions of trust, possible perceptions of collusion with other parties.**
- **Maintaining balance in focusing on relationship and content issues.**

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## Problem Solving Process



1. Define and frame the issue.
2. Exchange data and interests.
  - 2.1 Identify available data
  - 2.2 Identify other data readily obtainable that is needed and how it will be collected.
  - 2.3 List the interests - the concerns and needs that must be addressed when solving this problem.

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### 3. Brainstorm options.

#### 4. Evaluate options based on your criteria: The identified interests of the parties.

#### 5. Select solution based on mutual gain after test for consensus.

- 5.1 What interest is not met?
- 5.2 How can the solution be modified to meet this interest and other interests as well?



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### 6. Closure

- 6.1 "That's the Deal" - Write it up
- 6.2 Contingent Agreement
- 6.3 Set aside - But with an understanding of where the parties disagree.



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## Review of Committee Forms



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## Establish Ground Rules

- Procedural and substantive
- Consider: including dates, times and length of the meetings
- No discussion of active grievances
- Party submitting item to provide brief neutral explanation
- Decision of Committee is joint product (not labor or management)
- Suggestion.... (see examples)



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## The IBB Committee (Who?)

- The normal bargaining team from management and labor.
- Key (top) management and labor leadership so "stakeholders" are represented.
- Trained, capable people willing/able to make decisions.



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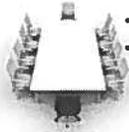
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## When and Where

### When:

- Regular meetings (e.g. monthly)
- Regular time (suggestion – 3 hours max.)
- Start on time
- End on time
- This is business



### Where:

- Regular location
- Adequate facilities to conduct meetings (including proper equipment)
- Free of distractions
- This is business

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## Chairing the Committee

- Establish how will be done in ground rules (Labor and Management rotate, alternate meetings; 3<sup>rd</sup> party approved by Committee, etc.)
- Chairperson's role: Distribute agenda keep meetings on track and follow agenda, provide ground rule reminders, add element of neutrality
- Some suggestions for effective facilitation



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## The Agenda

- Developed jointly by parties by consensus
- Prepared and distributed in advance
- Allow for discussion and resolution of items out of "priority" order



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## Record Keeping



- Keep accurate notes
- Distribute for comment and review prior to subsequent meeting
- Approve
- Post notes or develop newsletter/bulletin to keep all members of management and union informed (20/60/20)

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## IBB Team Notebook(s)



- Still an obligation to maintain bargaining notes
- Each team and the committee should have identical notebooks
- Issues should be kept separate from meeting notes
- Notebooks should be updated at the beginning of each meeting

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## Discussion & Resolution

- Select and prioritize issues by consensus
- Define and analyze issues (Tell the story)
- Use a problem solving process (IBPS)
- Select best solution by consensus
- Plan communication and implementation
- What if no resolution? Check the "Obstacles to Consensus" suggestions



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## WIN AS MUCH AS YOU CAN

### TALLY SHEET

#### Instructions:

1. Prepare two sheets of paper. Mark one sheet with an "X" and the other with a "Y".
2. For each of the ten successive rounds, play either the "X" or "Y" at the same time the other members of your group play.
3. Keep score each round on the score sheet (other side of sheet):
  - a: Write down your own choice "X" or "Y".
  - b: Write down the pattern of choices of your group (E.g., 2X, 2Y).
  - c: Write down your payoff for the round.
  - d: Write down your cumulative payoff.
4. You must play each of the ten rounds.
5. Just before you play rounds 5, 8, and 10, you may confer with the other players in your group, before making your decision whether to play an "X" or a "Y". You may not talk before playing the first four rounds, or before playing rounds 6, 7, or 9.
6. Rounds 5, 8, and 10 are bonus rounds. Payoffs should be increased as follows: Round 5 – times 3; Round 8 – times 5; Round 10 – times 10.

#### PAYOFF SCHEDULE

4X's: Lose 1 each
3X's: Win 1 each 1Y: Lose 3
2 X's: Win 2 each 2 Y's: Lose 2 each
1 X: Win 3 3 Y's: Lose 1 each
4 Y's: Win 1 each

## SCORESHEET

ROUND	YOUR CHOICE (CIRCLE ONE)	GROUP'S PATTERN OF CHOICES	YOUR PAYOFF	YOUR BALANCE
1	X Y	__X __Y		
2	X Y	__X __Y		
3	X Y	__X __Y		
4	X Y	__X __Y		
5 (BONUS)	X Y	__X __Y	*3	
6	X Y	__X __Y		
7	X Y	__X __Y		
8 (BONUS)	X Y	__X __Y	*5	
9	X Y	__X __Y		
10 (BONUS)	X Y	__X __Y	*10	

### PAYOFF SCHEDULE

4X's: Lose 1 each
3X's: Win 1 each
1Y: Lose 3
2 X's: Win 2 each
2 Y's: Lose 2 each
1 X: Win 3
3 Y's: Lose 1 each
4 Y's: Win 1 each



# WIN AS MUCH AS YOU CAN

## GROUP TALLY SHEET

TEAM	A	B	C	D	TOTAL
I					
II					
III					
IV					
V					
VI					
VII					
VIII					

# Your Working Styles

The purpose of this quiz is to get some idea of your dominant working style. There are no “wrong” answers in the quiz, and several of the choices may appeal to you because your style is a combination of styles. For the purposes of this quiz, please read each statement and order your responses “1”, “2”, “3” and “4”. With “1” being the response that best describes you and “4” being the response that least describes you.

1. When performing a job, it is most important to me to:
  - a. \_\_\_\_\_ do it correctly, regardless of the time involved.
  - b. \_\_\_\_\_ set deadlines and get it done.
  - c. \_\_\_\_\_ work in a team, cooperatively with others.
  - d. \_\_\_\_\_ demonstrate my talents and enthusiasm.
  
2. The most enjoyable part of working on a job is:
  - a. \_\_\_\_\_ the information you need to do it.
  - b. \_\_\_\_\_ the results you achieve when it is done.
  - c. \_\_\_\_\_ the people you meet or work with.
  - d. \_\_\_\_\_ seeing how the job contributes to future progress.
  
3. When I have several ways to get a job done, I usually:
  - a. \_\_\_\_\_ review the pros and cons of each way and choose.
  - b. \_\_\_\_\_ choose a way that I can begin to work on immediately.
  - c. \_\_\_\_\_ discuss ways with others and choose the one most favored.
  - d. \_\_\_\_\_ review the ways, follow my “gut” sense about what will work best.
  
4. In working on a long term job, it is most important to me to:
  - a. \_\_\_\_\_ understand and complete each step before going to the next step.
  - b. \_\_\_\_\_ seek a fast, efficient way of completing it.
  - c. \_\_\_\_\_ work with others in a team on it.
  - d. \_\_\_\_\_ keep the job stimulating and exciting.
  
5. I am willing to take a risky action if:
  - a. \_\_\_\_\_ there are facts to support my action.
  - b. \_\_\_\_\_ it gets the job done.
  - c. \_\_\_\_\_ it will not hurt other’s feelings.
  - d. \_\_\_\_\_ it feels right for the situation.

# Your Working Styles: Score Sheet

Enter the numbers for each letter and add up the columns.

1.	a. _____	b. _____	c. _____	d. _____
2.	a. _____	b. _____	c. _____	d. _____
3.	a. _____	b. _____	c. _____	d. _____
4.	a. _____	b. _____	c. _____	d. _____
5.	a. _____	b. _____	c. _____	d. _____
<b>Total</b>	a. _____	b. _____	c. _____	d. _____

Your lowest score is your dominant style.

- a. Analytic
- b. Driver
- c. Amiable
- d. Expressive

# Your Working Styles: Characteristics

## High Responsiveness

### Amiable Style

Slow at taking action & making decisions  
Likes close personal relationships  
Dislikes interpersonal conflict  
Supports & “actively” listens to others  
Weak at goal setting/self direction  
ability to gain support from others  
Works slowly & cohesively with others  
Seeks security & a sense of belonging  
Good counseling skills

### Expressive Style

Spontaneous actions & decisions  
Likes involvement  
Dislikes being alone  
Exaggerates & generalizes  
Tends to dream, gets others caught up in it Excellent  
Jumps from one activity to another  
Works quickly & excitingly with others  
Seeks esteem & a sense of belonging  
Good persuasive skills

## Low Assertiveness

### Analytical Style

Cautious actions & decisions  
Likes organization & structure  
Dislikes involvement with others  
Asks many questions about specific details  
Prefers objective, task oriented work environment  
Wants to be right/relies too much on data collection  
Works slowly & precisely, alone  
Seeks security & self-actualization  
Good problem solving skills

## High Assertiveness

### Driver Style

Firm actions & decisions  
Likes control  
Dislikes inaction  
Prefers maximum freedom to manage self/others  
Cool & independent, competitive with others  
Low tolerance for feelings/attitudes/advice from others  
Works quickly & impressively alone  
Seeks esteem & self-actualization  
Good administrative skills

## Low Responsiveness

## MAKING THE MOST OF YOUR WORKING STYLES

YOUR STYLE → OTHER STYLE ↓	ANALYTICAL	DRIVER	AMIABLE	EXPRESSIVE
<b>ANALYTICAL</b>	A deadly combination, run for your nearest driver! Establish priority of tasks to be done. Commit to firm time frames for your work and stick to them.	Take a deep breath, relax and slow down. With analyticals, you need to demonstrate that you have considered <u>all</u> (okay, most) options or outcomes before moving ahead.	Cut short the social hour, and get right down to the specifics. The more information you have to support your position the better.	Translate your vision into specific tasks or goals. Involve analytical in research and developing the details of the plan of action.
<b>DRIVER</b>	Organize your work around major themes, prepare "executive summaries" with headings or bullets that state the conclusions first and support data and analysis second.	Get a car with a good set of brakes, cause you will need them! Before revving up and driving over a cliff, remind each other of your similarities and your need to adopt qualities of the other styles.	Put on your thick skin, don't take anything personally. Getting results is what counts with drivers, be decisive and dynamic. Emphasize the bottom line.	Take time to think about what your vision really is, translate it into action steps with objectives and timelines.
<b>AMIABLE</b>	Start off on a personal note, gravitate to project specifics and expectations; emphasize the greater good of the project.	Spend time up front gaining trust and confidence, be charming and inclusive. Be sure to be specific about deadlines, even when it seems obvious.	Laugh with each other about how important being warm and fuzzy is. Then focus on what we really need to accomplish here, then <u>do it</u> .	Tell them how important the team concept is to making your vision a reality. Give the amiable the job of building the team to make the dream come true.
<b>EXPRESSIVE</b>	Jazz up your presentation, try to think of the BIG picture.... involve the expressive in developing the "vision" or marketing of the plan.	Be patient and try to work with a flip chart or harness creative spirits. Emphasize time lines and due dates. Build in flexibility to allow the free reign of creativity.	Charm the expressive with your appreciation of their vision and creativity. Harness this energy to deal with the pesky, but important details that only they can address.	Now that you have discovered the solution to world hunger, find someone who can actually make it happen!

# EXERCISE A

## Distinguishing Positions from Interests

### Definitions:

- POSITION: One party's solution to an issue
  
- INTEREST: One party's concern about an issue

**Directions:** Under each issue listed below are two statements. One represents a position on the issue. The other represents an interest on the issue. Place "P" next to the position and an "I" to the interest.

1. Issue: Neighbor who has a dog that barks loudly and very late at night.

Statements:

- \_\_\_ a. I will not put up with your dog barking at night any longer and will file a complaint with law enforcement the next time it happens.
- \_\_\_ b. When your dog barks at night it wakes me up and I am unable to get back to sleep for an hour or more. My job is suffering because I am so tired at work the next day.

2. Issue: A Fed Ex Employee who leaves deliveries outside at your house no matter what the weather, and varies between the front and back door.

Statements:

- \_\_\_ a. When you leave a package by my front door I may not find it for days because I don't use that door, and it is not protected from rain.
- \_\_\_ b. The next time you leave a package outside my front door and it rains I am going to complain to your boss and demand the company replace the ruined item if it has rained.

3. Issue: Family members who take dishes to the sink after eating but do not rinse them off or put them in the dishwasher.

Statements:

- \_\_\_ a. I'm not going to cook any more if there are any dishes in the sink when I'm ready to start the next meal.
- \_\_\_ b. When the dishes are not at least rinsed off right after being used the food gets dry and hard, has to be soaked off, and makes it very difficult to start making the next meal.

## INFORMATION SHARING EXERCISE

**Instructions:** Each statement below contains the initials of words that make it correct. Find the missing words.

Example: 16=0. In a P. (16=ounces in a pound)

1. 76 = T.L. the B.P.

2. 10 = M.in a C.

3. 3 = N. of R. in a T.R.B.

4. 4 = S. on a P.

5. 2 = P. in a P

6. 50 = S. on the A.F.

7. 27 = C.F. in a C.Y.

8. 13 = O.S.

9. 5 = S. on a P.

10.2 = P. for S. in F.

11.3 = C. in a F.

12.3 = M.A.D.

13.4 = S. of the Y.

14.1000 = N. of M. in a K.

15.110 = V. in N.H.C.

16.5 = N. in T.B.

17.4 = N. of P. in a Q.

18.36 += I. in a Y.

19.3 = S. on a T.

20.4= N. of S. on a V.

21.100 = D. C. at W.B.

22.12 = N. of A.

23.3 = C.L. in a S.

24.4 = Y. in a P.T.

25.25 = N. on a C.

26.2 = S. of a C.

27.12741 = P.H.D.

28.360 = D. in a C.

29.6 = S. on a C.

30.32 = N. of T. in a H.

## ACTIVE LISTENING EXERCISE:

*Listen carefully to the story then answer the eleven questions about the story. Circle "T" if the answer is clearly true, "F" if the answer is clearly false, and "?" if you cannot tell from the story whether the answer is true or false.*

### STATEMENTS ABOUT THE STORY

1. A man appeared after the owner had turned off his store lights. T F
2. The robber was a man. T F
3. The man who appeared did not demand money. T F
4. The man who opened the cash register was the owner. T F
5. The store owner scooped up the contents of the cash register and ran away. T F
6. Someone opened the cash register. T F
7. After the man who demanded the money scooped up the contents of the cash register, he ran away. T F
8. While the cash register contained money, the story does not state how much. T F
9. The robber demanded money of the owner. T F
10. The story concerns a series of events in which only three persons are referred to: the owner of the store, a man who demanded money, and a member of the police force. T F
11. The following events in the story are true: someone demanded money, the cash register was opened, its contents were scooped up, and a man dashed out the store. T F

FINISHED FILES ARE THE  
RESULT  
OF YEARS OF SCIENTIFIC STUDY  
COMBINED WITH THE  
EXPERIENCE  
OF MANY YEARS OF EXPERTS

# EXERCISE B

## Converting Positions to Interests

### Definitions:

- INTEREST: One party's concern about an issue
- POSITION: One party's solution to an issue

**Directions:** Listed below are issues involving two parties. In each situation, both parties have taken a position. Convert those positions into a list of possible interests these positions might express.

### 1. Issue: Family deciding how to spend \$35,000 inherited money.

Wife's position: I must have money in savings and a place to live with at least three bedrooms before we can have children.

Wife's interests:

Husband's position: Now, we will finally be able to enjoy some of our time off and do some traveling before we have children.

Husband's interests:

### 2. Issue: A customer complaining about a meal that has already been eaten.

Customer's position: I will not pay for the meal as the food was not cooked correctly.

Customer's interests:

Waitress' position: You must pay for the food you have already eaten.

Waitress' interests:

# EXERCISE C

## Developing Options based on Interests

### Definitions:

- INTEREST: One party's concern about an issue.
  
- OPTION: One of several solutions that can satisfy an interest on an issue.

**Directions:** Listed below are some examples of mutual interests. Below each statement list as many options as you can to satisfy that interest.

### 1. Mutual Interests:

**City Management and the Police Department employees have a mutual interest in establishing a neighborhood watch program.**

List as many options as you can to satisfy the interests.

### 2. Mutual Interests:

**Neighbors have a mutual interest in putting up a fence between their properties.**

List as many options as you can to satisfy the interests.

## Stepping Near the Edge

Below is a short story you are to read. Individually, answer the question that directly follows the story.

In Small Town, USA, all the buildings along main street are two-story, made of bricks and mortar, and have shared walls. The roofs are therefore connected and are flat, which has historically made a great place to view parades and other community events if you knew the owners and could get permission to sit up there. As time passed some of the buildings had not been maintained and the apartment building was vacant for several years.

An investor purchased and renovated the apartment building, located in the center of the block. The front apartment had a window that opened onto a fire escape to the roof. Soon after renting this apartment investor learned that the 25-year-old male tenant and his guests had been entertaining on the roof. When investor tried to seal the window, the fire inspector notified him that he could not do so. Investor decided to evict the tenant and not rent the apartment at all. Rather than move out of the apartment, tenant agreed to sign a stipulation that he and his guests were to use fire exit to the roof for an emergency exit only and that he could be evicted immediately if this was violated. Within weeks tenant and his guests were on the roof again, but only after the bars had closed.

One Saturday tenant was on the roof with several guests, including a 17-year-old girl. She crossed over the top of two other buildings to the hardware store, where she stepped near the edge of the roof, causing it to break away from the building. She fell to the sidewalk below. At the hospital it was determined that her blood alcohol content was .21. After six days of intensive care and treatment, the girl died, leaving medical bills in excess of \$250,000. It is alleged that the owner of the hardware store was negligent in maintaining the building, which was the reason the edge broke away from the building.

Mother knew her daughter had been “partying” frequently for several weeks, but considered this normal for a high school senior. The night of the accident Mother thought her daughter was staying with friends and was not aware of the friendship with tenant.

Dad had not had much contact with his daughter since the divorce three years earlier. H would never have condoned his daughter drinking; his being more strict than Mother was one of the reasons for the lack of contact.

The hospital learns that there is no insurance to pay the outstanding bill, so looks to the parents for payment. Mother works for minimum wage and has no separate insurance, but daughter had been covered by Step-father’s insurance as a child residing in his home. Dad has insurance for himself but did not cover daughter because of the Step-father’s insurance. Mother and Step-father had been separated for more than six months prior to the fall and when the insurance company learned these facts coverage was denied.

In what order do you hold the principals (investor, tenant, girl, owner, mother and father) responsible for this tragedy.

### INDIVIDUAL RANKING

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_

### GROUP RANKING

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_



**BOARD OF  
PERSONNEL APPEALS**

**Interest Based Negotiations  
Cheat Sheet**

**DEFINITIONS**

- ISSUE:** topic or subject of negotiation
- POSITION:** often in the form of a demand, preclude exploration of mutual interests, often mutually exclusive; the how
- INTEREST:** concerns, needs, desires behind the issue; the why
- OPTION:** potential solutions that satisfy the interests
- STANDARDS:** objective criteria to compare and judge options

**PREPARE FOR NEGOTIATIONS**

- Educate constituents
- Seek information
- List issues and interests

**OPEN NEGOTIATIONS**

- Share and discuss the issues
- Develop joint issues

**NEGOTIATE WITH "IB" PROCESS**

- Jointly select an issue
- Develop the story through perspectives
- Record information (flip chart/projector)
- Develop interests
- Discuss and clarify interests
- Identify mutual interests
- Brainstorm options that satisfy one or more interests; other interests, clarify options
- Propose possible standards
- Clarify each proposed standard
- Reach consensus on standards
- Discuss each option
- Amend, combine, develop new options
- Apply standards/interests to options
- Eliminate options which meet few or none of the standards/interests (banana splits)

- Combine options that meet standards/interests
- Reach consensus on the solution
- Draft the solution
- Check consensus on written solutions

**SUMMARY OF P.A.S.T  
PROBLEM SOLVING**

P.A.S.T problem solving is based on Principles, Assumptions, Steps, and Techniques used to achieve positive results for both sides.

**Principles**

- ✓ Focus on Issues, Not Personalities
- ✓ Focus on Interests, Not Positions
- ✓ Create Options to Satisfy Both Mutual and Separate Interests
- ✓ Evaluate Options with Standards, Not Power

**Assumptions**

- ✓ Cooperative Problem Solving Enhances Relationships
- ✓ Parties Should Help Each Other Win
- ✓ Open Discussion Expands Mutual Interests and Options
- ✓ Standards Can Replace Power in Outcome

**Steps**

- ✓ Prepare for Interest-Based Problem Solving
- ✓ Identify Issues (develop the story)
- ✓ Identify Interests
- ✓ Develop Options
- ✓ Develop Standards
- ✓ Judge Options with Standards/Interests
- ✓ Achieve Resolution

**Techniques**

- ✓ Brainstorming
- ✓ Consensus Building
- ✓ Problem Solving
- ✓ Idea Charting
- ✓ Others

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