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Arthur Conrad Ebert

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How One Public School District Implemented Interest-Based Bargaining

by

Arthur Conrad Ebert

Dissertation

Submitted to the Department of Leadership and Counseling

Eastern Michigan University

in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY
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Abstract

School districts implement a variety of initiatives that too often fall short. This case study investigated how one public school district in southeastern Michigan implemented interest based-bargaining (IBB). The study also sought to understand the factors that influenced the decision-making process and what was considered when making implementation decisions. By carrying out this study, the researcher expanded the current literature base that districts can draw upon should they decide to implement IBB. District’s implementing IBB can use this study to better inform their decision-making process.

The primary data sources were the primary decision makers involved with implementing IBB in the southeastern public school district that was studied. Participants came from the following groups: (a) district leadership, (b) union leadership, and (c) IBB facilitators. To investigate how IBB was implemented, this study utilized a qualitative approach, using unstructured interviews, documentation, and archival records to gather data.

Data analysis was done concurrently with data collection, and the researcher condensed the data by hand into codes that emerged through the data analysis process. Coding included both first and second level codes, and tools such as matrix displays were used to present the data. The interwoven nature of the data analysis process allowed the researcher to move back-and-forth between data collection, data condensation, data display, and drawing conclusions.

Eight themes emerged from the analysis of how one southeastern Michigan public school district implemented IBB, and influences, considerations, successes, and challenges related to each theme were identified. The themes were products of how the district implemented IBB and speak to trust, transparency, collaboration, and collegiality among staff. The themes were (a) Board of Education (BOE) members on IBB teams, (b) increased Paraeducator Association (PA)
and Secretarial Association (SA) voice, (c) consistent joint communications, (d) commitment to organization, (e) commitment to the process, (f) willingness to open communication, (g) compensation solved mid-process, and (h) formation of numerous committees. Through the use of storytelling and presentation of the eight themes, the researcher was able to unpack how the district implemented IBB.
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Chapter 1: Introduction

The Narrative of One Public School District in Southeastern Michigan

This case study used the art of storytelling, a qualitative methodology that creatively communicates evidence and theory through “tools that merge the subjective and objective forms of data collection and analysis” (Dundon & Ryan, 2009, p. 569), to share how one public school district in southeastern Michigan implemented interest-based bargaining (IBB). IBB, according to Fonstad, McKersie, and Eaton (2005), refers to collective bargaining processes focused on “understanding, building on interests, and using problem-solving tools as a way of avoiding the positional conflicts used in traditional bargaining” (p. 6). There are many variations of both traditional bargaining and IBB. This study focused on IBB as it occurred in this one southeastern Michigan public school district.

The district lies in a suburb approximately 25 miles from downtown Detroit. Subdivisions, businesses, lake houses, community parks, and walking trails fill the district’s 16 squares miles, which shrinks to 11 square miles when one subtructs the area taken up by lakes. Scattered throughout the district are five elementary schools, two middle schools, one high school, a transition center for students ages 18 to 26 with autistic and cognitive impairments, and an administration and community services building. The district also operates an early college program that lies within the borders of a neighboring school district. These buildings are home to 340 teachers and other certified staff, 98 paraeducators, 39 secretaries, six maintenance staff, 15 building administrators, and four central office administrators employed by the school district. In addition to district employees, the organization has a shared services agreement for technology through the intermediate school district and outsources through a variety of vendors for transportation, custodial, and food services.
The district includes a diverse student body of over 5,500 students that speak 40 different languages including Chaldean, Arabic, Japanese, Russian, Chinese, Hebrew, Spanish, Korean, Urdu, Hindi, German, Romanian, and Albanian. Another aspect of the district’s diversity is the regional flavor it achieves through the Schools of Choice program, which accounts for 30% of the district’s student enrollment; the other 70% are district residents. Furthermore, according to the Michigan Department of Education (2017), 55% of the district’s students identify as White, 28% African American, 9% Asian, 4% two or more races, and 4% Hispanic; 27.4% qualify as economically disadvantaged.

Academically, the district has a 4-year graduation rate of 93.56%, an average ACT score of 21.6, a dropout rate below 5%, and annually sends over 100 graduates to the University of Michigan and Michigan State University. Furthermore, the district has implemented a K–12 science, technology, engineering, arts, and mathematics (STEAM) program. As Feldman (2015) noted,

**STEAM takes the standard STEM formulation (science, technology, engineering, and math) and adds an A for arts. What the STEAM movement really does is work on developing higher design and engineering skills while allowing students to innovate, invent, and succeed on their terms. (para. 2)**

In addition to STEAM, the district features programs such as Leader in Me, Advancement Via Individual Determination, and Cultures of Thinking as well as medical mentorships, political leadership, an engineering academy, a wide variety of fine arts and athletic programs, and 24 advanced placement options at the high school level.
History of District Labor Relations and Collective Bargaining

The district has a long history of unions that work closely with the Michigan Education Association (+). MEA-sanctioned unions include an education association (EA), paraeducator association (PA), secretarial association (SA), and an association for the district’s maintenance and technical employees. Additionally, there is an association of assistant principals, principals, and directors with no affiliation to a labor organization that operates outside the jurisdiction of the MEA. In this study, the terms association, union, and collective bargaining unit will be used interchangeably.

In terms of collective bargaining, the district and its unions have traditionally utilized positional techniques to settle contracts. The use of positional bargaining is not unique to the district. According to Fisher, Ury, and Patton (2011), “Whether a negotiation concerns a contract, a family quarrel, or a peace settlement among nations, people routinely engage in positional bargaining. Each side takes a position, argues for it, and makes concessions to reach a compromise” (p. 3). Positional bargaining has been called distributive bargaining, adversarial bargaining, positional bargaining, traditional bargaining, and win-lose bargaining. For the purpose of this study, the term traditional bargaining will be used. Traditional bargaining refers to a collective bargaining process characterized by both sides establishing opening positions, then trading away as few concessions as possible to gain as much from the opposing side as possible. In traditional bargaining, both parties view one another as the opposition (Hargrove, 2009, p. 230).

From the 1990s through 2008, when per-pupil funding and student enrollment were increasing, traditional bargaining techniques typically led to agreements that maintained a balanced budget and increased employee compensation (see Appendix A for the history of step
and wage movement from contracts between the district and the EA). According to the district’s salary schedule, teachers at the top of the pay scale could approach and even exceed a salary of $90,000 during this time period.

Between 2008 and 2016, the district experienced a student enrollment decline of over 20% and a reduction in funding of over $500 per pupil (see Tables 1 and 2). In June 2008, the district offered teachers and administrators a $70,000 voluntary severance incentive plan for the 2008/2009 and 2009/2010 school years. This was done to reduce the number of highly compensated employees. Administrators that left the district could take advantage of the incentive by resigning or retiring from the district. Teachers qualified for the incentive if they retired under one of the Michigan Public Schools Employee Retirement System (MPSERS) options or if they were at the top of the pay scale and resigned.

The economic realities facing the district were further impacted by the fact that the per-pupil amount paid by the district to the MPSERS nearly doubled from $1,185 per student during the 2008/2009 school year to $2,044 per student during the 2016/2017 school year (see Tables 1 and 2).

In the past, the district had the ability to go to the voters for additional per-pupil funding, but this funding mechanism was terminated with the adoption of Proposal A in 1994. According to Price (2015), Proposal A allowed the voters of each local district to determine the funding for their schools. Due to this funding structure, Michigan had some of the highest property taxes in the United States prior to Proposal A, and the locally controlled system created problems for both equity and adequacy across the state.
In response to the decline in funding and student enrollment the district also reduced the number of staff they employed. This reduction was primarily in response to having fewer students with marginal differences in the ratio of students per staff member from year to year. For example, during the 2008/2009 school year there was a full-time equivalent (FTE) of 441.81 teachers for a student to teacher ratio of 15.38 students for every teacher, and in the 2015/2016 school year, there was an FTE of 326.92 teachers for a student to teacher ratio of 16.96 students for every teacher (see Tables 3 and 4).
Table 3


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<td>37</td>
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<tr>
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These economic realities all came to a head during the 2010/2011 school year when the district experienced its first negative fund balance. This shortfall in finances resulted in a breakdown at the negotiation table as the district asked all employees to take a 10% concession on wages. According to Murray (2010), the superintendent said “the deficit is $3.1 million now and will be in excess of $10 million without budget adjustments.” Murray went on to report that the president-elect of the EA suggested that the district should have taken steps like other
districts who consolidated schools, adjusted transportation, and made modifications to pay to play. The president-elect then stated, “We have always made compromises the last five years. No other unit in the county has given up 10% in one year” (para. 18–22).

In response, association members wore red shirts as a rallying call to stand united in their quest for fair treatment and pay. Grier (2011) reported, “For the past several months, frustrated teachers, dressed in red shirts with union emblems, have been picketing before the start of every Board of Education [BOE] meeting” (para. 5). Other association techniques were employed such as leaving work as soon as the last bell rang, marching in front of the school during evening events, outbreaks of the blue flu, and not signing up for committee work or extracurricular stipends. According to Gantert (2011), “About 40% of the high school’s teachers did not show up for work on February 15, 2011 in the midst of bitter contract negotiations. The superintendent said that 41 high school teachers did not show up and that 36 of those teachers were not within a normal ‘pattern’ of absences” (para. 1).

The response from the district’s unions gained a great deal of attention by district leadership, the BOE, community members, and the media. Grier (2011) reported, that “The ongoing conflict over unsettled teacher contracts in the schools has become colorful, with union supporters wearing red and a community group wearing blue. Families Stand United was started by parents who are concerned about the escalating contention that has marked negotiations between school administrators and the EA” (para. 1).

On March 31, 2011, the BOE voted to impose a salary reduction of between 7.5 and 10% across all associations as a mechanism to eliminate the fund deficit. The BOE meeting was moved to the auditorium from the typical location of the high school media center to accommodate the larger audience, and township police were on site. According to Rath (2011),
“The BOE voted 5–2 Thursday night to impose a collective bargaining agreement [CBA] as about 450 teachers and supporters protested outside, expressing anger at the latest development in a month-long, rancorous process” (para. 3).

Furthermore, a high school teacher reported seeing the salary reduction applied to her paycheck prior to the vote by the BOE. According to Hopkins (2011), “teachers questioned how the school district could issue checks with a 10% pay cut on Friday when the BOE met and made the decision on the cut Thursday evening” (para. 1). In response, the superintendent stated in a letter that no one knew the outcome of the salary vote before it occurred, but because payroll is time-consuming, by April 1, 2011 the district prepared for cuts reflecting the salary plan and considered a backup plan of adjustments and supplemental checks in case the pay cut resolution failed (Hopkins, 2011).

That summer Public Acts 100, 101, 102, and 103 were signed into law in the State of Michigan. These public acts directly impacted the district and union’s ability to collectively bargain teacher placement, evaluation, and termination. Public Act 103 added prohibited subjects of bargaining, including teacher placement, evaluation, performance-based compensation, and classroom observations. According to Spalding (2005), public Acts 100 through 103 aimed at making it easier for school districts to retain the most effective teachers (pp. 1–3).

Then in September 2011, Governor Rick Snyder signed Senate Bill 7, which later became Public Act 152. According to Murray (2011), Public Act 152 limited public school districts to paying no more than $5,500 for health benefits annually for a single employee, $11,000 for an employee plus spouse, or $15,000 for family coverage starting on January 1, 2012 (para 4). He went on to say, “Employers may split the cost of medical coverage with workers, who will have to pay a proportion of their health insurance costs—but no more than 80 percent of the annual cost
of medical benefits” (para. 5) under Public Act 152. Previous to Public Act 152 the district paid the full healthcare premium for employees.

Meanwhile, student enrollment continued to decline, and per-pupil funding was stagnant. Due to declines in enrollment, the BOE voted during the 2011/2012 school year to close one elementary school at the end of the 2012/2013 school year. This decision consolidated the district’s elementary footprint from six to five elementary schools.

Traditional bargaining continued, and the ratified CBAs resulted in salary and step freezes most every year (see Appendix A). In addition to the current salary schedule, the salary schedule from before the imposition remained in all CBAs. Association leadership asked that both salary schedules remain in their respective contracts until wages are fully restored to pre-imposed levels.

Another impact to district labor relations was the outsourcing of non-instructional services. The first was in April 2012, when the BOE voted 7–0 to outsource custodial services and transportation services starting in the 2012/2013 school year. According to Czarnik (2012), “After picketing outside and packing the high school media center, dozens of protesters voiced their anger and disapproval of the outsourcing plans” (para. 7). Traditionally, these services were staffed by the district, and staff members belonged to a collective bargaining unit. The estimated annual savings of outsourcing was $963,440 for custodial services and $871,041 for transportation services. Czarnik (2012) went on to report “The superintendent said the BOE has sometimes considered the privatization options over the past five years and put off any decision favoring it, but the state’s financial decisions—combined with declining enrollment and revenue—have burdened school districts and put them in a difficult spot” (para. 3).
Then in August 2013, the BOE voted 7–0 to enter into an intergovernmental agreement with the intermediate school district to provide technology services for the district. Plante and Moran, the district’s technology consulting firm, had recommended to the BOE that the district would benefit both operationally and financially if they were to contract with the intermediate school district for informational technology management and support. The MEA UniServ director shared concerns during public comments at the BOE meeting related to outsourcing the informational technology department (see Appendix B for the August 26, 2013 BOE minutes). This further reduced the number of union employees in the district, because employees from the technology department were part of the district’s maintenance and technical association.

Exploring Partnership and Collaboration

In November 2013, the district’s new superintendent, who was hired in July 2012, sent a team of teacher leaders, union leaders, and administrators to *Building an Agenda for Collaboration and Partnership: Navigating the Internal and External Environment*. The conference was co-sponsored by the MEA and the Galileo Institute for Teacher Leadership at Oakland University and held in the conference center at a local school district. Adam Urbanski, teacher union president from Rochester New York, was the keynote speaker.

District staff that attended the conference formed a committee based on the concepts shared by Adam Urbanski. The new team was called the Partnership and Collaboration Committee (PCC), and the committee’s purpose was to explore ways to increase internal cohesiveness, collaboration, and improve district morale. The committee included a cross section of staff that represented all employee groups and buildings. Additionally, faculty from a regional university sat on the committee and served the role as unbiased third party and facilitator. The
BOE was informed at a study session on February 12, 2014, of the committee’s purpose and that the committee would hold its first meeting on March 20, 2014.

As these new partnership and collaboration initiatives were being explored, the district outsourced one final non-instructional unit. In May 2014, the BOE voted 7–0 to outsource food services. Just like transportation, custodial, and technology services, food services were staffed by the district prior to being outsourced, and staff members had belonged to a collective bargaining unit. The estimated annual savings of outsourcing food services was $188,336.

Another impact of outsourcing food services was that the district decreased from eight collective bargaining units in the 2011/2012 school year to five collective bargaining units in the 2014/2015 school year.

Meanwhile, the PCC continued to meet during the 2014/2015 school year with the aid of the faculty from the regional university. Simultaneously, the district explored launching a STEAM program to attract and retain students. They landed on transitioning a K–5 school, which was a focus school and the district’s only Title I building, to a STEAM school for the 2015/2016 school year. This included a criteria-based application process for both resident students and students enrolled under Schools of Choice.

With the regional university’s continual guidance, the PCC’s work continued throughout the school year, and in May 2015, the committee launched a staff survey. The superintendent sent the following email to staff just before the survey was launched:

As you may recall, over a year ago we established a PCC, whose purpose is to explore ways to increase internal cohesiveness, collaboration, and improve district morale. The committee spent most of this year developing employee surveys and discussing ways to show appreciation for all district employees. Toward that end, the committee has
partnered with faculty from a regional university who serve as expert resources to the committee. The committee has now completed their work on the employee surveys and, with the assistance of the regional university, the surveys will be administered during the week of May 26th. On Wednesday of this week all employees will receive information from the regional university, who will be managing the data collection, on how to respond to the surveys. The surveys are job specific in nature (teachers, secretaries, paraeducators, and administrators). The regional university will be processing the survey results and all survey responses are confidential. Once the survey results are in, the PCC will analyze the results looking for ways to enhance the overall working environment within the district. Thank you in advance for your participation in this survey.

Shortly after the district launched the staff survey, the deputy superintendent for human resources left the district, and was replaced by a new assistant superintendent for human resources (ASHR) on July 1, 2015.

Exploring IBB

The outgoing deputy superintendent had been the chief negotiator when the wage concessions were imposed on March 31, 2011. The new ASHR had been with the district for the past 15 years, most recently as principal of the elementary school that was transitioning to a STEAM school. As the new ASHR came on board, the district was in the middle of bargaining and decided to hire an attorney to complete the bargaining process with the EA. The ASHR sat alongside the attorney during these bargaining sessions, and tentative agreements were completed prior to the start of the 2015/2016 school year.

Shortly after bargaining was completed, the superintendent charged the ASHR to continue moving the work of the PCC forward as well as to explore the possibility of
implementing IBB. How the district implemented IBB was central to what this study sought to understand.

**Statement of the Problem**

The researcher has experienced contentious collective bargaining as both an employee and a negotiator. He has also sat at the table and experienced both traditional bargaining and IBB. This experience increased his awareness that the tone at the bargaining table often spilled over to the work environment. For many district employees, their work environment and the learning environment for students are one in the same. The district that was studied is not the only district with these experiences. Colleagues at local, state, and national meetings, workshops, and conferences have often asked the researcher how the district implemented IBB. Beyond sharing his own perspective, he struggled to find current research to share that describes how IBB has been implemented in other school districts.

**Purpose of the Study**

The purpose of this case study was to investigate how one public school district in southeastern Michigan implemented IBB. The study also sought to understand the factors that influenced the decision-making process and what was considered when making implementation decisions.

**Significance of the Study**

Mattos (2011) asserts that school districts have spent significant fiscal and human resources implementing an array of well-intentional initiatives that often fall short of their targets (pp. 125–126). Furthermore, Candido and Santos (2015) report that implementation of a new strategy can be a difficult task. They go on to say that “the true rate of implementation failure
remains to be determined, but it is often claimed that 50–90% of strategic initiatives fail” (p. 237).

Likewise, school districts have faced challenges when implementing IBB. Klingel (2003) shared “while the ideas and concepts transmitted in IBB training were powerful and attractive to participants, the parties were often unable to put them into practice” (p. 13). Klingel’s (2003) report *IBB in Education: A Review of the Literature and Current Practice* included three case studies of school districts that used IBB and seven elements for improved IBB implementation (pp. 13–72). These case studies and elements for improved IBB implementation were helpful resources for districts, but Klingel’s report was broad in nature and focused on more than just implementation. Additional research was needed with a more precise focus on understanding how IBB can be implemented in a public school district.

This case study provided an opportunity to investigate how one public school district implemented IBB, as well as understand the factors that influenced the decision-making process, and why implementation decisions were made. Ultimately, this case study serves to expand the literature base that school districts can draw upon as they consider implementing IBB.

**Research Questions**

The primary research questions that guided this study of the implementation of IBB in one southeastern Michigan public school district were as follows.

- How did school district leaders, union leaders, and IBB facilitators implement IBB?
- What factors influenced the decision-making process during the implementation of IBB?
- What did school district leaders, union leaders, and IBB facilitators consider when making decisions about the implementation of IBB?
Definition of Terms

The following terms are important for understanding: (a) Collective bargaining; (b) the differences between traditional bargaining and IBB; and (c) various individuals, groups, and committees in the district that was studied.

- **Assistant superintendent for human resources (ASHR):** Individual who was hired as the executive director for human resources and employee relations on July 1, 2015, and received a title change to ASHR on September 26, 2016 by the district that was studied.

- **Best alternative to a negotiated agreement (BATNA):** The standard any proposed agreement should be measured against (Fisher et al., 2011, p. 102).

- **Board of education (BOE):** The board of education elected to govern the district that was studied.

- **Brainstorming:** Used in IBB to produce as many options as possible to solve the issue at hand. The key ground rule is to postpone all criticism and evaluation of options. The group simply invents options without pausing to consider whether they are good or bad, realistic or unrealistic. With those inhibitions removed, one option should stimulate another, like firecrackers setting off one another (Fisher et al., 2011, p. 62).

- **Caucus meeting:** When one of the bargaining teams requests a break during the negotiating process to privately discuss what is being considered (Barrett & O'Dowd, 2005, p. 129). Caucus meetings are used in both traditional bargaining and IBB, but are more common in traditional bargaining.

- **Collective bargaining:** The negotiation process by which a union and employer meet and confer with respect to wages, hours, and other terms and conditions of employment (Cihon & Castagnera, 2011, p. 455).
• Collective bargaining agreement (CBA): The contractual agreement between an employer and a labor union that governs wages, hours, and working conditions for employees and which can be enforced against both the employer and the union for failure to comply with its terms.

• Concessions: Movement from your starting point in traditional bargaining. The goal in traditional bargaining is to give as few concessions as possible (Lewicki, Saunders, & Barry, 2011, p. 42).

• Consensus: In IBB, a decision that everyone on the bargaining team supports, even though it may not be their first choice (Barrett & O’Dowd, 2005, p. 129).

• Education association (EA): The union, governed by the MEA, that represents the teachers, social workers, reading consultants, counselors, speech and language pathologists, and psychologists in the district that was studied.

• Interest-based bargaining (IBB): The collective bargaining processes focused on understanding, building on interests, and using problem-solving tools as a way of avoiding positional conflicts and achieving better outcomes for all stakeholders. IBB uses an array of skills and tools, including (a) training, (b) facilitation, (c) storytelling and active listening, (d) focusing on interests over positions, (e) brainstorming, (f) applying acceptable standards to potential agreements, (g) consensus decision-making, and (h) effective communication with constituents (Fonstad et al., 2005, p. 6). IBB has been called integrative bargaining, win-win bargaining, principled negotiations, getting to yes, and mutual gains bargaining. For the purpose of this study, the term IBB will be used.
• **Interests:** The underlying needs, wants, and concerns of a party regarding an issue that needs to be resolved. The term is used typically in IBB (Barrett & O’Dowd, 2005, p. 130).

• **Issues:** The topics for discussion in negotiations (Barrett & O’Dowd, 2005, p. 130).

• **MEA UniServ director:** The individual employed by the MEA to support the district’s EA, PA, SA, and maintenance and technical association both in and out of bargaining.

• **Mutual gains:** Solutions sought through IBB that satisfy the interests of both parties (Fisher et al., 2011, p. 74).

• **Narrative:** The researcher utilized the art of storytelling to narrate how the district implemented IBB, and the IBB model used by the district has a story phase. To avoid confusion, the researcher used the word *narrative* as he shared how the district implemented IBB, and the word *story* as he referred to story phase of the IBB model used by the district.

• **Options:** Possible solutions to an issue that can be used individually or in combination with other options. In IBB, options are generated on flip chart paper through brainstorming in response to interests that the parties are trying to satisfy (Barrett & O’Dowd, 2005, p. 130).

• **Paraeducator association (PA):** The union, governed by the MEA, that represents the paraeducators in the district that was studied.

• **Partnership and Collaboration Committee (PCC):** A committee comprised of a cross section of staff that represented all employee groups and buildings from the district that was studied. Additionally, faculty from a regional university sat on the committee, and served the role as unbiased third party and facilitator. The faculty from the regional
university also administered, analyzed, and processed the results from the PCC’s staff survey. The committee’s purpose was to explore ways to increase internal cohesiveness, collaboration, and improve district morale.

- **Positions**: One party’s solution to an issue. Positions are typically used in traditional bargaining (Barrett & O’Dowd, 2005, p. 131).

- **Resistance point**: In traditional bargaining, the resistance point is a negotiator’s bottom line—the most he or she will concede on an issue (Lewicki et al., 2011, p. 29).

- **Secretarial association (SA)**: The union, governed by the MEA, that represents the secretaries in the district that was studied.

- **Starting point**: In traditional bargaining, the starting point is the opening position presented by one party to the other on an issue. This is typically far from the party’s resistance point (Lewicki et al., 2011, p. 29).

- **Story**: The researcher utilized the art of storytelling to narrate how the district implemented IBB, and the IBB model used by the district has a story phase. To avoid confusion, the researcher used the word **narrative** as he shared how the district implemented IBB, and the word **story** as he referred to story phase of the IBB model used by the district. The story phase of IBB involves scoping out why an issue has arisen, why it needs to be resolved, and what the broad parameters are. This process is used during IBB, and is recorded on flip chart paper (Barrett & O’Dowd, 2005, pp. 71–72).

- **Target point**: In traditional bargaining, the target point is the point at which a negotiator would like to conclude negotiations on an issue—his or her optimal goal. The target point is typically somewhere between the starting point and resistance point (Lewicki et al., 2011, p.29).
• *Traditional bargaining:* A collective bargaining process characterized by both sides establishing opening positions, then trading away as few concessions as possible to gain as much from the opposing side as possible. In traditional bargaining both parties view one another as the opposition (Hargrove, 2009, p. 230). Traditional bargaining has been called distributive bargaining, adversarial bargaining, positional bargaining, traditional bargaining, and win-lose bargaining. For the purpose of this study, the term traditional bargaining will be used.

**Summary**

The purpose of this case study was to investigate how one public school district in southeastern Michigan implemented IBB. The study also sought to understand the factors that influenced the decision-making process, and what was considered when making implementation decisions. By carrying out this study, the researcher expanded the literature base that school districts can draw upon as they consider implementing IBB.

The next chapter is a literature review of decision-making, followed by the history of collective bargaining, an overview of traditional bargaining, and a look into IBB. The history of IBB will be explored, followed by an examination of IBB training, IBB facilitation, the IBB process, IBB outcomes, and perceptions of IBB. Other collaborative collective bargaining models and the differences between traditional bargaining and IBB will be outlined.
Decision-Making Process

Lundberg (2010), asserts that the “success of a school or school district is critically linked
to effective decisions.” He goes on to say, that “while decision-making is an important
administrative process,” important school decisions are increasingly being made by non-
administrative personnel (p. 1). This trend can be the result of administrators who are too busy to
make all decisions or due to more intentional efforts such as shared decision-making.

According to Hoy and Miskel (2001), the classical decision-making process is a series of
sequential steps: “Classical decision theory assumes that decisions should be completely rational;
it employs an optimizing strategy by seeking the best possible alternative to maximize the
achievement of goals and objectives.” (p. 317). In essence, the classical decision-making process
assumes that there is an optimal decision for each situation, and practitioners just need to follow
the sequential steps to discover it. Lundberg (2010), defines the rationale decision-making
process as (a) identifying the problem, (b) generating alternatives, (c) evaluating alternatives, (d)
choosing an alternative, (e) implementing the decision, and (f) evaluating decision effectiveness.

Hoy and Miskel (2001), contend that scholars typically consider the classical decision-
making model unrealistic, if not naive. In reality, decision makers rarely have access to all the
relevant information, and generating all the possible alternatives and their consequences is
virtually impossible (p. 317). Furthermore, “Because individuals are not capable of making
completely rational decisions on complex matters, they are concerned with the selection and
implementation of satisfactory alternatives rather than optimal ones. To use Simon's words,
administrators ‘satisfice’ rather than ‘optimize.’ Nonetheless, administrators continue to talk
about finding the best solutions to problems. What is meant, of course, is the best of the
satisfactory alternatives” (p. 318). In essence, school administrators have limited time and resources and are not able to always optimize decisions. For this reason, finding the best satisfactory alternative, while not optimal, is typically utilized in schools over the classical decision-making process.

**History of Collective Bargaining**

According to Barrett and O’Dowd (2005), “Prior to World War One, the Courts had labelled trade unions as conspiracies in restraint of trade and had routinely issued injunctions prohibiting strikes” (pp. 31–32). Post (1990) echoed this sentiment, and said that unions did not have protections under the law until federal legislation in 1935 (p. 495).

These new protections, since the New Deal, have proved to promote workplace stability and continuity in business operations by reducing strikes and lockouts. At the same time, they have been foundational for industrial democracy and employee voice (Michael & Michael, 2013, p. 461). Post (1990) concurs that unions and the collective bargaining process have been legitimized since the protection of the original Wagner Act and its subsequent amendments, collectively referred to as the National Labor Relations Act. He goes on to say to the following:

However, the National Labor Relations Act did not encourage direct cooperation between an employer and employees; it merely prescribes a legal framework within which the employee representative bargains about the working conditions of represented employee groups. Furthermore, both the administrative agency directed by congress to oversee the Labor Act, the National Labor Relations Board, and reviewing federal courts consistently issue decisions that perpetuate an adversarial labor management environment. (Post, 1990, p. 495)
As described by Post, despite the improvements seen through the National Labor Relations Act, collective bargaining legislation did not cultivate collaborative labor relations.

**Traditional Bargaining**

Until the late 1980s, collective bargaining had traditionally been adversarial bargaining rooted in arms-length labor and management relationships underpinning hard fought gains (Michael & Michael, 2013, p. 472). These positional techniques are not just unique to labor management relationships. According to Fisher et al. (2011), “Whether a negotiation concerns a contract, a family quarrel, or a peace settlement among nations, people routinely engage in positional bargaining. Each side takes a position, argues for it, and makes concessions to reach a compromise” (p. 3). Barrett and Dowd (2005) found that the most common names for adversarial collective bargaining are distributive bargaining, adversarial bargaining, positional bargaining, traditional bargaining, and win–lose bargaining (p. 13). For the purposes of this study, it will be labeled *traditional bargaining*.

**Starting, target, and resistance points.** In traditional bargaining, parties arrive at the negotiation table knowing what specific outcomes they want to achieve (Barrett & O'Dowd, 2005, p. 14). According to Lewicki, Saunders, and Barry (2011), parties should establish a starting, target, and resistance point prior to beginning the traditional bargaining process. The target point is what the party hopes to get out of negotiations, while the resistance point is the furthest the party is willing to go before breaking off negotiations. The target and resistance points are meant to be kept secret from the other party (pp. 29–30). Lewicki et al. (2011) noted, When the buyer’s resistance point is above the seller’s—he is minimally willing to pay more than she is minimally will to sell for—there is a positive bargaining range. When the reverse is true—the seller’s resistance point is above the buyer’s, and the buyer will
not pay more than the seller will minimally accept—there is a negative bargaining range.

Negotiations with a negative bargaining range are likely to stalemate. (pp. 30–31)

As can be seen from Lewicki’s example above, the use of predetermined starting, target, and resistance points set bargainers up with the tools to either end bargaining with an agreement if a common range exists, or no agreement if there is no common range.

**Opening positions.** Traditional bargaining is characterized by both sides establishing opening positions where they reveal their starting points and then trade away as few concessions as possible to gain as much from the opposing side as possible. Both parties view the other as the opposition, a process often referred to as *adversarial bargaining* (Hargrove, 2009, p. 230).

According to Barrett and O’Dowd (2005), both parties typically prepare in advance for these opening positions by identifying issues, preparing fall back positions and developing supporting evidence and arguments (p. 63). They further noted,

A position is defined as one party’s solution to an issue. So, if the issue is wage levels the union position is likely to be “we want x% extra” and the management position is likely to be “no, we cannot afford anything right now.” Adversarial bargaining, as already seen, revolves around positions taken up early on by the parties to a negotiation. (Barrett & O’Dowd, 2005, p. 52)

As can be seen from Barrett and O’Dowd’s example, opening positions are rooted in what each party independently wants to retain or take from the other. Likewise, Lewicki et al. (2011) averred this notion, stating that “in a traditional bargaining situation, the goals of one party are usually in fundamental and direct conflict with the goals of the other party. Resources are fixed and limited, and both parties want to maximize their share” (pp. 27–28). For example, a district may receive 20 million dollars in state funding and spend 11 million on teacher salaries and 9
million on other expenses. In traditional bargaining, the union’s opening position may strive to capture 12 million of the 20 million for teacher salaries, while management’s opening position may aim to secure 10 million for other expenses.

**Caucus meeting.** Barrett and O’Dowd (2005) defined a caucus meeting as the time when one bargaining team requests a break to discuss something separate from the other bargaining team during a negotiation session (p. 129). According to Friedman (1994), “During caucuses negotiators try to discern their opponent’s true position and to clarify and disagreements on their own goals” (p. 5). Caucus meetings allow bargaining team members to communicate and plan, while at the same time keeping information and plans secret from the other side.

**Tactics.** Post (1990) stated that “tactics employed in adversarial collective bargaining to achieve victory include deception, lying and the abandonment of truth as a moral value” (p. 495). Lewicki et al. (2011) added that there are names for these tactics such as (a) good cop/bad cop, (b) lowball/highball, (c) bogey, (d) making commitments, (e) the nibble, (f) chicken, (g) intimidation, (h) aggressive behavior, and (i) snow job. They go on to state that the best way to employee these tactics is for a negotiator to: (a) assess the other party’s target point, resistance point, and cost of terminating negotiations; (b) manage the other party’s impression of the negotiator’s target point, resistance point, and cost of terminating negotiations; (c) modify the other party’s perception of its own target point, resistance point, and cost of terminating negotiations; and (4) manipulate the actual costs of delaying or terminating negotiations (p. 35). Barrett and O’Dowd (2005) delved further into traditional bargaining tactics, stating,

The *rules of the game*, however, encourage them to conceal their *real hands* and to exaggerate, bluff and threaten in order to advance their true positions. In many instances, the negotiating teams address each other through spokespersons and the role of many
participants is confined to talking during side sessions or caucus meetings. Members of negotiating teams are expected to sing off the same hymn sheet and not to contradict one another during bargaining sessions. (p. 14)

These tactics, shared by Barrett and O’Dowd, limit transparency, communication, and open dialogue. By concealing and limiting the flow of information, negotiators prioritize upholding their positions.

Fisher et al. (2011) cautioned that when negotiators bargain over positions, they tend to lock themselves into those positions. Furthermore, the more the parties clarify their position and defend it against attack, the more committed they become to it (p. 4).

Lewicki et al. (2011) go on to say that in some ways the most powerful tactic can be in threatening to delay or terminate negotiations. One side will have more leverage than the other when using this technique. In years where finances are good, this technique tends to benefit the employer, and in years where concessions are needed, this technique most likely would benefit the union. There are three ways to manipulate the costs of delay in negotiation (a) plan disruptive action, (b) form an alliance with outsiders, and (c) manipulate the scheduling of negotiations (p. 40). Fisher et al. (2011) concurred, adding that dragging one’s feet, threatening to walk out, and stonewalling are other commonly used techniques in traditional bargaining (p. 7).

**Role of power both real and perceived.** Post (1990) asserted that “traditional collective bargaining makes the battle lines clear, and it grants victory to the more convincing display of power, but it leaves casualties. Indeed, it cannot operate except upon the casualties of the opposing party, and those casualties are the basis for ever-renewed combat” (p. 495). For
example, wage concessions, won by the employer, will leave employees feeling betrayed, and wanting their side to be tougher on management the next time the parties negotiate.

The ability that one side has over the other in the battle of positions many times lies in perceived power. According to Barrett and O’Dowd (2005),

In a given year, if a union has the power to call and maintain an effective work stoppage, it will be able to strongly influence the nature and content of the settlement. Conversely, when unemployment is high, or the employer’s market is poor, the settlement will likely favor management. (p. 16)

A school district in deficit, for example, would more likely be able to negotiate wage concessions compared to a district that has a large surplus. Conversely, a union in a district with a large surplus would more likely be able to negotiate a salary increase compared to a union in a district with an operating deficit.

Barrett and O’Dowd (2005) went on to state that “The power of an employer rests not on that employer’s perception of the employer’s power but rather on the trade union perception of the employer’s power and vice versa” (p. 16). Negotiators can alter the other side’s perception by concealing or manipulating information. For example, a district may be ultra conservative on enrollment and budget projections to mislead the union into thinking that things are worse than they really are.

**Concessions.** Another important component of traditional bargaining is making concessions to the other side, which is movement from one’s starting point. Good distributive bargainers will ensure that there is enough room in the bargaining range to make concessions by beginning negotiations far from their own resistance point. Concessions can be directly related to the issue at hand, such as when talking about the price of a car, the seller may come down $100
when the buyer comes up by $100. In this example, each party made a concession of $100. Concessions can also be indirectly related to the core issue at hand, such as when the buyer may agree to the purchase the car at the seller’s price if he/she is able to make delivery of the car that day. In this example, the buyer made a concession of $100, while the seller made a concession of expediting the delivery of the car (Lewicki et al., 2011, pp. 42–44).

**Stakeholder fallout.** When engaged in this positional power struggle between stakeholder interests, and wise decision-making can be forgotten. Post (1990) stated:

Adversarial collective bargaining frequency ignores the remaining stakeholders’ interests due to its inherent myopia, and often even ignores stockholders’ interests because the control of bargaining strategy is lodged in top management. This small group has much to gain by obtaining results directed to its specific short-run interests. Thus, the management negotiating team is often compelled to advance positions that are irresponsible from a long-term perspective in order to satisfy short-term gains. This shortsighted view by management almost destroyed the U.S. auto industry. (p. 500)

In addition to forgotten stakeholder interests, employee feelings and allegiances can also become confused during the positional bargaining process used by many employers and unions. According to Post (1990), employees have a basic need for friendship among people, and they simply do not know where their allegiances are due to the confusion and distrust caused by adversarial collective bargaining. Do they work for the employer or the union? If they are pro-employer, that must make them anti-union; if they are pro-union, then they must be anti-employer. This all creates an unsettling division of loyalty among employees and violates a basic human need for friendship and compatibility among both one’s peer group and one’s superiors in the workplace (p. 500).
History of IBB

Barrett and O’Dowd (2005) stated that the use of interest-based bargaining (IBB) in labor-management relations, under a variety of names, began to appear in the late 1980s. IBB has also been called integrative bargaining, win–win bargaining, principled negotiations, getting to yes, and mutual gains bargaining (pp. 31–32). They further stated,

New circumstances challenged traditional union approaches to labor-management relations, and forced them to respond, at first reluctantly, but gradually more willingly, to the cooperative initiatives proposed by some employers. It seems unlikely that unions would have shifted to IBB if traditional bargaining had continued to produce the results it did from the end of World War Two until the end of the 1970s. That period of phenomenal growth in wages and an expanding list of new benefits resulted from a traditional negotiation process that had served unions and their members very well. But for foreign competition that ended those golden years, traditional bargaining might still be king. (Barrett & O’Dowd, 2005, pp. 108–109)

External pressures, as described by Barrett and O’Dowd, influenced labor and management to explore other negotiation strategies, such as IBB, to remain competitive. IBB presented bargainers an opportunity to collaboratively problem solve a wide variety of issues in an external environment that provided less resources.

Fisher and Ury are credited with starting the IBB movement, having said that, “Richard Walton and Robert McKersie, in developing A Behavioral Theory of Labor Negotiations, published in 1965, drew heavily on Follet for shaping one of the four sub processes present in all negotiations, specifically, integrative bargaining” (Fonstad et al., 2005, p. 7). This integrative sub
process focused on negotiators creating value with their counterparts as collaborators, which connects to the mutual gains prioritized throughout the IBB process.

Fisher and Ury, in their classic book *Getting to Yes*, originally published in 1981, and in Fisher, Ury, and Patton’s revised second edition in 1991, the concept of creating value in collective bargaining was taken to the next level. The authors’ fundamental insight was that in conducting negotiations, parties are never disadvantaged by advancing their interests; rather, this approach facilitates productive problem solving and developing solutions of mutual benefit (Fonstad et al., 2005, p. 7). Further, Barrett & O’Dowd (2005) contended that *Getting to Yes* popularized an interest-based approach to problem solving and negotiations that provided a useful alternative to power-based negotiations—an alternative that had remained largely theoretical since Walton and McKersie’s 1965 book, *A Behavioral Theory of Labour Negotiations*. Although the impact of *Getting to Yes* began to catch on in other conflict arenas, it held little to no sway in collective bargaining during most of the 1980s (Barrett & O’Dowd, 2005, pp. 31–32). Barrett and O’Dowd further explained,

A large boost to the use of IBB came in 1993 when President Clinton issued an Executive Order directing Federal Agencies to create partnerships with the unions of their employees and to engage them in IBB. President Bush, however, cancelled the Clinton Executive Order. Although that cancellation did not make partnering or using IBB illegal, Bush appointees who headed agencies discouraged their use. (p. 110)

IBB began to appear in other industrialized nations in addition to the United States. According to Paquet, Gaétan, and Bergeron (2000), during the second half of the 1990s, in Canada and particularly in Quebec, management and unions turned in rising numbers toward a cooperative approach when embarking upon the renewal of the collective agreements that bound
them together. This had largely been in reaction to their perception of an environment that left them little room to maneuver and in which the issues they had to confront were becoming increasingly complex (p. 281).

**IBB Overview**

Fisher et al. (2011) in *Getting to Yes*, which is based on the work of the Harvard Negotiation Project, stated,

In contrast to positional bargaining, IBB focuses on basic interests, mutually satisfying options, and fair standards typically resulting in a wise agreement. The method permits you to reach a gradual consensus on a joint decision efficiently without all the transactional costs of digging into positions only to have to dig yourself out of them. And separating the people from the problem allows you to deal directly and empathetically with the other negotiator as a human being regardless of any substantive differences, thus making possible an amicable outcome. (p. 15)

These IBB outcomes are rooted in collaboratively addressing the interests of all constituents, which is different from traditional bargaining where each side is primarily concerned with obtaining something for those they represent.

They went on to say that, any method of negotiation may be fairly judged by three criteria: (a) it should be produce a wise agreement if agreement is possible, (b) it should be efficient, and (c) it should improve or at least not damage the relationship between the parties. Positional bargaining fails to meet the basic criteria of producing a wise agreement efficiently and amicably (Fisher et al., 2011, p. 4).
IBB Training

Rayfield (2000) emphasized the need for specialized training in the techniques of IBB as essential to the process (pp. 42–43). By contrast, however, Wentz (2004) stated that IBB may be adversely affected if training is deficient (p. 95). Barrett and O’Dowd (2005) explained,

IBB teams are always jointly trained in the bargaining sequence and the tools and techniques used. Effective training should provide ample opportunity for parties to tease out and discuss the principles, assumptions, tools and techniques of IBB and to relate this to their own experiences of adversarial bargaining and other forms of joint problem solving. The training should also provide an opportunity for the parties to practice taking an issue through the entire bargaining or problem-solving sequence. (p. 67)

IBB training also includes setting ground rules. Some examples include not engaging in personal attacks or threats, treating everyone with respect, remaining as open and nondefensive as possible, not bringing in hidden agendas, allowing only one conversation at a time, basing all agreements on consensus, having the freedom to invent without criticism, experiencing full and willing participation by all members, and not attributing comments or ideas to named individuals (Barrett & O’Dowd, 2005, p. 96).

Shared notes. A key aspect of IBB is that there are no minutes and the team has one set of shared notes written on flip charts hung on the walls. McKersie, Eaton, and Kochan (2004) explained that shared notes processes are used to avoid people looking back at the minutes and saying “You said so-and-so, and here are my notes to prove it.” By design, not being on the record, people can speak more easily, openly, and candidly, and explore more adventurously, without worry about being quoted or called to task by someone after the fact (p. 31).
**Side by side.** Another component of IBB training is that negotiations are structured as a side-by-side activity in which the two parties—with their different interests, perceptions, and emotional involvement—jointly face a common task. Fisher et al. (2011) noted that “separating the people from the problem is not something you can do once and forget about; you have to keep working at it. The basic approach is to deal with the people as human beings and with the problem on its merits” (p. 41). To accomplish a side-by-side environment, IBB bargainers employ an alternating union, management, union, management seating arrangement.

Fisher et al. (2011) further noted that “People facing each other tend to respond personally and engage in dialogue or argument; people sitting side by side in a semicircle of chairs facing a flip chart or whiteboard tend to respond to the problem depicted there” (p. 63). The alternating seating arrangement, described above, creates an environment more conducive to collaborative problem solving.

**Strong on problem, soft on people.** IBB teaches participants to be hard on the problem and soft on the people. According to Fisher et al. (2011), “You can be just as hard in talking about your interests as any negotiator can be in talking about their position. In fact, it is usually advisable to be hard. It may not be wise to commit yourself to your position, but it is wise to commit yourself to your interests” (p. 56). By being soft on people and hard on the problem, bargainers can create an environment where interests are prioritized and collaborative problem solving can occur.

**IBB Facilitation**

A central component of IBB is the use of facilitators during bargaining. According to McKersie et al. (2004),
To do the interest-bargaining process, you need a knowledgeable facilitator who knows when to challenge, when to allow people to go off process, when to keep them on process. It is not easy, and it takes constant skills of facilitation, reminding people that “that was a position,” or “that was an interest,” or “are we coming up with solutions that are meeting everyone's interests?” And if someone did not like a particular solution, are they taking responsibility for finding another solution? Individuals who serve as facilitators need to be thoroughly knowledgeable about the interest-based process in order to be able to do all of this. (p. 33)

As stated by McKersie et al., not only are facilitators important to IBB, but the facilitators must be knowledge and skilled in assisting bargainers stay within the confines of the process. The IBB process is further described under IBB process.

Wentz (2004) added that IBB processes that use a facilitator are much less likely to stray from the structure of the collaborative process (p. 101). Moreover, Barrett and O’Dowd (2005) contended that in order for facilitators to be effective when working with groups, they must demonstrate independence and integrity so that a relationship of trust can be developed (p. 91). In fact, they stated,

During the bargaining or problem-solving sessions, it will be the facilitator’s role to be a neutral process guide to the bargaining teams. This will involve some practical work such as flip charting but more importantly it will involve observing the group in action and intervening to ensure that the ground rules are being adhered to. It will mean helping if conflicts arise that the parties do not know how to handle effectively, protecting team members against an attack. (Barrett & O’Dowd, 2005, p. 91)
Barrett and O’Dowd (2005) further emphasized that it is not necessary to have a high level of trust in initiating the IBB process as “the IBB process itself builds trust based on the parties dealing honestly and transparently with each other. A good facilitator will find teachable moments and exercises to help the group process their experience of growing trust” (p. 91). For example, a previous decision by management may be a reason that the union does not trust the district. A skilled facilitator will sense this, and encourage both sides to talk through the past experience that is getting in the way of collaborative problem solving.

**IBB Process**

**Issues.** Regarding issues, Hargrove (2009) noted that “IBB introduces a collaborative approach to the collective bargaining process, and attempts to cultivate a negotiating environment in which both parties work together to resolve common issues in a way that is respectful and supportive of the needs of both sides” (p. 230). Common issues can include wages, benefits, and working conditions.

Barrett and O’Dowd (2005) claimed that bringing issues rather than positions to the table is the primary difference between IBB and traditional collective bargaining (p. 31). They further clarified that an issue constitutes a topic or problem that the parties want to address, and either management or trade unions can raise an issue (p. 51). A common way that bargainers develop issues after the pre-bargaining training, when negotiators meet and dialogue on ground rules for negotiating, which typically involves jointly identifying specific issues and then identifying interests underlying these issues (Michael & Michael, 2013, p. 463).

**Story.** After an issue has been selected for resolution, the bargaining teams tell the story of that issue. Barrett and O’Dowd (2005) asserted,
When the parties have made their opening statements on the first issue they want to handle, they then need to focus or frame this issue. They do this in a joint session. This simply means scoping out why the issue has arisen, why it needs to be resolved and what the broad parameters are. A member of one of the bargaining teams or an external facilitator will flip chart the discussion and help keep the group focused on the immediate task which is focusing or scoping the issue as opposed to looking at interests or options.

The chart paper should be titled and dated for later use. (pp. 71–72)

This description by Barrett and O’Dowd describes a process where bargaining teams create common understanding for an issue through a discussion that is transcribed by a facilitator. Fisher et al. (2011) explained why the process of telling the story is so important to IBB:

Many consider it a good tactic not to give the other side’s case too much attention, and not to admit any legitimacy in their point of view. A good negotiator does just the reverse. Unless you acknowledge what they are saying and demonstrate that you understand them, they may believe you have not heard them. When you then try to explain a different point of view, they will suppose that you still have not grasped what they mean. They will say to themselves “I told him my view, but now he’s saying something different, so he must not have understood it.” Then instead of listening to your point, they will be considering how to make their argument in a new way so that this time maybe you will fathom it. So, show that you understand them. “Let me see whether I follow what you are telling me. From your point of view, the situation looks like this.” (p. 37)

This description by Fisher et al. adds that listening to understand the other side’s story is an important component to telling the story. It is important, because listening paves the way for
bargainers to feel that they were heard and understood. When bargainers feel heard, they are more open to developing common interests.

**Interests.** After the issues have been shared and the stories have been told, the parties share their interests. As notes Barrett and O’Dowd (2005), “Interests are the underlying concerns, desires, and needs that parties have about an issue. Parties usually have multiple interests rather than a single one” (p. 53). Thus, IBB works best and is used most extensively on issues where the parties share common issues (McKersie et al., 2008, p. 94). Nonetheless, Barrett and O’Dowd (2005) noted that the IBB approach helps bargainers express themselves through dialogue about the underlying interests, concerns, and desires. Furthermore, IBB focuses on achieving better outcomes for all stakeholders by utilizing problem solving tools and avoiding positional conflicts (p. 6). Lewicki et al. (2011) provided a classic example of the difference between interests and positions:

Consider the story of two men quarreling in a library. One wants the window open and the other wants it closed. They bicker back and forth about how much to leave it open (a) crack, (b) halfway, (c) three-quarters, or (d) all the way. No solution satisfied them both. Enter the librarian. She asks one why he wants the window open. “To get some fresh air.” She asks the other why he wants it closed. “To avoid the draft.” After thinking a minute, she opens wide a window in the next room, bringing in fresh air without a draft. (p. 69)

This example illuminates the two parties’ focus on the opposing positions of whether to open or close the window rather than their interests of fresh air without a draft. Translated to a school setting, opposing positions may be higher vs. lower wages whereas their common interests are financial stability and fiscal responsibility.
Interests come in many shapes and sizes, but according to Fisher et al. (2011), the most basic powerful interests are human basic needs. In searching for the basic interests behind a declared position, it is critical to look particularly for those bedrock concerns that motivate all people. If you can take care of such basic needs, you can then increase the chance both of reaching agreement and, if an agreement is reached, of the other side’s keeping to it. Basic human needs include security, economic well-being, a sense of belonging, recognition, and control over one’s life (p. 50).

To sort out the various interests of each side, it helps to make a list and write them down as they come up. This not only helps bargainers to remember them, but also enables the team to improve the quality of the assessment as they learn new information and situate interests in their estimated order of importance. Furthermore, it may help stimulate ideas for how to meet these interests (Fisher et al., 2011, p. 51).

Barrett and O’Dowd (2005) expanded on this thinking by clarifying that “interest statements are more flexible and less specific. They do not provide the solutions to the issues (e.g., controlling costs and protecting earning). Instead they allow for open discussion and provide a basis for joint exploration of the issues” (p. 59). Examples of interests include fiscal responsibility, job security, and a safe work environment.

**Options.** Options are then created after the issue, its story, and related interests have been framed. Barrett and O’Dowd (2005) noted,

An option is one of several possible solutions intended to meet or satisfy an interest on an issue. If only a single option is discussed it is the same as a position in which case the parties are really engaged in positional bargaining. Therefore, in IBB the parties are
always seeking multiple options. When parties first begin to work with IBB, a good practice or rule of thumb is “the more options on an issue, the better.” (p. 59)

For example, options for bargainers tackling wages may include; (a) 1% wage increase, (b) 2% wage increase, (c) no wage increase, (d) 1% wage increase for staff on step 15, (e) no wage increase for staff eligible for movement on steps, (f) no wage increase for staff rated minimally effective or ineffective on their most recent year end performance appraisal, (g) 2% wage increase for staff rated effective or highly effective on their most recent year end performance appraisal (h) full step for all staff, or (i) full step for staff rated effective or highly effective on their most recent year end performance appraisal.

Fisher et al. (2011) stated, “To invent creative options, then, you will need to (a) separate the act of inventing options from the act of judging them, (b) broaden the options on the table rather than look for a single answer, (c) search for mutual gains, and (d) invent ways of making their decisions easy” (p. 61). For example, a 2% wage increase may not appeal to management, and tying performance appraisals to wage increases may not appeal to the union. However, a creative option developed through the process such as a 2% wage increase for staff rated effective or highly effective on their most recent year end performance appraisal may be an option that appeals to both parties and allows for mutual gains.

**Brainstorming.** When inventing options, the art of brainstorming is a useful tool that assists bargainers with being non-positional (Ridge, 2015, p. 55). This tool allows for the creation of an extensive list of options. Barrett and O’Dowd (2005) found that productive brainstorming sessions can yield several pages of flip-charted options (p. 79).

Fisher et al. (2011) explained that it is important not to judge options during brainstorming and further stated,
A brainstorming session is designed to produce as many ideas as possible to solve the problem at hand. The key ground rule is to postpone all criticism and evaluation of ideas. The group simply invents ideas without pausing to consider whether they are good or bad, realistic or unrealistic. With those inhibitions removed, one idea should stimulate another, like firecrackers setting off one another. (p. 62)

Barrett and O’Dowd (2005) agreed with Fisher et al. adding that there should be an emphasis on creating as many options as possible during brainstorming. Evaluating options should occur, but not until after the brainstorming process has completed (p. 76). Brainstorming a large number of options allows bargainers to consider and combine them into a much more diverse set of solutions, which increases the likeness of finding a solution that meets the interests of both union and management.

Furthermore, Lewicki et al. (2011) added that participants in brainstorming sessions are encouraged to be spontaneous and to have someone designated to record the options without comment, as the team comes up with as many uncensored options as possible (pp. 76–77).

**Straw designs using acceptable standards.** After identifying an issue, telling its story, listing interests, and brainstorming an exhaustive list of options, acceptable standards are then assigned to those options as straw designs are created. Barrett and O’Dowd (2005) provided an example of this process:

When using consensus to develop solutions, for example, with the union and management teams working as one group, and with the lists of interests, options and standards displayed on the wall in front of the entire group, one member of the group might suggest: “With a minor revision, the fourth and seventh options could be combined to read as follows—and that new option would address six of the eight mutual interests
and all three standards would be met.” Following a few questions by group members, another member might suggest a further modification that would help the new option meet an additional mutual interest. As more discussions follow, consensus emerges. (p. 83)

As described above, a process unfolds that allows packages of options to be created, rooted in mutual interests, that can serve as potential solutions for the issue.

**Consensus.** Consensus decision-making seeks agreement by all participants and aims to enable people to negotiate agreements and find collective solutions. A benefit of consensus decision-making is that it binds each individual participant to the decisions made and the ensuing outcomes (Cunningham, 2014, p. 237). According to Barrett and O’Dowd (2005), the primary method for making key decisions in IBB is consensus, not majority vote or allowing leaders to decide. They further add that consensus decisions protect minority groups against majority decisions, and provide individuals with decisions that they can live with, take ownership for, and support outside of bargaining. Ultimately, “They support the course of action, even though it may not be their first choice, because it was decided upon fairly and openly and because it is the best solution for the group at this point in time” (p. 101).

**IBB Outcomes**

**Innovation.** IBB allows broader range of topics to be covered at the table; items usually not negotiated are not addressed (Hiraoka, 1994, p. 12). For those aspects of agreements that cannot be placed into the contract, bargainers may create letters of understanding to govern a process for extra-contractual decision-making or implementation of solutions. Labor-management committees are often used as vehicles for further work on solutions developed in bargaining (Klingel, 2003, p. 22).
IBB is successful in innovating new contract language and negotiating agreements on a number of strategic workplace issues necessary for flexibility (Michael & Michael, 2012, p. 46). Both union and management respondents who have past experience with IBB are also more likely to report contracts with increased flexibility in work rules, new pay arrangements, language on team-based work systems, and new language on joint committees. At the same time, little or no observable effect is associated IBB use on outcomes such as wage increases, benefits increases, wage reductions, benefit reductions, or health and safety issues. The results indicate that the impact of IBB is primarily observable on more complex issues associated with the changing nature of work and that it is less salient on basic economic issues (Cutcher-Gershenfeld, Kochan, & Wells, 2001, p. 8).

In all, interest-based agreements count for more than double the number of innovations compared to that found in traditional agreements. In fact, although traditional agreements include an average of 2.05 innovations per agreement, this number climbs to 4.32 per agreement for interest-based agreements. Based on this data, it appears that IBB facilitates the introduction of organizational innovations in collective agreements. It is also interesting to examine the diversity of the organizational innovations introduced. In the case of traditional negotiations, innovations are to a large extent (77%) found in the same category (labor-management cooperation), whereas only eight innovations are outside of this category. Meanwhile, innovations subsequent to IBB are far more varied. In fact, even if 55% of them are found in the first category, 37 others are still located in other categories, which is nearly as many as the total number of innovations in traditional negotiation. One can thus conclude from this third analytical section that the variety of organizational innovations in IBB is greater than in traditional bargaining (Paquet et al., 2000, pp. 290–292).
**Labor-management relationship.** The biggest benefit to the IBB process, however, has been the building and maintenance of a positive relationship. Problems no longer fester and new issues can be taken on more easily (Klingel, 2003, p. 53). Freeman (2012) substantiated this in his study of public school employees, finding that the IBB process strengthened the relationship between the administration and faculty (p. 125). Further, Rayfield (2000) found that the IBB process allows for open-ended communication between staff and administration and leads to a reduction in grievances (p. 42).

Straut’s (1998) study of Ontario school districts suggested that those using the IBB approach are provided the skills to support a continuing relationship between labor and management, both in and out of the collective bargaining arena (p. 146). In fact, Klingel (2003) noted,

IBB can have a profound effect on the labor-management relationship in instances where there has been enough discord or poor bargaining experience to motivate the parties to do something different. However, there is strong agreement from practitioner experience that the use of IBB in negotiations cannot by itself salvage a particularly acrimonious relationship between bargaining parties. It can improve an existing, troubled relationship but will not create a relationship where there has been a complete breakdown. (p. 22)

The labor management relationship is an important consideration prior to implementing IBB. For this reason some IBB processes include a component that assesses if the union and management are ready to engage in the collaborative IBB process.

Similarly, Peace (1994) contended that collaborative bargaining practices preserved and strengthened relationships (p. 368).
**Mutual gains.** When one does look behind opposed positions for the motivating interests, one can often find an alternative position that meets not only one’s own interests but the opposition’s as well (Fisher et al., 2011, p. 44). Those interests that both parties have in common are called *mutual interests*, and they are the richest source of the option needed for IBB. People using IBB for the first time are usually surprised at the high incidence of common interests around any given issue (Barrett & O’Dowd, 2005, p. 54). IBB is offered as a way to turn distributive contests into opportunities for mutual gain, where separate interests and needs are integrated into a satisfactory outcome (Klingel, 2003, p. 3). In addition, Hoynes (1999) also found mutual gains in a study of public school districts in Ohio, concluding that “IBB results in CBAs with more contract language that benefits both the union and management” (p. 170).

Among nine CBAs that used IBB and nine that used traditional bargaining, those using IBB had 109% more mutual gains than those that used traditional bargaining. This is an important factor that partly confirms the claims made by proponents of IBB, namely, that the outcomes of such negotiations often produce gains that benefit both parties to the negotiation. These gains deal especially with the implementation of joint mechanisms to regulate the relationship between the parties (Paquet et al., 2000, p. 290). A second relevant observation is that there were five mutual gains made on grievances and disciplinary measures articles in the IBB cases, and there were none in traditional negotiations (Paquet et al., 2000, p. 290).

**Participation and communication.** Hiraoka (1994) asserted that IBB goes beyond the traditional bargaining season, and paves the way for both parties working together year-round both in and out of bargaining (p. 13). Peace (1994) added that collaborative bargaining models, such as IBB, lead to cooperative and participatory relationships (p. 369).

Brainerd (1998) found that:
The IBB project in Ramset County marked a significant achievement because employees and managers involved in bargaining had a much greater opportunity to participate and to put forth their ideas than they would have under the traditional bargaining process. The generation and evaluation of options gave both union and management representatives opportunities to express ideas, generate alternative options for consideration and provide a better understanding of the options created. (p.58)

Brainerd (1998) stated that this marked a significant achievement because communication improved between management and the bargaining units involved. Participants learned about the union and its views, and union representatives learned about management and its concerns. Both sides had been unaware of many of these viewpoints and concerns before this time (Brainerd, 1998, p. 58). Rayfield (2000) reinforced that communication between staff and administration increased through the mechanism of IBB in his study of a public school district in Ohio (p. 42).

**Problem-solving culture.** Klingel (2003) asserted that using “IBB techniques extend well beyond contract negotiations. District Unions, administrators, BOE members, and parents have been using an interest-based agreement process to solve problems, create policies, plan changes, and govern a new set of relationships and decision-making mechanisms” (p. 58). Klingel further cited examples where the IBB problem-solving method has been taught to groups in the organization for use in contract administration, problem solving, and shared governance venues (p. 22). As stated by Brown (2016), “IBB becomes a way of life. It seems that as the IBB processes are used on a regular basis by negotiators the value system begins to blend into everyday life, positively impacting the organizational culture as well” (p. 115). For example, a school district may employ the IBB problem-solving method to address an issue between two
departments within the organization. In this instance, may not be an outside facilitator, but instead a district employee trained in IBB from a department not involved in the dispute.

Brainerd (1998) studied an IBB project that led to an “Action Plan” created to address items between bargaining rounds to ensure that union and management would continue to work together in a cooperative manner and to focus attention on the problems rather than the differences in positions (p. 59).

Perceptions of IBB

As previously noted, IBB is a relatively new form of collective bargaining. Negotiators typically introduce IBB practices into their collective bargaining process in order to improve relations between labor and management that have been damaged from a history of traditional bargaining (Fonstad et al., 2005, p. 9). Klingel (2003) added:

After more than a decade of experience and refinement, much learning has occurred, but it is still unclear whether IBB performs better than traditional bargaining in satisfying the goals of bargainers. Research on the extent of use of the process, or the effectiveness of IBB in meeting its stated goals, is even more scarce. Little is known about why parties choose it over traditional negotiation approaches, its effect on the parties’ relationship, bargaining outcomes, and the ability of the parties to effectively advocate for their constituents. (p. 1)

As stated by Klingel, perceptions of IBB are diverse, and this lack of clarity appears to be connected to our inability to understand why parties chose IBB and how to measure IBB’s effectiveness in reaching its goals. Having said that, in a sample of 1,172 union and management respondents, Cutcher-Gershenfeld et al. (2001) found that “approximately 80 percent (79.8
percent) of managers who have employed IBB report that it is their preferred method compared with approximately 60 percent (59.6 percent) of union leaders” (p. 8).

Perceptions of IBB tend to be positive for those aspects of agreements that cannot be placed into the contract. To address nontraditional items, bargainers may create letters of understanding to govern a process for extra-contractual decision-making or an implementation of solutions. Extra-contractual decision-making can take the form of labor-management committees that can be used as vehicles for further work on solutions developed in IBB (Klingel, 2003, p. 24).

**Criticism and Challenges of IBB**

Michael and Michael (2013) found that IBB can improve collaboration through the exploration of common interests during the early phases of negotiation. However, collaborative bargaining practices are difficult to sustain when bargainers face economics issues or topics that do not present common interests between labor and management (p. 473). Furthermore, McKersie et al. (2008) stated, “Distributive bargaining, complete with classic positional tactics worked best for dealing with the issues where the parties' basic interests were in deepest conflict and, importantly, where chief negotiators were faced with deep and difficult-to-resolve conflicts within their organizations” (p. 94). They go on to explain that negotiating does not have to be exclusively traditional bargaining or IBB. Parties may execute a mixed process that draws on the best features of both traditional bargaining, on more distributive issues and IBB approaches on issues such as working conditions (p. 95).

Miller, Farmer, Miller, and Peters (2010) noted that some union negotiators have shown a feeling of vulnerability toward IBB (p. 195). Peace (1994) added that IBB is not a good fit for everyone, because “It is a process that requires a willingness to share information (and therefore
IMPLEMENTING INTEREST-BASED BARGAINING

power), take risks, and change established patterns of behavior” (p. 379). According to McKersie et al. (2008), constituents often view the collaborative actions of their negotiators with the opposing party’s negotiators as a reason for giving in or agreeing to concessions in IBB. As noted by Michael and Michael (2012), “This pressure from constituents has resulted in a reversion to adversarial bargaining in IBB especially around economic or bread and butter issues are negotiated” (p. 46).

Furthermore, negotiating parties have expressed concern that, in adopting the collaborative bargaining model, the committee may give up power in areas where it is not required to bargain (Peace, 1994, p. 371). Lewicki et al. (2011) added that “If negotiators approach the problem and their opponent in win–lose terms—IBB cannot occur” (p. 66).

**Other Collaborative Collective Bargaining Models**

IBB is not the only collaborative collective bargaining model. Klingel (2003) focused on IBB as developed by the Harvard Negotiation Project and popularized by Fisher and Ury in the book *Getting to Yes*. In addition to IBB, he acknowledged that other collaborative collective bargaining models such as Mutual Gain Bargaining (MGB), developed by the U.S. Department of Labor, and the P.A.S.T. model (Principles, Assumptions, Steps, and Techniques) exist. Furthermore, individual practitioners, consulting and university groups, and state-level networks of facilitators and trainers have all modified these processes based on their experience and needs. (p. 29)

**MGB model.** According to Freidman (1993) “in MGB, negotiators are encouraged to present interests, leaving open how those interests should be addressed. In this way, they do not become locked into positions and can continue to explore new options if any one idea is
rejected” (pp. 436–437). Conry (1999) outlined the following eight-step process of the MGB process:

1. The parties agree to use the process and abide by its rules.
2. Specific issues are identified.
3. The parties discuss their interests on an issue.
4. Working together, options are generated.
5. Criteria for evaluating the options are developed and agreed upon.
6. The evaluation criteria are applied to each option.
7. The best option is selected.
8. The option is reduced to writing for inclusion in the CBA. (p. 5)

Principles, assumptions, steps, and techniques model. According to Barrett and O’Dowd (2005), the P.A.S.T. model focuses on principals, assumptions, steps, and techniques:

Principals (focus on issues not on personalities, focus on interests not on positions, seek mutual gain, use a fair method to determine outcomes), Assumptions (bargaining enhances the parties’ relationship, both parties can win in bargaining, parties should help each other to win, open and frank discussion and information sharing expands the areas of mutual interests and this in turn expands the options available to the parties, mutually developing standards for evaluating options can move decision-making away from reliance on power), Steps (pre-bargaining steps 1 prepare for bargaining 2 develop opening statements, bargaining steps 1 agree on a list of issues and focus on one at a time 2 identify interests on one issue 3 develop options on one issue 4 create acceptable standards 5 test options with standards to achieve solution or settlement), Techniques (idea charting, brainstorming, consensus decision-making). (p. 37)
Connections between IBB and P.A.S.T. can be seen by looking at Barrett and O’Dowd’s description. Connections include: (a) focusing on interests over positions, (b) looking for shared interests, (c) developing issues prior to bargaining, and (d) techniques such as idea charting, brainstorming, and consensus decision-making.

**Hybrid models.** Klingel (2003) goes on to say that “IBB appears to have become more integrated into the larger, existing framework of bargaining practices as a set of techniques not wholly separate from traditional bargaining practices” (p. 37). Wilson (1999) asserts that traditional and alternative bargaining techniques lie along a single continuum, with any number of hybrid models between the two extremes (see Figure 1 for Wilson’s continuum of bargaining behaviors).

Differences Between Traditional Bargaining and IBB

Lewicki et al. (2011) outlined what they believed to be the three main differences between traditional bargaining and IBB. The first is that traditional bargaining can create an environment where parties may distrust one another, conceal and manipulate information, or attempt to understand the other party purely for their own advantage. On the other hand, successful IBB bargainers cultivate free and open dialogue around all relevant issues and concerns. The second is that traditional bargainers make little to no effort to understand the other side’s needs and interests unless this understanding helps them challenge, undermine, or even deny the other party the opportunity to have those needs and interests met. However, successful IBB bargainers take the time to really understand what the other side wants to achieve. The third is that traditional bargainers have a strong desire to win or defeat their opponent. They are not interested in finding solutions that satisfy both sides. In contrast, successful IBB bargainers are mindful of the other side’s goals, and search to find solutions that satisfy the needs and interests of both sides (pp. 64–56).

Barrett and O’Dowd’s (2005) text, *Interest Based Bargaining: A User’s Guide*, provides a helpful tool for further understanding the main differences between traditional bargaining and IBB, as seen in Table 5.
Table 5

*Differences Between Traditional Bargaining and IBB*

<table>
<thead>
<tr>
<th>Traditional Bargaining</th>
<th>IBB</th>
</tr>
</thead>
<tbody>
<tr>
<td>The main focus is to give as little and to get as much as possible.</td>
<td>The main focus is to ensure that each side’s interests are addressed.</td>
</tr>
<tr>
<td>The parties prepare separately by drafting opening positions as targets.</td>
<td>The parties prepare together by agreeing ground rules and ways of working.</td>
</tr>
<tr>
<td>These positions take the form of wish lists. The parties frequently table unreal positions that they can subsequently concede.</td>
<td>The parties prepare separately by discussing interests with constituents. If constituents present positions, the negotiators convert these into interests.</td>
</tr>
<tr>
<td>They also prepare resistance points above or below which they are not prepared to go.</td>
<td>They approach bargaining with open minds as to what the final agreement might be.</td>
</tr>
<tr>
<td>The negotiations take the form of two sides bargaining across a table with breaks for caucus meetings; options are explored in private sessions.</td>
<td>The negotiations take the form of one group with occasional breaks for caucus or side meetings; options are openly explored in joint sessions.</td>
</tr>
<tr>
<td>If the parties undergo negotiation training it is done separately.</td>
<td>If using IBB for the first time the parties undergo joint training.</td>
</tr>
<tr>
<td>The negotiations open with positional statements and follow a sequence of offers and counteroffers with frequent deferrals and breakdowns.</td>
<td>The negotiations open with discussions around an issue and each party’s interests underlying that issue followed by a problem-solving sequence.</td>
</tr>
<tr>
<td>Information is kept tight and only disclosed under pressure or to extract a concession.</td>
<td>Information is openly shared and research is usually conducted jointly.</td>
</tr>
<tr>
<td>Decisions are made by compromise or under pressure.</td>
<td>Decisions are made by consensus after an agreed objective evaluation of options.</td>
</tr>
<tr>
<td>Mainly involves industrial relations managers and union officials.</td>
<td>Involvement is extended to others with expertise around relevant topics.</td>
</tr>
<tr>
<td>Spokespersons present key positions and moves.</td>
<td>Spokespersons outline key interests, but all members participate.</td>
</tr>
<tr>
<td>Each side attempts to keep the other under pressure by power tactics.</td>
<td>The parties agree not to use pressure as a negotiation lever.</td>
</tr>
<tr>
<td>The parties use a facilitator when they reach an impasse.</td>
<td>The parties use a facilitator during the entire process.</td>
</tr>
</tbody>
</table>
As can be seen in the Table 5, differences between traditional bargaining and IBB include elements such as (a) positions versus interests, (b) two sides versus one group, (c) withholding information versus sharing information, (d) facilitators during impasse versus facilitators throughout, and (e) compromised decisions versus consensus decisions.
Conceptual Framework

This study’s conceptual framework (see Figure 2) starts with a representation of how IBB was implemented in the district, and acknowledges that IBB was implemented over time.

![Conceptual Framework Diagram](image)

Figure 2. Conceptual framework.
The arrows in the conceptual framework that point toward how IBB was implemented represent the various decisions that district leaders, union leaders, and IBB facilitators made when IBB was implemented. These decision makers were influenced by the BOE, perceptions, biases, assumptions, finances, the community, current reality, other collaborative efforts, CBAs, past practice, parents, working relationships, local politics, state politics, national politics, the MEA, the NEA, research, staff, and the success of previous implementation decisions. The circular arrows represent what the decision makers considered, including the influences above, when making implementation decisions.

Summary

This chapter reviewed the literature of decision-making, the history of collective bargaining, an overview of traditional bargaining, and a critical examination of IBB. The review of IBB literature started with exploring the history of IBB followed by looking at IBB training, IBB facilitation, the IBB process, IBB outcomes, perceptions of IBB, criticism and challenges of IBB, other collaborative collective bargaining models, and the differences between traditional and IBB.

The next chapter will outline the research methodology utilized in this study. Included within the methodology are sections on data sources, data analysis, ethical considerations, limitations, and delimitations.
Chapter 3: Methodology

Introduction

The purpose of this case study was to investigate how one public school district in southeastern Michigan implemented interest-based bargaining (IBB). The use of case study, according to Bloomberg and Volpe (2016), “affords significant interaction with research participants, providing an in-depth picture of the unit of study” (p. 46). The study also sought to understand the factors that influenced the decision-making process, and what was considered when making implementation decisions. Bloomberg and Volpe (2016) contend, “Since understanding is the primary goal of qualitative research, the researcher is the primary instrument for data collection and data analysis. However, the subjective lenses that both the researcher and research participants together bring to a qualitative study form the context for the findings” (p. 41). For this study, interviews, documentation, and archival records were used to investigate how the district implemented IBB. The researcher, as assistant superintendent for human resources (ASHR) in the district that was studied, had access to the participants and information outlined in this chapter.

Data Sources

Interviews. According to Creswell (2014), “In qualitative interviews, the researcher conducts face-to-face interviews with participants, telephone interviews, or engages in focus group interviews with six to eight interviewees in each group. These interviews involve unstructured and generally open-ended questions that are few in number and intended to elicit views and opinions from the participants” (p. 190). Similarly, the researcher conducted unstructured face-to-face interviews that elicited views and opinions about how the district implemented IBB. Yin (2014) asserts that “Interviews are an essential source of case study
evidence because most case studies are about human affairs or actions. Well informed interviewees can provide important insights into such affairs or actions” (p. 113). Likewise, the researcher gained insights into how the district implemented IBB from each interviewee.

The researcher used an unstructured interview protocol (see Appendix C for the interview protocol). Yin (2014) shared that unstructured interviews are common in case study research and resemble guided questions (see Appendix D for the questions that will guide the unstructured interviews) rather than structured inquires (p. 110). The researcher began each interview by thanking the participant for their participation, explaining the purpose of the study, and reminding the participant of the procedures put in place to protect their confidentiality. The researcher took notes and audiotaped all interviews. Creswell (2014) recommended, “Even if an interview is taped, I recommend that researchers take notes in the event that the recording equipment fails” (p. 194). The notes were taken on a password protected Microsoft Word document with a header that indicated the date, time, location, interviewer, and interviewee. Spaces were left on the document between the questions to record the responses. At the end of the interview, the researcher thanked the participant for their participation in the study. After the interview, the researcher filled in gaps not captured in the notes with those from the audiotape.

Participants were comprised of the primary decision makers involved with implementing IBB in the district that was studied. Participants signed a consent agreement (see Appendix E for the consent agreement) and came from the following groups (a) district leadership, (b) union leadership, and (c) IBB facilitators.

The two district leaders that were asked to participate were the superintendent and a board of education (BOE) member. The superintendent was asked to participate, because he was the ultimate decision maker for implementing IBB as directed by the BOE. The BOE member
participated in the district’s (a) IBB assessment with the full BOE; (b) IBB training with all education association (EA), paraeducator association (PA), and secretarial association (SA) bargaining team members; and (c) sat on the EA’s IBB team. Her IBB training took place in the district over the course of two days and was led by two IBB trainers. One of the two IBB trainers was also an IBB facilitator with the district. The methods used by the IBB trainers came from training they received through the Michigan education association (MEA), which was based on Fisher et al.’s (2011) work, Getting to Yes, and was developed by the national education association (NEA), the North American Association of Educational Negotiators, and the Michigan Education Collaborative Alliance. The EA is the district’s largest collective bargaining unit, and this BOE member sat on this IBB team during both the 2015/2016 and 2016/2017 school years. She was selected to sit on the EA’s IBB team by decision of the superintendent, ASHR, and BOE president.

The union leader that was asked to participate was the MEA UniServ director who served all of the district’s MEA affiliated collective bargaining units. Her appointment to this role was outside the jurisdiction of the district, and she sat on all MEA affiliated IBB teams during both the 2015/2016 and 2016/2017 school years, participated in the IBB assessment, and received the same IBB training as the BOE member that was asked to participate.

The IBB facilitators that were asked to participate worked with the district during both the 2015/2016 and 2016/2017 school years. One of the IBB facilitators represented management, was paid by the district, and was not employed by the MEA. He was an IBB facilitator with the district during both the 2015/2016 and 2016/2017 school years. The other IBB facilitator represented the union, and was employed and paid by the MEA. He was an IBB assessor and trainer with the district during the 2015/2016 school year and an IBB facilitator with the district
during the 2016/2017 school year. They both were arranged through the MEA, but the superintendent, BOE, and MEA UniServ director were the ultimate decision makers in approving their assignment to facilitate the district’s IBB process.

**Documentation and archival records.** To collect documentation, the researcher gathered newspaper articles, agendas, meetings minutes, collective bargaining agreements (CBA), memos, presentations made to staff, and communications sent to staff in the district that was studied. According to Yin (2014), “except for studies of preliterate societies, documentary information is likely to be relevant to every case study” (p. 105). Yin (2014) went on to say that letters, e-mails, agendas, minutes from meetings, administrative documents, announcements of meetings, proposals, news clippings and other articles are examples of documentation (p. 106).

The researcher also used archival records in this case study. Yin (2014) stated that, “survey data produced by others, about your case’s employees, residents, participants” is an example of archival records used in case studies (p. 109). The primary source of archival records used for this study was secondary data from a staff survey administered and analyzed by a regional university for the district’s Partnership and Collaboration Committee (PCC). This secondary survey data was used to understand factors that influenced the decision-making process as the district implemented IBB.

**Data Analysis**

Data analysis was done concurrently with data collection. According to Miles, Huberman, and Saldana (2014), analysis concurrent with data collection “helps the field worker cycle back and forth between thinking about the existing data and generating strategies for collecting new, often better, data” (p. 70).
As data was collected it was processed into text and placed onto a password protected Microsoft Word document. Miles et al. (2014) suggest that collected data may be condensed and simplified considerably from the raw notes or recordings into refined text that is clear to the reader or analyst (p. 71).

The researcher condensed the data by hand into codes that emerged through the data analysis process onto a Microsoft Excel document. According to Creswell (2014), “The traditional approach in social sciences is to allow the codes to emerge during the data analysis” (p. 199). Coding included both first and second level codes. Miles et al. (2014) explain that “First Cycle coding is a way to initially summarize segments of data. Pattern coding, as a Second Cycle method, is a way of grouping those summaries into a smaller number of categories, themes, or constructs” (p. 86). Additionally, the researcher used tools such as matrix displays and network displays to display the data as patterns emerge. According to Miles et al. (2014), a matrix display has defined rows and columns and network displays are a series of notes with links (lines and arrows) between them (p. 109).

Miles et al. (2014) go on to say that “Codes are primarily, but not exclusively, used to retrieve and categorize similar data chunks so the researcher can quickly find, pull out, and cluster the segments relating to a particular research question, hypothesis, construct, or theme. Clustering and the display of condensed chunks then set the stage for further analysis and drawing conclusions” (p. 72). This process allowed the researcher to categorize and view the data from various vantage points that resulted in a more comprehensive analysis.

See Figure 3 for the interwoven nature of the data analysis process that was used by the researcher as presented by Miles et al. (2014).
The researcher acknowledges the potential-biases involved in researcher-as-instrument, which is typical of qualitative research. According to Bloomberg and Volpe (2014), we have to leave open the possibility that other researchers may tell a different narrative given the same set of data: “What we learn from our research, how we understand what we find, and how we report it is but one view” (p. 249). The following markers of good qualitative researcher-as-instrument were adapted from Miles et al. (2014). The researcher had a strong familiarity of the phenomenon and setting under study and had reviewed literature on other collaborative collective bargaining models as well as literature on IBB use in other settings in order to broaden his perspective. He was committed to using good investigative skills that draw people in with a meticulous attention to detail. Furthermore, he was comfortable, resilient, and nonjudgment with participants. Lastly, he was committed to having a heightened state of empathetic engagement, balanced with a heightened sense of objective awareness (p. 42).
Ethical Considerations

The researcher’s role as ASHR of the district that was studied presented an ethical consideration. As ASHR, the researcher served as chief negotiator and was actively involved as the district implemented IBB. Having said this, the initial implementation of IBB occurred prior to when the researcher selected this topic, which reduced concern of manipulating implementation for purposes of the study. Additionally, this study’s focus on implementation allowed the researcher to be objective in a biased environment.

Another ethical consideration was the reduction of risk of anticipated harm for all participants. Participation was voluntary, and the researcher protected all participants through procedures outlined on the consent form that was signed prior to participation (see Appendix E for the consent form).

Furthermore, archival records in the form of secondary survey data were used by the researcher in the results section of this study as he sought to understand influences on the decision-making process used by the district as they implemented IBB. This secondary data was from the district’s PCC, which worked with a regional university who administered and analyzed the results from the staff survey. Although not a requirement of secondary data, the researcher informed the regional university and the superintendent of the school district that was studied and asked for consent to use this secondary data (see Appendix F for the letter of consent).

Limitations

A study’s limitations are those characteristics of design or methodology that will impact or influence the interpretation of the findings from the research (Bloomberg & Volpe, 2015, p. 164). This study’s intentional focus on implementation allowed the researcher to be objective in a biased environment. Having said that, the following limitations remained:
• The researcher’s role in the district that was studied.
• The familiarity between the participants and the researcher.
• The interviews were conducted by the researcher.
• How reliable participant answers were when interviewed.
• How reliable participant answers were when responding to the staff survey that was used as an archival record.
• The models of traditional bargaining and IBB used by the district that was studied represents just one of the many models.

Delimitations

Delimitations, according to Bloomberg and Volpe (2015), refer to the initial choices made about the broader, overall design of a study. They are those characteristics that define and clarify the conceptual boundaries that the researcher selected and a way to clarify to the reader how he narrowed the scope of the study (p. 165). The delimitations of this study were as follows:
• This study was limited to examining the process used by one southeastern Michigan public school district as they implemented IBB.
• The methods of investigation were (a) interviews, (b) documentation, and (c) archival records.
• Five individuals were interviewed, and those participants were limited to the superintendent, MEA UniServ director, a BOE member, and two of the district’s IBB facilitators.
• This study examined the implementation of IBB that occurred between July 1, 2015 and December 31, 2016.

Summary

This qualitative case study used interviews, documentation, and archival records as data sources. Furthermore, the researcher performed data analysis concurrently through a cycle of
data collection, first and second level coding, matrix displays, and drew and verified conclusions.

In the next chapter, the results of the case study are presented and shared through the art of storytelling.
Chapter 4: Findings

Introduction

The purpose of this case study was to investigate how one public school district in southeastern Michigan implemented interest-based bargaining (IBB). The study also sought to understand the factors that influenced the decision-making process and what was considered when making implementation decisions.

Mattos (2011) asserted that school districts have spent significant fiscal and human resources to implement an array of well-intentioned initiatives that often fell short of their targets (pp. 125–126). Furthermore, Candido and Santos (2015) reported that implementation of a new strategy can be a difficult task. They went on to say that “the true rate of implementation failure remains to be determined, but it is often claimed that 50–90% of strategic initiatives fail” (p. 237).

Likewise, school districts have faced challenges when implementing IBB. Klingel (2003) shared “while the ideas and concepts transmitted in IBB training were powerful and attractive to participants, the parties were often unable to put them into practice” (p. 13). Klingel’s (2003) report *IBB in Education: A Review of the Literature and Current Practice* included three case studies of school districts that used IBB and seven elements for improved IBB implementation (pp. 13–72). These case studies and elements for improved IBB implementation were helpful resources for districts, but Klingel’s report was broad in nature and focused on more than just implementation. Additional research was needed with a more precise focus on understanding how IBB can be implemented in a public school district.
Research Questions

The primary research questions that guided this study were as follows:

- How did school district leaders, union leaders, and IBB facilitators implement IBB?
- What factors influenced the decision-making process during the implementation of IBB?
- What did school district leaders, union leaders, and IBB facilitators consider when making decisions about the implementation of IBB?

Data Sources

A qualitative study typically analyzes qualitative data for patterns or themes, and is presented based on the major themes found in the data. Common methods to present themes are based on the unit of analysis. For example, a unit of qualitative measurement could be leadership traits and organized into major patterns (Yin, 2004). If the design is historical, organize the findings by time (Creswell, 2004). If the design is a single-case study, the unit of presentation is the entire case being studied (Yin, 1993). For this case study, the methodology used to gather the data needed to investigate how one southeastern Michigan public school district implemented IBB was interviews, documentation, and archival records.

Interviews. The interview process began with identification and agreement to participate by each interviewee. All participants were informed of the process and the method to achieve confidentiality, and each participant signed a consent agreement. The interviews were unstructured and conducted between May 17, 2017 and May 31, 2017. Notes were placed onto a password protected Microsoft Word document during each interview, and the interviews were audio recorded. After each interview, the researcher listened to the audio recordings to fill in the gaps from the original transcription, and conducted follow-up interviews with four of the five participants.
According to Yin (2014), “Interviews are an essential source of case study evidence because most case studies are about human affairs or actions. Well informed interviewees can provide important insights into such affairs or actions” (p.113). To secure well informed participants, the interviewees were the primary decision makers involved when the district implemented IBB, and came from the following groups (a) district leadership, (b) union leadership, and (c) IBB facilitators (see Table 6 for a demographic breakdown of participants).

Table 6

<table>
<thead>
<tr>
<th>Position</th>
<th>Represented</th>
<th>Terms</th>
<th>Paid By</th>
<th>Gender</th>
<th>Participated in the district’s IBB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Superintendent</td>
<td>Management</td>
<td>Employed by the district</td>
<td>The district</td>
<td>Male</td>
<td>Assessment and training</td>
</tr>
<tr>
<td>BOE member</td>
<td>Management</td>
<td>Elected to serve the district</td>
<td>Un-paid</td>
<td>Female</td>
<td>Assessment, training, and EA bargaining</td>
</tr>
<tr>
<td>MEA UniServ director</td>
<td>Union</td>
<td>Employed by the MEA</td>
<td>The MEA</td>
<td>Female</td>
<td>Assessment, training, and EA, PA, and SA bargaining</td>
</tr>
<tr>
<td>Management facilitator</td>
<td>Management</td>
<td>Contracted by the district</td>
<td>The district</td>
<td>Male</td>
<td>EA, PA, and SA bargaining</td>
</tr>
<tr>
<td>Union facilitator</td>
<td>Union</td>
<td>Employed by the MEA</td>
<td>The MEA</td>
<td>Male</td>
<td>Assessment, training, and EA, PA, and SA bargaining</td>
</tr>
</tbody>
</table>

The district leaders interviewed were the superintendent and a board of education (BOE) member. The superintendent went through the district’s IBB assessment and training and was the ultimate decision maker for IBB implementation for the district as directed by the BOE. The BOE member participated in the district’s (a) IBB assessment with the full BOE; (b) IBB
training with all education association (EA), paraeducator association (PA), and secretarial association (SA) bargaining team members; and (c) sat on the EA’s IBB team. She was placed on the EA IBB team by decision of the superintendent, BOE president, and assistant superintendent for human resources (ASHR) based on availability, interest, and fit. Additionally, one BOE member sat on the PA IBB team, and another on the SA IBB team, but they were not interviewed. The union leader was the Michigan educator association (MEA) UniServ director who served all of the district’s MEA affiliated collective bargaining units, went through the district’s IBB assessment and training, and sat on all MEA affiliated IBB teams during both the 2015/2016 and 2016/2017 school years. The IBB facilitators worked with the district during both the 2015/2016 and 2016/2017 school years and were both trained to facilitate IBB by the MEA. Their IBB facilitator training was conducted by the MEA and was a requirement for serving as an MEA-sponsored IBB facilitator. One of the IBB facilitators represented management, was paid by the district, and was not employed by the MEA. He was an IBB facilitator with the district during both the 2015/2016 and 2016/2017 school years. The other IBB facilitator represented the union, and was employed and paid by the MEA. He was an IBB assessor and trainer with the district during the 2015/2016 school year and an IBB facilitator with the district during the 2016/2017 school year.

**Documentation and archival records.** To gather documentation, the researcher collected newspaper articles, agendas, meeting minutes, collection bargaining agreements (CBA), memos, presentation handouts, and emails from the district that was studied. Yin (2014) stated that letters, e-mails, agendas, minutes from meetings, administrative documents, announcements of meetings, proposals, news clippings and other articles are examples of documentation (p. 106).
Additionally, the researcher used archival records in this case study. Yin (2014) stated that “survey data produced by others, about your case’s employees, residents, participants” is an example of archival records used in case studies (p. 109). The primary source of archival records used for this study was secondary data from a staff survey administered and analyzed by a regional university for the district’s partnership and collaboration committee (PCC). This secondary survey data was used to understand factors that influenced the decision-making process as the district implemented IBB.

Data Analysis

Human subjects approval was granted on May 8, 2017 (see Appendix G). Data analysis and the collection of interview data, documentation, and archival records were completed concurrently between May 17, 2017 and July 27, 2017. According to Miles et al. (2014), analysis concurrent with data collection “helps the field worker cycle back and forth between thinking about the existing data and generating strategies for collecting new, often better, data” (p. 70). The raw data was condensed and simplified into refined text, and further condensed and coded onto a Microsoft Excel document. First and second level codes emerged, and data was placed into matrix displays with defined rows and columns, which allowed for further analysis and conclusions to be drawn. Miles et al. (2014) stated that “Codes are primarily, but not exclusively, used to retrieve and categorize similar data chunks so the researcher can quickly find, pull out, and cluster the segments relating to a particular research question, hypothesis, construct, or theme.” The process of clustering and displaying condensed chunks sets the stage for the researcher to further analyze and draw conclusions from the data (p. 72).
Presentation of Themes

Eight themes emerged during data analysis. The themes were products of how the district implemented IBB and speak to trust, transparency, collaboration, and collegiality among staff. IBB was just one tool used to improve the culture and climate of the district, and is interconnected with other efforts such as the work of the district’s PCC. The themes were as follows:

- Theme 1: BOE members on bargaining teams
- Theme 2: Increased PA and SA voice
- Theme 3: Consistent joint communications
- Theme 4: Commitment to organization
- Theme 5: Commitment to the process
- Theme 6: Willingness to open communication
- Theme 7: Compensation solved mid-process
- Theme 8: Formation of numerous committees

The themes are not ordered by importance; instead they are shared sequentially to best match the narrative of how one southeastern Michigan public school district implemented IBB (see Table 7 for a display of the themes).
### Table 7

**Eight Themes: Influences, Considerations, Successes, and Challenges**

<table>
<thead>
<tr>
<th>Theme 1: BOE members on bargaining teams</th>
<th>Influences and Considerations</th>
<th>Successes and Challenges</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOE participation on PCC, disconnect between what the union presented and the BOE understood, IBB assessors’ recommendation to place a BOE member on each IBB team, BOE wanted to better understand issues, union leaders wanted the BOE to hear their side, and bargainers wanted decision-making authority.</td>
<td></td>
<td>Successes: BOE members added the perspective of district families, the community, and the BOE to bargaining; decisions were allowed to be made at the table; and BOE members left with a better understanding of the issues. Challenges: The facilitators were initially gentle on telling BOE members to get in line or stay in process, and selecting bargaining dates that worked for staff, facilitators, and BOE members.</td>
</tr>
</tbody>
</table>

| Theme 2: Increased PA and SA voice | Themes from PCC staff survey, the inclusive nature of the PCC, and the district wanted to honor secretary and paraeducator feelings and make a change based on feedback from the PCC staff survey. | Successes: The PA and SA bargaining teams had positive and productive bargaining experiences, and left bargaining feeling heard. Challenges: Implementing the full IBB process with both the PA and SA required a substantial financial and operational commitment. |

| Theme 3: Commitment to sending joint communications | Previous joint communications sent by the PCC and bargaining team members expressed the desire to send joint communications during check-out. | Successes: Staff were kept informed throughout the bargaining process, and apprised that union and management were collaboratively problem-solving. Challenges: All parties had to commit to the contents of each communication to avoid potential unfair labor allegations. |

| Theme 4: Commitment to organization | Previous contentious bargaining cycles that went into the summer, a sense of pride by district staff and the BOE, a want for change, and a desire to have bargaining done by the end of the school year. | Successes: The process was allowed to operate as designed, and bargaining was finished by the end of the school year. Challenges: Some bargaining team members became less productive nearing the end of full day bargaining sessions. |
Table 7 continued

| Theme 5: Commitment to the process | Previous contentious bargaining, a sense of pride by district staff and the BOE, limited to no knowledge of or experience with other IBB models, a want for a change, and the financial and operational cost of implementation. | Successes: The process was allowed to operate as designed. Challenges: EA team veered off of process on a few occasions. |

| Theme 6: Willingness to open communication | A sense of pride by district staff, a new ASHR, the open communication experienced through the work of the PCC, and a want for a change. | Successes: A wider variety of issues were able to be addressed. Challenges: Prohibited subjects of bargaining had to remain outside of CBAs. |

| Theme 7: Compensation solved mid-process | Themes from PCC staff survey, BOE priority to increase staff compensation, and bargaining team members wanted to honor staff frustrations regarding compensation. | Successes: After compensation was resolved, everything else went much faster. Challenges: After compensation was resolved, bargaining teams concluded that there was no money to spend on other issues. |

| Theme 8: Formation of numerous committees | Limited financial resources, pent-up unresolved issues from contentious bargaining, previous bargaining cycles went into the summer, an increased sense of trust, a want for meaningful resolution to issues, and a desire to finish bargaining by the end of the school year. | Successes: Provided additional resources, expertise, and time to resolve issues. Challenges: Many issues ended up in committee, which was time consuming work that continued six months after all CBAs were ratified. |

As can be seen from Table 7, there were influences, considerations, successes, and challenges found related to each of the eight themes. A more thorough presentation of the eight themes is outlined below.

**Theme 1: BOE Members on IBB Teams**

BOE members sat on the recently formed PCC, but having a BOE member on bargaining teams was not something that the district had previously done. Several interview participants said
the desire to have one BOE member on each bargaining team was expressed by both employees and BOE members during all five IBB assessment sessions, and their participation in bargaining was a recommendation of the IBB assessors. Interview participants suggested that association leadership felt that having a BOE member on bargaining teams would help with the BOE’s understanding of the issues, because there seemed to be a disconnect between what association representatives were presenting in bargaining and the BOE’s understanding. Additionally, several other interview participants expressed that some BOE members felt a need to be more involved, so that they fully understood the issues behind the tentative agreements that they voted on. Similarly, Sharp (2012) reported that faculty at Ball State University launched and analyzed a survey in 2010 which found that 61.3% of school superintendents agreed or strongly agreed that having a BOE member on the team allows the BOE member to hear teacher demands and feelings directly. Sharp (2012) went on to report that 62.2% of school superintendents agreed or strongly agreed that having a BOE member on the team provides direct communications to other BOE members.

Another influence for having one BOE member on each bargaining team, shared by interview participants, was a belief from both union and management that their presence would allow for quicker decision-making. The thinking was that the BOE member on the team could communicate what the BOE would support, which would avoid having to continually run ideas by the BOE before making decisions in bargaining. Stepp, Sweeney, and Johnson (2003) similarly said that bargaining teams should include key decision makers, and bargaining teams should be empowered to make most, if not all, of the decisions that must be made to reach an agreement (p. 2).
There was consensus among interview participants that having a BOE member on each bargaining team was a success, and allowed for decisions to be made at the table. One interview participant stated, “The BOE members were able to give a perspective that the union side does not normally think of. The BOE members were able to bring some information about the district families, the community and regarding the BOE itself and its responsibilities, and I think that was very helpful in the decision-making process.” Another interview participant said, “Many times, the facilitators complimented the district for having a BOE member on each team during bargaining, because that is rare, and is not a normal thing that occurs.” Another interview participant said, “Having a BOE member on a bargaining team is not something that I have seen or recommended in the past, but it worked extremely well, and they left with a better understanding of the issues.”

Having a BOE member on each bargaining team was not without challenges. The facilitators were initially gentle on telling BOE members to get in line and stay in process. Off process behaviors included (a) participating in side conversations, (b) skipping phases of the process such as offering options during the story phase, (c) commenting on options during brainstorming, (d) being hard on people instead of being easy on people and hard on problems, and (e) debating someone else’s piece of the story instead of just adding your own story segment. One interview participant stated:

At first, the facilitators treaded lightly on telling BOE members how to get in line and stay in process, but once this barrier was crossed they treated BOE members just like everyone else. This was important, because the process will not work unless everyone follows it equally. The fear at first was that if a facilitator corrected a BOE member they could say “get rid of this guy.”
This fear, although it impacted initial facilitator behavior, did not materialize. BOE bargaining team members followed facilitator instructions, and did not use their role to circumvent the process. Another interview participant shared that having a BOE member on each bargaining team was a challenge, because it required having BOE members who were willing to volunteer for this commitment. Sharp (2012) reported a similar challenge from a 2010 survey which found that 64.1% of superintendents agreed or strongly agreed that it is a disadvantage to have a BOE member on the team because it is very time consuming and may be hard to schedule meetings with them (p. 41).

**Theme 2: Increased PA and SA Voice**

The district decided to implement the full IBB process with both the PA and SA. Both groups had full bargaining teams with central office administration, building administration, the MEA UniServ director, a BOE member, and association staff just like the EA did. Furthermore, they were trained right alongside BOE members, EA members, and administrators.

These decisions were influenced by themes from the district’s May 2015 PCC staff survey, which found that paraeducators and secretaries in the district did not feel valued by school and district leaders and wanted more voice. There was one related theme from the secretarial survey:

There was an overall sense that their duties were underestimated and unsupported. There appears to be two categories that employees are referred to “clerical” and “staff.” They would like to be included as “staff.” To not be included makes the secretaries feel less valued and unappreciated.

See Appendix H for the results and findings from the PCC staff survey.
In addition to this theme from the secretarial survey, the May 2015 paraeducator survey revealed a similar theme:

Paraeducators would like to be more involved with staff meetings so that their ideas and concerns can be shared. Involvement in these meetings would help the paraeducators feel more like part of a team. They also want to be informed about what is happening.

See Appendix H for the results and findings from the PCC staff survey.

Furthermore, several interview participants shared that there was a belief that the inclusive style of labor relations experienced through the district's PCC could transfer to collective bargaining through the implementation of the full IBB process with the PA and SA.

One interview participant said, “There was a carry-over from the PCC. Support staff felt more respected because they were listened to in terms of district issues. The possibility of carrying this into negotiations was viewed by them as a step in the right direction where they would have a more respected voice in the negotiation process.” Similarly, interview participants mentioned that the ASHR clearly and consistently communicated, both in and out of bargaining, that all groups would be treated in a similar fashion, and that no group would be given preference over another.

According to one interview participant, “Secretaries and paraeducators can be very difficult to bargain with, and the ease in which they settled, was like someone had just taken an anvil off of them and said ‘let’s talk and hear what you have to say and see if we can solve some problems’. I mean they just ate it up. They both found voice in this process.” This connected to Fisher et al. (2011) who said:

Listen before you launch into a rebuttal. Inquire. Make sure you understand their view, and make sure they know you understand. Once the other side knows that you understand
what they have said, they cannot dismiss your disagreement as simple lack of understanding. (p. 186)

Previous to the implementation of IBB, lack of understand, not the listening described above, was commonplace. PA and SA bargaining teams did not feel listened to or understood during contentious bargaining cycles, and they attributed poor decision making by district leaders to their lack of understanding. The IBB process used by the district created an environment where parties listened to each other, and PA and SA bargaining team members left the IBB process feeling heard and understood.

The decision to implement large PA and SA bargaining teams allowed for the representation of many viewpoints. Consensus from large teams increased the confidence that the team had truly found common interests of the people they represented. The challenge of larger teams, as expressed by one interview participant, was that “Large teams increased the financial and operational stress experienced by pulling additional staff away from their jobs for IBB.” Another interview participant added, “At times, it was more difficult to have in-depth discussions with large teams.”

**Theme 3: Consistent Joint Communications**

The bargaining process began with a commitment to the practice of continuous communication to staff through joint communications, which relates to Brown’s (2015) finding that IBB provided a mechanism for more effective communications with constituents including joint communications (p. 79). The first of which, was a joint communication sent to all district staff directly after the second day of IBB training on March 24, 2016. The contents of this communication were discussed and agreed upon during the end of the second day of training,
and the communication was electronically signed by all 31 participants. The communication said:

We wanted to take this opportunity to update you on the IBB process. On March 23\textsuperscript{rd} and 24\textsuperscript{th} we completed a two-day training with all EA, PA, SA, maintenance, administration, and BOE members that will be sitting on our bargaining teams. The training was two full days led by a pair of trainers arranged through the MEA, and was intended to build the relationships needed to effectively engage in IBB. IBB is a collaborative team approach, guided by our two facilitators, that requires full consensus and problem-solving. The process is centered on interests opposed to the traditional model where the two sides battle back and forth over positions. All team members are excited to engage in bargaining using the IBB model, which will start shortly after we return from Spring Break. We have challenging issues before us, but are confident that this process will forge contracts that continue our work of building healthy relationships, shared purpose, and a collaborative culture.

See Appendix I for the email and responses.

One staff member responded to the email by saying, “Thank you, I appreciate the update. Always nice when something going on is communicated.” Another staff member said, “It sounds like the IBB training sessions were highly successful. Several of the participants commented on how beneficial the training was.”

Several interview participants expressed that there was a commitment to emailing joint communications to staff after every bargaining session. One interview participant said:

The communication piece was very well done, and it kept people informed without getting into the details, because you cannot, and it was consistent. I think that this helps
keep all of the constituents that are not at the table at ease. One thing that happens with IBB is that a lot of the constituents that you are all representing will say, well what is this, do you all sit in a room and sing Kumbaya. They think this, because you are all getting along, and they are not used to seeing that. Constituents tend to get suspicious when they are not constantly communicated with or informed about what is going on. Whereas here, there was a conscious effort to always communicate after every session.

The interview participants explained that the ASHR gathered the information to be shared with staff at the end of every bargaining session, drafted a communication, sent the draft communication to IBB team members for feedback, modified the communication based on the feedback, and then released the communication to staff. One of the joint communications emailed to EA staff after a bargaining session said:

For the last two days, the EA IBB team has started the negotiation process. We are joined by our two facilitators who have been excellent additions to the team. We are all committed to no hidden agendas, honest communication, and collaboratively solving problems both inside and outside of negotiations. While we cannot share the specifics of the issues, we can share that we have joined together successfully through transparency, open dialogue and shared interests. We began by listing the issues important to us, shared our reasons why they were important, and then brainstormed a list of solutions. When we agreed on a solution for an issue we collaboratively wrote the language for the contract. This is not a quick process, and it requires continual discussion. We are confident that together we will create a contract that is best for all parties. We will continue to update you throughout the IBB process.

See Appendix J for the email.
One interview participant said that the practice of consistently sending joint communications was influenced by the success of previous joint communications sent to staff through the work of the district’s PCC.

**Theme 4: Commitment to Organization**

A theme consistently shared by interview participants was that there was a commitment to organization during the IBB process, which created an environment where the process could move efficiently and operate as designed. Prior to the start of bargaining, four bargaining dates were scheduled for each association. Most of the sessions were scheduled for full days that started at 9:00 a.m. and ended at 4:00 p.m. A majority of the interview participants believed the main consideration for scheduling this way was to move the process along, with hopes of finishing bargaining by the end of the 2015/2016 school year. Klingel (2003) described a compressed model for scheduling IBB sessions:

The length of bargaining and the number of bargaining sessions utilized in IBB varies widely. Some models compress contract negotiations into a one or two-month period, with a minimal number of intensive bargaining sessions. A *workshop* model may be employed to achieve the shorter time frame, where two major bargaining sessions occur at the beginning and end of the negotiation, with an active process of issue exchange, optional subcommittee meetings, and information sharing throughout. (p. 35)

The district’s scheduling of bargaining was compressed, and one interview participant said, “This set the tone that we were here to work, and gave a sense of urgency to get the work done.” Interview participants revealed that this strategy did help move the process along but mentioned that the first four hours of IBB tended to be the most productive. They expressed that
full day sessions can be mentally exhausting, and participants can get tired at the end of long days of bargaining.

The interview participants went on to share that the ASHR took digital pictures of all bargaining notes from the flip chart paper after every bargaining session and then posted them to a shared Google folder. He shared this folder with all bargaining team members, which gave them online access to the bargaining notes and the to-do list. Furthermore, one interview participant said, “The flip chart paper was always available, the bargaining dates were scheduled ahead of time and communicated with reminders, and any information that was needed from one meeting to the next was always available. There were several times it took a few meetings to gather the information dependent on the scope of what was needed, but the organization was very smooth.”

It was expressed by another interview participant that there was a real sense of pride by district staff and the BOE to improve the district, and that this attention to organization was probably influenced by staff wanting to make things better. Further expressed was that previous contentious bargaining cycles had continued into the summer, and staff wanted to have bargaining done by the end of the school year.

**Theme 5: Commitment to the Process**

All interview participants expressed that bargaining team members bought into the MEA’s IBB process, which allowed the process to operate as designed. Similarly, Wentz (2004) stated, “merely abiding by the structure of a cooperative collective bargaining model can yield a high potential of success for the endeavor” (p. 98). It was consistently shared that this commitment was influenced by a real pride in the district, a want to do things differently, and the fact that team members had little to no experience with other IBB models. One interview
participant said, “Feelings from bargaining team members were that there had to be a better way of doing this, put the past in the past, and launch into a new future.” Another interview participant stated, “There was a real pride in the district, and I truly believe the focus was on the district, not on individual groups. I felt this really helped.” Later in the interview the participant shared, “The district followed the process by the book; there was a commitment to making a change.” These statements by the interview participants connected with Klingel (2003) who said, “bargainers who have experienced costly poor negotiations and are highly motivated to make changes to avoid incurring those costs again will work hard to make a new, unproven and potentially risky process work” (p. 25). Similarly, the district had been through tough times, including wage concessions and outsourcing, and these experiences provided them motivation to change bargaining practices.

Another interview participant said, “The IBB teams were trained in the process, and that is the only IBB process they knew.” Another interview participant expressed, “bargaining team members followed the process with little to no skepticism, and did not rush the process.”

Despite this commitment to the process, one interview participant said, “Some districts can rush through the process, which can get you back to a positional style of bargaining. There were times that members of the teacher group would veer off of process, and this is typical in other districts, but the teacher group quickly got back on process with reminders from the facilitators.” Veering off process included (a) participating in side conversations, (b) skipping phases of the process such as offering options during the story phase, (c) commenting on options during brainstorming, (d) being hard on people instead of being easy on people and hard on problems, and (e) debating someone else’s piece of the story instead of just adding your own story segment (see Table 8 for a description of each component of the MEA’s IBB process).
Table 8

The MEA’s IBB Process

<table>
<thead>
<tr>
<th>Component</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Check-in</td>
<td>Every participant answered (a) who am I, (b) how am I, (c) time constraints, (d) who is missing, (e) elephants, and (f) expectations.</td>
</tr>
<tr>
<td>Physical Environment</td>
<td>The team sat in a circle with facilitators on one side and participants sat around the rest of the table alternating between union and management. Flip chart paper was hung on the walls and served as the official documentation of bargaining.</td>
</tr>
<tr>
<td>Participants as Equals</td>
<td>The expectation was that everyone contributed at all stages of the process, and no one person dominated.</td>
</tr>
<tr>
<td>Role of the Facilitators</td>
<td>To be the process police, and call people out when they were veering off process.</td>
</tr>
<tr>
<td>Elephants in the Room</td>
<td>Process for participants to get something off of their chest that was getting in the way of them moving forward.</td>
</tr>
<tr>
<td>Issues</td>
<td>The items that each side wanted to tackle during the IBB process.</td>
</tr>
<tr>
<td>Story</td>
<td>Explained the issue in detail, clarified and answered who, what, and when.</td>
</tr>
<tr>
<td>Interests</td>
<td>The motivations to solve the problem, and answered why.</td>
</tr>
<tr>
<td>Options</td>
<td>When the team brainstormed possible solutions to the problem, and answered how.</td>
</tr>
<tr>
<td>Straw Designs</td>
<td>Packages of options the team felt would solve the issue.</td>
</tr>
<tr>
<td>Rule of Thumb</td>
<td>Strategy used to reach consensus.</td>
</tr>
<tr>
<td>Non-linear</td>
<td>The team went back and forth between story, interests, options, and straw designs until consensus was reached.</td>
</tr>
<tr>
<td>Action Plan</td>
<td>Defined the who, what, where, and by when for the consensus agreement that typically resulted in contract language.</td>
</tr>
<tr>
<td>Check-out</td>
<td>Every participant shared their thoughts about the day’s bargaining.</td>
</tr>
</tbody>
</table>

Note. The district used the MEA’s IBB model. The model was based on Fisher et al.’s (2011) text *Getting to Yes* and developed by the NEA, the North American Association of Educational Negotiators, and the Michigan Education Collaborative Alliance.

Another interview participant shared that some districts try to cut corners, and will conduct a few bargaining sessions without facilitators to save money. The interview participant
then said, “This can actually result in more cost for the district, because the district many times will call the facilitator and say ‘we need you back.’ When the facilitator returns it will take a half or full day just to clean up the mess from the previous two days of bargaining before they can get the team back on process.” The district did not have this experience, because there was a commitment to pay for facilitators throughout the entire IBB process, despite some initial concern expressed by the BOE about the financial and operational cost of implementation.

The components of the IBB process developed and supported by the MEA were (a) check-in, (b) physical environment, (c) participants as equals, (d) role of the facilitators, (e) elephants in the room, (f) issues, (g) story, (h) interests, (i) options, (j) straw designs, (k) rule of thumb, (l) non-linear, (m) action plan, and (n) check-out. Please note, that the researcher utilized the art of storytelling to narrate how the district implemented IBB, and the IBB model used by the district had a story phase. To avoid confusion, the researcher used the word narrative as he shared how the district implemented IBB, and the word story as he referred to story phase of the IBB model used by the district. A more comprehensive description of the IBB process used by the MEA is outlined below. The information about the process was shared consistently across all interview participants, and consistent with the training documents used on March 23–24, 2016.

Check-in. Every bargaining session started with a check-in procedure where each team member answered the following questions (a) who am I, (b) how am I, (c) time constraints, (d) who is missing, (e) elephants, and (f) expectations. A fresh check-in sheet on flip chart paper was hung on the wall at the start of each bargaining session listing the six check-in questions. Each check-in question was written by the facilitator in alternating colors of ink (see Figure 4 for an example check-in sheet).
Check-in 4.22.16

Who am I?
How am I?
Time constraints? (J.S. leave at 3p.m.)
Who is missing? (T.J.)
Elephants?
Expectations?

Figure 4. Example of what a check-in sheet looked like.

The facilitators wrote under the appropriate question if a team member was missing, running late, had a time constraint, or shared any other information that had the potential to impact that day’s bargaining session. For example, a participant may check in by saying “my name is Jane Smith, I am feeling great today, I have to leave today at 3:00 p.m. to get my son to piano lessons, Ted Jones is running late because he had a flat tire, I have no elephants, and my expectation is that we come to resolution on two issues today.”

One interview participant explained, “The process was designed this way to present an opportunity for team members to let each other know what was on their mind, or if someone had to leave early or take a phone call, this got it out there, so that it did not become an issue itself.” Another interview participant shared, “If I had a bad back, I might say ‘I have a sore back, and you may see me getting up throughout the day.’ By going through this process other team members would not wonder ‘why did he keep getting up all of the time.’”

Physical environment. Bargaining teams included anywhere from 11 to 14 individuals: the ASHR, between two to four administrators, the MEA UniServ director, between four to five association members, one BOE member, and two facilitators. Barrett and O’Dowd (2005)
similarly stated that 10 to 12 members is a desirable size for bargaining teams, but circumstances may dictate higher or lower numbers (p. 65).

The bargaining team sat in a circle with the facilitators on one side and participants sat around the rest of the table alternating between management and union. One interview participant explained, “The process was designed with alternating seating to stop side conversations and the perception that people were plotting.” A name placard, with the norms printed on the back, was placed on the table in front of each bargaining team member. The norms were as follows:

- Smile
- Ask a question if you have one
- Feel free to share an illustration
- Search for ways to apply new knowledge
- Keep an open mind
- Listen and participate
- Have fun

Multiple sheets of flip chart paper were hung on the wall behind the facilitators, and they were the only individuals authorized to write on the flip chart paper. This differed slightly from Barrett and O’Dowd (2005) recommendation that “The facilitator should do the flip charting at the first several bargaining sessions. With the facilitator modeling best practices, group members will develop confidence in performing the charting later” (p. 98). Team members were not allowed to take individual notes, and the flip chart paper was the official documentation of the bargaining process. Flip chart paper included that day’s check-in sheet, a list of all issues for that bargaining unit, and the story, interests, options, and straw design sheets for the issue that the
team was currently working through (see Figure 5 for the physical layout for IBB sessions in the district).
Figure 5. Physical layout for IBB sessions in the district.
As can be seen from Figure 5, at times there were multiple sheets of issues, story, interests, options, or straw designs hung on the walls, but the most common phases of the process with multiple sheets of flip chart paper tended to be story and options.

**Participants as equals.** During the process, all team members were treated as equals. The expectation was that everyone was to contribute at all stages of the process, and no one person was to dominate.

**Role of the facilitators.** The main role of the facilitators was to be the process police, and call people out when they veered off process. Barrett and O’Dowd (2005) similarly stated, that “During the bargaining or problem-solving sessions it will be the facilitator’s role to be a neutral process guide to the bargaining teams” (p. 94).

Several interview participants mentioned that there was little to no attention paid to which facilitator represented management and which facilitator represented the union during bargaining. The feeling was that they were both facilitators of the full bargaining team. One interview participant said, “There was a trust in the IBB facilitators as being neutral. They knew the process well. They stuck to the role of facilitating as opposed to advocating for any particular point of view. They were seen by the participants as doing that and not advocating for the BOE team or the union team. They relied on the process to solve the issues.” It was further expressed by interview participants that this allowed the facilitators to remain neutral parties, and paved the way for collaborative problem-solving.

**Elephants in the room.** Merriam-Webster (2017) defines an *elephant in the room* as “an obvious major problem or issue that people avoid discussing or acknowledging.” Throughout the process, team members were given the freedom to address an elephant with the full team. An elephant was something they needed to get off of their chest that was getting in the way of them
moving forward. Team members were then given the opportunity to add to, ask questions about, and respond to the elephant. One interview participant said, “Sharing of elephants was nice in that it gave bargaining team members an opportunity to get rid of some baggage that was getting in the way collaborative problem solving.” Another interview participant shared, “It was challenging having to deal with the elephants, which at times led to tears about several issues that had festered for years. We had to give support to people who needed support, but ultimately this is what helped propel us forward.”

**Issues versus positions.** Both management and the union shared a list of issues on the first day of bargaining that they wanted to tackle during the IBB process. Barrett and O’Dowd (2005) similarly said that both the union and management can bring issues to the table, and “the single most important difference between IBB and traditional bargaining is that issues are brought to the table rather than positions” (p. 31).

The facilitators wrote the issues onto flip chart paper as they were shared by bargaining team members. They labeled the top of each sheet with that day’s date, the word *issues*, and what page of issues they were on (see Figure 6 for two examples of issue sheets).

<table>
<thead>
<tr>
<th>4.22.16</th>
<th>Issues 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue A</td>
<td></td>
</tr>
<tr>
<td><strong>Issue B</strong></td>
<td></td>
</tr>
<tr>
<td>Issue C</td>
<td></td>
</tr>
<tr>
<td>Issue D</td>
<td></td>
</tr>
<tr>
<td>Issue E</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.22.16</th>
<th>Issues 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue F</td>
<td></td>
</tr>
<tr>
<td><strong>Issue G</strong></td>
<td></td>
</tr>
<tr>
<td>Issue H &amp; I</td>
<td></td>
</tr>
<tr>
<td><strong>Issue I</strong></td>
<td></td>
</tr>
<tr>
<td>Issue J</td>
<td></td>
</tr>
</tbody>
</table>

*Figure 6. Example of what two sheets of issues looked like.*
Typically, there were only one or two pages of issues, but more could be added if needed. Additionally, each issue was written by the facilitator in alternating colors of ink. The list of issues was left on the wall throughout the entire bargaining process. There was an unwritten rule that new issues were not to be added after the initial list of issues was made without consent from both sides. When appropriate, related issues were combined (see Figure 6 for the combination of issues H and I), and issues were crossed off the list when resolved (see Figure 6 for the elimination of issue B). As issues were solved, the team collectively decided what issue would be tackled next.

**Story.** After the bargaining team collectively decided on an issue to tackle, they would start by telling the story of that issue. The facilitators wrote the story onto flip chart paper as it was shared by bargaining team members. They labeled the top of each sheet with that day’s date, the issue being solved, the word *story*, and what page of story they were on. Additionally, each segment of the story was written by the facilitator in alternating colors of ink (see Figure 7 for two examples of story sheets).

```plaintext
<table>
<thead>
<tr>
<th>4.22.16 Compensation Story 1</th>
<th>4.22.16 Compensation Story 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Story segment A</td>
<td>Story segment F</td>
</tr>
<tr>
<td>Story segment B</td>
<td>Story segment G</td>
</tr>
<tr>
<td>Story segment C</td>
<td>Story segment H</td>
</tr>
<tr>
<td>Story segment D</td>
<td>Story segment I</td>
</tr>
<tr>
<td>Story segment E</td>
<td>Story segment J</td>
</tr>
</tbody>
</table>
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*Figure 7.* Example of what two sheets of story looked like.

The story explained the issue in detail, clarified, and answered who, what, and when. The story was not intended to place blame; for example, the union's story was their story and the
district's story was their story. It was ok if everyone had a unique story, and some parts were the same and other parts different from person to person. The story honored each individual's thinking, emotions, and feelings on the topic. The purpose was to get everything on the table. Barrett and O’Dowd (2005) similarly explained that during IBB bargainers flip chart “why the issue has arisen, why it needs to be resolved, and what the broad parameters are” (pp.71–72).

One interview participant said, “There was a lot of lost story and history over the years due to new people in positions. For this reason, not everyone understood each other's story before going through this process.” Another interview participant added, “What we want, is when the participants look at the flip chart paper on the walls that they can see that we have really talked this through and everyone’s story is up there.” Another interview participant stated, “Part of telling the story is to honor the voices, the thinking, the feelings, and the emotions around the topic. It is not unusual to have five, ten, or fifteen pages of story about an issue.”

**Interests.** After the bargaining team’s understanding of an issue reached saturation, the team moved to interests. Interests were the motivations to solve the problem, and answered why. Barrett and O’Dowd (2005) noted, “Interests are the underlying concerns, desires, and needs that parties have about an issue” (p. 53). One interview participant shared that interests are difficult, because interests can easily become positions. Fisher et al. (2011) says that it helps to write down interests, which “may stimulate ideas for how to meet those interests” (p. 51).

The facilitators wrote the interests onto flip chart paper as they were shared by bargaining team members. They labeled the top of each sheet with that day’s date, the issue being solved, the word *interests*, and what page of interests they were on. Typically, there were only one or two pages of interests, but more could be added if needed. Additionally, each interest was written by the facilitator in alternating colors of ink (see Figure 8 for two examples of interest sheets).
After all of the interests were listed, the facilitators went through each interest one at a time to see if it was a shared interest. They did this by asking bargaining team members to raise their hand for those interests that they personally held for the issue at hand. An interest was considered a shared interest when the team, by a show of hands, had consensus on that interest. The facilitators would then circle all of the shared interests, and the shared interests guided the next phases of the process (see Figure 8 for an example of how shared interests B, C, D, and H were circled). Examples of interests included (a) fiscal responsibility, (b) increased student learning, and (c) decreased employee workload.

**Options.** After the team had determined what their shared interests were for the issue at hand, they moved on to developing options. Developing options occurred when the team brainstormed possible solutions to the problem, and answered how. The options were rooted in the shared interests. Participants were encouraged to think outside of the box, and let the options flow without judgment. Ridge (2015) asserted, “When inventing options, the art of brainstorming is a useful tool that allows for a separation from starting with a specific position” (p. 55). One interview participant stated that “the craziest ideas were sometimes the foundation of the agreement.” There was no commenting on options until the brainstorming process was complete.
Another interview participant said, “The biggest problem that can happen with options is that people judge them, so it is important for the facilitators to allow the options to flow before they are evaluated.”

The facilitators wrote the options onto flip chart paper as they were shared by bargaining team members. They labeled the top of each sheet with that day’s date, the issue being solved, the word *options*, and what page of options they were on. Additionally, each option was labeled numerically and written by the facilitator in alternating colors of ink (see Figure 9 for two examples of option sheets).

<table>
<thead>
<tr>
<th>4.22.16</th>
<th>Compensation</th>
<th>Option 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option 1</td>
<td></td>
<td></td>
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<tr>
<td>Option 2</td>
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<td>Option 3</td>
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<tr>
<td>Option 4</td>
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<tr>
<td>Option 5</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>4.22.16</th>
<th>Compensation</th>
<th>Options 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option 6</td>
<td></td>
<td></td>
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<tr>
<td>Option 7</td>
<td></td>
<td></td>
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<tr>
<td>Option 8</td>
<td></td>
<td></td>
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<tr>
<td>Option 9</td>
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<td></td>
</tr>
<tr>
<td>Option 10</td>
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</tr>
</tbody>
</table>

*Figure 9.* Example of what two sheets of options looked like.

When the options were all on the flip chart paper, participants were given the opportunity to ask clarifying questions about them.

**Straw designs.** Straw designs were a package of options the team felt would solve the issue (see Figure 10 for an example that shows straw design F as a combination of options 1, 3, 4, 7, and 10). During the straw design phase, the team evaluated and analyzed the options against the interests. Barrett and O’Dowd (2005) provided an example of this process:

With a minor revision, the fourth and seventh options could be combined to read as follows…and that new option would address six of the eight mutual interests…another
member might suggest a further modification that would help the new options meet an additional mutual interest. (p. 83)

The facilitators wrote the straw designs onto flip chart paper as they were shared by bargaining team members. They labeled the top of each sheet with that day’s date, the issue being solved, the phrase *straw design*, and what page of straw designs they were on. Typically, there were only one or two pages of straw designs, but more could be added if needed. Additionally, each straw design was labeled alphabetically and written by the facilitator in alternating colors of ink (see Figure 10 for two examples of straw design sheets).

| A. 1,3,4,7 | F. 1,3,4,7,10 |
| B. 1,4,7,8 | G. 1,4,7,8,9,10 |
| C. 2,3,4,8 | H. 2,3,4,8,9 |
| D. 1,2,3 | I. 1,2,3,8,9,10 |
| E. 7,8 | J. 8,9,10 |

*Figure 10.* Example of what two sheets of straw designs looked like.

Straw designs were dismissed (see Figure 10 for an example that shows that straw designs A, B, and C were dismissed) and new straw designs were created until consensus was reached on a straw design. One interview participant stated, “It’s called straw design for a reason, because things made out of straw do not always last.”

**Rule of thumb.** The rule of thumb was used as a strategy for the team to reach consensus. According to Cunningham (2014), “A benefit of consensus decision-making is that it binds each individual participant to the decisions made and the ensuing outcomes” (p. 237). All thumbs had to either be in the up position or in the horizontal position for there to be consensus.
Thumbs in the up position meant “I am for this,” thumbs in the horizontal position meant “I will support this but I am not enthusiastic about it,” and thumbs in the down position meant “I cannot live with this.” If a participant's thumb was in the down position, they had the responsibility to explain what would move their thumb to the horizontal or up position. The expectation was that participants had to support the decision with their constituents if their thumb was in the horizontal or up position. If there was no consensus, the team kept going through the process until they came to consensus on a straw design.

Non-linear. The team went back and forth between story, interests, options, and straw designs until consensus was reached. One interview participant explained, “Everything with IBB is in a circle. We sit in a circle, and for example you could be on straw design and the next thing you know is you circled back to story.”

Action plan and contract language. The action plan phase of the model defined the who, what, where, and by when for the consensus agreement. After the team had reached consensus on a straw design, the action plan assigned a small team to draw up the contract language or the letter of understanding. To accomplish this, the facilitators wrote all of the items that needed to be completed prior to the next bargaining session onto a piece of flip chart paper. The top of the sheet was labeled to do with that day’s date. Next to each item they wrote what person or people were responsible for completing the item. Additionally, each to-do item was written by the facilitator in alternating colors of ink (see Figure 11 for an example to-do sheet).

In addition to writing contract language and letters of understanding, to-do items included sending joint communications, or gathering information needed to solve a bargaining issue. Then at the start of the next bargaining session, just after check-in, the team reviewed the to-do items from the previous bargaining session. If the to-do item was informational, it was added to the
appropriate story. If the to-do item was drafted contract language or a drafted letter of understanding, it was voted on for inclusion in the tentative agreement through consensus.

<table>
<thead>
<tr>
<th>To Do</th>
<th>4.22.16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item A</td>
<td>(people responsible)</td>
</tr>
<tr>
<td>Item B</td>
<td>(person responsible)</td>
</tr>
<tr>
<td>Item C</td>
<td>(person responsible)</td>
</tr>
<tr>
<td>Item D</td>
<td>(people responsible)</td>
</tr>
<tr>
<td>Item E</td>
<td>(people responsible)</td>
</tr>
</tbody>
</table>

*Figure 11.* Example of what a to-do sheet looked like.

**Check-out.** Every day of bargaining ended with check-out where bargaining team members shared their thoughts about the day’s bargaining. The check-out procedure was less formal than the check-in procedure. For example, a team member may check-out by saying, “I thought we made a lot of progress today, and feel the conversation we had about class size was difficult but important. My hope is that we can get to calendar at our next bargaining session. Thank you for a great day.”

**Theme 6: Willingness to Open Communication**

There was a commitment to open communication by management, which connected with Klingel’s (2003) assertion that “one of the most important elements of the IBB process is open sharing of information” (p. 27). One interview participant said, “It was clearly communicated where the BOE stood on issues.” Another interview participant stated, “Everything was allowed to be talked about. Even if it cannot go into a contract; let's hear and learn from the concern, interests, and thinking. An administration that is really willing to open the door to talk about a variety of topics, whether or not they can be put into contract language, makes a big difference.”
With this willingness by management, the teachers, paraeducators, and secretaries see negotiations as they should be, a way to solve problems in the district.” Klingel (2003), similarly shared:

In an IBB process, decisions about inclusion of issues into the bargaining agenda are not made based on whether they are mandatory or permissive subjects of bargaining. Instead, bargainers develop a list of problems, use the bargaining process to develop a set of solutions and then decide how the solutions can be best implemented. For those aspects of agreements that cannot be placed into the contract, bargainers may create memoranda of understanding to govern a process for extra-contractual decisions making or implementation of solutions. (p. 22)

Several interview participants felt a want for a change by bargainers. They went on to share that this willingness to open communication was influenced by a sense of pride by district staff and the BOE, the fact that the new ASHR was willing to discuss any topic, and by the open communication experienced through the work of the PCC.

**Theme 7: Compensation Solved Mid-Process**

Several interview participants mentioned that there was a mutual agreement by the EA bargaining team to get wages done earlier in the process. They went on to explain that compensation was traditionally left for the end of bargaining. These interview participants felt this was influenced by the fact that staff wages had been stagnant for so long, and with the BOE’s commitment to increase compensation, bargainers were motivated to find a way to get additional compensation for staff. Further influencing this drive were themes from the May 2015 PCC staff survey. The survey was administered and analyzed by the regional university that had been working closely with the PCC. The survey given to EA staff found:
Constant pay cuts and step freezes are impacting teacher morale. Teachers feel that they are working longer and harder than ever for less pay, which leads to not feeling valued, respected or appreciated. They notice that administration pay levels remain high and constant, and do not think this is fair. Pay cuts should be equitable across all levels of employment, including upper management. Teachers want wages increased.

See Appendix H for the staff survey results.

In addition to these frustrations by EA staff, the PCC staff survey given to PA staff found a similar theme:

PA frustrations found from PCC staff survey. They would like better pay with benefits. Pay raises have been frozen for many years. More equitable pay cuts are needed. There is a perception that administrators are not impacted by the pay freezes/cuts, which impacts overall attitudes. The constant layoffs make them feel insecure—each spring wondering if they will be losing their jobs. They also do not want their hours cut.

See Appendix H for the staff survey results.

Not only did EA and PA staff findings show frustrations related to compensation, but the PCC staff survey administered to SA staff further found:

The lack of raises definitely effects morale and their perceived value or worth. They also feel that pay cuts should be more equitable; having a perception that administration is not impacted by the cuts. More equitable cuts would lead to an increased sense of morale.

See Appendix H for the staff survey results.

The results from the PCC staff survey made clear that staff were frustrated about compensation levels, and according to interview participants, this influenced bargaining team members’ desire to resolve compensation before the end of the IBB process.
Klingel (2003) described the experience of another school district that addressed wages before the end of the IBB process:

In another departure from past negotiation practice, economic issues were addressed at the beginning of negotiations instead of at the end. Early tentative agreement on a wage and benefit package allowed the parties to address other issues on their own merits, without concern about whether they would be changed later or removed from the table as part of last minute trading to reach an agreement on wages. (p. 67)

The benefit realized by the district, was different from that of Klingel’s example. One interview participant shared that “once money was out of the way, everything else was much easier, because there was not any more money to spend.” Later in the interview the participant added, “I think the district saved a whole lot of money on the facilitators by moving money earlier in the process, because I could have seen it go another four or five sessions without doing this.” This strategy worked, and the EA, PA, and SA all reached tentative agreements through the IBB process by the end of the school year.

Theme 8: Formation of Numerous Committees

Unique about the agreements was that IBB teams agreed to form 17 committees to finalize contract language and resolve issues after the contracts were ratified, which was 16 more than included in the previous year’s CBAs (see Table 9). Klingel (2003) stated that during IBB “labor management committees are often used as vehicles for further work on solutions developed in bargaining” (p. 22).
Table 9

*Number of Committees: 2015/2016 and 2016/2017 Agreements*

<table>
<thead>
<tr>
<th>Unit</th>
<th>2015/2016</th>
<th>2016/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>EA</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>PA</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>SA</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Total</td>
<td>1</td>
<td>17</td>
</tr>
</tbody>
</table>

*Note.* The district utilized traditional bargaining to settle all CBAs for the 2015/2016 school year and the MEA’s model of IBB to settle all CBAs for the 2016/2017 school year.

Table 9 further breaks down the number of committees per unit. The EA’s 2015/2016 CBA called for the formation of one committee, while their 2016/2017 CBA called for the formation of five committees. The PA’s 2015/2016 CBA called for the formation of zero committees, while their 2016/2017 CBA called for the formation of four committees. The SA’s 2015/2016 CBA called for the formation of zero committees, while their 2016/2017 CBA called for the formation for eight committees.

The IBB committee work was guided by language contained in letters of understanding that came from agreed upon straw designs during collective bargaining. The letters of understanding defined the parameters that the committee had to operate within such as (a) when the committee work had to be completed by, (b) who was to sit on the committee, and (c) what elements had to be included or considered in the committee’s solution (see Table 10 for a list of IBB committee work).
Table 10

*IBB Committee Work*

<table>
<thead>
<tr>
<th>Unit</th>
<th>Committee Task</th>
</tr>
</thead>
<tbody>
<tr>
<td>EA</td>
<td>Explore possible discounts for the children of EA members.</td>
</tr>
<tr>
<td>EA</td>
<td>Explore implementing a K–12 positive behavior support system (PBIS) that is consistent, but allows for differences by level.</td>
</tr>
<tr>
<td>EA</td>
<td>Review staff attendance data, develop goals for reducing EA sub usage, and explore what committee work can be done outside of the school day.</td>
</tr>
<tr>
<td>EA</td>
<td>Explore options for increasing staff collaboration time.</td>
</tr>
<tr>
<td>EA</td>
<td>Reestablish EA participation on the literacy assessment committee.</td>
</tr>
<tr>
<td>PA</td>
<td>Define and communicate standards of acceptable paraeducator attendance.</td>
</tr>
<tr>
<td>PA</td>
<td>Clarify and restructure the layoff, recall, postings, seniority, and transfer language in the PA CBA.</td>
</tr>
<tr>
<td>PA</td>
<td>Conduct an inventory and needs assessment of walkie talkies at all buildings.</td>
</tr>
<tr>
<td>PA</td>
<td>Update medical tech language in the PA CBA.</td>
</tr>
<tr>
<td>SA</td>
<td>Create and communicate a procedure for students who are not picked up by their parent/guardian in a timely manner.</td>
</tr>
<tr>
<td>SA</td>
<td>Create a new secretarial evaluation tool that includes four effectiveness ratings with performance indicators.</td>
</tr>
<tr>
<td>SA</td>
<td>Develop a process to report custodial issues to the third-party vendor.</td>
</tr>
<tr>
<td>SA</td>
<td>Create a list of relevant professional development opportunities for secretaries.</td>
</tr>
<tr>
<td>SA</td>
<td>Write a procedure and guidelines for student heads checks.</td>
</tr>
<tr>
<td>SA</td>
<td>Clarify and cleanup layoff and recall language in the SA CBA.</td>
</tr>
<tr>
<td>SA</td>
<td>Tackle a variety of items related to reducing secretarial workload.</td>
</tr>
<tr>
<td>SA</td>
<td>Review, and adjust if appropriate, job classifications in the SA CBA.</td>
</tr>
</tbody>
</table>

According to one interview participant, “Previous adversarial bargaining did not solve underlying issues. Most committees dealt with items outside of finances, which allowed for improvement in working conditions despite limited resources, and some of the issues even dealt
with topics that we would not normally talk about in bargaining.” Similarly, Hoynes (1999) found:

Committees to look at the cost of insurance and supplemental contracts were found in many traditionally negotiated and IBB contracts. But, most unusual or unique committees were found in IBB contracts. These committees were formed as a result of the issues brought to the negotiations table. For example, the formation of a joint committee to look at staff attendance in Ross Local School District represents an issue that was brought to negotiations. (p. 175)

Likewise, the district’s 2016/2017 CBAs settled through IBB contained unique committees such as (a) head check committee, (b) custodial services committee, (c) med tech committee, (d) paraeducator attendance committee, (e) teacher attendance committee, and (f) after school pick-up committee.

The SA CBA, for example, included a letter of understanding that called for a head check committee. The committee was charged with writing a procedure and guidelines for student head checks. Committee members included the ASHR, MEA UniServ director, two building administrators, three secretaries, and a paraeducator. The committee created and communicated a district-wide head check procedure that included (a) online training, (b) when head checks were necessary, (c) who would administer the head checks, (c) head lice identified on your child parent letter, (d) head lice identified in your child’s class parent letter, (e) when a student with head lice may be readmitted to school, (f) head lice manual for parents, and (g) a head lice manual for staff. The procedure and resources were loaded into a Google folder and shared with staff so that they had instant access to the documents.
One interview participant added, “There were so many pent-up issues due to the previously viewed adversarial negotiations that there were far more issues than would be typical in a highly collaborative environment.” Another interview participant said that the challenge with the committee work was that there were a lot of issues that ended up this way, and the committee work was time consuming. A success was that there was enough trust in the system and the people for the bargaining teams to trust the issues to be resolved this way. “Everyone wanted to do a good job of resolving the issues and not rush through them” explained one interview participant. Several interview participants went on to say that the committee work allowed for contracts to be ratified earlier than normal and paved the way for meaningful resolution to issues that included members on committees with expertise relevant to the issue.

Summary of Themes

As described above, the following eight themes emerged during data analysis:

- Theme 1: BOE members on bargaining teams
- Theme 2: Increased PA and SA voice
- Theme 3: Consistent joint communications
- Theme 4: Commitment to organization
- Theme 5: Commitment to the process
- Theme 6: Willingness to open communication
- Theme 7: Compensation solved mid-process
- Theme 8: Formation of numerous committees

Contained within the themes were relevant influences, considerations, successes, and challenges. Further described below are those influences and consideration followed by the success and challenges related to the eight themes that emerged.
Influences and considerations. Some of the influences and considerations outlined above were unique to one theme that emerged during the study, while others were connected to multiple themes (see Figure 12).

As seen in Figure 12, there were six influences and considerations connected to more than one of the themes that emerged: (a) the work of the PCC was connected to five of the eight themes, (b) a want for change was connected to four of the eight themes, (c) a sense of pride by district staff and the BOE and previous contentious bargaining were connected to three of the eight themes, and (d) limited financial resources and a desire to finish bargaining by the end of the school year were connected to two of the eight themes. Other influences and considerations included (a) bargainers wanted to honor staff feelings, (b) bargainers wanted decision-making authority, (c) disconnect between what union presented and BOE understood, (d) BOE wanted to better understand issues, (e) a new ASHR, (f) priority set by the BOE to increase compensation
for staff, (g) an increased sense of trust, (h) little to no knowledge of or experience with other IBB models, and (i) a want for meaningful resolution to issues.

Successes. The following successes were outlined within the eight themes that were described throughout the narrative of how one southeastern Michigan public school district implemented IBB.

**Theme 1: BOE member of bargaining teams.** BOE members added the perspective of district families, the community, and the BOE to bargaining. Additionally, decisions were allowed to be made at the table and BOE members left with a better understanding of the issues.

**Theme 2: Increased PA and SA voice.** PA and SA bargaining teams had positive and productive bargaining experiences, and left bargaining feeling heard.

**Theme 3: Consistent joint communications.** Staff were kept informed throughout the bargaining process and were apprised that union and management were collaboratively problem-solving.

**Theme 4: Commitment to organization.** The process was allowed to operate as designed and bargaining was finished by the end of the school year.

**Theme 5: Commitment to process.** The process was allowed to operate as designed.

**Theme 6: Willingness to open communication.** A wider variety of issues were able to be addressed.

**Theme 7: Compensation solved mid-process.** After compensation was resolved everything else went much faster.

**Theme 8: Formation of numerous committees.** Committees provided additional resources, expertise, and time to resolve bargaining issues.
**Challenges.** In addition to the successes, challenges also existed. The following challenges were outlined within the eight themes that were described throughout the narrative of how one southeastern Michigan public school district implemented IBB.

*Theme 1: BOE member of bargaining teams.* The facilitators were initially gentle on telling BOE members to get in line or stay in process, and selecting bargaining dates that worked for staff, facilitators, and BOE members took additional planning.

*Theme 2: Increased PA and SA voice.* Implementing the full IBB process with large bargaining teams for both the PA and SA required a substantial financial and operational commitment.

*Theme 3: Consistent joint communications.* All parties had to commit to the contents of each communication to avoid potential unfair labor allegations.

*Theme 4: Commitment to organization.* Some bargaining team members became less productive nearing the end of full day bargaining sessions.

*Theme 5: Commitment to process.* The EA bargaining team veered off process a few times.

*Theme 6: Willingness to open communication.* Prohibited subjects of bargaining had to remain outside of CBAs.

*Theme 7: Compensation solved mid-process.* After compensation was resolved bargaining teams concluded there was no money for other issues.

*Theme 8: Formation of numerous committees.* Many issues ended up in committee, which was time consuming work that lasted six months after ratification.

As can be seen above, there were both successes and challenges related to all eight themes. The next section will provide a narrative of how IBB was implemented in the district.
How IBB Was Implemented in One Southeastern Public Michigan School District

**IBB implementation timeline.** From start to finish, the district’s implementation of IBB spanned eighteen months from July 1, 2015 through December 31, 2016 (see Table 11).

Table 11

<table>
<thead>
<tr>
<th>Date</th>
<th>Implementation decision or event</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2015</td>
<td>New ASHR hired</td>
</tr>
<tr>
<td>September 8, 2015</td>
<td>Concept of exploring IBB proposed to union leadership</td>
</tr>
<tr>
<td>September 14, 2015</td>
<td>IBB implementation inquiry sent to the MEA</td>
</tr>
<tr>
<td>October 12, 2015</td>
<td>IBB presentation made to the BOE</td>
</tr>
<tr>
<td>December 1, 2015</td>
<td>IBB assessments conducted with management, EA, PA, and SA</td>
</tr>
<tr>
<td>December 14, 2015</td>
<td>IBB presentation and assessment conducted with the BOE</td>
</tr>
<tr>
<td>December 16, 2105</td>
<td>IBB assessors’ recommendation</td>
</tr>
<tr>
<td>January 19, 2016</td>
<td>The district, EA, PA, and SA committed to implement IBB</td>
</tr>
<tr>
<td>February 8, 2016</td>
<td>IBB implementation communicated to staff</td>
</tr>
<tr>
<td>March 23–24, 2016</td>
<td>Bargaining teams participated in IBB training</td>
</tr>
<tr>
<td>April 15–21, 2016</td>
<td>Management and union leadership met separately to prep for IBB</td>
</tr>
<tr>
<td>April 22, 2016</td>
<td>IBB began with the EA, PA, and SA</td>
</tr>
<tr>
<td>June 15, 2016</td>
<td>Tentative agreements reached with all bargaining units</td>
</tr>
<tr>
<td>June 24, 2016</td>
<td>The BOE ratified all CBAs</td>
</tr>
<tr>
<td>December 31, 2016</td>
<td>IBB committee work completed</td>
</tr>
</tbody>
</table>

The IBB implementation timeline provided an overview of the implementation process. A more detailed description of how the district implemented IBB is shared through the following narrative.
IBB implementation narrative. The district’s implementation of IBB was rooted in its narrative as a diverse suburban public school district in southeastern Michigan that experienced contentious labor relations, declining enrollment, and fiscal constraints that started to intensify in 2008. During this time, custodial, technology, transportation, and food services were outsourced, wage concessions were made, and employee healthcare costs increased. The district hired a new superintendent in 2013, and efforts were made to improve labor relations through initiatives such as the district’s PCC, which was formed in 2014 to explore ways to increase internal cohesiveness, collaboration, and improve district morale.

New ASHR hired. On July 1, 2015, the superintendent hired an ASHR to replace the outgoing deputy superintendent for human resources. One of his first charges to the new ASHR was to explore the possibility of implementing IBB.

Concept of exploring IBB proposed to union leadership. Based on the superintendent’s charge, the ASHR, superintendent, and deputy superintendent for teaching and learning asked the EA president, EA vice president, and the MEA UniServ director at a labor management meeting on September 8, 2015, if they were interested in transitioning from traditional bargaining to IBB. This charge from the superintendent, according to one interview participant, was rooted in his belief that “It was not healthy for the overall culture of the district to have an adversarial way of bargaining when the district was trying to build a collaborative decision-making culture.” The union leaders at the meeting agreed, and another interview participant added “From the perspective of the association, the number one reason to try IBB was to improve relationships. A secondary reason was to broaden what could be talked about at the bargaining table, because the district had limited financial resources.” The MEA UniServ director told the district leadership team that she would be happy to reach out to the MEA to
inquire about implementing the IBB process that they facilitate. The district leadership team agreed to this, and another interview participant expressed that there was a belief by management that implementing the MEA’s IBB model would strengthen employee buy-in.

**IBB implementation inquiry sent to the MEA.** After the labor management meeting, the MEA UniServ director reached out to the MEA to obtain a basic outline of the IBB process that they facilitate. The MEA informed her that the process started with an assessment designed to determine if the district and each union were ready to implement IBB, followed by a two-day training that should be held just prior to the start of bargaining. The MEA went on to explain that two facilitators, one representing the union and the other representing management, were required for both the assessment and training. The MEA provided the district with the union facilitator at no cost. The management facilitator was paid for by the district, and cost $600 per day plus lodging and mileage reimbursement. The MEA UniServ director then forwarded this email to the ASHR on September 14, 2015 (see Appendix K for the email).

**IBB presentation to the BOE.** Armed with the first steps to implement the MEA’s IBB model, the ASHR conducted a presentation before the BOE at their October 12, 2015, Study Session. During the presentation, he briefed the BOE that the district worked closely with the MEA UniServ director during the exploration of IBB, explained that this undertaking was an outgrowth from the work of the PCC, clarified that the IBB model used by the MEA included a two-day training, made clear that the facilitator would cost $600 per day plus expenses, described the basic differences between IBB and traditional bargaining, and told them that the district was moving forward with the assessment process used by the MEA to help determine whether or not the district was ready to implement IBB (see Appendix L for the study session minutes).
The BOE supported this next step towards possible IBB implementation, and one interview participant said, “BOE members felt the new ASHR who had been through the tough times in our district’s history, would be able to see all sides, which would benefit the IBB implementation process.” This support from the BOE was not without concern. One interview participant shared that “Previous contentious labor relations made some skeptical that IBB would work, but key BOE members wanted a more collaborative approach to labor relations.” Another interview participant said, “There were concerns about how expensive the process would be, because the BOE did not know how long it would take or how much time it would take teachers out of the classroom.” Interestingly, it was expressed that there was no discussion about exploring other IBB models, and one interview participant said, “no one came in and said ‘there is another way to do this.’”

**IBB assessments with management, EA, PA, and SA.** Meanwhile, the ASHR, the MEA UniServ director, and the IBB assessors coordinated and scheduled the IBB assessment, which occurred on December 1, 2015. Interview participants shared that the IBB assessment was designed to determine whether to (a) not approve IBB, (b) approve IBB training, (c) approve IBB training for use at labor management meetings but not for bargaining, or (d) approve IBB training for use in labor management meetings and in bargaining. Two assessors led the assessment, one representing management and one representing the union, who provided a check and balance to each other in an effort to maintain a neutral and honest assessment. They conducted a focus group style assessment with the EA, PA, SA, and district administration to determine management’s and each union’s readiness to implement IBB. The groups were all asked the same questions, but assessed separately, so that one group would not be denied moving forward if another group had issues that made IBB not a good fit for them. Furthermore, it was
expressed during the interviews that the process was designed to assess each group separately, so that individuals did not hold back from fully expressing themselves, because they may feel uncomfortable saying things in front of management or the other bargaining units.

**IBB assessment with BOE.** On December 14, 2015, the two assessors conducted an assessment with the BOE similar to the assessments that they carried out on December 1\textsuperscript{st} with management and each bargaining unit. The only difference was that they started the assessment with a presentation that explained what the IBB process used by the MEA looked like, and what successful districts looked like that used IBB.

**IBB assessors’ recommendation.** After all of the assessments were completed, according to several interview participants, the assessors had a conversation with each other that determined the results of the assessment. Based on this conversation, the assessors sent the district a memo on December 16, 2015, which recommended that the EA, PA, SA, and the district would benefit from implementing the full IBB process used by the MEA (see Appendix M for the memo).

On January 5, 2016, the BOE received a memo from the ASHR that recommended that the district implement IBB with the EA, PA, and the SA (see Appendix N for the memo). The memo estimated the cost of implementing IBB, based on previous bargaining experience, at $25,158, which was less than the $34,937 the district spent during the most recent bargaining cycle on attorney fees. Full days of bargaining were recommended in an effort to reduce facilitator fees. The estimated costs included facilitator fees, facilitator lodging, facilitator mileage reimbursement, and employee substitute costs. The memo went on to explain that the district, upon completion of negotiations, would evaluate the model’s effectiveness, and either
continue the model in future years, continue IBB without paid facilitators, or discontinue the use of IBB.

**Commitment to implement IBB.** On January 19th, the ASHR sent an email to BOE members which confirmed that the district, EA, PA, and SA all agreed to implement the full IBB process used by the MEA. Additionally, the email surveyed BOE interest and availability for sitting on a bargaining team (see Appendix O for the email). The email informed BOE members that most bargaining sessions were during the school day, and that it was important for all bargaining team members to attend the two-day training and all bargaining sessions. To survey BOE interest and availability, the email asked (a) what bargaining teams BOE members were interested in sitting on, (b) were there any days of the week that typically did not work with their schedule, and (c) were there any dates or weeks that they were out of town. After BOE members responded to the email, the BOE president, superintendent, and ASHR placed one BOE member on each bargaining team based on interest, availability, and fit. One interview participant expressed that it was important to strategically place BOE members onto IBB teams based on their past experiences, strengths, weaknesses, relationships, and preferences, so that each bargaining team was as successful as possible. Additionally, this was done to limit potential conflicts of interest and or bias.

**IBB implementation communicated to staff.** On February 8, 2016, ground work was laid with all district employees through an email that connected the implementation of IBB to feedback gathered through the district’s PCC. The email explained:

> We all have families to support, and want to be valued as professionals. The current feelings are that people are struggling financially due to low and stagnant wages. The consequence is that staff, especially staff at the entry level steps, feel unappreciated and
are inclined to look for higher paying employment outside of the district. We are embarking on IBB. These bargaining teams will be given the feedback gathered from staff regarding compensation, and will be charged with addressing these concerns. This is important, but challenging work, because we have experienced loss in enrollment, increased retirement costs, and a stagnant foundation allowance from the state. Having said this, meaningful progress can be made here.

See appendix P for the email that was sent to staff.

This was the first of such communications, which connected to Klingel’s (2003) claim that in IBB “increased attention is paid to the needs of constituents and to involving or informing them throughout the bargaining process” (p. 13).

**IBB training.** On March 23–24, 2016, two trainers, one representing management and one representing the union, conducted a two-day joint training that started at 9:00 a.m. and ended at 4:00 p.m. each day. Two interview participants shared that both trainers had been trained by the MEA, so that they could serve districts as IBB assessors, trainers, and facilitators. The first day of the district’s training focused on creating a learning environment and problem-solving skills and the second day of training focused on the team building and the IBB process used by the MEA (see Appendix Q for the training agenda). One interview participant said, “The training model used was seamless in terms of the trainers presenting the information in an unbiased non-positional way.”

The district trained BOE members, administrators, EA members, PA members, and SA members together on the IBB process used by the MEA. Several interview participants shared that it was believed that training all groups together would continue the inclusive nature of the work of the PCC. Another interview participant explained that most districts train all groups
IMPLEMENTING INTEREST-BASED BARGAINING

together, because it is less costly than training the groups separately. Another interview participant said, “Getting in the room and mixing up staff and the BOE gave everyone an opportunity to meet and get insight about people that we do not normally get to interact with.”

Bargaining team members were required to attend the training, and one interview participant stated, “Everyone that was going to be involved in bargaining had to go through the training, that was one of the requirements.” This connected to Barrett and O’Dowd (2005) who stated, “It is important for everyone who is going to take part in the bargaining or problem solving to take part in the training otherwise those who do not will not share whatever ‘common understanding’ about IBB emerges from the training” (p. 67). Another interview participant clarified that there were exceptions to the training requirement: “Sometimes you might have the business person come in and do a financial presentation, and they are not necessarily at the table, and they do not have to go through the training, but anyone on the bargaining team must go through the training.”

**IBB prep.** After the bargaining teams had been trained, and staff had received the joint communication, the ASHR emailed the bargaining schedule to EA, PA, and SA bargaining team members on March 31, 2016. Four bargaining dates were scheduled for each association, and most were full day sessions that started at 9:00 a.m. and ended at 4:00 p.m. A majority of the interview participants believed the main consideration for scheduling this way was to move the process along, with hopes of finishing bargaining by the end of the 2015/2016 school year.

Several weeks after the bargaining schedule was emailed to bargaining team members, steps were taken to prepare for bargaining. Interview participants shared that union and management met separately between April 15, 2016, and April 21, 2016, and independently created a list of issues that they brought to the first day of bargaining. The BOE set two priorities
which guided the management team as they created their list of issues, the priorities were (a) increase compensation for staff and (b) balance the budget so that the district maintained a fund balance above 5%. One interview participant shared that these priorities represented a desire by the BOE to be both fiscally responsible and show appreciation for staff.

**IBB began with the EA, PA, and SA.** After the bargaining issues were determined, bargaining began on April 22, 2016. A consistent theme shared by all interview participants was that bargaining team members bought into the MEA’s IBB process, which allowed the process to operate as designed. The district utilized the IBB process used by the MEA. The MEA’s IBB model was based on Fisher et al.’s (2011) work, *Getting to Yes*, and was developed by the NEA, the North American Association of Educational Negotiators, and the Michigan Education Collaborative Alliance. A detailed description of the MEA’s IBB process can be found earlier in the chapter under *Theme 5: Commitment to the process*.

Bargaining lasted two months, and occurred between April 22, 2016, and June 15, 2016. During this time, the EA met to bargain eight times for a total of 51 hours, the PA met to bargain four times for a total of 22 hours, and the SA met to bargain five times for a total of 28 hours. In all, there were 17 bargaining sessions and 101 hours spent engaged in the IBB process (see Table 12 for the 2016 bargaining schedule).

IBB resulted in pulling educators out of the classroom, secretaries out of the office, and administrators out of the building for bargaining sessions, but this commitment accomplished the following goals (a) maintained a fund balance above 5%, (b) increased compensation for staff, (c) finished by the end of the school year, and (d) cost approximately 20% less than what was estimated.
Table 12

2016 Bargaining Schedule

<table>
<thead>
<tr>
<th>Unit</th>
<th>Bargaining Date</th>
<th>Start and End Times</th>
</tr>
</thead>
<tbody>
<tr>
<td>EA</td>
<td>April 22, 2016</td>
<td>9:00 a.m. – 4:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>April 25, 2016</td>
<td>8:00 a.m. – 2:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>May 2, 2016</td>
<td>9:00 a.m. – 4:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>May 12, 2016</td>
<td>5:00 p.m. – 9:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>May 13, 2016</td>
<td>8:00 a.m. – 12:00 p.m.</td>
</tr>
<tr>
<td>PA</td>
<td>May 17, 2016</td>
<td>8:00 a.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>PA</td>
<td>May 24, 2016</td>
<td>5:00 p.m. – 9:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>May 25, 2016</td>
<td>12:00 p.m. – 4:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>May 26, 2016</td>
<td>9:00 a.m. – 4:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>May 27, 2016</td>
<td>9:00 a.m. – 4:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>May 31, 2016</td>
<td>5:00 p.m. – 9:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>June 1, 2016</td>
<td>9:00 a.m. – 4:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>June 13, 2016</td>
<td>8:00 a.m. – 12:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>June 13, 2016</td>
<td>12:00 p.m. – 9:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>June 14, 2016</td>
<td>7:00 a.m. – 4:00 p.m.</td>
</tr>
<tr>
<td>PA</td>
<td>June 14, 2016</td>
<td>5:00 p.m. – 9:00 p.m.</td>
</tr>
<tr>
<td>PA</td>
<td>June 15, 2016</td>
<td>8:00 a.m. – 3:00 p.m.</td>
</tr>
</tbody>
</table>

Tentative agreements reached. The EA, PA, and SA all reached tentative agreements through the IBB process by June 15, 2016. After informing the BOE that tentative agreements were coming their way for ratification, the ASHR sent a memo to the BOE on June 21st.
informing them that the actual cost of implementing IBB was $20,338 (see Appendix R for the memo), which was almost $5,000 less than the estimated cost and close to $10,000 less that what the district spent on attorney fees during the previous bargaining cycle. The actual costs included facilitator fees, facilitator lodging, facilitator mileage reimbursement, employee substitute costs, and supplies such as flip chart paper and colored markers.

**CBAs ratified by BOE.** On June 24, 2016, all CBAs for the 2016/2017 school year were unanimously approved and ratified by the BOE at a Special Meeting (see Appendix S for the meeting minutes). The tentative agreements brought to the BOE accomplished the two priorities set by the BOE for bargaining, which were to increase compensation for staff, while maintaining a fund balance above 5%.

**IBB committee work.** On June 28, 2016, the ASHR and the MEA UniServ director met to schedule the committee work that was contained within the letters of understanding from the recently ratified EA, PA, and SA CBAs (see Table 11 for the IBB committee schedule). A detailed description of the IBB committee work can be found earlier in the chapter under **Theme 8: Formation of numerous committees.** The committee work outlined below was done at committee meetings, while the committee work not referenced below was completed over the phone, through email, or via shared Google document.

The IBB teams did not reconvene to vote on or approve the completed committee work. After the committee work was completed, the ASHR and the MEA UniServ director emailed the new language, agreement, or procedure to the IBB team for feedback. Additionally, this was done to ensure that the committee’s work followed what was agreed upon in bargaining. When appropriate, the committee modified the new language, agreement, or procedure based on the feedback received from IBB team members.
Table 13

*IBB Committee Schedule*

<table>
<thead>
<tr>
<th>Unit</th>
<th>Committee</th>
<th>Date</th>
<th>Start and End Times</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>After school pick-up</td>
<td>August 9, 2016</td>
<td>9:00 a.m. – 11:00 a.m.</td>
</tr>
<tr>
<td>SA</td>
<td>Evaluation tool</td>
<td>August 10, 2016</td>
<td>9:00 a.m. – 11:00 a.m.</td>
</tr>
<tr>
<td>SA</td>
<td>Custodial services</td>
<td>August 11, 2016</td>
<td>9:00 a.m. – 11:00 a.m.</td>
</tr>
<tr>
<td>SA</td>
<td>Professional development</td>
<td>August 11, 2016</td>
<td>1:00 p.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>PA</td>
<td>Attendance</td>
<td>August 26, 2016</td>
<td>9:00 a.m. – 11:00 a.m.</td>
</tr>
<tr>
<td>EA</td>
<td>Attendance</td>
<td>August 29, 2016</td>
<td>3:30 p.m. – 6:30 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>PBIS</td>
<td>August 30, 2016</td>
<td>8:30 a.m. – 11:30 a.m.</td>
</tr>
<tr>
<td>EA</td>
<td>Collaboration time</td>
<td>October 16, 2016</td>
<td>12:00 p.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>Staff discounts</td>
<td>October 18, 2016</td>
<td>12:00 p.m. – 2:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>PBIS</td>
<td>October 18, 2016</td>
<td>3:00 p.m. – 5:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>Classification</td>
<td>October 19, 2016</td>
<td>9:00 a.m. – 11:00 a.m.</td>
</tr>
<tr>
<td>EA</td>
<td>Collaboration time</td>
<td>October 20, 2016</td>
<td>12:00 p.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>Evaluation tool</td>
<td>October 25, 2016</td>
<td>1:00 p.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>Head check</td>
<td>September 22, 2016</td>
<td>1:00 p.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>Evaluation tool</td>
<td>September 27, 2016</td>
<td>1:00 p.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>PA</td>
<td>Layoff, recall, posting, seniority, and transfers</td>
<td>September 29, 2016</td>
<td>9:00 a.m. – 4:00 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>Evaluation tool</td>
<td>October 25, 2016</td>
<td>1:00 p.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>Attendance</td>
<td>November 3, 2016</td>
<td>2:30 p.m. – 3:30 p.m.</td>
</tr>
<tr>
<td>SA</td>
<td>Layoff and recall</td>
<td>November 9, 2016</td>
<td>8:00 a.m. – 11:00 a.m.</td>
</tr>
<tr>
<td>EA</td>
<td>Collaboration time</td>
<td>November 10, 2016</td>
<td>12:00 p.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>PA</td>
<td>Medical tech</td>
<td>November 22, 2016</td>
<td>9:00 p.m. – 11:00 a.m.</td>
</tr>
<tr>
<td>EA</td>
<td>Collaboration time</td>
<td>December 8, 2016</td>
<td>12:00 p.m. – 3:00 p.m.</td>
</tr>
<tr>
<td>EA</td>
<td>PBIS</td>
<td>December 14, 2016</td>
<td>2:00 p.m. – 4:00 p.m.</td>
</tr>
</tbody>
</table>
As seen above, there were 23 IBB committee meetings, which eclipsed the 17 bargaining sessions experienced through the IBB process.

Conclusion

Multiple tools were used to triangulate the data for this study, which included interviews, documentation, and archival records. The findings from the different tools were consistent and described eight themes that emerged during data analysis. The themes were products of how the district implemented IBB and speak to trust, transparency, collaboration, and collegiality among staff. The themes were (a) BOE members on bargaining teams, (b) increased PA and SA voice, (c) consistent joint communications, (d) commitment to organization, (e) commitment to the process, (f) willingness to open communication, (g) compensation solved mid-process, and (h) formation of numerous committees. Furthermore, influences, considerations, successes, and challenges connected to each theme were presented. The chapter concluded by outlining how the district implemented IBB through a timeline and narrative. The next chapter will explore the implications of the findings and make recommendations for action, further research, and provide a personal reflection from the researcher.
Chapter 5: Conclusion

Introduction

The purpose of this case study was to investigate how one public school district in southeastern Michigan implemented interest-based bargaining (IBB). The study also sought to understand the factors that influenced the decision-making process, and what was considered when making implementation decisions. The primary research questions that guided this study were as follows:

- How did school district leaders, union leaders, and IBB facilitators implement IBB?
- What factors influenced the decision-making process during the implementation of IBB?
- What did school district leaders, union leaders, and IBB facilitators consider when making decisions about the implementation of IBB?

The data sources that were used to explore the research questions for the study were (a) interviews, (b) documents, and (c) archival records. The interviews were unstructured and guided by four questions (see Appendix D), which prompted responses from the five decision makers involved with how IBB was implemented in district. The documentation came from newspaper articles, agendas, meeting minutes, collective bargaining agreements (CBA), memos, presentation handouts, and emails from the district that was studied. The archival records used during this study were secondary data from a staff survey administered and analyzed by a regional university for the district’s partnership and collaboration committee (PCC). From the data gathered, eight main themes emerged that described how IBB was implemented in the district, which are outlined below.

Discussion of Findings

Successes. There were 11 key successes found by the researcher related to how the
district implemented IBB. These successes are first listed, and then further discussed below.

- The Michigan education association’s (MEA) IBB process operated as designed.
- Board of education (BOE) members added the perspective of district families, the community, and the BOE to bargaining.
- Decisions were made at the bargaining table.
- BOE members left bargaining with a better understanding of the issues.
- Paraeducator association (PA) and secretarial association (SA) bargaining teams left bargaining feeling heard.
- Staff were kept informed throughout the bargaining process, and apprised that union and management were collaboratively problem-solving.
- A wide variety of issues were addressed.
- Committees provided additional resources, expertise, and time to resolve issues.
- Bargaining was finished by the end of the school year.
- The implementation of IBB cost the district 20% less than anticipated.
- BOE priorities were met; increase staff compensation and keep the fund balance above 5%.

The MEA’s IBB process was allowed to operate as designed for a variety of reasons. First, the district made the financial and operational commitment to implement the full process with training and outside facilitators. Second, bargainers entered the process wanting to have a positive and productive bargaining cycle. Previous bargaining had been contentious, and they wanted a change. Third, bargainers had limited to no experience with, or knowledge of, other IBB models to cloud their thinking on how the process should operate.

The addition of BOE members on bargaining teams added the perspective of district families, the community, and the BOE. This allowed more informed decisions that included
interests from a wider cross-section of stakeholders to be made.

Decisions were allowed to be made at the bargaining table because the BOE bargaining team member was able to share what the BOE would and would not support. Additionally, BOE members at the table left bargaining with a much better understanding of the issues facing staff and management, and were able to share why solutions were agreed upon with other BOE members. This was especially important for gaining BOE support for agreements that were creative and out of the box.

PA and SA bargaining team members left bargaining feeling heard. The IBB process allowed for meaningful dialogue and understanding to occur through the story phase of the process. Previous bargaining did not allow this free exchange of information to happen, and PA and SA bargainers were appreciative of the opportunity to talk and collaboratively problem solve.

Staff were kept informed throughout the bargaining process that union and management were collaboratively problem-solving. This was done through the use of joint communications that were sent out after every bargaining session. Staff responded to these communications, and indicated that they were appreciative of being kept in the loop. The joint communications also diffused previous feelings that bargaining was us versus them.

A wide variety of issues were addressed, because both the union and management were willing to have open communication about any topic. Not all discussed issues ended up in contact language, but open communication allowed for meaningful dialogue and resolution on non-traditional bargaining issues. Some of this resolution was through committee work. Committees included individuals with expertise related to what was being solved. Additionally, committees were given the necessary resources including the time needed to resolve the issues.
There was a drive by IBB team members to get bargaining done by the end of the school year, because they wanted to send a positive message to staff about improved labor relations. All collective bargaining units accomplished this goal, and finished bargaining with tentative agreements in place by June 15, 2016.

IBB implementation ended up costing the district 20% less than anticipated. This was due to the drive to get bargaining done by the end of the school year, which was enhanced by the following items that helped move bargaining along (a) solving compensation mid-process, (b) the use of numerous committees to resolve issues after ratification, and (c) a commitment to organization allowed the IBB process to move efficiently and operate as designed.

The BOE gave management two priorities, increase compensation for staff and balance the budget so that the fund balance remained above 5%, and both priorities were met through the IBB process. There was no confusion as to what the BOE’s priorities were, and management openly shared those priorities with all bargaining teams.

**Challenges.** There were eight key challenges found by the researcher related to how the district implemented IBB. Those challenges are first listed, and then further discussed below.

- Implementing the IBB process required a substantial financial and operational commitment.
- The facilitators were initially gentle on telling BOE members to get in line or stay in process.
- Joint communications required consensus to avoid potential unfair labor practice allegations.
- Some bargaining team members became less productive nearing the end of full day bargaining sessions.
- The education association (EA) bargaining team veered off process a few times.
- Prohibited subjects of bargaining had to remain outside of CBAs.
- After compensation was resolved, bargainers felt there was no money for other issues.
• Committee work was time consuming and continued six months after CBAs were ratified.

The initial challenge with implementing IBB was that the district had to commit to a process with facilitator fees that also pulled 25 staff away from their jobs for bargaining sessions. Not only were staff pulled away from their jobs, but half of the staff at the bargaining table required substitute coverage when they were out of the classroom or office, which cost $100 per staff member per day.

Another challenge was that the facilitators were initially gentle on telling BOE members to get in line or stay in process. This did not last long, and the facilitators started holding BOE members to the same standards as the rest of the bargaining team. The MEA’s IBB process would have been compromised had the facilitators not made this adjustment.

Sending joint communications could have been a source of conflict had there not been an effort to secure consensus with the contents of the communications before sending them to constituents. It was important to ensure that the joint communications did not include information that would later expose the district or union to an unfair labor practice allegation.

The full day bargaining sessions lasted six to seven hours, and some bargainers experienced mental fatigue at the end of long days. This concern was not shared about the shorter half day sessions, which lasted three to four hours.

Despite the training and presence of outside facilitators, the EA team did get off of process on occasion. They quickly got back on process with reminders from the facilitators, and off-process behaviors included (a) participating in side conversations, (b) skipping phases of the process such as offering options during the story phase of the process, (c) commenting on options during brainstorming, (d) being hard on people instead of being easy on people and hard
on problems, and (e) debating someone else’s piece of the story instead of just adding your own story segment.

Both management and the union were willing to engage in open communication. The challenge with open communication during bargaining is navigating these conversations, while not writing prohibited subjects of bargaining into CBAs.

After compensation was resolved mid-process, bargainers felt there was no money to spend on other issues. The consequence of this, is that this thinking may limit options when resolving issues outside of compensation.

Bargaining for the EA, PA, and SA was accomplished in a combined 17 sessions, but 23 committee meetings occurred after ratification to fully resolve the issues sent to committee. This work was time consuming, and further pulled staff away from their normal work during the summer and fall that followed bargaining.

Discussed above were 11 successes and 8 challenges that the researcher found related to how the district implemented IBB. In addition to these successes and challenges, is a discussion below about the implication on practice as related to the primary research questions for the study.

**Implications on Practice**

The following implications of IBB implementation were derived from the findings of this study. The implications are expounded on via the eight main themes that emerged. In this section, the implications of IBB implementation are discussed in relation to the primary research questions for the study, which were as follows:

- How did school district leaders, union leaders, and IBB facilitators implement IBB?
- What factors influenced the decision-making process during the implementation of IBB?
What did school district leaders, union leaders, and IBB facilitators consider when making decisions about the implementation of IBB?

The implications on practice are first displayed in Table 14, and further discussed in more detail by theme. In both instances, the implications on practice are broken down by how they were implemented, what factors influenced the decision-making process, and what was considered when making implementation decisions.

Table 14

<table>
<thead>
<tr>
<th>Theme</th>
<th>How</th>
<th>Influences</th>
<th>Considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theme 1: BOE members on bargaining teams</td>
<td>The BOE president, superintendent, and ASHR placed one BOE member on each bargaining team based on interest, availability, and fit.</td>
<td>BOE participation on PCC, disconnect between what the union presented and what the BOE understood, and the IBB assessors’ recommendation to place a BOE on each IBB team.</td>
<td>The BOE wanted to better understand issues, union leaders wanted the BOE to hear their side, and bargainers wanted decision-making authority.</td>
</tr>
<tr>
<td>Theme 2: Increased PA and SA voice</td>
<td>The full IBB process was implemented with the PA and SA, they were trained alongside EA, and the ASHR communicated that all groups would be treated in a similar fashion.</td>
<td>Themes from the PCC staff survey and the inclusive nature of the PCC.</td>
<td>The district wanted to honor secretary and paraeducator feelings and make a change based on feedback from the PCC staff survey.</td>
</tr>
<tr>
<td>Theme 3: Commitment to communications</td>
<td>A joint communication was sent after every bargaining session to staff.</td>
<td>Previous joint communications sent by the PCC to staff.</td>
<td>Bargaining team members expressed the desire to send joint communications during check-out.</td>
</tr>
<tr>
<td>Theme 4: Commitment to organization</td>
<td>Bargaining dates were proactively scheduled and reminders sent, and materials and prep work were prepared prior to bargaining sessions.</td>
<td>Previous contentious bargaining cycles that went into the summer, and a sense of pride by district staff and the BOE.</td>
<td>A want for change, and a desire to have bargaining done by the end of the school year.</td>
</tr>
<tr>
<td>Theme 5: Commitment to the process</td>
<td>The district committed to the IBB assessment, training, and bargaining with two outside facilitators.</td>
<td>Previous contentious bargaining, a sense of pride by district staff and the BOE, limited to no knowledge of or experience with other IBB models.</td>
<td>A want for a change and the financial and operational cost of implementation.</td>
</tr>
<tr>
<td>Theme 6: Willingness to open communication</td>
<td>The ASHR made clear that IBB teams could discuss any issue.</td>
<td>A sense of pride by district staff, a new ASHR, and the open communication experienced through the work of the PCC.</td>
<td>A want for a change.</td>
</tr>
<tr>
<td>Theme 7: Compensation solved mid-process</td>
<td>Decision made by bargaining team members.</td>
<td>Themes revealed by PCC staff survey, and the BOE priority to increase staff compensation.</td>
<td>Bargainers wanted to honor staff feelings related to stagnant compensation, and follow BOE priorities.</td>
</tr>
<tr>
<td>Theme 8: Formation of numerous committees</td>
<td>Letters of understanding included each committee’s marching orders.</td>
<td>Limited financial resources, pent-up unresolved issues from contentious bargaining, previous bargaining cycles went into the summer, and an increased sense of trust.</td>
<td>A want for meaningful resolution to issues, and a desire to finish bargaining by the end of the school year.</td>
</tr>
</tbody>
</table>

The discussion below will further inform the reader about implications on practice connected to how one southeastern Michigan public school district implemented IBB.

**Theme 1: BOE members on bargaining teams.** From the data used for this study, it was clear that the association, management, and the BOE wanted a BOE member placed on each
bargaining team and felt that having a BOE member on each team was a success. BOE bargaining team members were able to express how options would impact district families, the community, and the BOE itself. They were also able to share what the BOE would or would not approve, which gave IBB teams the confidence to make decisions at the table. Furthermore, BOE bargaining team members were able to talk directly with other BOE members. This increased their understanding of the issues, and was sometimes needed when creative solutions were designed.

In relation to the primary research questions, the following conclusions were derived from Theme 1–BOE members on bargaining teams:

- **How did school district leaders, union leaders, and IBB facilitators implement IBB?**
  Two IBB assessors, trained by the MEA, assessed management, EA leadership, PA leadership, SA leadership, and the BOE. The assessors recommended that a BOE member be placed on each IBB team. Board members were then informed of the expectations and time commitment, and surveyed for their interest and availability for sitting on a bargaining team. After BOE members responded to the email, the BOE president, superintendent, and assistant superintendent for human resources (ASHR) placed one BOE member on each bargaining team based on interest, availability, and fit.

- **What factors influenced the decision-making process during implementation of IBB?**
  The decision to place a BOE member on each bargaining team was influenced by the work of the district’s PCC, which had BOE members on it. Additionally, the decision was influenced by feelings from union leadership that there was a disconnect between what they were presenting in bargaining and what the BOE was understanding, and
by the IBB assessors’ recommendation that a BOE member be placed on each IBB team.

- **What did school district leaders, union leaders, and IBB facilitators consider when making decisions about implementation of IBB?** BOE members wanted to better understand the issues, union leadership wanted the BOE to hear their side to better understand where they were coming from, and management and union leadership wanted the authority to make decisions at the bargaining table.

**Theme 2: Increased PA and SA voice.** As found through data from this study, it was clear that PA and SA bargaining team members left bargaining feeling heard. The efforts to listen to PA and SA bargaining team members and to treat them the same as the EA led to a very productive bargaining cycle where many issues were resolved. Not only were many issues resolved, but bargaining was completed in only 4–5 sessions, and the teams trusted the people and the process enough to allow a variety of issues to be resolved through committee work after the agreements were ratified.

In relation to the primary research questions, the following conclusions were derived from Theme 2–Increased PA and SA voice:

- **How did school district leaders, union leaders, and IBB facilitators implement IBB?** The district decided to implement the full IBB process with both the PA and SA with large bargaining teams that included central office administration, building administration, the MEA UniServ director, a BOE member, and association staff. Furthermore, all bargaining units were trained together, and the ASHR clearly and consistently communicated, both in and out of bargaining, that all groups would be
treated in a similar fashion, and that no group would be given preference over another.

- **What factors influenced the decision-making process during implementation of IBB?**

  Decisions during IBB implementation related to increased PA and SA voice were influenced by themes from the May 2015 PCC staff survey that found that paraeducators and secretaries wanted more voice. The inclusive nature of the PCC, which included PA and SA representation, further influenced decisions related to this theme.

- **What did school district leaders, union leaders, and IBB facilitators consider when making decisions about implementation of IBB?** The district wanted to honor the feelings of the secretaries and paraeducators, and make a change based on the feedback they were getting through the work of the PCC.

**Theme 3: Consistent joint communications.** As found through data from this study, the district’s commitment to consistently sending out joint communications was a success. These communications kept staff informed throughout the bargaining process, and apprised that union and management were collaboratively problem-solving. The communications talked about progress and process, but did not get into the details, because the details of the agreement cannot be shared during bargaining.

In relation to the primary research questions, the following conclusions were derived from Theme 3–Consistent joint communications:

- **How did school district leaders, union leaders, and IBB facilitators implement IBB?**

  The ASHR gathered the information to be shared at the end of every bargaining session, drafted a communication, sent the draft communication to IBB team
members for feedback, modified the communication based on the feedback, and then released the communication to staff.

- **What factors influenced the decision-making process during implementation of IBB?**
  
  The commitment to consistent joint communications was influenced by previous joint communications sent by the district’s PCC.

- **What did school district leaders, union leaders, and IBB facilitators consider when making decisions about implementation of IBB?**
  
  At the end of each IBB session, bargaining team members decided what information from the day was to be communication to staff.

**Theme 4: Commitment to organization.** As found through data from this study, the commitment of organization during the bargaining process allowed the MEA’s IBB process to operate as designed, and resulted in tentative agreements for all of the bargaining units by the end of the school year. There was consensus that the first four hours spent bargaining were highly productive. A relative concern from some bargaining team members was there they became less productive nearing the end of the full day bargaining sessions.

In relation to the primary research questions, the following conclusions were derived from Theme 4–Commitment to organization:

- **How did school district leaders, union leaders, and IBB facilitators implement IBB?**
  
  Four bargaining dates were scheduled for each IBB team prior the start of bargaining. The flip chart paper was always available, and information that was needed from one meeting to the next was available. The ASHR took digital pictures of all bargaining notes from the flip chart paper after every bargaining session, and then posted them to
a shared Google folder. He shared this folder with all bargaining team members, which gave them online access to the bargaining notes and the to-do list.

- **What factors influenced the decision-making process during implementation of IBB?** The district’s IBB organizational process worked and there was a sense of pride that the contracts were completed by the end of the school year. This was influenced by previous contentious bargaining cycles that went into the summer, and a sense of pride by district staff and the BOE.

- **What did school district leaders, union leaders, and IBB facilitators consider when making decisions about implementation of IBB?** Bargaining team members wanted a change based on previous contentious bargaining, there was a real effort to have a successful bargaining experience, and a desire to have it done by the end of the school year.

**Theme 5: Commitment to the process.** As found through data from this study, the commitment to the process by the BOE and the bargaining team members allowed the MEA’s IBB model to operate as designed. The BOE’s commitment came in terms of the financial and operational support needed to implement a bargaining model that pulled staff away from their jobs for both half and full days as well as pay for facilitator fees, lodging, and mileage reimbursement. Furthermore, the BOE support came by authorizing a process where decisions were allowed to be made at the table. With regards to bargaining team members, their commitment was that they followed the process with little to no skepticism.

In relation to the primary research questions, the following conclusions were derived from Theme 5–Commitment to the process:
• *How did school district leaders, union leaders, and IBB facilitators implement IBB?*

The district agreed to implement the MEA’s full IBB process, which included an assessment, two days of training, and facilitated bargaining sessions. The bargaining team members commitment to the process was rooted in the training, and reinforced by the facilitators throughout bargaining. Two trainers, one representing management and one representing the union, conducted a two-day joint training with all BOE, management, EA, PA, and SA bargaining team members together on the IBB process used by the MEA. Bargaining team members were required to attend the two-day training. The first day of the district’s training focused on creating a learning environment and problem-solving skills and the second day of training focused on the team building and the IBB process used by the MEA.

• *What factors influenced the decision-making process during implementation of IBB?*

The district’s commitment to the process was influenced by previous contentious bargaining, a sense of pride by district staff and the BOE, and the fact that staff and BOE members had little to no knowledge of or experience with other IBB models.

• *What did school district leaders, union leaders, and IBB facilitators consider when making decisions about implementation of IBB?*

Staff and the BOE wanted a change due to previous contentious bargaining. The district was presented the concept of using the MEA’s IBB model by the MEA UniServ director, and management felt using the MEA’s model would strengthen employee buy-in. No other IBB models were considered by the union or management. Additionally, some BOE members were concerned about the financial and operational impact of implementing the MEA’s full IBB process, but not enough to stop support for implementation.
Theme 6: The willingness to open communication. As found through data from this study, the willingness to open communication was a success, because a wider variety of issues were able to be addressed. This was a challenge, because prohibited subjects of bargaining had to remain outside of CBAs.

In relation to the primary research questions, the following conclusions were derived from Theme 6–The willingness to open communication:

- **How did school district leaders, union leaders, and IBB facilitators implement IBB?**
  The presence of a BOE member on each IBB team allowed the unions to know where the BOE stood on issues. The ASHR made clear that IBB teams could discuss any issue, with the understanding that some items were not permitted to make their way into CBAs.

- **What factors influenced the decision-making process during implementation of IBB?**
  The willingness to open communication was influenced by the transition to a new ASHR, a sense of pride in the district by staff and the BOE, and the open dialogue experienced through the work of the PCC.

- **What did school district leaders, union leaders, and IBB facilitators consider when making decisions about implementation of IBB?**
  Staff and the BOE wanted a change and management’s willingness to open communication, whether or not it was a mandatory or permissive subject of bargaining, opened the door for the unions to follow suit.

Theme 7: Compensation solved mid-process. This study suggested that solving compensation earlier in the bargaining process was a success. Having compensation out of the way allowed the rest of the bargaining process to progress faster. This was a challenge, because
after compensation was resolved, bargaining teams concluded that there was no money to spend on other issues.

In relation to the primary research questions, the following conclusions were derived from Theme 7–Compensation solved mid-process:

- **How did school district leaders, union leaders, and IBB facilitators implement IBB?**
  In bargaining, the EA IBB team collectively decided to tackle compensation before resolving a handful of other issues.

- **What factors influenced the decision-making process during implementation of IBB?**
  Solving compensation earlier in the bargaining process was influenced by the bargaining priority set by the BOE to increase compensation for staff, and by the PCC staff survey theme that revealed frustrations due to low and stagnant wages.

- **What did school district leaders, union leaders, and IBB facilitators consider when making decisions about implementation of IBB?**
  Bargaining team members were committed to honoring staff frustrations about low and stagnant wages that were revealed on the PCC staff survey.

**Theme 8: Formation of numerous committees.** This study revealed that the district’s IBB process led to the formation of numerous committees. IBB committees were given the necessary resources, expertise, and time to resolve issues. Additionally, they paved the way for bargaining to finish by the end of the school year. The challenge was that many issues ended up in committee, which was time consuming work that continued six months after all CBAs were ratified.

In relation to the primary research questions, the following conclusions were derived from Theme 8–Formation of numerous committees:
• How did school district leaders, union leaders, and IBB facilitators implement IBB?

The EA, PA, and SA IBB teams agreed on straw designs that included committee work meant to solve and finalize agreements on 17 issues after ratification.

• What factors influenced the decision-making process during implementation of IBB?

The formation of numerous committees was influenced by the fact that there were many pent-up issues not resolved through previous contentious bargaining, past bargaining cycles that went into the summer, and there was an increased sense of trust between bargaining team members.

• What did school district leaders, union leaders, and IBB facilitators consider when making decisions about implementation of IBB?

Bargaining team members wanted to finish bargaining by the end of the school year and desired meaningful resolution to issues. They accomplished this by authorizing numerous committees to resolve issues after the CBAs were ratified.

Recommendations for School Districts Implementing IBB

This study revealed successes and challenges related to each theme that emerged. The researcher utilized this information to make recommendations useful to school district’s implementing IBB (see Table 15).
### Recommendations for Implementing IBB

<table>
<thead>
<tr>
<th>Related Theme</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Theme 1:</strong> BOE members on bargaining teams</td>
<td>Inform BOE members, if they volunteer to sit on an IBB team, that their presence is required at all training and bargaining sessions and that they will be treated the same as all other bargaining team members, including being called out if they do not follow the IBB process or norms. Inform BOE members that bargaining teams must have decision-making authority for the process to operate as designed. The BOE will be informed throughout the process, but not asked for approval on individual issues. To make this more palatable, probe the BOE on what issues they would like tackled in IBB and what their main interests are.</td>
</tr>
<tr>
<td><strong>Theme 2:</strong> Increased PA and SA voice</td>
<td>Conduct IBB training with all bargaining units together, in an effort to save money, build relationships, and increase understanding throughout the district.</td>
</tr>
<tr>
<td><strong>Theme 3:</strong> Commitment to communications</td>
<td>At the end of every bargaining session designate an individual to (a) gather the information to be jointly communicated to staff, (b) draft the communication, (c) send a draft to the IBB team for feedback, (d) make modifications based on feedback, and (e) then send the communication.</td>
</tr>
<tr>
<td><strong>Theme 4:</strong> Commitment to organization</td>
<td>Schedule IBB dates far in advance because bargaining team member calendars can fill up quickly and participation by the full team is key. Schedule facilitators for full days but have one unit meet in the morning and another in the afternoon. This will avoid the mental exhaustion experienced at the end of full days while streamlining facilitator fees.</td>
</tr>
<tr>
<td><strong>Theme 5:</strong> Commitment to the process</td>
<td>Schedule training and bargaining with two outside facilitators. The facilitator fees for both training and bargaining may be a barrier for some districts but were found to be well worth the investment.</td>
</tr>
<tr>
<td><strong>Theme 6:</strong> Willingness to open communication</td>
<td>Show all of your cards. The more transparent you are, the more transparent the other side will be, which will pave the way for collaborative problem solving.</td>
</tr>
<tr>
<td><strong>Theme 7:</strong> Compensation solved mid-process</td>
<td>Consider solving compensation earlier in the bargaining process. This works best if you are overly transparent about the district’s financial picture and the financial impact of agreements.</td>
</tr>
<tr>
<td><strong>Theme 8:</strong> Formation of numerous committee</td>
<td>Have the IBB team set the ground rules, through straw designs, for committee work that occurs outside of bargaining. This is most appropriate for issues that do not require the full team, or are better solved with the inclusion of subject matter experts.</td>
</tr>
</tbody>
</table>
In this section, the researcher provided recommendations for school districts to successfully implement IBB. Following are recommendations for further research.

**Recommendations for Further Research**

The findings of this study suggested the following recommendations that provided opportunities for further research:

- On how other IBB models were implemented in school districts.
- That compares and contrasts constituent attitudes towards CBAs in school districts that use traditional models, hybrid models, and facilitated IBB models.
- That compares and contrasts constituent attitudes towards CBAs in school districts that do and do not have BOE participation on bargaining teams.

**Conclusion**

The researcher collected and analyzed data of how one public school district in southeastern Michigan implemented IBB. Furthermore, he studied the factors that influenced the decision-making process, and what was considered when making implementation decisions. All interview participants were key decision makers involved with the district’s implementation of IBB, and the researcher had access to the documents and archival records central to implementation.

Fonstad et al. (2005) shared that “IBB processes focus on understanding, building on interests, and using problem-solving tools as a way of avoiding positional conflicts and achieving better outcomes for all stakeholders” (p. 6). The district’s IBB implementation successes included: (a) the MEA’s IBB process operated as designed; (b) BOE members added the perspective of district families, the community, and the BOE to bargaining; (c) decisions were made at the bargaining table; (d) BOE members left bargaining with a better understanding of
the issues; (e) PA and SA bargaining teams left bargaining feeling heard; (f) staff were kept informed throughout the bargaining process, and apprised that union and management were collaboratively problem-solving; (g) a wide variety of issues were addressed; (h) committees provided additional resources, expertise, and time to resolve issues; (i) bargaining was finished by the end of the school year; (j) the implementation of IBB cost the district 20% less than anticipated; and (k) the BOE priorities to increase staff compensation and keep the fund balance above 5% were met.

Candido and Santos (2015) stated that implementation of a new strategy can be challenging (p. 237). The district’s IBB implementation challenges included: (a) substantial financial and operational commitments; (b) the facilitators were initially gentle on telling BOE members to get in line or stay in process; (c) joint communications required consensus to avoid potential unfair labor practice allegations; (d) some bargaining team members became less productive nearing the end of full day bargaining sessions; (e) EA team members veered off process on occasion; (f) prohibited subjects of bargaining, despite the willingness to open communication, had to remain outside of CBAs; (g) bargainers felt there was no money for other issues after compensation was solved; and (h) IBB committee work was time consuming.

Klingel (2003) said, “bargainers who have experienced costly poor negotiations and are highly motivated to make changes to avoid incurring those costs again will work hard to make a new, unproven and potentially risky process work” (p. 25). Likewise, this study found that the district’s bargaining team members were influenced by previous contentious bargaining as well as by themes revealed from the PCC’s May 2015 staff survey, and they wanted to make a change.
Furthermore, Wentz (2004) suggested that “abiding by the structure of a cooperative collective bargaining model can yield a high potential of success for the endeavor” (p. 98). Similarly, the district’s commitment to organization and to the process allowed the MEA’s IBB model to operate as designed.

The district had a history of contentious labor relations and faced challenges during implementation. On the other hand, the district wanted to make a change, was committed to the process, and implemented IBB. The researcher’s view, today, is that districts with a history of contentious labor relations can successfully implement collaborative collective bargaining models.
References


Implementing Interest-Based Bargaining


APPENDICIES
Appendix A: EA Wage and Step History

Table B1

*EA Wage and Step History*

<table>
<thead>
<tr>
<th>School Year</th>
<th>Step Movement</th>
<th>Salary Movement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000–2001</td>
<td>Steps awarded</td>
<td>2.5% increase</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.25% for staff at the top step</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.25% increase</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.75% for staff at the top step</td>
</tr>
<tr>
<td>2002–2003</td>
<td>Steps awarded</td>
<td>3% increase</td>
</tr>
<tr>
<td>2003–2004</td>
<td>Steps awarded</td>
<td>3% increase</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Increase delayed to second semester.</td>
</tr>
<tr>
<td>2004–2005</td>
<td>Steps awarded</td>
<td>2% increase</td>
</tr>
<tr>
<td>2005–2006</td>
<td>Steps awarded</td>
<td>2% increase</td>
</tr>
<tr>
<td>2006–2007</td>
<td>Steps awarded</td>
<td>1.5% increase</td>
</tr>
<tr>
<td>2007–2008</td>
<td>Steps awarded</td>
<td>1.5% increase</td>
</tr>
<tr>
<td>2008–2009</td>
<td>Step freeze</td>
<td>1% increase</td>
</tr>
<tr>
<td>2009–2010</td>
<td>Steps awarded</td>
<td>1.5% increase</td>
</tr>
<tr>
<td>2010–2011</td>
<td>Change to an elongated 15 step salary schedule from 11 steps.</td>
<td>5% off-schedule reduction in wages and one furlough day.</td>
</tr>
<tr>
<td>2011–2012</td>
<td>Step Freeze</td>
<td>7.5% off-schedule reduction in wages and three furlough days.</td>
</tr>
<tr>
<td>2012–2013</td>
<td>Steps awarded</td>
<td>Continuation of 6% off-schedule wage reduction at all step levels with the exception of the top step. Reduction at the top step was 5.75% off-schedule.</td>
</tr>
<tr>
<td>2013–2014</td>
<td>Employees eligible for a step increase received an off-schedule salary adjustment at the beginning of the second semester. The payout was one half (1/2) of the full step amount.</td>
<td>Continuation of 6% off-schedule wage reduction at all step levels with the exception of the top step. Reduction at the top step was 5.25% off-schedule.</td>
</tr>
<tr>
<td>2014–2015</td>
<td>Off schedule step increase from 2013–2014 was put on-schedule.</td>
<td>Continuation of 5.5% off-schedule wage reduction at all step levels with the exception of the top step. Reduction at the top step was 4.75% off-schedule.</td>
</tr>
<tr>
<td>2015–2016</td>
<td>Step freeze</td>
<td>Wage freeze and continuation of 5.5% off-schedule wage reduction at all step levels with the exception of the top step. Reduction at the top step was 4.75% off-schedule.</td>
</tr>
<tr>
<td>2016–2017</td>
<td>One half (1/2) step on schedule at the beginning of the 2016–2017 school year, and an additional one</td>
<td>Continuation of 5.5% off-schedule wage reduction at all step levels with the exception of the top step. Reduction at the</td>
</tr>
</tbody>
</table>
half (1/2) step on schedule in the second semester if the 2016 Fall count reached 5,375 student FTEs or more. Enrollment target was met.

| top step was 4.75% off-schedule. $500 off-schedule for all employees who are on the top of the salary schedule and not eligible for steps. Employees who are at the top of the salary schedule and not eligible for steps will receive an additional $200 off-schedule if the 2016 Fall count reached 5,375 student FTEs of more. Enrollment target was met. |
Appendix B: August 26, 2013 BOE Meeting Minutes

Regular Meeting

BOE

XXX School District

August 26, 2013

MEMBERS PRESENT: Mrs. XXX, Mrs. XXX, Mr. XXX, Dr. XXX, Mr. XXX, Mrs. XXX, and Mrs. XXX.

MEMBERS ABSENT: None.

ADMINISTRATORS PRESENT: Dr. XXX, Mr. XXX and Mr. XXX.

ADMINISTRATORS ABSENT: None.

CALL TO ORDER BY PRESIDENT XXX
President XXX called the meeting to order at 7:00 p.m. in the Media Center at XXX High School.

PUBLIC COMMENTS
XXX (MEA UniServ director) and Mr. XXX (employee) shared their concerns about outsourcing the Informational Technology Department to Oakland Schools.

TECHNOLOGY SUPPORT INTERGOVERNMENTAL AGREEMENT WITH OAKLAND SCHOOLS
Mr. XXX, Assistant Superintendent for Business and Operations, explained that District retained the services of Plante and Moran in order to conduct a study of the current Informational Technology Department Operations. This thorough study was conducted during the 2012–13 school fiscal year. Three BOE member Representatives were presented with the preliminary study results at a meeting on June 13, 2013. The full BOE was presented with the report and discussed this matter at the BOE Study Session of August 12, 2013.

Plante and Moran is recommending that based on the results of their findings, it would benefit the XXX School district both operationally and financially to contract with Oakland Schools Intermediate School District for them to provide contracted informational technology management and oversight.
Motion by Mr. XXX, supported by Mrs. XXX, to approve the Technology Support Intergovernmental Agreement with Oakland Intermediate School District, per enclosure 6b.

BOE discussion centered on the exhaustive study of the agreement at the BOE Study session, displaced employees may interview with Oakland Schools, the need to move forward with technology and breadth of services Oakland Schools can offer.

Motion carried, 7–0.
Appendix C: Interview Protocol

- The researcher will begin each interview by thanking the participant for their participation, explaining the purpose of the study, and reminding the participant of the procedures put in place to protect their confidentiality.

- Interview questions will be unstructured (see Appendix D for the questions that will guide the interviews).

- The interviews will occur in a private office.

- The researcher will take notes and audiotape all interviews.

- The notes will be taken on a password protected Microsoft Word document with a header that indicates the date, time, location, interviewer, and interviewee. Spaces will be left on the document between the questions to record the responses.

- At the end of the interview, the researcher will thank the participant for their participation in the study.

- After the interview, the researcher will fill in any gaps not captured in the notes with those from the audiotape.
Appendix D: Interview Questions

These are the questions that will guide the unstructured interviews:

1. Describe how IBB was implemented in the district?

2. What factors influenced how IBB was implemented in the district, what implementation decisions were made due to these factors, and why were these decisions made?

3. What implementation decisions do you feel were unique to the district, what factors influenced these decisions, and why were these decisions made?

4. What were the most successful and challenging components of implementing IBB in the district? Why did these successes and challenges exist?
Informed Consent Form

The person in charge of this study is Arthur C. Ebert. Mr. Ebert is a student at Eastern Michigan University. His faculty adviser is Dr. Ella M. Burton. Throughout this form, this person will be referred to as the “investigator.”

The purpose of the study
The purpose of this research study is to investigate how one school district implemented interest-based bargaining (IBB).

What will happen if I participate in this study?
Participation in this study involves

- Participating in an interview where you will be asked a number of questions about how the district implemented IBB.
- There may be a need to meet with you for a second short follow-up interview for further clarification.

We would like to audio record you for this study. If you are audio recorded, it will be possible to identify you through your voice. If you agree to be audio recorded, sign the appropriate line at the bottom of this form. If you do not want to be audio recorded, you cannot participate in the study.

What are the anticipated risks for participation?
The primary risk of participation in this study is a potential loss of confidentiality.

Some participants, through reflection, may experience dissatisfaction with decisions made when the district implemented IBB.

How will my information be kept confidential?
Data is considered identifiable since it will be audio recorded. Audio recordings will be stored on a password-protected computer and destroyed after they have been transcribed. Dissemination of results will be anonymous, and any information you give will remain confidential. This file will be destroyed when the study is completed.

Will I be paid for participation?
You will not be paid for participating.

Study contact information
If you have any questions about the research, you can contact the Principal Investigator, Arthur C. Ebert, at aebert@emich.edu or by phone at 248–520–9516. You can also contact Mr. Ebert’s adviser, Dr. Ella M. Burton, at eburton1@emich.edu.
For questions about your rights as a research subject, contact the Eastern Michigan University Human Subjects Review Committee at human.subjects@emich.edu or by phone at 734–487–3090.

Voluntary participation

Participation in this research study is your choice. You may refuse to participate at any time, even after signing this form, with no penalty or loss of benefits to which you are otherwise entitled. You may choose to leave the study at any time with no loss of benefits to which you are otherwise entitled. If you leave the study, the information you provided will be kept confidential. You may request, in writing, that your identifiable information be destroyed. However, we cannot destroy any information that has already been published.

Statement of Consent

I have read this form. I have had an opportunity to ask questions and am satisfied with the answers I received. I give my consent to participate in this research study.

Signatures

____________________________________
Name of Subject

____________________________________  ______________________
Signature of Subject                     Date

I agree to be audio recorded for this study.

____________________________________  ______________________
Signature of Subject                     Date

I have explained the research to the subject and answered all his/her questions. I will give a copy of the signed consent form to the subject.

____________________________________
Name of Person Obtaining Consent

____________________________________  ______________________
Signature of Person Obtaining Consent    Date
Appendix F: Letter of Consent

December 21, 2016

To Whom It May Concern,

The [Redacted] School District gives consent to Arthur Conrad Ebert, doctoral student at Eastern Michigan University, to use secondary survey and observational data from the district's Partnership & Collaboration Committee. We understand that this data will be used in his study on the impact of transitioning from traditional to interest-based bargaining on public school employee attitudes. The survey data will come from the Partnership & Collaboration Committee’s May 2015, May 2016, and May 2017 staff surveys. The observational data will come from the Partnership & Collaboration Committee’s PowerPoint presentations, agendas, minutes, and communications sent to district staff.

Sincerely,

[Redacted], Ph.D.
Superintendent
IMPLEMENTING INTEREST-BASED BARGAINING

Appendix G: Human Subjects Review Approval Letter

RESEARCH @ EMU

UHSRC Determination: EXEMPT

DATE: May 8, 2017

TO: Arthur Ebert
    Eastern Michigan University

Re: UHSRC: # 105063-1
    Category: Exempt category 2
    Approval Date: May 8, 2017

Title: How one public school district implemented interest-based bargaining

Your research project, entitled How one public school district implemented interest-based bargaining, has been determined Exempt in accordance with federal regulation 45 CFR 46.102. UHSRC policy states that you, as the Principal Investigator, are responsible for protecting the rights and welfare of your research subjects and conducting your research as described in your protocol.

Renewals: Exempt protocols do not need to be renewed. When the project is completed, please submit the Human Subjects Study Completion Form (access through IRBNet on the UHSRC website).

Modifications: You may make minor changes (e.g., study staff changes, sample size changes, contact information changes, etc.) without submitting for review. However, if you plan to make changes that alter study design or any study instruments, you must submit the Human Subjects Approval Request Form and obtain approval prior to implementation. The form is available through IRBNet on the UHSRC website.

Problems: All major deviations from the reviewed protocol, unanticipated problems, adverse events, subject complaints, or other problems that may increase the risk to human subjects or change the category of review must be reported to the UHSRC via an Event Report form available through IRBNet on the UHSRC website.

Follow-up: If your Exempt project is not completed and closed after three years, the UHSRC office will contact you regarding the status of the project.

Please use the UHSRC number listed above on any forms submitted that relate to this project, or on any correspondence with the UHSRC office.

Good luck in your research. If we can be of further assistance, please contact us at 734-487-3090 or via e-mail at human.subjects@emich.edu. Thank you for your cooperation.

Sincerely,

April M Gravitt, MS
Research Compliance Analyst
University Human Subjects Review Committee
## Appendix H: PCC Staff Survey Results and Findings

### May 2015 teacher survey results and findings.

<table>
<thead>
<tr>
<th>Item</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Disagree Somewhat</th>
<th>Agree Somewhat</th>
<th>Agree</th>
<th>Strongly Agree</th>
<th>Avg/6.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Developing the social skills of students is important.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5.6</td>
</tr>
<tr>
<td>2. I continue to find new ways to improve my teaching.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5.5</td>
</tr>
<tr>
<td>3. I spend time in personal reflection about my work.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5.4</td>
</tr>
<tr>
<td>4. I am proud to be an educator.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5.0</td>
</tr>
<tr>
<td>5. Teachers are willing to help whenever there is a problem.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.8</td>
</tr>
<tr>
<td>6. We are willing to help each other when problems arise.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.6</td>
</tr>
<tr>
<td>7. My building’s leaders support risk-taking and innovation in teaching.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.4</td>
</tr>
<tr>
<td>8. I feel comfortable approaching my administrator with a problem or concern that I have.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.4</td>
</tr>
<tr>
<td>9. My building’s leaders value teachers’ ideas.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.3</td>
</tr>
<tr>
<td>10. Teachers and staff discuss instructional strategies and curriculum issues.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.3</td>
</tr>
<tr>
<td>11. Student behavior management strategies are not discussed sufficiently.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.2</td>
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<td>13. I feel my evaluation accurately reflects my performance as a teacher.</td>
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<td>15. Administrators in my building trust the professional judgments of teachers.</td>
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<td>29. We often compare how we assess student achievement.</td>
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<td>30. Parents trust teachers’ professional judgments.</td>
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<td>32. Administrators and teachers work in a collaborative fashion.</td>
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</table>
The following themes emerged from the open response questions from the survey and are presented in order starting with the most cited listed first.

1. Evaluation
   The teacher evaluation system has a negative impact upon teacher's attitudes leading to mistrust with administration, competition among teachers and fear of losing their jobs. For this reason, teachers do not want to collaborate with one another. The system is unfair and puts too much focus on being highly effective, creating stress and anxiety for teachers. Teachers do not feel as if they are treated in a professional manner, and therefore do not feel...
respected or appreciated. It is a very time-consuming process (testing, dictation, etc.) that takes away valuable teaching time in the classroom. The evaluation process should be used to strengthen pedagogy and promote professional growth, rather than used as a punitive measure.

“Changes need to be made on evaluations, it is pitting us against each other instead of building unified staff.”

“We must find the best and most efficient way to keep our best teachers without burdening the teachers with obscure goals and expectations.”

2. Central Office
There is a lack of follow-through and visibility with the Central Office. Teachers want there to be more of a physical presence in the buildings, establishing relationships and building connections. Not just formal walk-throughs, but coming to staff meetings, for instance, and getting to know the staff. There is a disconnect and lack of communication between staff and Central Office, leading to a lack of trust and teachers not feeling valued, appreciated or supported. Central Office often does not reply to emails, or is very delayed in their responses.

“Develop administrators in the schools and in central office that demonstrate a true sense of caring of their staff, and make every effort to value and show appreciation of the hard work that their staff put in day in and day out.”

3. Administration
Administrators need to be more visible in their buildings. Teachers want Administration to visit more often, and not just for formal evaluations. There is an overall lack of trust with Administration. Teachers are in the classroom on a daily basis and know what students need and want. Therefore, they want to be part of the decision-making process, and be able to share ideas and suggestions. Teachers do not feel like professionals who are respected and appreciated for the hard work and dedication that they put forth. Teachers want more support from Administration and need to be respected, valued and appreciated as professionals. Communication needs to be improved. Administrators need to follow-through with initiatives that were started. Administrators should be more transparent.

“Administrators need to be visible in the building. There is no sense of a captain guiding the ship in my building, and it creates behavior problems from students, confusion for staff, and a lack of confidence in our building.”

“Ask for teachers’ professional opinions before implementing ideas that affect students.”

4. Pay Cuts
Constant pay cuts and step freezes are impacting teacher morale. Teachers feel that they are working longer and harder than ever for less pay, which leads to not feeling valued, respected or appreciated. They notice that Administration pay levels remain high and constant, and do not think this is fair. Pay cuts should be equitable across all levels of employment, including upper management. Teachers want wages increased.

“With such a small district and declining enrollment, it appears as administrators' salary in central office are not impacted, and in fact in some cases their salary is increasing while others of us lose our jobs, take a pay cut, or are not getting a step increase. If this is not the case, this is the perception among teachers and other staff.”

“...increasing the pay one gets is the best way to show them they are appreciated!”
5. Professional Development
Professional development needs to be more meaningful and explore new initiatives. Professional development time is sometimes spent as just a usual staff meeting. More training on specific topics is welcomed (i.e. technology, data collection and analysis). Teachers want to develop skill sets and become successful, rather than moving from one topic to another. Teachers want more ‘take always’ from the professional development sessions that they can practice and refine.

“Do not take on so many initiatives. It takes time and PD for staff to become successful in an initiative, and often the time and PD for teachers to become skilled is not there or we are moving on to something new.”

“Training sessions and professional development opportunities should have follow-up components instead of being a one day activity.”

6. Value
There is a general low sense of morale and teachers do not feel valued or appreciated by Administration or Central Office. Many of the reasons for this lack of feeling valued, stems from the evaluation system, administration and constant pay cuts and freezes. Teachers feel that they may lose their jobs at any moment and can be easily replaced. Teachers do not feel as though they are treated as professionals.

“Trust the professionalism/professional opinions of the teaching staff. Many of us have Master's degrees and beyond. Many of us have been teaching for a while. We have knowledge and experience. Believe us when we tell you something about a student.”

7. Behavior
There needs to be a district-wide consistent behavior plan and policy which is communicated to teachers by Administration. If there is a student code of conduct, it is not clearly and consistently used or understood by teachers. Expectations need to be made clear. Teachers would like more support from Administration regarding student behavior issues. Teachers fear that extreme behavior issues in the classroom may impact their rating as being highly effective by the current evaluation system.

“Support the teachers with extreme behaviors in the classrooms. This involves increasing social work time in the buildings and following the student code of conduct across all levels.”

8. Collaboration
More time is needed for collaboration where teachers can talk, plan, build relationships and strategize. There is not enough common preps and planning time available for teachers to collaborate about students, curriculum or school initiatives. Half hour PLC meeting once a week is not enough collaboration time to make any type of significant impact. Teachers want to be able to learn from each other, and possible visit each other's classrooms for coaching and learning experiences.

“More time for staff to discuss issues and opportunities in the buildings and form strategies together about how to improve the learning environment for our students.”
May 2015 paraeducator survey results and findings.

<table>
<thead>
<tr>
<th>Item</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Somewhat</th>
<th>Agree</th>
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<th>Agree</th>
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<tbody>
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<td>1. Developing the social skills of students is important.</td>
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<td>2. I am proud to be an educator.</td>
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<td>3. I continue find new ways to improve my professional skills.</td>
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<td>4. We are willing to help each other when problems arise.</td>
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<td>9. Leaders in our school facilitate support staff working together.</td>
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<td>10. We work together to implement the decisions of our building meetings.</td>
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<td>17. Secretaries and staff work together to develop the school schedule.</td>
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<td>20. There is a rich and robust tradition of rituals and celebrations including holidays, special events and recognition of goal attainment.</td>
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<td>21. Overall, West Bloomfield Schools is a good place to work.</td>
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<td>22. My involvement in policy or decision-making is taken seriously.</td>
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<td>25. When something is not working in our school, the faculty and staff predict and prevent rather than react and repair.</td>
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<td>26. Paraeducators’ ideas are valued by all staff.</td>
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<td>28. Professional development offered by the district is valued by the faculty.</td>
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<td>30. Paraeducators are involved in the decision-making process.</td>
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<td>32. Members of the administration show a genuine concern for me as a person.</td>
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<td>33. Paraeducators are reluctant to share problems with each other.</td>
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<td>34. Paraeducators trust district administrator’s professional judgments.</td>
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<td>35. My professional decisions are not usually supported by colleagues.</td>
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<td>36. Paraeducators do not make an effort to maintain positive relationships with colleagues.</td>
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The following themes emerged from the open response questions from the survey.

- **Behavior/Discipline** — Increasing behavior and discipline problems of the students was an overall concern. Behavior problems in the classroom can be very disruptive for the entire class. One of the main duties of the paraeducators is to help with students who are disruptive so that teachers can focus on instruction. They may also help to redirect student causing disruptions in the classroom. With increasing class sizes and increased behavior problems, paras are a necessity. Would like administration to be more diligent about discipline and behavior problems.
  
  “Make classrooms more conducive to learning by giving teachers more support when dealing with students that are very disruptive to the learning process.”

  “I think that the support staff is integral to classroom teaching. In our group, if the paras are not managing behaviors, it would be difficult for the teacher to teach.”

- **Teacher Support** — They feel that they are an integral part of the teaching environment. The support that the paras give teachers help to enhance classroom instruction and initiatives, which ultimately benefits the students. Essentially, they are teaching partners. Some duties listed include: Help with materials, technology, discipline/behavior problems, adapt lessons, prepare instructional materials, help execute IEP and behavioral plans, copies, mailbox filing, data collection, maintain scheduling, order textbooks, and distribute summer school materials.

  “The perception of paraeducators as ‘not integral to classroom teaching’ is misguided. This thinking needs to stop immediately as paraeducators provide support to classroom teachers which enhances their instruction and benefits all student outcomes.”

- **Student Support** — Increased class size increases the importance of paras. The duties vary from one Para to another, but may include the following: Reading groups, help with lessons/assignments/projects, engage shy students, greet and dismiss students, bathroom help, feed students, technology, redirect students, relationship building, personal care, physical needs, maintain safety and welfare of students, administer tests, take students to and from classrooms, adjust curriculum, create additional material, and monitor student transitions.
“I communicate with the teachers to know my students progress and always ask how to make it better. There are too many students in the classrooms and not enough people helping them.”

- Layoffs/Pay Cut — They would like better pay with benefits. Pay raises have been frozen for many years. More equitable pay cuts are needed. There is a perception that administrators are not impacted by the pay freezes/cuts, which impacts overall attitudes. The constant layoffs make them feel insecure — each spring wondering if they will be losing their jobs. They also do not want their hours cut.

  “Stop laying people off every year! That makes us insecure as workers. We are always in fear to lose our job when the month of May comes along.”

- Staff Meetings — They would like to be more involved with staff meetings so that their ideas and concerns can be shared. Involvement in these meetings would help the paraeducators feel more like part of a team. They also want to be informed about what is happening in their building.

  “Include all paras into everyday communications and social committees.”

  “Included in team building staff meetings.”

### May 2015 secretary survey results and findings.

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<thead>
<tr>
<th>Item</th>
<th>Avg/6.0</th>
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<tr>
<td>Developing the social skills of students is important.</td>
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<tr>
<td>I still find new ways to improve my professional skills.</td>
<td>5.3</td>
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<tr>
<td>I am proud to be an educator.</td>
<td>5.2</td>
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<td>Secretaries trust each other in our district.</td>
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<td>We work together to implement the decisions of our internal secretarial meetings.</td>
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<td>Leaders support risk-taking and innovation.</td>
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</tbody>
</table>
The following themes emerged from the open response questions from the survey.

- **Cutting Positions** — There was an overall fear of having their positions cut. They feel that they are working harder and have more responsibilities than ever, which they believe impacts their primary duties (see below). Jobs are cut and then those responsibilities dispersed to the secretaries. Therefore, these added responsibilities prohibit them from giving adequate student support, for instance. Consequently, the quality of service they provide diminishes. They feel that they are doing a lot of duties well, but none of them that great. Continual job cuts impact morale and leaves them feeling unsupported and unappreciated. They feel expendable, knowing that their jobs can be cut at any moment which impacts their sense of security.

  “Unfortunately, the elimination of full time positions has increased everyone’s workload, adding responsibilities with very little direction or support.”

- **Privatization** — When asked “Does fear of privatization and reduction in affect your daily working environment” 100% of the respondents agreed and responded yes. The possibility of privatization leads to a sense of insecurity, fear, decreased morale, and a lack of appreciation and respect.

  “Eventually, the attitude has become — no matter how I perform my job there is no assurance that the district/BOE will fight to keep me or that I will continue [to] have a job. Then, why do I care how well I perform? Of course, it is my own work ethic that goes against this attitude.”
“I feel that the secretaries are seen only as support and completely expendable. Our numbers have been reduced dramatically in the last few years—positions not filled as people leave and full-time positions cut to halftime.”

- Administration — They feel unsupported from building administration. They would like administration to fully understand their day-to-day responsibilities and duties. Resentment appears to arise when the secretaries feel that their duties are not understood or supported and then salaries and jobs are being cut.

“Administration and BOE need to be more visible in the daily day-to-day events of the district, not only showing up for walk-throughs and such. Address staff by name, get to know people instead of just dropping in when required.”

- Superintendent — Central Administration was often referred to as BOE members or the superintendent, so these terms appear to be used interchangeably. They felt as though the superintendent was not very visible in their buildings, and does not take the time to develop relationships, talk to or get to know them (i.e. Greet them by name). There was also a lack of trust that emerged from Central Office. The secretaries feel that central administration really does not have a sense of daily operations and what is going on in the buildings. Showing up for formal walk-through evaluations is not enough.

“I think that the BOE and HR do not have enough visibility to the daily operations of what is going on in the buildings. I think if they made more of an effort to come visit, ask people on the front lines what they do, and what their greatest challenges are, and actually witness the daily happenings' (as opposed to a pre-planned walk through once or twice a year) they would not only have a better feel for what would benefit the district, it would have a tremendous impact on morale.”

- Morale, Valued, Support — There was an overall sense that their duties were underestimated and unsupported. There appears to be two categories that employees are referred to—“clerical” and “staff”. They would like to be included as “staff”. To not be included makes the secretaries feel less valued and unappreciated.

“I feel that we are not valued for all that we do. The fact that we’re called clerical only supports that feeling.”

- Customer Service — Many of the secretaries feel that they are responsible for the positive first impression many will have when visiting the district. They deemed this aspect of the job as extremely significant, but feel as though nobody else sees the value in this. Secretaries meet and greet families inquiring about the district. This initial contact can “make or break” a family’s decision to join the district.

“We are a service industry. The face we present to the public determines whether or not parents choose to send their students to our district. The support staff is the first and most accessible face presented to the public on a daily basis and the things we do which may seem small weigh hugely on the success of our students and families.”

- Pay Raise — The lack of raises definitely effects morale and their perceived value or worth. They also feel that pay' cuts should be more equitable; having a perception that administration is not impacted by the cuts. More equitable cuts would lead to an increased sense of morale.
“We have not had a significant pay/step raise since I started here. In the working world compensation is generally a good indicator of how valuable the employee is to the organization.”
Appendix I: March 24, 2016, IBB Training Joint Communication

Subject: IBB Update 3.24.16
From: XXX (ASHR)
To: XXX (All Staff)
Timestamp: Thursday, March 24, 2016 at 12:58 p.m.

XXX Staff,

We wanted to take this opportunity to update you on the IBB process. On March 23rd and 24th we completed a two-day training with all EA, PA, SA, Maintenance, Administration, and BOE members that will be sitting on our bargaining teams. The training was two full days led by a pair of facilitators arranged through the MEA, which is intended to build the relationships and skills needed to effectively engage in IBB.

IBB is a collaborative team approach, guided by our two facilitators, that requires full consensus and problem solving. The process is centered on interests opposed to the traditional model where the two sides battle back and forth over positions.

All team members are excited to engage in bargaining using the IBB model, which will start shortly after we return from Spring Break. We have challenging issues before us, but are confident that this process will forge contracts that continue our work of building healthy relationships, shared purpose, and a collaborative culture.

Your bargaining team members,

XXX (EA–president), XXX (MEA UniServ director), XXX (Administration), XXX (EA), XXX (BOE), XXX (EA), XXX (Administration), XXX (BOE), XXX (Administration), XXX (PA), XXX (Administration), XXX (SA–president), XXX (Administration), XXX (SA), XXX (SA), XXX (EA), XXX (PA), XXX (Maintenance), XXX (Administration), XXX (Administration), XXX (Administrative Assistant), Karen XXX (PA–president), XXX (BOE), XXX (Administration), XXX (SA), XXX (EA), XXX (Administration), XXX (SA), XXX (PA)
Subject: EA IBB Update  
From: XXX (ASHR)  
To: XXX (EA Staff)  
Timestamp: Monday, April 25, 2016 at 3:00 p.m.

Dear EA,

For the last two days, the EA IBB team has started the negotiation process. We are joined by our facilitators XXX and XXX who have been excellent additions to the team. We are all committed to no hidden agendas, honest communication, and collaboratively solving problems both inside and outside of negotiations. While we cannot share the specifics of the issues, we can share that we have joined together successfully through transparency, open dialogue and shared interests. We begin by listing the issues important to us, sharing our reasons why they are important, and then brainstorming a list of solutions. When we have agreed on a solution for an issue we collaboratively write the language for the contract. This is not a quick process, and it requires continual discussion. We are confident that together we will create a contract that is best for all parties.

We will continue to update you throughout the IBB process

XXX (EA president) and XXX (ASHR)
Hi XXX (ASHR),

I have information about IBB bargaining from MEA:

- There is a two-day training prior to bargaining. It should be held close to the start of actual bargaining. There are two facilitators, one union (we provide at no cost) and one management (we have a list for management). The management facilitators are former administrators from school districts. There is no cost for the union facilitator, however there is a cost for the management facilitator (costs are estimated around $600 per day, plus expenses). The training is two days and is done by both facilitators, again there is only a cost for the management facilitator.

- If needed, there is an assessment to determine is both sides are ready for the IBB process and the facilitators do the assessment and they make a recommend to the union and management. Involved in this process is the bargaining teams for both sides, Superintendent and maybe a BOE member.

I would be happy to explain more, give me a call anytime.

XXX XXX
MEA UniServ director
IMPLEMENTING INTEREST-BASED BARGAINING

Appendix L: October 12, 2015, BOE Study Session Minutes

BOE Study Session
BOE
XXX School District

October 12, 2015

MEMBERS PRESENT: Dr. XXX, Mrs. XXX, Mr. XXX, Mrs. XXX, Mrs. XXX, Mrs. XXX and Mrs. XXX.

MEMBERS ABSENT: None.

ADMINISTRATORS PRESENT: Dr. XXX, Mr. XXX, Mr. XXX, and Ms. XXX

ADMINISTRATORS ABSENT: None.

1. CALL TO ORDER BY PRESIDENT XXX
   The meeting was called to order by President XXX at 6:30 p.m. in the Main Conference Room at the Administration and Community Services Building.

2. DISTRICT IMPROVEMENT PLAN GOALS
   Ms. XXX reviewed several documents with the BOE that support the District’s Improvement Plan Goals. A District Dashboard planning document was reviewed. BOE members were asked what they would like to see on the district’s dashboard.

BOE discussion centered on:
- Should be a promotional piece
- Showcase student Achievement and instructional opportunities
- Needs to be concise, not crowded
- Opportunities for students should be highlighted
- Seven-hour block – affords more elective opportunities for students
- Extra-Curricular activities
- Instructional Priorities
- Student Opportunities – Courses offered, Clubs, Teams, Bands, Magnet Program, Radio Station
- Advanced Placement Opportunities – Successes
- District level dashboard – school level dashboards
- What makes us unique
- Diversity as a strength–successes
- Testimonials
- Visual images
- The Total Package – Why XXX
- Links to other sites
IMPLEMENTING INTEREST-BASED BARGAINING

- Number/amount of scholarships – acceptance into selective schools
- Percentage of graduates attend University of Michigan

3. INSTRUCTIONAL PATHWAYS
Ms. XXX reviewed the K–12 Instructional Pathways document with the BOE.

BOE discussion centered on:
- Should include Clubs, Sports, Honors Classes, Engineering Academy, Political Mentorship, DECA, etc.
- Use the term College Prep instead of Traditional
- Include Oakland Early College and Transition Center
- Early Childhood programs should be included

BOE Members will send suggestions to Ms. XXX.

4. INTEREST-BASED BARGAINING
Mr. XXX explained the Interest-Based Bargaining concept and process to the BOE.

Administration will move forward with the assessment process to see if the group is ready for this approach.

5. ENROLLMENT UPDATE
Mr. XXX gave the BOE an enrollment update as follows:
- We are up approximately 158–164 students from our projections
- This is a $1.36 million to $1.42 million increase in revenue
- We added 4.6 FTE at a cost of $400,000
- Should realize net revenue of $700,000 after budget adjustments
- Will result in a Fund Balance of 3%.
- If the sale of the Ealy School property closes this fiscal year, the Fund Balance will be 6%.

Mr. XXX cautioned that we are still down 169 students from last year. We still need to stabilize enrollment.

6. PUBLIC COMMENT
XXX XXX (community member) shared comments on private school advertising of open houses, instructional pathways document, and the unveiling of the district historical project on March 30, 2016, 7:00 p.m. at the Main Library.

7. ADJOURNMENT
The BOE Study Session adjourned at 8:20 p.m.

Respectfully submitted,

_________________________ XXX XXX, Secretary
Appendix M: December 16, 2015, IBB Assessment Recommendation

December 16, 2015

XXX XXX, MEA UniServ director
XXX XXX, ASHR

XXX and XXX,

Thank you so much for giving us the opportunity to meet your key leaders and to assess the district’s readiness for IBB. We found the participants to be encouraged by the idea of using problem solving strategies in lieu of traditional bargaining strategies.

After having the opportunity to interview members of the EA, PA, SA, administrators, and the BOE, we believe that your district can be successful by using the collaborative method, IBB.

If you have any questions or concerns, please feel free to contact either one of us. Should you decide to go forward, please contact us and we will work with our facilitator colleagues to make assignments for facilitators for your district.

Sincerely,

XXX XXX (MEA Assessor)
XXX XXX (Management Assessor)
Appendix N: January 5, 2016, Anticipated Cost of IBB Memo

Date: January 5, 2016

To: Dr. XXX (Superintendent), BOE Members

From: XXX XXX (ASHR)

Re: IBB

Purpose: To improve the organizational health of the XXX School District

Proposal: Implement the following IBB model with the EA, PA, and the SA during the 2016 bargaining season. Upon completion of negotiations, we will evaluate the model’s effectiveness, and either continue this model in future years, continue IBB without paid facilitators in future years, or discontinue using IBB in future years. This evaluation will be reported to the BOE.

Below is an example of what the cost of IBB may look like based on previous bargaining experience. We have factored in the cost of the IBB facilitator at $961 per session based on the following breakdown:

<table>
<thead>
<tr>
<th>Event</th>
<th>Position</th>
<th>Number of Staff</th>
<th>Number of Days</th>
<th>District Facilitator</th>
<th>Cost paid by MEA</th>
<th>Cost</th>
<th>$600 session fee</th>
<th>$200 lodging fee</th>
<th>$161 mileage reimbursement</th>
<th>$961 Total per Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>IBB Training – Two Sessions</td>
<td>Facilitator</td>
<td>1</td>
<td>2</td>
<td>$600 session fee</td>
<td>$200 lodging fee</td>
<td>$161</td>
<td>$961</td>
<td></td>
<td></td>
<td>$961</td>
</tr>
<tr>
<td></td>
<td>EA Substitute Costs</td>
<td>5</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PA Substitute Costs</td>
<td>4</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>SA Substitute Costs</td>
<td>5</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EA Bargaining – Seven Sessions</td>
<td>Facilitator</td>
<td>1</td>
<td>7</td>
<td>$600 session fee</td>
<td>$200 lodging fee</td>
<td>$161</td>
<td>$961</td>
<td></td>
<td></td>
<td>$961</td>
</tr>
<tr>
<td></td>
<td>EA Substitute Costs</td>
<td>5</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PA Bargaining – Six Sessions</td>
<td>Facilitator</td>
<td>1</td>
<td>6</td>
<td>$5,766</td>
<td>$640</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PA Substitute Costs</td>
<td>4</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SA Bargaining – Four Sessions</td>
<td>Facilitator</td>
<td>1</td>
<td>4</td>
<td>$3,844</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>SA Substitute Costs</td>
<td>5</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Cost</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$25,158</td>
</tr>
</tbody>
</table>
The number of bargaining sessions listed above is based on previous bargaining experience. We cannot know for sure the number of sessions under this new format. Previous practice had bargaining sessions meeting half of the time for full days and half of the time for half days. With the more forward to the IBB sessions will be full days in an effort to reduce facilitator fees.

Please keep in mind that an attorney attended several bargaining sessions during the summer of 2015. The attorney charges came to $34,937.00. We do not plan on using attorney support with the IBB model.
Appendix O: January 19, 2016, ASHR Email

Subject: IBB email to BOE
From: XXX (ASHR)
To: XXX (BOE)
Timestamp: Tuesday, January 19, 2016 at 3:24 p.m.

BOE,

By now you have had an opportunity to review the memorandum dated 1/5/16 that gave an overview of the IBB process and costs. We are going to move forward with the interest based bargaining process, and would like to invite BOE participation. Our goal is to have one BOE member sit on each bargaining team (teachers, secretaries, and paraeducators). Most of the bargaining will be during the school day. It is important that bargaining team members attend the two-day training, and all bargaining sessions. We have not picked the dates for the training sessions or the bargaining sessions yet, because we want to build those dates with input from the facilitators and bargaining team members.

If you are interested in sitting on one of our bargaining teams, please email Dr. XXX with the following information:

1. What bargaining team(s) are you interested in sitting on (teachers, secretaries, and paraeducators)?
2. Are there any days of the week that typically do not work with your schedule?
3. Are there any dates or weeks that you are out of town, and would like us to avoid?

XXX XXX
ASHR
Subject: Next Steps – Staff Survey / PCC
From: XXX (ASHR)
To: XXX (All Staff)
Timestamp: Monday, February 8, 2016 at 7:04 a.m.

XXX Staff,

We hear you, and are invested in you and your concerns. The PCC Committee facilitated 30 Staff Survey Data Meetings between January 5th and January 31st. The committee then met on February 4th to review the survey data, read through all of the written feedback you provided at the staff survey data meetings, engaged in rich and honest discussion, and ran through a protocol to prioritize the themes that we will begin tackling as a district. Below is the work that the committee has prioritized as our next steps.

**THEME 1: Shared purpose and healthy relationships, because WE are XXX**

**WHY:** We all make a difference, we all have innovative ideas, we all want what is best for kids, and we all seek opportunities for meaningful dialogue. The current feelings are that these things are not always valued, heard or considered. These feelings can then lead to low morale, untapped collaboration, internal competition, inconsistent communication, and silos throughout the organization.

**HOW:** A sub-committee of staff throughout the district will be formed to do this work. To form this sub-committee, we will send an invitation to those that indicated on their exit slip (from the staff survey data meeting) that they wanted to sit on a sub-committee. Those that are interested will then have an opportunity to sit on this sub-committee.

**THEME 2: Teacher evaluation process**

**WHY:** We all want to improve as professionals, and do the best possible job for our students. The current feelings are that the process is cumbersome, stressful, and pits staff against one another. These feelings can then lead to low morale, untapped collaboration, internal competition, inconsistent communication, and silos throughout the organization.

**HOW:** We have a standing teacher evaluation committee. This committee will be given the feedback gathered from staff regarding the teacher evaluation process, and will be charged with addressing these concerns. This is important, but challenging work, because some of this process is dictated by the state and out of our control. Having said this, meaningful progress can be made here.
THEME 3: Compensation

WHY: We all have families to support, and want to be valued as professionals. The current feelings are that people are struggling financially due to low and stagnant wages. The consequence is that staff, especially staff at entry level steps, feel unappreciated and are inclined to look for higher paying employment outside of the district.

HOW: We are embarking on Interest Based Bargaining (IBB). These bargaining teams will be given the feedback gathered from staff regarding compensation, and will be charged with addressing these concerns. This is important, but challenging work, because we have experienced loss in enrollment, increased retirement costs, and a stagnant foundation allowance from the state. Having said this, meaningful progress can be made here.

THEME 4: Student behavior systems and supports

WHY: We all want to provide our students with the safest and most supportive learning environment possible. The current feelings are that there are not consistent systems and supports in place for student behaviors, and increasing behavior challenges in combination with shifts in staffing have compromised our ability to achieve these goals.

HOW: A sub-committee of staff throughout the district will be formed to do this work. To form this sub-committee, we will send an invitation to those that indicated on their exit slip (from the staff survey data meeting) that they wanted to sit on a sub-committee. Those that are interested will then have an opportunity to sit on this sub-committee. We will make sure that staff with expertise in this area are sitting on this team.

Thank you for your engagement throughout the process, and we are confident that together we will accomplish meaningful change! Attached are the comments passed out at the staff survey data meetings from the EA, PA, and SA groups. It was suggested, through your feedback, that we send out the comments from all three groups for your review, because the only comments you received in print were those from your group.

XXX XXX
ASHR
Appendix Q: IBB Training Agenda

Interest-Based Strategies Training

Agenda

March 23–24, 2016

DAY 1

A. Creating a Learning Environment
   1. Welcome
      i. Introduction of Trainers
      ii. Parking Lot
      iii. Expectations
      iv. Schedule
      v. Objective–Attitudes–Skills–Knowledge
   2. Introduction of Participants
   3. Training Agenda and Materials
   4. A Negotiations Experience…Appleton v Baker

B. Problem Solving Skills
   1. Listening
   2. Communications

LUNCH
   3. Brainstorming
   4. Consensus…Energy Crisis
   5. Constituencies
   6. Ladder of Inference

CHECK OUT

DAY 2

A. Check-In Process
B. Team Building
C. Introduction of IBB Process
D. Story
E. Interests
F. Options

LUNCH
   G. Straw Designs…Reaching Agreement and Closure Techniques
   H. Relationships
   I. Back at the Ranch
   J. Question/Answer Period

CHECK OUT
Appendix R: June 21, 2016. Actual Cost of IBB Memo

Date: June 21, 2016
To: Dr. XXX (Superintendent), BOE Members
From: XXX XXX (ASHR)
Re: IBB Costs

On January 5, 2016, a memo was sent to you outlining the following costs:

- The attorney’s negotiating costs for the summer of 2015 which totaled $34,937.00
- Anticipated IBB bargaining costs based on previous bargaining experience which totaled $25,158.00

Listed below is the actual cost for the IBB:

<table>
<thead>
<tr>
<th>Name of Unit</th>
<th>Cost*</th>
</tr>
</thead>
<tbody>
<tr>
<td>IBB Assessment and Training</td>
<td>$4,180.55</td>
</tr>
<tr>
<td>EA</td>
<td>$8,825.66</td>
</tr>
<tr>
<td>PA</td>
<td>$3,684.86</td>
</tr>
<tr>
<td>SA</td>
<td>$3,647.80</td>
</tr>
<tr>
<td>Total Cost</td>
<td>$20,338.87</td>
</tr>
</tbody>
</table>

*Cost includes the following:
- Facilitation Fees
- Guest Teacher/Substitute Costs
- Supplies
Appendix S: June 24, 2016, BOE Special Meeting Minutes

Special Meeting
BOE
XXX School District

June 24, 2016

MEMBERS PRESENT: Dr. XXX, Mrs. XXX, Mr. XXX, Mrs. XXX, Mrs. XXX, and Mrs. XXX.

MEMBERS ABSENT: Mrs. XXX.

ADMINISTRATORS PRESENT: Dr. XXX, Ms. XXX, Mr. XXX, and Mr. XXX.

ADMINISTRATORS ABSENT: None.

1. CALL TO ORDER BY PRESIDENT XXX
President XXX called the meeting to order at 7:40 a.m. in the Main Conference Room at the Administration and Community Services Building.

2. XXX EA – CONTRACT APPROVAL
Motion by Mrs. XXX, supported by Mrs. XXX, to approve the ratified XXX Educators Association Contract for the 2016/2017 school year, with the added Letter of Understanding regarding Pay-to-Participate.

Motion carried, 4–0. Mrs. XXX and Mr. XXX abstained due to a Conflict of Interest, as both have family members in the Association covered by the contract.

3. TEAM MANAGEMENT ASSOCIATION – CONTACT APPROVAL
Motion by Mrs. XXX, supported by Mrs. XXX, to approve the ratified Team Management Contract for the 2016/2017 school year.

Motion carried, 6–0.

4. XXX ASSOCIATION OF EDUCATIONAL SECRETARIES – CONTRACT APPROVAL
Motion by Mrs. XXX, supported by Mrs. XXX, to approve the ratified contract for the XXX Association of Educational Secretaries for the 2016-2017 school year.

Motion carried, 6–0.

5. PARAEDUCATORS – CONTRACT APPROVAL
Motion by Mrs. XXX, supported by Mrs. XXX, to approve the ratified contract for the Paraeducators for the 2016/2017 school year.
Motion carried, 6–0.

6. **MAINTENANCE TECHNICIANS – CONTRACT APPROVAL**
   Motion by Mrs. XXX, supported by Mrs. XXX, to approve the ratified Maintenance Technicians Contract for the 2016/2017 school year.

   Motion carried, 6–0.

7. **EMPLOYMENT CONTRACTS – APPROVAL**
   Motion by Mrs. XXX, supported by Mrs. XXX, that the XXX BOE approve the contracts of employment for the following employees effective July 1, 2016 – June 30, 2019: XXX, XXX, XXX, and XXX (with Mr. XXX’s title to remain as Executive Director of Human Resources and Employee Relations).

   Further motion that the XXX BOE approve the contracts for employment for the following employees effective July 1, 2016 – June 30, 2018; XXX, XXX, XXX, XXX, and XXX.

   Further motion that the XXX BOE approve the contracts for employment for the following employees effective July 1, 2016 – June 30, 2017: XXX, XXX, XXX, and XXX.

   Motion carried, 6–0.

8. **COMMUNITY EDUCATION – WAGE AGREEMENT APPROVAL**
   Motion by Mrs. XXX, supported by Mrs. XXX, to approve the Community Education Wage Agreement for the 2016/2017 School Year.

   Motion carried, 6–0.

9. **PUBLIC COMMENT** None.

10. **OTHER** Dr. XXX announced that BOE members are able to purchase health insurance through the district, as long as none of the costs are born by the district. This does not present a Conflict of Interest, as the BOE members pay 100% of the premiums. Dr. X will be purchasing the insurance.

    Mrs. XXX referenced a document that she had provided to the BOE, in which she voiced concerns about this issue.

11. **ADJOURNMENT**
    The BOE meeting adjourned at 8:00 a.m.

Respectfully submitted,
XXX, Secretary