

Pre-Decisional Involvement



Making LMR Work ... Better

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FLRA Core Functions

Establish policies & guidance re the Statute

Carry out the purpose of the Statute (LMR DR)

- ARB → Exceptions to arbitrators' awards
- NEG → Legal issues re duty to bargain
- ULP → Unfair labor practice complaints
- IMP → Collective bargaining impasses
- REP → Appropriate units + elections

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Goals for Today

I. E.O. 13522 □ Are We On the Same Page?



II. Pre-Decisional Involvement (PDI) - The ♥ of the Executive Order

III. Metrics



IV. Keys to Success



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Part I.



E.O. 13522
Are We On the Same Page?

Purpose

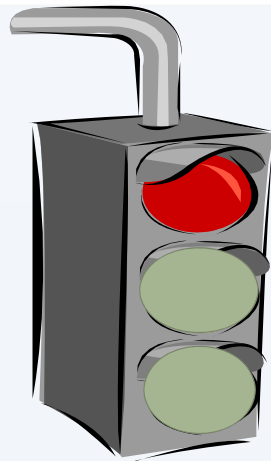
Improve delivery of government services

- Cooperative & productive LMR
- Agency L-M forums
 - Problems
 - Solutions
 - Work life & LMR
- PDI for employees & union representatives
 - *all* workplace matters
 - *fullest extent practicable*



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Executive Order does not ...



- Abrogate CBA
- Limit or prohibit (b)(1) bargaining
- Affect parties' legal authority (e.g., does not expand bargaining rights)
- Create additional administrative or judicial review

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Part II.



**Pre-Decisional
Involvement**



Key Principles

- Employees & union representatives are an **essential** source of ideas & information to improve service delivery.
- Agencies & unions should discuss workplace issues to **jointly** devise solutions rather than adhere to the traditional bargaining procedures.



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What is PDI?

- Voluntary problem solving
- Address workplace issues
- *Not* collective bargaining
- Parties determine scope & structure
- Does not alter rights or duties of stakeholders under the Statute

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Scope of PDI?

- To the fullest extent practicable
 - **all** workplace matters
 - **without regard to negotiability**
- Good-faith effort to resolve issues
 - concerning proposed changes to **conditions of employment**
 - *including those involving **permissive** subjects*

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Appropriate Issues

- ☐ Shared interests
- ☐ Present opportunity to collaborate on a common strategy
- ☐ Potential solutions within span of control/influence
- ☐ Willing to explore options, not simply adopt positions
- ☐ Willing to help each other win

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Appropriate Issues

Examples

- ✓ Customer service
- ✓ Training
- ✓ Work processes
- ✓ Health and safety
- ✓ Morale
- ✓ Any mutually agreeable topic

Credit: FMCS

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Information

- **Timely** share adequate information re PDI **where not prohibited** by law



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WHICH IS BEST?

Collaboration

- Legal requirements are a *minimum*
- *Mutual engagement* of labor and management
- *Coordinated effort* to resolve problems together
- Interactions are *informal*



Compliance

- Meet, but not exceed, legal requirements
- Max control & discretion
- Arms length relationship
- Formal interactions

How much?

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Part III.



Metrics

Measure What?

Mission accomplishment

- Organizational effectiveness & efficiency
- Quality & productivity
- Customer service
- Public support
- Committed workforce

Quality of work life

- Employment security
- Treated like valued asset
- Morale, job satisfaction
- Safety & health

Employee Engagement

- Influence & effectiveness
- Access to info
- PDI



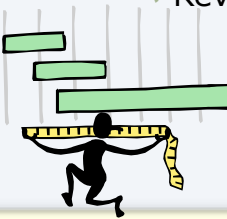
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Measure What?

1. Mission / High Quality Public Service

- ✓ Process/cycle time
- ✓ Error rate/quality
- ✓ Problem resolution
- ✓ Responsive to public
- ✓ Agility
- ✓ Cost savings
- ✓ Internal resource management
- ✓ Customer Satisfaction
- ✓ Revenue collected



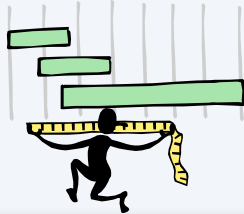
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Measure What?

2. Quality of work life

- ✓ Use parts of employee viewpoint survey
 - Motivation
 - Commitment
 - Performance



- ✓ Measure
 - Morale
 - Job satisfaction
 - Level of engagement
 - Attrition rate

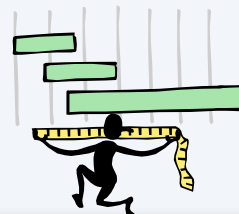
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Measure What?

3. LMR

- ✓ Descriptive
 - Transaction costs
 - Disputes resolved
 - Problems solved
- ✓ Subjective
 - Outcome of PDI
 - LMR productivity
 - Info shared
 - Org support
 - Outcome of nego
 - Outcome of ADR



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Part IV.



Keys to Successful PDI

How Well Do We Know Each Other?



- 3 MIN. EACH TALK ABOUT SOMETHING YOU FEEL VERY STRONGLY ABOUT
- NOT ABOUT WORK!
- ONLY LISTEN OR ASK SHORT QUESTIONS
- WILL NOT REPORT OUT

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Keys to Successful PDI



- Begin PDI early
- Information - if in doubt, share it
 - Statutory info request ☐ not needed
 - Disclosure - discuss limits
- PDI KSAs - jointly assess & enhance
- Measure change
 - Employee & manager satisfaction
 - Organizational performance
- Remember: Unresolved issues generally can revert to traditional process

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Shared view of ...

- Meaning & scope
- PDI in re collective bargaining
- Role(s) in your LMR
- Appropriate issues & participants
- When and how to use PDI
- Timeframes
- Expected results
- After fully successful PDI
- After not fully successful PDI



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Redefine "Win"

Satisfy as many joint and separate interests as possible.

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WIN More

(and preserve a healthy LMR)



The Problem



How to Resolve the Dispute

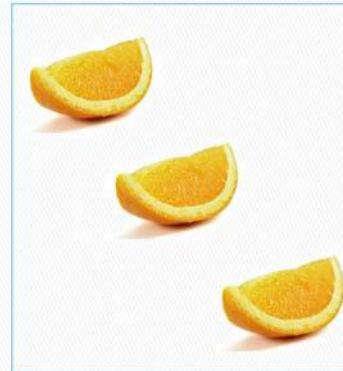




How to Solve the Problem



The Better Solution Is



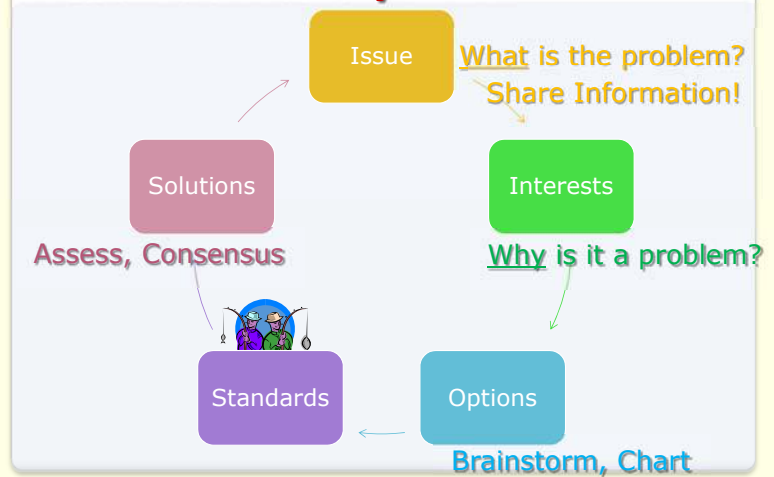
Resolve Dispute



Solve Problem



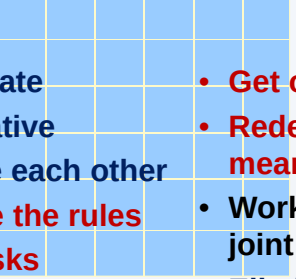
Preserve a Healthy LMR



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Ready to Win

- Cooperate
- Be creative
- Engage each other
- **Change the rules**
- **Take risks**
- **Get out of the box**
- **Redefine what it means to "win"**
- **Work together for joint success**
- **Eliminate "us" verses "them"**

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IBPS Principles



- Attack **ISSUES**, not people
- Focus on **INTERESTS**, not positions
- Jointly create **OPTIONS** to satisfy mutual and separate interests
- Evaluate options with **STANDARDS** -- not power -- when seeking **SOLUTIONS**

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IBPS Assumptions

- Engagement can **ENHANCE** relationships
- Both parties must **WIN**
- Parties must **HELP** each other win
- **STANDARDS** must replace power when selecting solutions
- Parties must **SHARE** interest information



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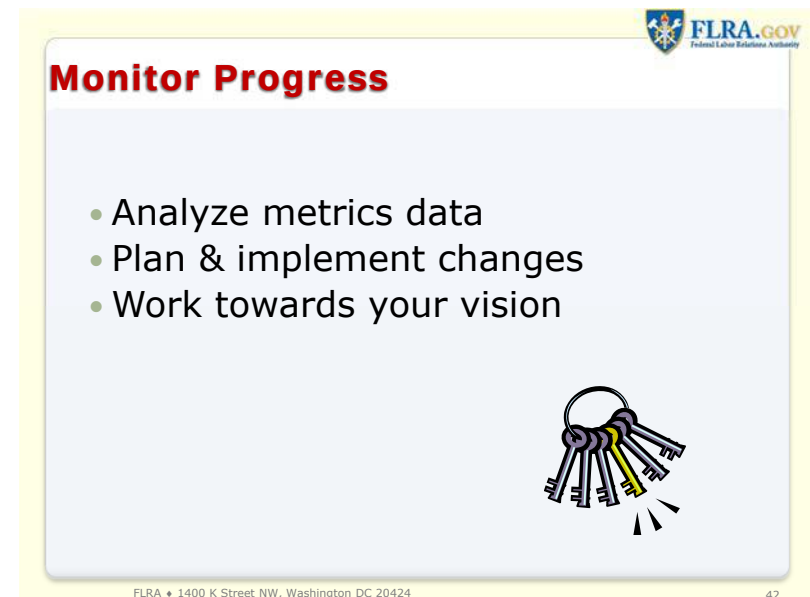
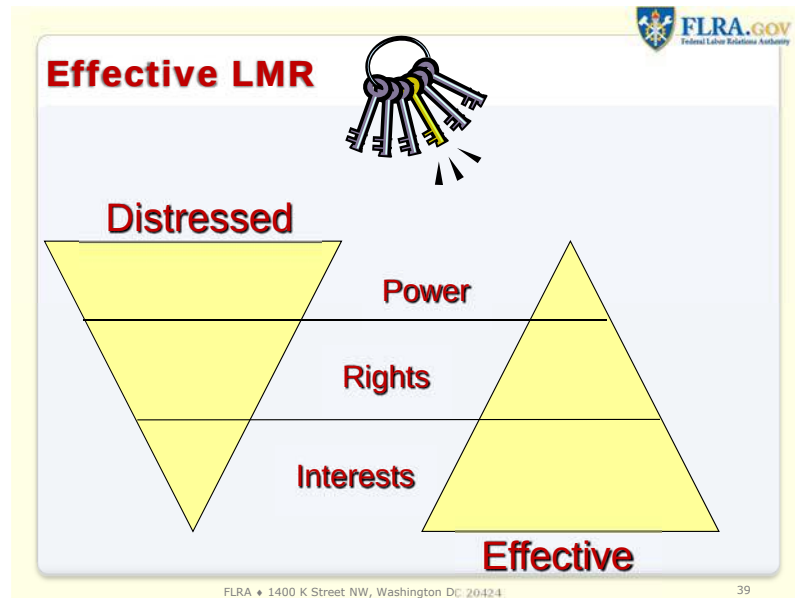
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Circle of trust



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Summary



- Know each other
- Redefine what it means to win, then get ready to win
- Jointly assess the present state & design a future vision
- Commit to change
- Communication plan
- Re-assess all aspects of existing partnership council
- Train *everyone* in collaborative process skills

Adopt guiding principles based on new assumptions

- Build trust (transparency, do what you say, regular multidirectional communication, etc.)
- Improve and empower those responsible for LMR
- Action plan
- Invest in success
- Metrics; monitor & adjust

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What Can PDI & Forums Accomplish?

Better

- ✓ Work Performance
- ✓ Organizational Culture
- ✓ Quality of Work Life
- ✓ Labor-Management Relationship
- ✓ Public Support for the Mission



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Thank you!



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