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TRANSIT COOPERATIVE RESEARCH PROGRAM

TCRP REPORT 181

Labor–Management Partnerships for Public Transportation

Volume 2: Final Report

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Subject Areas
Public Transportation • Administration and Management

TRANSPORTATION RESEARCH BOARD

WASHINGTON, D.C.
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TRANSIT COOPERATIVE RESEARCH PROGRAM

The nation's growth and the need to meet mobility, environmental, and energy objectives place demands on public transit systems. Current systems, some of which are old and in need of upgrading, must expand service area, increase service frequency, and improve efficiency to serve these demands. Research is necessary to solve operating problems, adapt appropriate new technologies from other industries, and introduce innovations into the transit industry. The Transit Cooperative Research Program (TCRP) serves as one of the principal means by which the transit industry can develop innovative near-term solutions to meet demands placed on it.

The need for TCRP was originally identified in *TRB Special Report 213—Research for Public Transit: New Directions,* published in 1987 and based on a study sponsored by the Urban Mass Transportation Administration—now the Federal Transit Administration (FTA). A report by the American Public Transportation Association (APTA), *Transportation 2000,* also recognized the need for local, problem-solving research. TCRP, modeled after the successful National Cooperative Highway Research Program (NCHRP), undertakes research and other technical activities in response to the needs of transit service providers. The scope of TCRP includes various transit research fields including planning, service configuration, equipment, facilities, operations, human resources, maintenance, policy, and administrative practices.

TCRP was established under FTA sponsorship in July 1992. Proposed by the U.S. Department of Transportation, TCRP was authorized as part of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). On May 13, 1992, a memorandum agreement outlining TCRP operating procedures was executed by the three cooperating organizations: FTA; the National Academies of Sciences, Engineering, and Medicine, acting through the Transportation Research Board (TRB); and the Transit Development Corporation, Inc. (TDC), a nonprofit educational and research organization established by APTA. TDC is responsible for forming the independent governing board, designated as the TCRP Oversight and Project Selection (TOPS) Committee.

Research problem statements for TCRP are solicited periodically but may be submitted to TRB by anyone at any time. It is the responsibility of the TOPS Committee to formulate the research program by identifying the highest priority projects. As part of the evaluation, the TOPS Committee defines funding levels and expected products.

Once selected, each project is assigned to an expert panel appointed by TRB. The panels prepare project statements (requests for proposals), select contractors, and provide technical guidance and counsel throughout the life of the project. The process for developing research problem statements and selecting research agencies has been used by TRB in managing cooperative research programs since 1962. As in other TRB activities, TCRP project panels serve voluntarily without compensation.

Because research cannot have the desired effect if products fail to reach the intended audience, special emphasis is placed on disseminating TCRP results to the intended users of the research: transit agencies, service providers, and suppliers. TRB provides a series of research reports, syntheses of transit practice, and other supporting material developed by TCRP research. APTA will arrange for workshops, training aids, field visits, and other activities to ensure that results are implemented by urban and rural transit industry practitioners.

TCRP provides a forum where transit agencies can cooperatively address common operational problems. TCRP results support and complement other ongoing transit research and training programs.

NOTICE

The report was reviewed by the technical panel and accepted for publication according to procedures established and overseen by the Transportation Research Board and approved by the National Academies of Sciences, Engineering, and Medicine.

The opinions and conclusions expressed or implied in this report are those of the researchers who performed the research and are not necessarily those of the Transportation Research Board; the National Academies of Sciences, Engineering, and Medicine; or the program sponsors.

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C O O P E R A T I V E   R E S E A R C H   P R O G R A M S

FOREWORD

By Dianne S. Schwager
Staff Officer
Transportation Research Board

TCRP Report 181: Labor–Management Partnerships for Public Transportation is a two-volume report that provides resources for public transportation management and labor union leaders to establish, manage, and improve labor–management partnerships. *Volume 1: Toolkit* encompasses three major components: (1) the development of a labor–management partnership charter to start or improve a partnership; (2) labor–management partnership guidance that provides specific recommended actions for both management and labor union leaders; and (3) a labor–management partnership workshop framework that can be used to develop a cooperative workshop that prepares management and union representatives with essential skills for establishing and managing labor–management partnerships. *Volume 2: Final Report* provides background material that was used to develop the *Toolkit.*

Public transportation is a labor intensive service industry with a workforce consisting largely of employees who operate, maintain, supervise, and manage transit services. Most transit employees in large and mid-size urban areas are represented by labor unions, in particular vehicle operators and maintenance workers. As in many other industries, sometimes relations between labor and management at transit agencies are strained and adversarial, characterized by a lack of trust and respect, animosity, and poor communication. Many argue that these negative relations create lose-lose situations for transit managers, employees, and communities. Advocates for positive labor–management relationships believe much can be gained by building effective partnerships, resulting in broader cooperation between labor and management. Over the past 30 years, many organizations in the United States have pursued initiatives to improve labor–management relationships. These initiatives often occur in conjunction with efforts to address specific work place problems. While some research has been conducted, more information was needed about challenges organizations have faced in building and sustaining these initiatives. For example, more information was needed regarding (1) the practical factors and circumstances that lead to success in creating and sustaining positive labor–management partnerships both within and outside the transit industry and (2) the potential benefits to labor and management from successful labor–management cooperation and partnerships.

Under TCRP Project F-20, AECOM, The Labor Bureau, Inc., and Diversified Workforce Solutions, LLC, were tasked with developing a practical toolkit for creating, implementing, and sustaining positive labor–management partnerships at transit agencies. The *Toolkit* was to address how successful partnerships can benefit both labor and management, identify the factors and circumstances that lead to success in creating and sustaining positive

labor–management relationships, and serve transit agencies interested in improved labor–management cooperation.

To meet the project objectives, the research team conducted a literature review; extensive surveys of transit managers and labor union leaders in the United States to gather facts and data on success factors and barriers of labor–management partnerships; six in-depth case studies of selected transit systems with successful labor–management partnerships; and a workshop of labor union representatives and managers with experience in labor–management partnerships.

CONTENTS

S U M M A R Y

Volume 2: Final Report

Volume 2: Final Report of *TCRP Report 181: Labor–Management Partnerships for Public Transportation* presents the research process and the findings of the research conducted for TCRP Project F-20, "Labor–Management Partnerships: What Makes Them Work? What Makes Them Last?"

The study of labor–management partnerships (LMPs) consisted of four phases:

- Research initiation and definition
- Survey and initial product concepts
- Case studies and draft products
- Evaluation workshop and final products

The research team completed all four phases and developed *Volume 1: Toolkit* of *TCRP Report 181: Labor–Management Partnerships for Public Transportation* that contains the three major research products:

- The Charter Document
- The Labor–Management Partnership Guidance
- The Labor–Management Partnership Workshop Framework

The *Toolkit* is designed to assist management and union leaders in the public transit industry who are interested in establishing LMPs in their transit systems. Please see the *Toolkit*, a stand-alone document and the principal research product of this study, for a detailed and complete report. The *Final Report* is dedicated to the research process and the findings.

Throughout all four phases of the research, the research approach and the research team's experience included both management and labor perspectives. The research team was managed by AECOM, a professional services firm with research experience, and also included The Labor Bureau, Inc., an economics and law firm (who represent and advise employee unions), and Diversified Workforce Solutions, a human resources and labor relations firm (who advise primarily management).

Phase I. Research Initiation and Definition

Definition

The major objective of this phase was to define an LMP. After reviewing literature on LMPs in transit and other industries, the research team came up with a definition for an LMP. Revisions were subsequently made to the definition in a conference call and in an

interim meeting with the research panel members. The revisions are based on a combination of the panel's input and an evolution of the team's collective understanding of LMPs in the transit industry as the research proceeded. The final definition is:

> A labor–management partnership (LMP) arises when both the management and the union actively identify shared concerns and act on them collaboratively. This may be a formal process.

This revised version takes into account the panel's comments on (1) the potential controversies on whether LMPs should have decision-making authority and (2) the potential advantages of a written or formal process. Please refer to Chapter 2.1 for a detailed discussion on the definition of LMP and the considerations the research team put into the revisions.

Indicators

The research team developed a list of indicators for ascertaining successful LMPs. The indicators were later used to design the telephone survey and referenced in the design and interviews of the case studies. The indicators are grouped into the following six categories:

- LMP structure
- Frequency of consultation
- Side agreements and joint committees
- Union participation in joint committees
- Leadership and contract
- Conflicts and resolution

The full list of indicators can be found in Appendix B.

Based on the deepening of understanding of LMPs, the research team designed a survey instrument that was later used to collect data and opinions from labor and management representatives in the transit industry. The survey instrument consists of two parts: Part 1, a telephone survey, and Part 2, a follow-up data collection questionnaire. The full survey instrument can be found in Appendix C.

Phase II. Survey and Initial Product Concepts

The research team contacted management and union representatives from 102 transit systems, which operate rail service and/or more than 200 buses at peak service. Out of the 102 systems, 47 systems responded, including 31 management representatives and 39 union representatives who responded to the telephone survey and 15 management representatives and 22 union representatives who filled out the follow-up questionnaire.

Survey responses were compiled and analyzed in three dimensions:

- Summary by transit system and comparison of responses from management and union within a system,
- Summary and comparison of responses across transit systems for overall pattern, and
- Examination of correlations between variables.

Important findings based on the responses received are given below.

It was found that management and union perceptions of labor–management relationships (LMRs) are usually not consistent. Union officials tend to rate LMRs higher than managers in transit systems having higher overall LMR ratings; managers tend to rate LMRs

higher than union officials in transit systems having lower overall LMR ratings. In general, management is slightly more optimistic than unions about whether their LMRs are improving or worsening.

The survey asked respondents to identify issues that are addressed in a labor–management committee or its equivalent in their transit system. The results show that the following issues are most commonly addressed in labor–management committees, which is a sign that managers and union leaders tend to work well together on these issues:

- Jointly administered health and welfare plan
- Pension and deferred compensation governance
- Drug and alcohol abuse
- Preventable accidents
- Violence and driver assault or workplace security
- Schedule preference
- Skill training, testing, and apprenticeship
- Safety

A strong correlation between the number of issues addressed by labor–management committees and the LMR ratings was observed. The more issues that were addressed by labor–management committees in a transit system, the better its management and union perceived its LMR to be. However, management and union differed in perceiving whether an issue was addressed in a labor–management committee. Unions tended to think that more issues were addressed in labor–management committees. For survey results, see Chapter 3.1.

Toward the end of Phase II, initial concepts were developed for the *Toolkit*. An interim meeting was held at the end of Phase II, where the panel members met with the research team to provide comments on the progress and findings of the research, as well as advice on the remaining tasks, mainly the case studies and the development of the *Toolkit*.

Phase III. Case Studies and Draft Products

Six transit systems were selected by the research team and the panel members for more in-depth case studies. The selection was based largely on a set of predetermined criteria:

- Stated willingness of labor and management respondents to participate,
- Statistics indicating strong or lasting LMP,
- Qualitative evidence of strong or lasting LMP,
- At least two private contractors as management representatives,
- At least two transit systems with rail service,
- At least one but no more than two transit systems where collective bargaining is prohibited (meet-and-confer or similar arrangements), and
- A distribution among geographic regions.

The six transit systems selected for the case studies are shown in Table S-1.

The research team conducted on-site interviews with management and union leaders from these six transit systems. Major findings from the case studies are reflected in the *Toolkit*, especially in the Labor–Management Partnership Guidance section, which is largely based on proven and effective techniques gathered from the case study interviews. Detailed summaries of each case study can be found in Appendix G.

Table S-1. Transit systems selected for case studies.

System Name	Principal Union	Geography	Rail Service
A medium bus and rail operator	ATU	West coast	Yes
A medium bus and rail operator	ATU	Southeast	Yes
A large bus and rail operator	ATU	Mountain	Yes
A large bus and rail operator	TWU	Northeast	Yes
A large bus and rail operator	ATU	West coast	Yes
A medium bus operator	ATU	Northeast	No

By the end of Phase III, the research team drafted the *Toolkit* with the three major research products (i.e., the Charter Document, Labor–Management Partnership Guidance, and Labor–Management Partnership Workshop Framework). The complete *Toolkit* is a stand-alone document.

Phase IV. Evaluation Workshop and Final Products

An evaluation workshop was conducted to test the *Toolkit* with management and union leaders in transit systems. The objective was to obtain feedback from industry leaders, both management and union, to improve the *Toolkit* and increase its utility as well as likelihood of acceptance. The workshop participants commented that the *Toolkit* was an effective tool overall.

Workshop participants were requested to provide written feedback on and rate each of the *Toolkit* items. They were also asked to rank the guidelines in the Labor–Management Partnership Guidance section based on their importance and usefulness.

Table S-2 summarizes the evaluation workshop participants' rating of the elements in the *Toolkit*. Most participants were satisfied with the effectiveness of the *Toolkit*. The Charter Document (see *Toolkit*) was rated higher than the other elements.

Table S-3 summarizes the rankings of the LMP guidelines. The ranking is based on the relative importance of each guideline to the participants. Guidelines 1, 2, 4, and 7 were ranked the highest. A detailed documentation of participants' ranking of the guidelines can be found in Chapter 3.3.

The research team made revisions to the *Toolkit* based on the feedback they received in the workshop.

Table S-2. Evaluation workshop participants' rating of *Toolkit* elements.

Participants	A	B	C	D	E	F	G
Charter Document	2	5	1	2	1	2	1
Labor–Management Partnership Guidance	1	5	1	3	1	2	1
Labor–Management Partnership Workshop Framework	2	5		3	1	2	3

Score: 1 = very effective, 5 = not effective.

**Table S-3. Evaluation workshop participants' ranking
of LMP guidelines.**

Guideline	Ranking
1. Respect the individuals representing the other party.	High
2. Design, implement, and sustain effective communication.	High
3. Separate issues between integrative (or win-win) and distributive (or zero-sum) ones.	Medium
4. Establish broad-based buy-in from all key stakeholders with formality and structure that is made clear to all.	High
5. Be confident that managers can cooperate with unions yet still continue to defend prerogatives and efficiency.	Medium
6. Be confident that union leaders' cooperation with management will not compromise members' interests.	Medium
7. Outline shared goals and expectations of the partnership.	High
8. Align all necessary resources to support the partnership.	Medium
9. Require consistent accountability of everyone in the organization with a governing or executing responsibility for the partnership.	Medium
10. Provide for comprehensive skill building for both union and management throughout the course of the partnership.	Low
11. Provide an independent facilitator, if affordable.	Medium
12. Support stability in union and management leadership and smooth labor–management partnership leadership transitions.	Low
13. Take advantage of specific successes (e.g., pension fund governance, apprenticeship) to build a broader partnership.	Low
14. Take advantage of shared challenges and crises to catalyze partnership agreements.	Low

CHAPTER 1

Background

This research addressed ways of supporting LMPs in the transit industry. The focus was on what makes LMPs work and last in transit systems. By understanding the factors necessary for successful LMPs, the research team developed a *Toolkit* for management and union leaders who would like to establish LMPs, formalize their existing cooperative activities, or improve their existing partnerships.

1.1 Balanced Approach

The research team took a balanced approach to this topic by examining inputs from both management and union representatives. In the telephone surveys and on-site interviews for in-depth case studies, interviewees were selected from both management and union. In an evaluation workshop toward the end of the study, equal numbers of management and union leaders were invited so that the research team would receive balanced feedback on the draft *Toolkit.* It was ensured throughout the study that both management and union perspectives were equally represented.

1.2 Transit Industry Focused

The research also reflected the latest development in labor–management cooperation in the transit industry. The research was for the most part based on first-hand data collected by the research team through telephone surveys, data collection questionnaires, and on-site interviews for in-depth case studies. A total of 47 transit systems in the United States responded to the survey and/or the questionnaire, and on-site interviews were conducted in six transit systems. The collected data contained extensive information regarding management professionals' and union leaders' experiences with LMPs, their opinions on the factors and practices that are critical to the success of LMPs, the structures and processes of their LMPs, as well as the characteristics of their transit systems and the political and legal environment. The data enabled analysis of a wide range of aspects of LMPs.

The data collection and analysis process deepened the research team's understanding of how LMPs work in the transit industry. The research allowed them to develop a *Toolkit* that is tailored to the needs of transit systems. The *Toolkit* contains three major research products: (1) the Charter Document, (2) the Labor–Management Partnership Guidance, and (3) the Labor–Management Partnership Workshop Framework. The *Toolkit* is designed so that transit systems, no matter what stage their cooperative activities are at, can use it to establish, formalize, improve, revive, or expand their LMPs.

1.3 Report Structure

This report documents the 2-year research effort—the research process and its findings and products. The report is structured into four sections. Chapter 2 is a documentation of the research approach. Then major research findings and products are presented in Chapter 3. It ends with a conclusion in Chapter 4. Because of their lengths, some research products, findings, and tools are included in the appendices.

CHAPTER 2

Research Approach

The research consisted of five major steps:

- Literature review and definition of LMP
- Survey of management and union leaders in transit systems
- Case studies of six transit systems
- Development of the *Toolkit*
- Evaluation workshop and finalization of the *Toolkit*

Each step is documented as follows regarding its purpose, completion, and outcomes.

2.1 Literature Review and Definition of Labor–Management Partnerships

The research began with a literature review of LMPs in the transit and other industries. The research team reviewed previous studies on how LMPs were established and managed, with special emphasis on the benefits, success factors, and common challenges. A summary of the literature review can be found in Appendix A.

Definition of Labor–Management Partnerships

The definition of LMP was one of the first products the research team developed after reviewing existing literature. The definition was refined during the research and the final definition is as follows:

> A Labor–Management Partnership (LMP) arises when both the management and the union actively identify shared concerns and act on them collaboratively. This may be a formal process.

While the literature and history of LMRs in transit systems provide a generally accepted understanding of the processes known as LMP, the research process required a more precise definition to ensure that the effort did not get dissipated across too broad a range of relationships and that the project produced focused results. Therefore, the team developed a definition based on substantive attributes of the processes and relationships of the partnership.

The first version of the definition originally developed by the research team was:

> A Labor–Management Partnership (LMP) is one in which both the management and the union actively participate in decision making by identifying shared concerns and acting on them collaboratively.

During a conference call with the panel members on July 18, 2013, two major comments were raised:

- The definition should signify that an effective LMP needs to be institutionalized.
- "Decision-making" may raise issues with the management, because it is management's prerogative to make decisions on many matters of interest, and giving an LMP the authority of decision-making erodes management's prerogative. This may evoke resistance from management to accept the concept.

At the end of the conference call, a revised definition was agreed upon:

> A Labor-Management Partnership (LMP) is one in which the management and the union collaboratively act on shared concerns.

The research team convened after conducting the surveys to review the definition. Two potential deficiencies of this revised definition were identified:

- Institutionalization of LMPs is not addressed in this definition.
- The revision leaves out "actively identify shared concerns," which emphasizes the intention and a proactive disposition to cooperate by both sides.

Hence, in the latest version of the definition "actively identify shared concern" was added back and an additional condition was added to emphasize that LMPs could be a formal process.

A labor–management partnership (LMP) arises when both the management and the union actively identify shared concerns and act on them collaboratively. This may be a formal process.

A certain degree of flexibility was intentionally left in institutionalizing LMPs because it is indefinite whether a formal process is necessary for a relationship to qualify as an LMP. In the case study phase, the research team will explore in reality, whether institutionalization is conducive for a successful LMP and how successful partnerships handle decision-making authority.

Indicators of Successful Labor–Management Partnerships

The research team developed a list of indicators that may evidence successful LMPs. The indicators were used to design the telephone survey and will be referenced in the design and implementation of the case studies. The indicators are grouped into the following six categories:

- LMP structure
- Frequency of consultation
- Side agreements and joint committees
- Union and management participation in joint committees
- Leadership and contract
- Conflicts and resolution

The full list of indicators is presented in Appendix B.

2.2 Survey

The research team developed a survey instrument for gathering information from union and management representatives in transit systems in the United States. The survey covered the following areas:

- On what types of issues do management and union work well together (e.g., drug and alcohol abuse, work place security, child care)?
- What are the effective techniques for building a positive, strong, and sustaining LMP?
- What are the barriers to a positive, strong, and cooperative LMP?

The survey instrument consisted of two parts. The first part was a list of questions on labor relations and the cooperation between management and union, which were asked in a telephone survey. The second part was a follow-up data request for quantitative information regarding LMPs via email. Please find the survey instrument in Appendix C.

The survey was designed to collect data for most of the indicators from each responding transit system. Certain indicators could not be best addressed in a telephone survey or questionnaire because they required a significant amount of data collection from the respondent. Those indicators not addressed by the survey were explored in the case study phase of the research with selected transit systems.

The research team identified 102 transit systems for the survey based on at least one of the following criteria:

- Transit systems operating more than 119 buses at peak service. The smallest system according to this criterion is the Metropolitan Transit Authority of Nashville, TN.
- Transit systems operating more than 100 rail cars at peak service. The smallest system according to this criterion is the Port Authority Transit Corporation in Lindenwold, NJ (i.e., the rapid transit running between Philadelphia and Camden County, NJ).

Before initiating the survey, the research team received endorsements for the survey process from the Amalgamated Transit Union and the United Transit Union, two major transit unions in the transit industry.

Of the 102 transit systems that the research team contacted, 47 transit systems responded, including 31 management representatives and 39 union representatives who completed the telephone survey, and 15 management representatives and 22 union representatives who filled out a follow-up questionnaire.

2.3 Case Studies

The case studies were a critical phase that substantially shaped the research products. Six transit systems were carefully selected for in-depth studies. Representatives from both management and union in each system were interviewed to gather information with a balanced perspective. Before the site visits, the research team gathered background information on each transit system and created a list of premises for testing in the interviews. After the site visits, the findings of each case study were documented and analyzed to inform the development of the *Toolkit*.

Selection of Case Study Candidates

Based on the survey responses, the research team recommended 12 transit systems to the panel as candidates for detailed case studies. The candidates were identified with the following criteria:

- Stated willingness of labor and management respondents to participate,
- Statistics indicating strong and lasting LMP,
- Qualitative evidence of strong and lasting LMP,

Table 1. Transit systems selected for case studies.

Transit System Name	Principal Union	Geography	Rail Service
A medium bus and rail operato	ATU	West coast	Yes
A medium bus and rail operator	ATU	Southeast	Yes
A large bus and rail operator	ATU	Mountain	Yes
A large bus and rail operator	TWU	Northeast	Yes
A large bus and rail operator	ATU	West coast	Yes
A medium bus operator	ATU	Northeast	No

- At least two private contractors as management representatives,
- At least two transit systems with rail service,
- At least one but no more than two transit systems where collective bargaining is prohibited (meet-and-confer or similar arrangements), and
- A distribution among geographic regions.

The panel selected six transit systems out of the twelve for the case studies.

Table 1 presents the six case studies and their selected attributes.

Case Study Design

Before the site visits, the research team did thorough preparation for the interviews. The first step was background research for each case study. The research team created a pre-visit checklist, which listed the actions each interviewer needed to complete and the information that would be gathered before the site visit. Such actions and information included:

- Confirmation of the transit system's participation from both management and union, as well as the availability of interviewees,
- A background profile of the transit system, and
- Labor relations documents of the transit system.

The research team also created a list of premises the team believed were key factors for the success of LMPs. The case study interviews would verify or refute the premises. Most of the premises were confirmed in the interviews and formed the basis for the development of the *Toolkit*, especially the Labor–Management Partnership Guidance section.

Please refer to Appendix E for the complete pre-visit checklist, including a list of premises. In Chapter 3.2, the testing results of the premises from the case studies are summarized and discussed.

Besides the pre-visit checklist, the research team developed a case study interview guide for the interviewers' reference when conducting interviews on site. The guide was intended to be a reference document and loosely followed the investigation, without confining it.

Because of differences in interviewee involvement and interviewee responsibilities in labor relations and LMPs, the interview guide included questions designed for specific groups of interviewees, in addition to general questions for all interviewees. The interviewee groups that were separately identified in the interview guide include

- Top management representatives (general managers/CEOs)
- Union local presidents
- Management/union (if not local president) representatives who are the management/union leads of LMPs
- Management/union representatives who sit on labor–management committees
- Management and union representatives who actively participate in other LMP activities
- LMP facilitators

The research team recognized that not all transit systems would have individuals in each of the six roles. However, the research team interviewed as many individuals as possible, representing these roles.

A complete case study interview guide can be found in Appendix F.

Case Study Interviews

The research team conducted on-site interviews at all six transit systems. Team members interviewed both management and union representatives at each transit system to get a balanced view on labor relations and the cooperation between management and union. The site visits were 1 to 2 days long

depending on the size of the system and the complexity of LMPs. After the interviews, the research team compiled and summarized the interview notes for each transit system. Major findings from the case studies are presented in Chapter 3.

2.4 Development of the Labor–Management Partnership *Toolkit*

Combining findings from all previous phases of the research, the research team developed the *Toolkit*. The *Toolkit* will be discussed in greater detail in Chapter 3.4 and the complete *Toolkit* is published as *Volume 1: Toolkit* of *TCRP Report 181: Labor–Management Partnerships in Public Transportation.*

2.5 Evaluation Workshop and Finalization of the *Toolkit*

The purpose of the evaluation workshop was to review and improve the utility of the research products and, in particular, to increase the likelihood of their acceptance. Labor–management innovations, including partnership innovations, are as complex as human nature. They are multifaceted in the sense that different perspectives show them in a different light and reflect a different mix of reactions and concerns. While the research team is confident that the research products are sound in their basic structures, they are also aware that a wide range of perspectives will give rise to a wide range of reactions to the concepts and the way the concepts are initially presented. Therefore the team convened a workshop with labor and management practitioners to review the research products:

- The Charter Document
- The Labor–Management Partnership Guidance
- The Labor–Management Partnership Workshop Framework

Twelve participants were invited to the 1-day workshop. The invitees included three labor representatives from transit union locals and an international transit union, three management representatives from transit agencies, and three pairs (six in total) of labor and management representatives from three transit systems. Two members of the project panel (one representing labor and the other management) were among the 12 invitees. The draft *Toolkit* was distributed to the invitees in advance.

The workshop was conducted at the Keck Center of the Transportation Research Board on Jan 29, 2015. Eight of the 12 invitees were able to attend. The eight participants included five union representatives and three management representatives.

The workshop began with participants sharing their experiences with LMPs. Each research product was then presented and discussed by the participants. The last segment of the workshop was to rate the three products of the *Toolkit*, rank the guidelines in the Labor–Management Partnership Guidance section based on their importance and usefulness, and provide written comments. Workshop proceedings were collected and documented by the team. The form that workshop participants used to rate the products of the *Toolkit*, rank the LMP guidelines, and provide written comments can be found in Appendix H.

The rating and ranking results, as well as comments from participants, are discussed in Chapter 3.3. Improvements were made to the *Toolkit* based on the input gathered from the workshop participants.

CHAPTER 3

Findings and Applications

3.1 Survey Results

The research team compiled and analyzed the survey responses in three dimensions:

- Summary by transit system and comparison of responses from management and union within a transit system,
- Summary and comparison of responses across transit systems for overall pattern, and
- Examination of correlations between variables.

This chapter presents important findings based on the analyses performed.

Labor–Management Relationship Rating

Survey respondents from management and union were asked the question: "How would you characterize the relationship between the management and the union in your system? Could you rate it on a scale of 1 to 5, 5 being very cooperative, 3 being neutral, and 1 being very adversarial?" This rating is termed the LMR rating for convenience. It is an indicator of how the survey respondents perceive labor relations in their systems.

Table 2 summarizes the responses the research team gathered for these questions. The responses from both management and labor are listed, as well as the average LMR rating. Please note that a geometric average is used, so a transit system will get a higher average rating if its management and labor ratings are relatively similar. One attribute of geometric average is that the closer the observations' values, the higher the average, given the sum of the observations is the same. For example, if an ordinary arithmetic average is used, two ratings of 4, and one rating of 5, and one rating of 3 will end up with an average of 4; however, with a geometric average, two ratings of 4 will result in a higher average of 4, than one rating of 5 and one rating of 3, whose geometric average is 3.87. The transit systems are ranked by average rating in the table.

The results show that union ratings tend to be higher than management ratings for transit systems with higher overall LMR ratings, while management ratings tend to be higher than union ratings for transit systems with lower overall LMR ratings.

Issues Addressed by Labor–Management Committees

A list of issues that might be addressed by labor–management committees was created by the research team. In the telephone survey, both management and union respondents were asked whether a given issue was addressed by a labor–management committee. Table 3 shows how many of the 21 transit systems, where both management and union responded to the telephone survey, have labor–management committees to address the issues.

A summary of responses from 47 transit systems on issues addressed by labor–management committees is presented in Appendix D; for some of the 47 transit systems, only management or union responded to the survey.

The issues on which more than 10 respondents from management or union identified a labor–management committee are in boldface in Table 3. Such areas include

- Pension and deferred compensation governance
- Skill training, testing, and apprenticeship
- Preventable accidents
- Jointly administered health and welfare plan
- Violence and driver assault or workplace security
- Schedule preference

The research team also observed a strong correlation between the number of issues addressed by labor–management committees and the LMR ratings. The more issues addressed by labor–management committees in a transit system, the higher its LMR rating tended to be. See Figure 1.

Table 2. Labor–management relationship rating.

Transit System	LMR Rating (Management)	LMR Rating (Labor)	LMR Rating (Geometric Average)
System 1	5	5	5.00
System 2	4	5	4.47
System 3	4	5	4.47
System 4	4	4	4.00
System 5	5	3	3.87
System 6	5	3	3.87
System 7	3	4	3.46
System 8	3	4	3.46
System 9	3	4	3.46
System 10	4	3	3.46
System 11	4	3	3.46
System 12	3	3	3.00
System 13	4	2	2.83
System 14	4	2	2.83
System 15	2	4	2.83
System 16	3	2	2.45
System 17	3	2	2.45
System 18	3	2	2.45
System 19	4	1	2.00
System 20	1	1	1.00
System 21	1	1	1.00

❖ **Darker shading:** Management Rating < Labor Rating
❖ **Lighter shading:** Management Rating > Labor Rating
❖ **No shading:** Management Rating = Labor Rating

Table 3. Number of transit systems with labor–management committees covering the listed issues.

Areas of Issues	# Systems with Labor Management Committees Addressing the Issue (21 Mgmt Responses)	# Systems with Labor Management Committees Addressing the Issue (21 Union Responses)
· Pension and deferred compensation governance	12	14
· Skill training, testing, and apprenticeship	11	12
· Preventable accidents	11	10
· Jointly administered health and welfare plan	9	12
· Violence and driver assault or work place security	8	11
· Schedule preference	8	10
· Restroom access for transit operators	3	9
· Safety	4	6
· Drug and alcohol abuse	3	7
· New service modes or expansion	4	5
· Cell phones or electronic devices use in vehicle operation	2	6
· Fare collection systems and discount identification cards	3	4
· Management and union's position on public referendum	2	2
· Scope of work by skill	2	2
· Management and union's position on funding votes in legislation	1	3
· Extra board rotation	1	2
· Management and union's position on other public controversies	1	1
· General committee (issues not in the contract)	1	1
· Attendance and disability policy	0	5
· Overtime assignment	0	3
· Crew composition on rapid transit, streetcars, and commuter rail	0	3
· Seniority	0	1
· Child care	0	1
· Diversity	0	1
· Radio committee	0	1
· IMG	0	1

Table 3. (Continued).

Areas of Issues	# Systems with Labor Management Committees Addressing the Issue (21 Mgmt Responses)	# Systems with Labor Management Committees Addressing the Issue (21 Union Responses)
· Continuous quality committee	0	1
· Uniform/attire	3	0
· Activity	1	0
· Wellness	2	0
· Career development/workforce education	2	0
· 2nd Chance (substance abuse/cell phone use)	1	0
· Excellence of performance (reward)	1	0
· Interactive management	1	0
· Employee assistance program	1	0
· Drivers committee to resolve routine issues	1	0
· Bus route and stop change	1	0
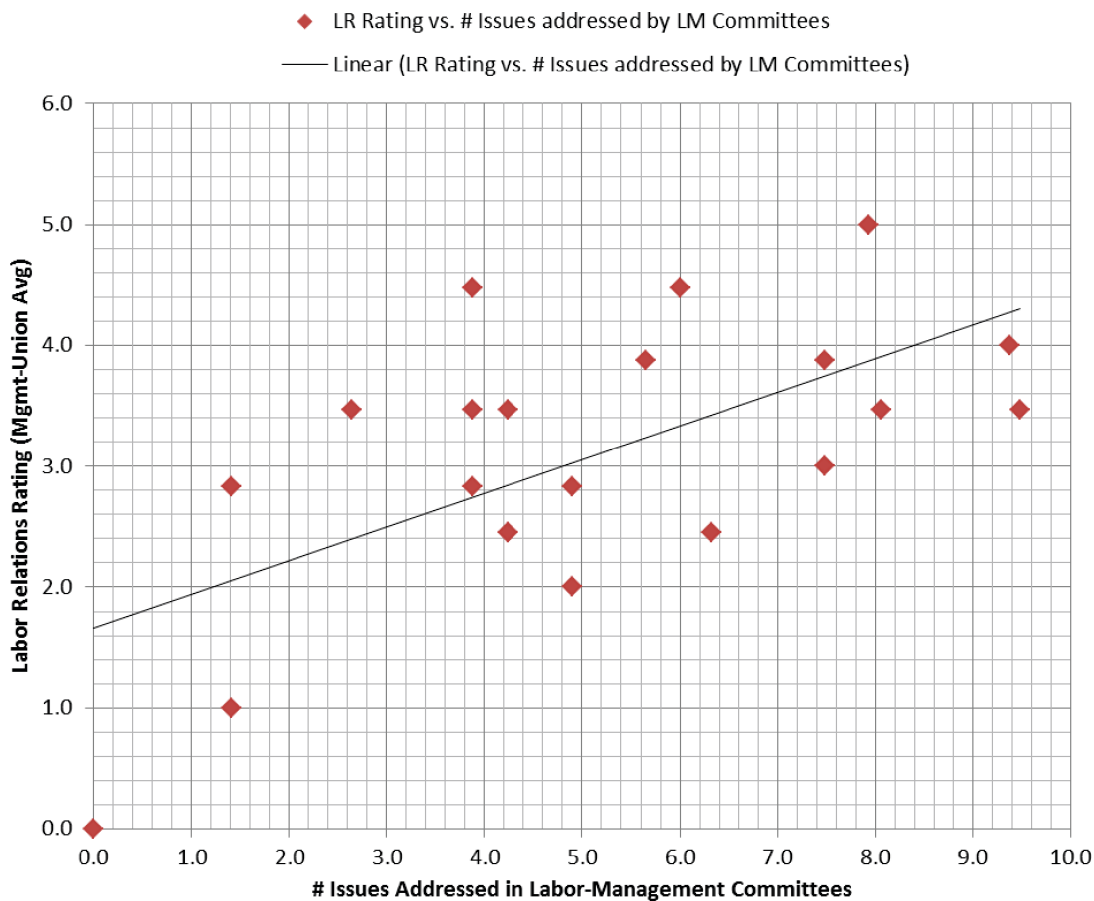
Figure 1. Labor–management relationship rating vs. number of issues addressed by labor–management committees.

Another finding on labor–management committees is that both management and union responses demonstrate that the two sides have different perceptions of whether an issue is addressed in a labor–management committee. Table 4 summarizes this difference.

According to the table, unions tend to think that more issues are addressed in labor–management committees. In 14 out of 21 transit systems, union respondents identified more issues addressed in labor–management committees than what management identified. The difference is drastic in some systems.

Table 4. Identification of issues addressed by labor–management committees.

Transit System	No. of Committees (management)	No. of Committees (union)
System 1	7	9
System 2	3	10
System 3	3	5
System 4	11	8
System 5	8	7
System 6	4	8
System 7	9	10
System 8	5	13
System 9	1	7
System 10	3	6
System 11	5	3
System 12	8	7
System 13	6	4
System 14	2	1
System 15	3	5
System 16	3	6
System 17	5	8
System 18	3	6
System 19	6	4
System 20	1	2
System 21	4	5

❖ **Darker shading:** Union reported more committees
❖ **Lighter shading:** Management reported more committees

Good Practices for Labor–Management Partnerships

In the telephone survey, respondents were asked to share any actions or practices that helped build a cooperative LMP in their transit systems. Some comments were made by both management and union respondents while other comments were made by either management or union respondents.

Several practices were frequently raised by both management and union respondents.

- **Communication.** One of the most prominent practices was communication. Respondents described it as "being responsive," "proactive communication," "regular formal and informal meetings of both sides," "engaging union leaders in discussions prior to issuing policies," and so forth. Respondents believed that frequent and proactive communication was not only essential to problem identification and resolution, but it also created transparency in the decision-making process and fostered trust between management and union.
- **Professional Facilitator.** Besides communication, some management and union respondents expressed the importance of hiring a professional facilitator or mediator. Some also pointed out that crises and significant events may become catalysts for labor–management cooperation (e.g., strike threats and tragic accidents).
- **Separation from Collective Bargaining.** Several management respondents mentioned that an LMP must be a separate process from the collective bargaining process and that it should be based on structured process-improvement efforts. Some management respondents believed training and educational opportunities with joint labor and management participation was a helpful practice to foster cooperation.
- **Persistence.** Some union respondents believed that the union's initiative and persistence was important. One union respondent pointed out that transit funding was a topic on which labor and management could work well together.

Barriers to Labor–Management Partnerships

Immediately after the question on good practices, respondents were asked to identify what barriers to LMPs they had encountered. Many of the responses to this question mirror the responses to the question on good practices.

Lack of effective communication was identified as a problem by most management and union respondents, along with lack of trust, transparency, and interest in cooperating.

Other barriers frequently raised by both sides include:

- Turnover in management and union leadership and
- Inexperience and/or incapability of the leaders of the other side.

Barriers frequently raised by management respondents only include:

- Union leaders do not honor mutually agreed decisions,
- Union's belief in an antagonistic culture,
- Complexity rising from union elections with internal rivalries and coalitions, and
- Lack of resources to maintain adequate or existing wage and benefits.

Barriers frequently raised by union respondents only include:

- Low-level managers who do not believe in the grievance process,
- Management's fear of good labor–management relationships, and
- Management's uncertainty and insecurity about their future and lack of foresight.

Comments on the Term Labor–Management Partnership

Survey respondents were asked whether they viewed labor–management partnership as a positive term. Most respondents, from both management and union, thought it was a positive term. Some respondents pointed out potential problems with the term.

One management respondent commented that "partnership" implied equal status in running the organization. Another management respondent echoed that opinion in a separate interview on the ground that because management and union bore different levels of risks and stakes in the relationship, the cooperative relationship was not a partnership.

One manager commented that the term "partnership" was only suitable in the context of providing service to the public, but in traditional labor relations or collective bargaining, the union's job was to secure jobs and negotiate compensation and benefits. This point was echoed by a union respondent.

On the union side, three respondents were skeptical for different reasons. One believed it was a positive term only if the two parties had a good relationship; another believed that it is only positive when both parties are committed to the partnership; and a third worried that the term could be interpreted by

union members to mean that the union was being influenced or manipulated by the management.

Several alternative terms were suggested:

- Labor–management cooperation
- Labor–management coordination
- Labor–management goals

Benefits of Labor–Management Partnerships

The research team asked each survey respondent what they thought their transit system could gain from improved labor–management cooperation. There was apparent consensus for the following benefits:

- Better customer service
- Fewer grievances
- Higher morale
- Cost saving and more funding
- More effective problem solving and process improvement

Additional findings from the survey results can be found in Appendix D.

3.2 Case Study Findings

The research team deepened their understanding of how LMPs function in the transit industry through the case study interviews, which provided the most relevant and up-to-date information on the development of LMPs in the transit industry.

When the case studies were conducted, the research team posed 14 premises to the interviewers for testing. The premises were factors and practices that the research team determined were critical to the success of LMPs based on their research and practical experience in transit labor relations. They are categorized into five groups according to the aspects of the partnership they are concerned with:

- Improve cultural environment for partnerships
- Prioritize best partnership objectives
- Advocate the partnership
- Build strength within the partnership
- Make the most of events

Most of the 14 premises were confirmed by a majority of the six case studies. However, variations existed among the six transit systems. This was anticipated given the unique nature of each LMP within their varying contexts of labor relations.

Table 5 is a brief summary of the testing results of each premise from the case studies. Most of the premises were veri-

Table 5. Case study findings on 14 premises of successful labor–management partnerships.

Premises of Successful Labor–Management Partnerships	Large Bus and Rail Operator	Medium Bus and Rail Operator	Large Bus and Rail Operator	Medium Bus and Rail Operator	Medium Bus Operator	Large Bus and Rail Operator
A. Improve the Cultural Environment for Partnership						
1. Respect the individuals representing the other party.	Confirmed	Confirmed	Confirmed	No findings	Confirmed	Not confirmed
2. Design, implement, and sustain effective communication.	Confirmed	Confirmed	Confirmed	Confirmed	Confirmed	Not confirmed
B. Prioritize the Best Partnership Objectives						
3. Separate issues between integrative (or win-win) and distributive (or zero-sum) ones.	Confirmed	Confirmed	No findings	Not confirmed	Confirmed	Confirmed
C. Advocate the Partnership						
4. Establish broad-based buy-in from all key stakeholders with formality and structure that is made clear to all.	Confirmed	Confirmed	Confirmed	No findings	Confirmed	Confirmed
5. Be confident that managers can cooperate with unions yet still continue to defend prerogatives and efficiency.	Confirmed	No findings	No findings	No findings	Confirmed	Confirmed
6. Be confident that union leaders' cooperation with management will not compromise members' interests.	Confirmed	No findings	No findings	No findings	Confirmed	Confirmed
D. Build Strength within the Partnership						
7. Outline shared goals and expectations of the partnership.	Confirmed	Confirmed	Confirmed	Confirmed	Confirmed	Confirmed
8. Align all necessary resources to support the partnership.	Confirmed	Confirmed	No findings	No findings	No findings	Confirmed
9. Require consistent accountability of everyone in the organization with a governing or executing responsibility for the partnership.	Confirmed	Confirmed	Confirmed	No findings	Confirmed	Not confirmed
10. Provide for comprehensive skill building for both union and management throughout the course of the partnership.	Confirmed	Confirmed	No findings	Not confirmed	Confirmed	Not confirmed
11. Provide an independent facilitator, if affordable.	Not confirmed	Confirmed	No findings	No findings	Not confirmed	Not confirmed
E. Make the Most of Events						
12. Support stability in union and management leadership and smooth labor–management partnership leadership transitions.	Not confirmed	Confirmed	Confirmed	Confirmed	Confirmed	Not confirmed
13. Take advantage of specific successes (e.g., pension fund governance, apprenticeship) to build a broader partnership.	No findings	Confirmed	No findings	No findings	Confirmed	Not confirmed
14. Take advantage of shared challenges and crises to catalyze partnership agreements.	Confirmed	No findings	No findings	Confirmed	Confirmed	Confirmed

fied by four or more case studies. Interviewees from at least three case studies confirmed that these practices were critical to the success of LMPs.

Not all premises were clearly confirmed by the case studies. Premise 13 in Table 5 was confirmed by two case studies, but in one other case, it showed that the existing functional joint efforts did not spur further action toward labor–management cooperation. The remaining three cases did not have findings regarding Premise 13.

The most ambiguous premise was the one regarding the value of having an independent facilitator (Premise 11 in Table 5). The premise was emphasized to be a key success factor by one of the six transit systems. In that system, the LMP program was designed and improved and has been operating on an ongoing basis with the active direction of an independent administrator who has skills and experiences peculiarly suited to a joint labor–management endeavor. The administrator was an independent, neutral professional who had education and experience in labor mediation, organizational behavior and, specifically, in workplace development programs. The facilitator carried credibility with the agencies and political bodies that granted resources to the transit system and maintained strict

neutrality between labor and management concerns. However, two other case studies reflected that their successful LMPs did not depend on any independent facilitator and the interviewees in these two transit systems did not anticipate the need for such a role in the future. No findings regarding an independent facilitator were reported from the other three case studies.

For detailed documentation of case study findings, please see the summaries in Appendix G.

3.3 Evaluation Workshop

Eight management and union representatives from the transit industry participated in the evaluation workshop and provided valuable input on the draft *Toolkit* with their experiences in labor relations and cooperation.

Overall Comments

The workshop began with the participants introducing their own experiences with LMPs and overall comments on what makes them work and what makes them last. Several success factors were discussed in greater length.

- **Strong leadership.** Strong leadership on both sides was emphasized. One management participant indicated that union leaders needed to be regarded as strong leadership by management, so that managers could be confident that union leaders had credibility among union members and could effectively communicate with their members. Similar comments were made about top management—that they need to be effective leaders in implementing agreed-upon solutions through middle and lower management. But this could be challenging for new managers who have just come into a transit system and want to make changes.
- **Effective communication.** Effective communication is another aspect that was discussed extensively. Effective communication between management and union should be built on respect for individuals on the other side. Disagreements are inevitable, but should be kept to the issues rather than undermining the relationship. One participant

suggested that LMPs can be regarded as separate channels from collective bargaining or the grievance process for management and union to discuss and resolve issues. Another participant commented that communications should be consistent and transparent.

Rating of *Toolkit* Elements

Workshop participants were requested to rate the three *Toolkit* elements, (i.e., the Charter Document, Labor–Management Partnership Guidance, and Labor–Management Partnership Workshop Framework). Table 6 shows the ratings by the participants. All three items received satisfactory ratings overall. The Charter Document was rated more effective. Participant H did not provide ratings.

Ranking of Labor–Management Partnership Guidelines

The workshop participants were also requested to rank the 14 LMP guidelines by their effectiveness. Table 7 shows the rankings by the participants. An arithmetic average of the rankings was calculated for each guideline. Among the highest ranked guidelines are 1, 2, 4, and 7. Participants C and H did not provide rankings.

Guideline 3 (separate issues between integrative and distributive ones) provides an important take-away—integrative issues, or win-win issues, refer to those issues where management and union have common goals and interests whereas distributive issues, or zero-sum issues, are those issues where management and union have diverging interests. Several participants commented that this was an important and effective guideline. However, one participant continued to comment that some issues are not entirely integrative (e.g., bathroom breaks for operators).

Another participant commented that Guidelines 5 and 6 was greatly dependent on the personalities at a given property.

A comment on Guideline 8 indicated that resources committed by one party affirmed to the other party the sincerity of the LMP initiative.

Table 6. Evaluation workshop participants' rating of *Toolkit* elements.

Participants	A	B	C	D	E	F	G	H
Charter Document	2	5	1	2	1	2	1	
Labor–Management Partnership Guidance	1	5	1	3	1	2	1	
Labor–Management Partnership Workshop Framework	2	5		3	1	2	3	

Score: 1 = very effective, 5 = not effective.

Table 7. Evaluation workshop participants' ranking of labor–management partnership guidelines.

Guideline	Participants	A	B	C	D	E	F	G	H	Average Ranking	
1. Respect the individuals representing the other party.		1	1		3	1	1	3		1.7	High
2. Design, implement, and sustain effective communication.		2	5		3	4	5	3		3.7	High
3. Separate issues between integrative (or win-win) and distributive (or zero-sum) ones.		5	12		2	14	6	2		6.8	Medium
4. Establish broad-based buy-in from all key stakeholders with formality and structure that is made clear to all.		3	6		5	13	2	1		5	High
5. Be confident that managers can cooperate with unions yet still continue to defend prerogatives and efficiency.		10	3		5	2	7 or 8	12		6.4	Medium
6. Be confident that union leaders' cooperation with management will not compromise members' interests.		10	4		3	2	7 or 8	12		6.2	Medium
7. Outline shared goals and expectations of the partnership.		4	2		3	5	3	4		3.5	High
8. Align all necessary resources to support the partnership.		11	7		5	1	9	7		6.7	Medium
9. Require consistent accountability of everyone in the organization with a governing or executing responsibility for the partnership.		6	8		3	6	4	5		5.3	Medium
10. Provide for comprehensive skill building for both union and management throughout the course of the partnership.		12	11		10	7	11	10		10.2	Low
11. Provide an independent facilitator, if affordable.		8	14		3	3	10	6		7.3	Medium
12. Support stability in union and management leadership and smooth labor–management partnership leadership transitions.		7	9		14	9	12	9		10	Low
13. Take advantage of specific successes (e.g., pension fund governance, apprenticeship) to build a broader partnership.		13	13		2	10	13	8		9.8	Low
14. Take advantage of shared challenges and crises to catalyze partnership agreements.		14	10		2	8	14	11		9.8	Low

Score: 1 = most effective, 14 = least effective.

Regarding Guideline 11, opinions differed among the workshop participants just as in the case studies. Some participants believed it was an effective practice to have an independent facilitator while others were skeptical of the role an independent facilitator would play.

3.4 Labor–Management Partnership *Toolkit*

This study culminated in the development of the *Toolkit*, which is designed to assist management and union leaders in the transit industry who are interested in establishing LMPs in their transit systems. The *Toolkit* provides guidance for management and union leaders in all stages of LMP—from establishment, administration, expansion, to continuation—through organizational changes.

The *Toolkit* includes three key elements

- The Charter Document
- The Labor–Management Partnership Guidance
- The Labor–Management Partnership Workshop Framework

We learned from the research that the type and vigor of actions undertaken by the partnership fluctuate widely over time because of the turnover of key personnel and other factors. Partnership skills can be promoted and fostered without diminishing the important aspects of collective bargaining by devising a mutual plan which focuses on joint activities. For that purpose, we developed the Charter Document which enables the parties to identify, improve, and expand their cooperative programs in a more institutional fashion. This enables the programs to keep moving forward even when managers and union leaders change over time or other complicating factors undermine the existing cooperation.

To provide continuous support after partnerships are established, we developed a list of guidelines for management and union, drawn from our research. The guidelines serve as a quick reference of best practices in establishing and sustaining LMPs, which help the parties promote cooperative programs.

Finally, effective cooperation can be improved through training in particular skills, which pertain to group work and decision-making, and the employment of a skilled facilitator once the parties have acknowledged and committed to adopt the partnership on an ongoing basis. The last component of the *Toolkit* is a recommended framework for workshop developers to create a cooperative workshop that prepares both management and union representatives with essential skills for establishing LMPs.

An introduction to the key elements of the *Toolkit* follows.

Charter Document

Our research shows that cooperation or partnership behavior contributes to the success of both management and labor. However, leadership turnover on both sides and other factors cause constant fluctuations in partnership actions and effectiveness. A mutual plan which focuses on joint activities can sustain and promote partnerships without compromising the critical and confrontational aspects of collective bargaining. The Charter Document is designed to guide and assist management and union leaders to jointly formulate such a plan.

Just as periodic amendments and ongoing administration of the collective bargaining agreement prompt the parties to use their advocacy and strategic skills, amendments and administration of a partnership plan reinforce, for both management and union, their mutual dependence and potential for joint accomplishment. If exercised with confidence and common sense, each side—from union members to top officers and from street supervisors to the CEO and Board of Directors—can appreciate and come to depend upon the partnership behavior to move the transit operation forward.

We encourage a partnership plan which can help to

- Focus both sides on the areas where they already cooperate to their mutual benefit,
- Diagnose partnership endeavors which are not as productive as they should be,
- Reveal new areas of mutual benefit and interest where the parties can seek improvement together, and
- Diminish temporal fluctuations in cooperative behavior.

By evaluating their relationship periodically, each side can gain strength which will give the partnership more staying power and make it institutional—less dependent on the personal tendencies of individual leaders or the particular issues of the moment.

In order to make institutional progress, it is necessary for both parties to commit their plan to writing, if only to establish times and a descriptions of the actions they will take. However, the last thing any LMR needs is yet another forum to litigate or compel.

We came upon the idea of a "Charter" because it encompasses, but does not by itself compel the parties' cooperative endeavors. If used as intended, the Charter should help to re-orient management and union's cooperative approach to workplace improvement and periodically bring them together for a re-examination or renewal of their partnership, with different challenges and different people involved. Our idea should be helpful to any LMR, whether their existing level of partnership is sparse or abundant.

The Charter is intended as an umbrella, an aid. Full-bore activities, even those which are cooperative in genesis and func-

tion, may require written, enforceable agreements of the type labor relations professionals understand. For example, where the parties determine to fund and operate a workforce training and manpower development project for certain scarce occupations, which are to be in their mutual interest, that project itself should be depicted in a detailed and binding agreement, for the understanding and protection of all involved.

Finally, a non-binding Charter is novel in the setting of collective bargaining, but we hope that it will be adopted widely in the transit industry. Collective bargaining with binding contracts is widespread in public transportation and accepted by workers, management, and political leaders. The tough negotiations and resulting binding collective bargaining agreements have, over time, come to provide both labor and management meaningful institutional security. This security should serve as a foundation to build a more effective, consistent, and long-range mode of doing business on both sides. Management and union can achieve that by finding mutual goals and common successes through this non-binding Charter; these successes can be as important and enduring as the deals management and union strike through tough negotiation.

Labor–Management Partnership Guidance

This guidance is designed to assist management and union leaders who are interested in establishing LMPs in their transit systems. It lists 14 guidelines, which largely evolved from the 14 premises verified in the case studies and proven to be constructive in the success and sustainability of LMPs in the transit industry. Each guideline has actions recommended for management and union leaders. The 14 guidelines are categorized into five groups according to the aspects of the partnership they concern:

- Improve the cultural environment for the partnership
- Prioritize the best partnership objectives
- Advocate the partnership
- Build strength within the partnership
- Make the most of events

Labor–Management Partnership Workshop Framework

The professional experience of the project team, supported by the case studies, clearly indicates that the success and sustainability of LMPs in the transit industry depend heavily on the use of relevant teaming, problem-solving, and decision-making skills by the leadership and key members on both sides of the partnership. This workshop framework is intended to be a guide for workshop developers. It is designed

to actively involve participants in a process that will encourage retention of the skills they have learned and help transfer these skills to the real work environment. To achieve this, the workshop framework recommends the use of some widely recognized skill-development and training tools that have been broadly applied in the transit industry. These include

- ADDIE content model (Assess, Design, Develop, Implement, Evaluate)
- Cause-and-effect diagram
- Flowcharting (process mapping)
- Brainstorming
- Nominal group technique

To effectively employ these tools, the workshop framework is based on adult learning principles, which assume that adults are motivated to learn by needs and that their learning process is experience based.

The objective of the workshop framework is to provide an effective behavioral blueprint that can be applied successfully in every type of group meeting associated with partnership projects. These might include meetings that seek initial agreement on the need for a partnership between an aspect of transit operations and the local union leadership, or meetings that address ongoing issues and goals of existing transit partnerships, or unilateral meetings held by either side that contribute to a partnership effort.

The workshop framework focuses on building and maintaining the key skills necessary for working groups to mutually start and sustain LMPs. The exact form or shape of meetings will differ at every transit organization based on local custom and on the nature of the cooperative effort being undertaken. But the principles and problem-solving skills of the working group are applicable in all circumstances.

Initially, it is recommended that, if cost allows, both sides agree to engage a neutral professional workshop developer to develop a workshop based on this framework in ways that are appropriate to the specific transit system. But both management and labor members of LMPs will be able to apply the workshop framework effectively throughout the life of partnership projects.

This workshop framework will

- Present a practical approach for building a results-oriented working group consisting of management and labor representatives,
- Enable management and labor leaders to effectively manage interpersonal disagreements, and
- Identify simple but powerful problem solving tools in joint labor–management workshops.

CHAPTER 4

Conclusions

LMPs are an effective way to improve labor relations in a transit system. LMPs benefit both management and union in ways such as effective operation and management decision-making, fairer compensation and employee welfare, training and career development opportunities, safety and health, and employees' morale and productivity, among others. Most importantly, a successful LMP achieves such benefits without compromising the union's independence and the management's prerogative.

The research found that a wide range of LMPs exists in the transit industry. In fact, most transit systems reported at least one area where management and union work collaboratively to resolve problems and address concerns, even though the effectiveness and functionality of such partnerships vary widely.

The survey and case studies show that functioning LMPs take various forms in terms of their structures, processes, areas of interest, and individuals involved, among other aspects. One common challenge for all LMPs, however, is that the scope of the partnership is confined to limited areas or issues, such as safety and training, among other common ones shown in Chapter 3.1 (See Table 3). In some transit systems, even though effective LMPs exist in one or a few specific areas, the overall LMR may still be adversarial. In other systems, opportunities to expand existing LMPs are often overlooked. The potential benefits for transit systems to take advantage of their existing partnerships are substantial.

The *Toolkit* is, therefore, designed to help transit systems establish, improve, revive, or expand their LMPs. The *Toolkit* includes three components:

- The Charter Document serves as a starting point for management and union leaders to come together to recognize their existing partnership and plan for improvements if a partnership exists, or, if not, identify areas to start a partnership.
- The Labor–Management Partnership Guidance provides a practical reference with specific actions recommended for both management and union leaders.
- The Labor–Management Partnership Workshop Framework provides training techniques for workshop developers.

Management and union leaders can use the *Toolkit* to advance their LMP efforts and make their partnerships sustainable.

Even though effective LMPs are found to exist in different forms and operate in their own ways, a set of themes are common to most successful LMPs.

- **Partnership and respect.** First and foremost, a transit systems needs to foster a culture for partnership between management and union. This requires both management and union members to respect the individuals representing the other party and maintain effective communication between the two parties.
- **Separation of integrative and distributive issues.** Management and union leaders encounter numerous issues in managing and operating a transit system. On many issues, management and union share common goals and interests, while on many other issues, they do not. Management and union leaders should separate issues between integrative (or win-win) and distributive (or zero-sum) ones. While acting collaboratively on the integrative issues, management and union should recognize the challenges involved in resolving the distributive issues.
- **Stakeholder buy-in and commitment.** A successful LMP requires efforts from management and union leadership to advocate the partnership to all stakeholders so that the LMP has broad-based support. Management and union leaders need to establish broad-based buy-in from all key stakeholders with formality and structure that is made clear to all. The stakeholders include all employees of the transit system, as well as external stakeholders such as the board and the public. It is also critical that stakeholders have confidence in managers to cooperate with the union and still continue to defend their prerogatives and efficiency, and have confidence in union leaders that their cooperation with management will not compromise members' interests.

- **Organization and structure.** The strength of an LMP also comes from within the partnership, through its structure and processes. An effective LMP needs to outline the shared goals and expectations of management and union. Leaders from both sides should work hard to align all necessary resources to support the partnership. Clear and consistent accountability is required of everyone with a governing or executing responsibility for the partnership. LMPs should provide comprehensive skill building for both union and management throughout the course of the partnership. The parties may consider having an independent facilitator if that is determined to be effective and affordable.

The sustainability and expansion of LMPs require management and union leaders to be responsive to and take advantage of pivotal events, such as leadership turnover, internal and external crises, and the success of specific partnership efforts. The Charter Document could play a critical role in such moments of challenge and opportunity. Management and union leaders, as well as other stakeholders, need to support stability in union and management leadership and smooth leadership transitions. Successes in existing cooperation are opportunities to build a broader partnership and shared challenges and crises can be turned into catalysts for arriving at agreements.

APPENDIX A

Literature Review

Labor–management partnerships (LMPs) in the United States date back as early as the 1910s, when union–management mutual problem-solving programs emerged in the clothing industry out of the need to survive (Oestreich and Whaley 2001). Nonetheless, the early examples were isolated and short-lived.

Labor relations have typically been adversarial in the United States. Historically, most unions do not bargain over the work process or product, or at the strategic level of decision making. The traditional role of labor unions is confined to contract administration, negotiations, and grievance handling (Eaton, Rubinstein, and McKersie 2004). During the early 1970s, efforts were made in the American industry to expand employee participation in managerial decision making. Examples include the so-called Quality of Work Life (QWL) programs, many of which were promoted by the federal government. Most of the early efforts of QWL failed, as they faced opposition from both the union and management (Oestreich and Whaley 2001).

Since the early 1980s, when economic hardships led both labor and management to explore ways to improve productivity and quality in global competition, labor–management cooperation has been adopted in a broad cross section of settings (Oestreich and Whaley 2001; Preuss and Frost 2003; Eaton, Rubinstein, and McKersie 2004). Today, where labor–management cooperation has been successful, the unions are truly equal partners with the management in strategic and operational decision making and implementation.

This literature review scans studies in LMPs in a variety of organizations in the United States. The findings are applicable to the public transit system, which is the focus of this research.

Causes Giving Rise to Labor–Management Partnerships

LMPs often emerge in times of organizational or financial crisis. Common causes giving rise to LMPs include impending confrontation between labor and management, a financial crisis of existence for the company, or other dramatic events in the relationship (Eaton, Rubinstein, and McKersie 2004). During labor conflicts, especially when labor power rises through organized actions like strikes, management may see a partnership with the labor union as a way to reassert control over labor; whereas in times of financial crisis, labor and management come together out of a need to survive (Preuss and Frost 2003). For example, in the context of the formation of an LMP between nurses and hospitals in Minnesota, the hospitals in the Twin Cities faced serious financial crisis; and the Minnesota Nursing Association became powerful after a lengthy and successful strike. There was a nationwide shortage of nurses, which explains the rising labor power of the Minnesota Nursing Association (Preuss and Frost 2003).

Types of Labor–Management Partnerships

LMPs in various industries have shown that there is no one-size-fits-all model. Successful partnerships were established in response to different crises or problems; these partnerships later evolved to adapt to the changing needs of organizations.

Table A-1 summarizes some of the most prominent LMPs, including areas of union–management cooperation and the organizational level of the partnerships.

From these examples, we see that LMPs can be successful in nearly all aspects of business operation and strategic decision-making. For some partnerships, collective bargaining is strictly excluded, while for others, it is a major aspect. It should be noted that partnerships that focus on a wide range of areas typically started with specific operational issues that are less controversial and then expanded to cover more operational issues and eventually more strategic issues.

The examples in Table A-1 show that successful LMPs exist in all levels of an organization. Nearly all partnerships reviewed have some forms of joint committees or work groups at the frontline and mid-level. Depending on organizations, the top-level of partnership varies. Some organizations (e.g., Metra and Saturn) have top-level partnerships at the executive level, usu-

Table A-1. Successful labor–management partnerships: areas and level of partnership.

Organization or Industry	Areas of Partnership	Level of Partnership
AT&T	• Collective bargaining	• Expanded from top management and union leaders to all company levels
Saturn	• Operation • Strategic decision making	• Joint labor–management governance bodies at all levels from the shop floor to the strategic level • Union leaders served as co-managers of departments consisting of self-directed work teams • UAW retained membership in the Strategic Action Council
Kaiser Permanente	• Started with employment and income security, and joint work redesign efforts • Then expanded to consultation with unions on key strategic matters • Envisioned to have joint decision making by consensus • Collective bargaining is excluded	• Coalition of union representatives meet regularly with key management members in a top-level council • Joint committees at multiple levels: national, regional, medical centers, clinics, and departments
Northeast Illinois Regional Commuter Railroad Corporation (Metra)	• Started with non-controversial issues (e.g., employee safety, prevention of drug and alcohol abuse, technical skills training) • Collective bargaining is excluded	• Problem-solving teams (frontline) • Labor–management committees (mid-level) • A coordinating steering committee (top-level)
U.S. Steel Industry	• Employment security, training, information sharing, joint structures for problem solving, productivity and quality problems, and consultation on strategic decisions	• Unions elected members to the company's board of directors

(Sources: Eaton, Rubinstein, and McKersie 2004; Oestreich and Whaley 2001)

ally in the form of joint committees or councils with members from both management and union; while in the steel industry, unions elect members to the company's board of directors, so that the concerns and views of the union can be shared at the highest level of the company.

Benefits of Establishing Labor–Management Partnerships

Successful LMPs can help organizations overcome (1) organizational crisis by increasing wages, employment securities, work schedule flexibility, and union membership; and (2) financial and competitive crisis by lowering costs and improving productivity and competitiveness (Eaton, Rubinstein, and McKersie 2004; Cooke 1990).

Duration of Labor–Management Partnerships and Their Causes of Decline

LMPs are typically precarious and short-lived. Many of them only lasted through a particular project, or could not survive changes in management and labor conflicts like layoff (Preuss and Frost 2003). The common direct causes of labor–management partnership declines include end of financial crisis, elimination of the need to control labor power, management finding an alternative mechanism to cut costs and control labor, changes in management, new labor–management conflicts, and external factors (Preuss and Frost 2003).

LMPs are precarious because (1) the power distribution in both management and labor organizations shifts, which is

usually costly and sometimes risky, (2) the performance pay-off to the power redistribution becomes ambiguous once the organization gets out of the crisis zone, and (3) lower-level innovations in labor–management partnerships can hardly diffuse across the organization or up the hierarchy given the ambiguous pay-off and high costs of change (Kochan et al. 2008).

Summary of Key Success Factors for Labor–Management Partnerships

Research on existing and previous LMPs found certain factors to be crucial to the success of these partnerships. The following is a summary of those factors.

- **Good leadership on both sides.** As the experience of Metra shows, representatives from both union and the management should be carefully selected to initiate LMP building efforts. Keen interest and participation of the top management in the activities of LMPs is crucial (Oestreich and Whaley 2001). The LMP experience in Kaiser Permanente, a healthcare consortium, also showed that strong champions and effective leadership played crucial roles in the trajectory of partnership efforts. When key champions of the partnership left the organization, the partnership was often challenged by discontinuity (Kochan et al. 2008).
- **Set clear goals.** The goals should include partnership building alongside specific service delivery, workplace environment, and organizational relations outcomes (Lazes, Katz, and Figueroa 2012).
- **Training and education.** A strong commitment to training and education is important in building successful LMPs. Organizations should provide training in conflict resolution, problem solving, interest-based bargaining, as well as strategic planning, budgeting, procurement, and work process analysis (U.S. Office of Personnel Management 2000). Training by outside consultants in the early stages of LMP programs to make participants understand the process and techniques involved is also crucial (U.S. Office of Personnel Management 2000; Oestreich and Whaley 2001).
- **Good facilitators and consultants.** The presence of knowledgeable, skillful, and well-accepted facilitators, developed internally from either management or union, or hired through external consultants and academics, can benefit the formation of LMPs. "Facilitation is especially crucial in helping the parties move from the traditional configuration wherein management acts and the union reacts to a decision making process characterized by interest based problem solving and consensus decision making" (Eaton, Rubinstein, and McKersie 2004).
- **Joint collaborations at all levels.** It is important to build on mutual understanding and trust. Collaboration on one end but fighting on another will only ruin partnerships. LMPs require enhanced communications, information sharing, increased trust, joint problem solving, and attention to the interests of multiple stakeholders. This includes the development of processes that facilitate alignment on goals and responsibilities (Eaton, Rubinstein, and McKersie 2004). In Metra's case, the transit system started small and moved slowly to build trust. It started with projects that had a high probability of success. Management maintained open and honest sharing of information with union representatives. Union and management maintained mutual respect. Both sides had a long-term perspective. Both sides quickly dealt with early warning signs of potential conflicts. As a result, the LMP in Metra had clear and unqualified support from the Metra Board of Directors through the labor–management committee program, as well as buy-in from all the unions at the highest level (Oestreich and Whaley 2001).
- **Dense communication network.** A dense network of communications, which includes interdepartmental communications, coordination between union leaders and their non-represented partners, and communication with all other stakeholders, is essential in building LMPs (Eaton, Rubinstein, and McKersie 2004).
- **Allow sufficient off-line time.** Establishing an LMP should be a separate, parallel, and off-line activity rather than the way we do business every day. The organization should allow sufficient off-line time to dedicate to partnership initiatives for all involved in the joint work process (Lazes, Katz, and Figueroa 2012).
- **Enabling contract and agreement language.** It is most effective when negotiated language focuses on the key principles for partnership arrangements rather than on specific standards. National contract language should accommodate and build upon workplace innovation that is already in place at local levels (Eaton, Rubinstein, and McKersie 2004).
- **Manage relationships with all stakeholders.** The capacity for managing across organizational boundaries is increasingly important in order to maintain healthy relationships with other stakeholders such as the corporation, national union, other locals, customers, and suppliers (Rubinstein 2001). In Metra's case, there was clear and unqualified support from the Metra Board of Directors through the labor–management committee program. The LMP maintained a customer service perspective in all of its projects. Middle management was included in the program, empowering them to implement agreed-upon improvements (Oestreich and Whaley 2001).
- **Confronting and overcoming pivotal events.** Organizations should maintain continuity in the face of change. They should provide training to managers and union leaders who are not directly involved in LMPs. Management and union leaders should negotiate partnership principles into collective bargaining agreements and develop a succession strategy before changes take place (U.S. Office of Personnel Management 2000).

Challenges and Words of Caution

Research on existing and previous LMPs found that certain challenges and barriers could undermine the partnership if they are not properly dealt with. The following is a summary of these challenges and barriers.

- **Labor disputes.** Even with a successful LMP, conflicts over different interests between labor and management remain. Failure to balance conflicts and cooperation can undermine the established LMP (Preuss and Frost 2003). Organizations should determine the appropriate institutional structure and correct balance of resources among individual representation, collective bargaining, governance, and management (Rubinstein 2001).
- **Failure to engage middle managers and union stewards.** Resistance from powerful mid-level managers and union officials is inevitable—mid-level managers may "put their heads down and hope this too will pass;" union stewards may be so trained in the "confrontational" or grievance mode that partnership is problematic for them, or at least they do not feel confident or possess the skills required to engage in LMPs productively (Eaton, Rubinstein, and McKersie 2004; Kochan et al. 2008).
- **Lack common understanding of partnership.** Management and union leaders face difficult questions when they attempt to form partnerships. What are the critical elements of a genuine partnership? What are the roles of labor and management in a partnership versus a traditional relationship? Does partnership mean that labor and management will make decisions jointly on every issue? How do partners deal with issues that are outside the scope of bargaining? What is the connection between collective bargaining and partnership? Who should sit on the partnership council? Who sets the agenda? Are some issues off limits? There are no simple answers. Responses to those questions should be unique to each organization and the answers should be reviewed periodically to reflect new issues and needs. Failure to develop a common understanding of an LMP will result in the decline or dysfunction of the partnership (U.S. Office of Personnel Management 2000).
- **Tension between confidentiality and representative democracy.** When union leaders participate in strategic-level decision making, they come across confidential information about business plans. "Some union leaders are nervous about having information that they cannot share, and if the plans call for changes that are averse to the short run interests of the members, they fear they may be blamed for the decisions. In addition, they feel that they have some obligation to report back to the membership who elected them. This is one reason why some unions ask outside directors to serve on boards in lieu of union officers." There

is a problem on the flip side as well. "Union leaders expect as a result of the partnership to be apprised of all-important strategic decisions. When management holds back information, for example because of Securities and Exchange Commission (SEC) rules, the union leadership feels marginalized and basic partnership relationships area threatened" (Eaton, Rubinstein, and McKersie 2004).

- **Structures do not adapt to new issues over time.** LMPs are often created to resolve a specific problem. Thus the programs are structured and institutionalized for a particular purpose. As the original problem gets resolved, if the structure of the LMP does not change and adapt itself to new issues that have come up, LMPs are likely to decline (Preuss and Frost 2003). Also, successful LMPs have been ruined by a preoccupation with written rules and procedures. "The spirit is more important than the procedures" (Oestreich and Whaley 2001).
- **Leadership turnover.** Changes of management and union leaders place threats to the continuity of already successful LMPs (Eaton, Rubinstein, and McKersie 2004; U.S. Office of Personnel Management 2000).
- **Weak and fragmented union.** A weak and fragmented union typically offers more disadvantages than advantages for management. It cannot facilitate the collective bargaining process. Agreements reached with weak union leaders will easily unravel (Oestreich and Whaley 2001).
- **Expect too much too soon.** Expect failures—ups and downs are normal (Oestreich and Whaley 2001).
- **Assessments of LMPs by statistical measures of productivity.** Trying to assess the success or failure of LMPs with statistical measures of productivity is risky. There are often too many factors beyond the control of the participants in the transit system that cause productivity to rise or fall. For example, such measures as number of passengers moved or passenger miles driven per employee suffer from the fact that they are more influenced by the riders than the drivers, by peak and off-peak ridership, by traffic congestion, and other factors. There is a justified mistrust of the numbers by the unions representing these employees in the organization, and that mistrust may negatively affect other aspects of the trust between unions and management that is so badly needed in a successful labor-management partnership. "There are many valuable but vaguely defined benefits of union-management cooperative efforts that cannot be accurately measured, such as improvement of quality of work life, employee morale, customer satisfaction, employee loyalty, employee sense of ownership of their jobs, and many others" (Oestreich and Whaley 2001).
- **Other challenges** include political pressures from within and without, economic crisis, and other external factors (Eaton, Rubinstein and McKersie 2004).

Process of Establishing Labor–Management Partnerships

Kaiser Permanente's experience of establishing a successful LMP, which is still functioning, shows the process of partnership building: (1) foundation building, (2) transition phases, and (3) full partnership (Kaiser Permanente 2000).

Kaiser Permanente's LMP guidebook suggests that the organization form local labor–management teams. The teams should develop action plans, which include targeting projects for breakthroughs, defining new leadership roles for both sides, providing orientation and education for all employees, and developing performance targets and measures (Kaiser Permanente 2000). The U.S. Office of Personnel Management also suggests that the organization develop a strategic plan for establishing LMPs, including a timetable monitoring the process toward the completion of plans. Such plans should be developed in conjunction with the organization's strategic plans (U.S. Office of Personnel Management 2000).

In the transition phases, the labor–management teams should extend shared decision-making, give more voice to employees, and widen the understanding of quality and measures. During the transition phases, the organization should see business results improved and employees enthusiastic about marketing their organization (Kaiser Permanente 2000).

In the last phase, the organization enters into a full partnership. Decisions are now made by consensus; jobs are empowering and fulfilling; managers support teams; management and union solve problems jointly and collaboratively; employees enjoy employment security; with everyone contributing, the organization delivers the highest quality of products or services; management and employees share responsibility for company success and failure (Kaiser Permanente 2000).

In a labor relations study specifically focused on the transit industry, the authors recommend that labor–management committees should be introduced to establish LMPs (Oestreich and Whaley 2001). Similar to the labor–management teams in Kaiser Permanente's example, a labor–management committee is a team of employees, selected by both union and management, who are empowered to study and solve organizational problems.

Conclusion

LMPs are effective ways to improve productivity and overcome organizational and financial crises. There is no one-size-fits-all model for successful LMPs. Organizations should establish their LMPs with structures and procedures that best cater to their unique needs. Previous experience in establishing and maintaining effective LMPs reveal some valuable lessons for public transportation.

Successful LMPs typically are endeavors separate from the collective bargaining process. To sustain effective LMPs, it is essential to have continuity in leadership and to quickly adapt to new organizational challenges.

Management should be proactive in its dealings with union officials if it wants to reverse hostile labor relations. It cannot wait for the union to make the first move toward a more conciliatory approach (Oestreich and Whaley 2001).

Union leaders should:

- Rethink local structures, reorganize resources around multiple roles, and acquire new skills in strategy and business processes
- Create a vision for the union that balances the responsibility for running the business and collective bargaining
- Develop political skills needed to balance multiple roles

It is equally important for both management and union to recognize the existence of integrative and distributive issues and deal with these two types of issues separately with different approaches. An LMP is well suited to address integrative issues where management and union share similar goals and interests, especially in the early stages of a partnership. The trust that grows in the cooperative problem-solving process will reinforce the partnership and provide a foundation for the partnership to expand to more integrative issues, and possibly, some distributive issues as well.

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A P P E N D I X   B

Indicators of Successful Labor–Management Partnerships

The research team developed a list of objective indicators that may evidence successful LMPs. The indicators were used to design the telephone survey and will be referenced in the design and implementation of the case studies.

The indicators are grouped into the following six categories.

Labor–Management Partnership Structure

- Presence of a substantive LMP governing document
- Presence of a joint labor–management committee at the top management and union leader level
- Frequency that the top-level joint labor–management committee meets
- Presence of union and management training dedicated to LMP

Frequency of Consultation

- Frequency of contact between leadership officials on both sides on important issues
- Frequency of union and management leaders discussing issues with the other side

Side Agreements and Joint Committees

- Number of side agreements per year
- Number of side agreements incorporated into the last contract
- Presence of active side agreements, joint committees, or programs on
  - Jointly administered health and welfare plan
  - Pension and deferred compensation governance
  - Attendance and disability policy
  - Drug and alcohol abuse

- Preventable accidents
- Cell phones or electronic devices use in bus
- Violence and driver assault or work place security
- Child care
- New service modes or expansion
- Schedule preference
- Restroom access for transit operators
- Crew composition on rapid transit, streetcars, and commuter rail
- Fare collection systems and discount identification cards
- Management and union's position on funding votes in legislation
- Management and union's position on public referendum
- Management and union's position on public controversies
- Seniority
- Overtime assignment
- Extra board rotation
- Skill training, testing, and apprenticeship
- Scope of work by skill

Union and Management Participation in Joint Committees

- Frequency of joint committee meetings
- Frequency of union–management joint decision by consensus
- Frequency of union changing position in joint meetings
- Frequency of management changing position in joint meetings

Leadership and Contract

- Average term of union presidents and management CEOs
- Average length of the last three contracts (not counting periods without a contract)
- Presence of a succession plan or strategy
- Length of negotiations before contract expiration

Conflicts and Resolution

- Work grievances per employee over the past 3 years
- Average time from filing to resolution of work grievance prior to arbitration
- Presence of pre-arbitration settlement procedure
- Presence of a neutral arbitration panel for grievances
- Percentage of work grievances resolved prior to arbitration
- Percentage of work grievances with arbitration awards
- Percentage of work grievances awaiting processing
- Number of pending arbitrations/number of arbitrations initiated per year
- Number of unfair labor practice charges or the equivalent in the past 3 years
- Number of work stoppages in the last 5 years
- Average length of work stoppages
- Number of other labor work actions in the past 5 years (including sick-outs, work-to-rule, sign-up/bid/pick stoppages, or other collective actions that do not immediately serve the customers)
- Number of management–union lawsuits in the past 5 years
- Number of times the management and the union have been sued by a third party in the last 10 years

A P P E N D I X   C

Survey Instrument

Part I: Initial Contact Persons

- Management contact from the public transit property: _____
    - Email
    - Phone
- Union contact from the major union local: _____
    - Email
    - Phone
- Management contact from the transit contractor: _____
    - Email
    - Phone
- Person responsible for labor–management relationship (management): _____
    - Email
    - Phone
- Person responsible for labor–management relationship (union): _____
    - Email
    - Phone

Part II: Telephone Interview

1. Greeting and Introduction

Hello. This is [*your name*] from [*your affiliation*]. I am calling regarding the transit labor–management relations research project. It is a project under the Transit Cooperative Research Program of the Transportation Research Board, and our team has been selected to conduct the research. With the support of [*APTA/the International Union of ATU, UTU, TWU, or IBT/name of someone from the corresponding public transit property*], our research team identified you to be an appropriate person from [*transit system name*] to complete the management/union part of the survey.

(If the interviewee indicates that he/she is not the appropriate person for the survey, ask Question 1.1 and 1.2, and end the phone call; otherwise skip the two questions.)

1.1. (If the interviewee is a **management representative**, ask this:) Who is the person responsible for labor-management relations in your transit system that we should survey? (If the interviewee is a **union representative**, ask this:) Who is the person in your local union we should ask about labor management relations with the transit system?

Name: _____

Affiliation: _____

Title: _____

1.2. What is his or her contact information?

Phone: _____

Email: _____

1.3. (Ask this question if the interviewee is a **management representative**) But before we begin, we would like to verify for purposes of this project that your system provides most of its transit service through its own employees/a private contractor.

- Public operated transit service provider
- Contractor operated transit service provider

1.4. Your input will be a valuable part of this study. It will help us better understand labor-management relationships in the transit industry. We appreciate your support to help us complete the survey. The survey will take approximately 20 minutes to complete. Could you take the survey now? If not, could you suggest a time for us to call back?

2. **Interviewee's Role in the Transit System**

Let's start with your role in the organization.

2.1. (*If the interviewee is a* **management representative**, *ask this question; if she/he is a union leader, skip to 2.2.*) Would you describe your position as one of the following?

- Senior Executive management
- Administrative/financial management
- Operations management
- Labor relations/human resource management
- Other

2.2. (*If the interviewee a* **union representative**, *ask this question; if she/he is a manager, skip to 3.1.*) Would you describe your position as one of the following?

- Local union president
- Senior local union official
- Shop steward
- Other

2.3 How long have you held your present position?

- Less than 1 yr.
- 1 year or longer, but less than 5 yrs.
- 5 years or longer, but less than 10 yrs.
- Greater than 10 yrs.

3. Interaction and Cooperation at the Top Level of Management and Union

Following are questions about interaction and cooperation at the top level of management and union.

3.1.   Is there a formal process in place for labor-management cooperation at the top level of management and union on any of the following bases? For example, a joint labor-management committee (including committees on specific topical areas), one-on-one meetings of the transit systems CEO and the union president, meetings of senior officials from both management and union, or other formal process.
- Yes (Skip Question 3.2.)
- No
- Do not know.

3.2.   If there is no formal process for labor-management cooperation at the top level of management and union, what do you attribute as to the reasons why, if any?

_____ (Skip Question 3.3.)

3.3.   Is the process for labor-management cooperation at the top level of management and union followed?
- 5, always followed
- 4
- 3
- 2
- 1, never followed

3.4.   Is there a substantive labor-management cooperation governing document?

- Only collective bargaining agreement
- Only side agreement/letter/MOU
- Both
- Other
- None

4. Existence of Joint Committees and/or Side Agreements on Specific Areas and Issues

Now I would like to move on to labor-management cooperation on specific areas or issues.

4.1.   I have a list of areas where a joint labor-management committee may exist in a transit system. I will go through the list with you and please identify the areas where a joint-labor-management committee exists in your system. If there are labor-management committees in areas that the list does not include, please name those areas.

- Jointly administered health and welfare plan   (Yes/No)
- Pension and/or deferred compensation governance   (Yes/No)
- Attendance and/or disability policy   (Yes/No)
- Drug and alcohol abuse   (Yes/No)

- Preventable accidents   (Yes/No)
- Cell phones or electronic devices use in vehicle operation   (Yes/No)
- Violence and driver assault or work place security   (Yes/No)
- Child care   (Yes/No)
- New service modes or expansion   (Yes/No)
- Schedule preference   (Yes/No)
- Restroom access for transit operators   (Yes/No)
- Crew composition on rapid transit, streetcars, and commuter rail
      (Yes/No)
- Fare collection systems and discount identification cards
      (Yes/No)
- Management and union's position on funding votes in legislation
      (Yes/No)
- Management and union's position on public referendum
      (Yes/No)
- Management and union's position on other public controversies
      (Yes/No)
- Seniority   (Yes/No)
- Overtime assignment   (Yes/No)
- Extra board rotation   (Yes/No)
- Skill training, testing, and apprenticeship   (Yes/No)
- Scope of work by skill   (Yes/No)
- Other area(s). Please specify: _____
- None (Skip to 6.1.)

5. **Functioning of Each Joint Labor-Management Committee**:

   That is a good area/list of areas for labor-management cooperation. Now I will ask several questions about functioning of the existing joint committees in [INTERVIEWEE'S SYSTEM].

   5.1.   Is there a labor-management facilitator present? She or he could be an external or internal individual.
   - Yes
   - No
   - Do not know.

   5.2.   How effective do you think the joint labor-management committees are? Please rate it in a scale of 5, with 5 being the most effective.
   - 5
   - 4
   - 3
   - 2
   - 1

6. **Settlement and Arbitration Process for Work Grievances**

   We have talked about the current status of labor-management cooperation. Now I would like to ask about the measures or processes that address some potential challenges to labor-management cooperation.

6.1.   How are most of your grievances resolved?
- Through grievance process
- Through meetings between senior leadership of management and union
- Through arbitration
- Other

7.   Lessons and Expectations of Cooperative Labor-Management Relationship

Following are questions about lessons and expectations of labor-management cooperation.

7.1. Can you think of any actions or practices at your system that have helped build a cooperative union and management relationship?

_____

_____

7.2. Can you think of any barriers your system has encountered to establishing cooperative union and management relationship?

_____

_____

7.3. What do you expect your system could gain from improved cooperative labor-management relationships?

_____

_____

8.   Interviewees' Views on the Current Condition of Labor-Management Relations in Their System

Now I would like to know your overall view on the labor-management relationships in your system.

8.1.   Do you currently have a collective bargaining agreement in place?
- Yes
- No

8.2.   Has your current collective bargaining agreement expired? If so, for how long?
- Yes, specify for how long: _____ months
- No

8.3.   Who is the chief spokesperson in collective bargaining? Is it someone from your company/union or outside?

_____

8.4. How would you characterize the relationship between the management and the union in your system? Could you rate it in a scale of 1 to 5, 5 being very cooperative, 3 being neutral, and 1 being very adversarial?
- 5
- 4
- 3
- 2
- 1

8.5. Is the relationship between the management and the union currently improving, staying the same, or getting worse?
- Improving
- Staying the same
- Getting worse

9. Interviewee's Assessment of Workplace Justice in the Transit System

Following are two questions asking for your evaluation of workplace justice in your system.

9.1. How would you rate the current condition of workplace justice in your system? On a scale of 1 to 5, 5 being the most fair.
- 5, most fair
- 4
- 3
- 2
- 1, least fair

9.2. Is the current condition of workplace justice better than what it was ten years ago?
- Yes, it is better now.
- It is about the same.
- No, it is not as fair as it was.
- Do not know.

10. Appropriateness of the term "Labor-Management Partnership"

The type of labor-management cooperation that we are studying has been referred to as "Labor-Management Partnership" in previous research. The term is used to define labor-management cooperation inside or outside of collective bargaining.

10.1. Do you think "Labor-Management Partnership" is an appropriate term for labor-management cooperation? If not, is there any term you would use?
- Yes
- No, the best term is "_____"

11. Post-Telephone Survey Follow-up for Data Collection

11.1.   We need to collect some brief data on labor management relations to supplement the survey. We will be sending you a questionnaire with multiple choice questions. Can I have your email? (Or confirm the email if the interviewee's email is known)

- Email _____

12. End of Survey

I appreciate you spending the time to complete this telephone survey, and agreeing to fill out a follow-up questionnaire. After the survey, the research team will select five transit systems for detailed case studies. I will contact you again if your system is selected for case study. Thank you!

Part III: Follow-Up Data Request

1. What is the average term of the general manager? (Over the past three terms)
   - No longer than 3 years
   - Longer than 3 years, but no longer than 5 years
   - Longer than 5 years, but no longer than 10 years
   - Over 10 years

2. What is the average term of the union president? (Over the past three terms)
   - No longer than 3 years
   - Longer than 3 years, but no longer than 5 years
   - Longer than 5 years, but no longer than 10 years
   - Over 10 years

3. What is the average length of the past three contracts? (Not counting any periods without a contract)
   - No longer than 1 year
   - Longer than 1 year, but no longer than 2 years
   - Longer than 2 years, but no longer than 3 years
   - Longer than 3 years

4. Has your system entered into any side agreements over the past three years? If so, how many?
   - 0
   - 1-5
   - 6-10
   - Greater than 10

5. How many side agreements were incorporated into your last contract?
   - 0
   - 1-5
   - 6-10
   - Greater than 10

6. How many work grievances were initiated over the past three years?
   - Less than 10
   - 10-20
   - 21-30
   - 31-40
   - 41-50
   - Over 50

7. How many work grievances were resolved (settled or dropped) prior to arbitrations over the past three years?
   - Less than 10
   - 10-20
   - 21-30
   - 31-40
   - 41-50
   - Over 50

8. How many work grievances were resolved with an award over the past three years?
   - Less than 5
   - 5-10
   - 11-15
   - 16-20
   - 12-25
   - Over 25

9. How many work grievances are still waiting processing?
   - 0
   - 1 - 10
   - 11 - 20
   - 21 - 30
   - 31 - 40
   - 41 - 50
   - 51 or more

10. Has your system experienced the following: unfair labor practice charges, work stoppages, and other labor work actions in the past five years?
    - Yes
    - No

11. How many unfair labor practice charges (or the equivalent) were filed in the past three years?
    - 0
    - 1 - 5
    - 6 - 10
    - 11 - 15
    - 16 – 20
    - 21 or more

12. How many work stoppages were there in the last five years?
- 0
- 1
- 2
- 3
- 4
- 5
- 6 or more

13. What is the average length of the work stoppages?
- 0 day
- 1 - 10 days
- 11 - 20 days
- 21 - 30 days
- Over 30 days

14. How many other labor work actions were there in the past five years, e.g. sick-outs, work-to-rule, sign-up/bid/pick stoppages, or other collective actions?
- 0
- 1
- 2
- 3
- 4
- 5
- 6 or more

15. How many management – union lawsuits were there in the past five years?
- 0
- 1
- 2
- 3
- 4
- 5
- 6 or more

APPENDIX D

Additional Survey Results and Findings

Chapter 3.1 presents some key findings from the survey of management and union representatives from 47 transit systems across the country. The areas presented in Chapter 3.1 include:

- Labor–management relationship (LMR) rating
- Issues addressed by labor–management committees
- Good practices for LMPs
- Barriers to LMPs
- Comments on the term "labor–management partnership"
- Benefits of LMPs

In addition to what has been presented in Chapter 3.1, the analysis the research team performed resulted in findings in the following areas that may be of interest to the reader:

- Labor relations trend
- Conflicts and resolution
- Workplace justice
- Transit system size
- Leadership longevity
- Labor–management partnership issues

Labor Relations Trend

In the telephone survey, the question immediately after the LMR rating question is: "Is the relationship between the management and the union currently improving, staying the same, or getting worse?" Table D-1 summarizes, in order of the LMR rating, the responses from management and union to this question.

Among the 21 transit systems where both management and union responded, most respondents think their labor relations are either staying the same or improving, but management tends to be slightly more optimistic about the trends in labor relations. Eleven out of the 21 management respondents think their labor relations are improving, versus 8 out of the

21 union respondents. Only two union respondents are more optimistic than their management counterparts.

Conflicts and Resolution

The research team collected grievance resolution data through a follow-up questionnaire after the telephone survey. The responses show interesting findings—the total number of grievances initiated does not have a strong correlation with the LMR rating; however, how fast a grievance is resolved does. The faster a transit system resolves its grievances, the higher (i.e., more positive) its LMR rating tends to be.

The survey included the following questions

- How many work grievances were initiated over the past 3 years?
- How many work grievances are still waiting processing?

The ratio of the two answers, the number of grievances initiated over the number of grievances waiting process, is the turnover rate of grievance resolution, which measures how fast a transit system resolves its grievances. Figure D-1 shows the relationship between the grievance turnover rate and the LMR rating.

Workplace Justice

Survey respondents were asked to rate the workplace justice condition in their transit system. The original question was "How would you rate the current condition of workplace justice in your system? Please rate it on a scale of 1 to 5, 5 being the most fair." Workplace justice here refers to whether a system's employees are treated fairly and justly.

Table D-2 summarizes the responses from 21 transit systems. Management generally rated the workplace justice higher than union or at least the same. None of the 21 management respondents rated their systems' workplace justice lower than 3.

Table D-1. Labor relations trend.

Transit System Name	LR Trend (Mgmt)	LR Trend (Union)
System 1	Improving	Staying the same
System 2	Staying the same	Staying the same
System 3	Improving	Staying the same
System 4	Staying the same	Staying the same
System 5	Staying the same	Getting worse
System 6	Improving	Improving
System 7	Improving	Improving
System 8	Improving	Improving
System 9	Getting worse	Staying the same
System 10	Staying the same	Staying the same
System 11	Staying the same	Improving
System 12	Improving	Improving
System 13	Staying the same	Staying the same
System 14	Improving	Improving
System 15	Staying the same	Staying the same
System 16	Improving	Staying the same
System 17	Improving	Improving
System 18	Getting worse	Getting worse
System 19	Improving	Improving
System 20	Getting worse	Getting worse
System 21	Improving	Staying the same
	Improving: 11 Same: 7 Worse: 3	Improving: 8 Same: 10 Worse: 3

❖ **Darker shading:** Union more optimistic
❖ **Lighter shading:** Mgmt more optimistic
❖ **No shading:** Equally optimistic

The survey responses demonstrate a statistically strong correlation between LMR rating and workplace justice rating. See Figure D-2. A transit system with a better perceived workplace justice condition tends to have a higher LMR rating.

The scatterplots in Figure D-3 and Figure D-4 suggest that transit system size and LMR ratings do not have a relationship that is statistically proven by the survey responses received.

Transit System Size

The survey included questions regarding the effects of transit system size on LMPs. Figure D-3 is a scatterplot of LMR ratings against transit system size by the number of vehicles and rail cars operated during peak hours. The LMR rating is an indicator of how survey respondents perceive labor relations in their systems. A rating of 5 indicates a very cooperative relationship, while a rating of 1 indicates a very adversarial relationship. The figure shows a negative relationship between the two variables, but statistical analysis demonstrates that the relationship is inconclusive. The correlation between the two variables is very weak (p-value = 0.67).

Similarly, Figure D-4 shows a negative relationship between LMR ratings and transit system size by the number of full-time equivalent employees, but the relationship is also inconclusive (p-value = 0.38).

Leadership Longevity

The survey included questions regarding the effects of longevity or term in office for both management and labor leadership on LMPs. Figure D-5 is a scatterplot of LMR ratings against the average management leadership term of the past three general managers. Survey respondents were asked to report that number by choosing from one of the following ranges. The research team then converted the answers into a score of 1 to 4 by the standards in parentheses. If responses were received from both management and union respondents of a transit system, the two scores were averaged; if only management or union responded, then only one response was used for that transit system.

☐ No longer than 3 years (score 1)
☐ Longer than 3 years, but no longer than 5 years (score 2)
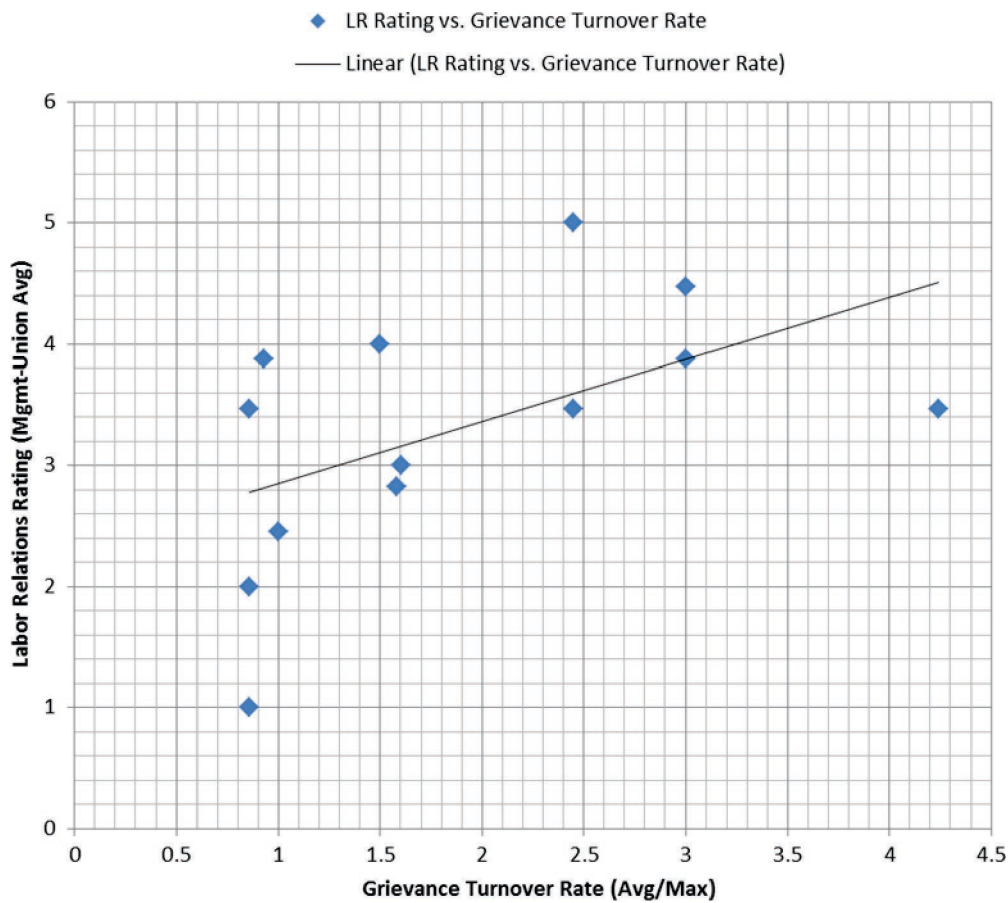
Figure D-1. Labor–management relations rating vs. grievance turnover rate.

Table D-2. Workplace justice rating.

Transit System Name	Mgmt Rating	Union Rating	Average Rating
System 1	4	4	4.00
System 3	4	4	4.00
System 9	4	4	4.00
System 18	4	4	4.00
System 2	3	5	3.87
System 13	5	3	3.87
System 4	4	3	3.46
System 6	4	3	3.46
System 8	4	3	3.46
System 10	4	3	3.46
System 15	4	3	3.46
System 5	5	2	3.16
System 7	5	2	3.16
System 11	4	2	2.83
System 14	3	2	2.45
System 21	5	1	2.24
System 12	4	1	2.00
System 16	4	1	2.00
System 17	4	1	2.00
System 19	4	1	2.00
System 20	4	1	2.00

❖ **Darker shading:** Mgmt Rating < Labor Rating
❖ **Lighter shading:** Mgmt Rating > Labor Rating
❖ **No shading:** Mgmt Rating = Labor Rating
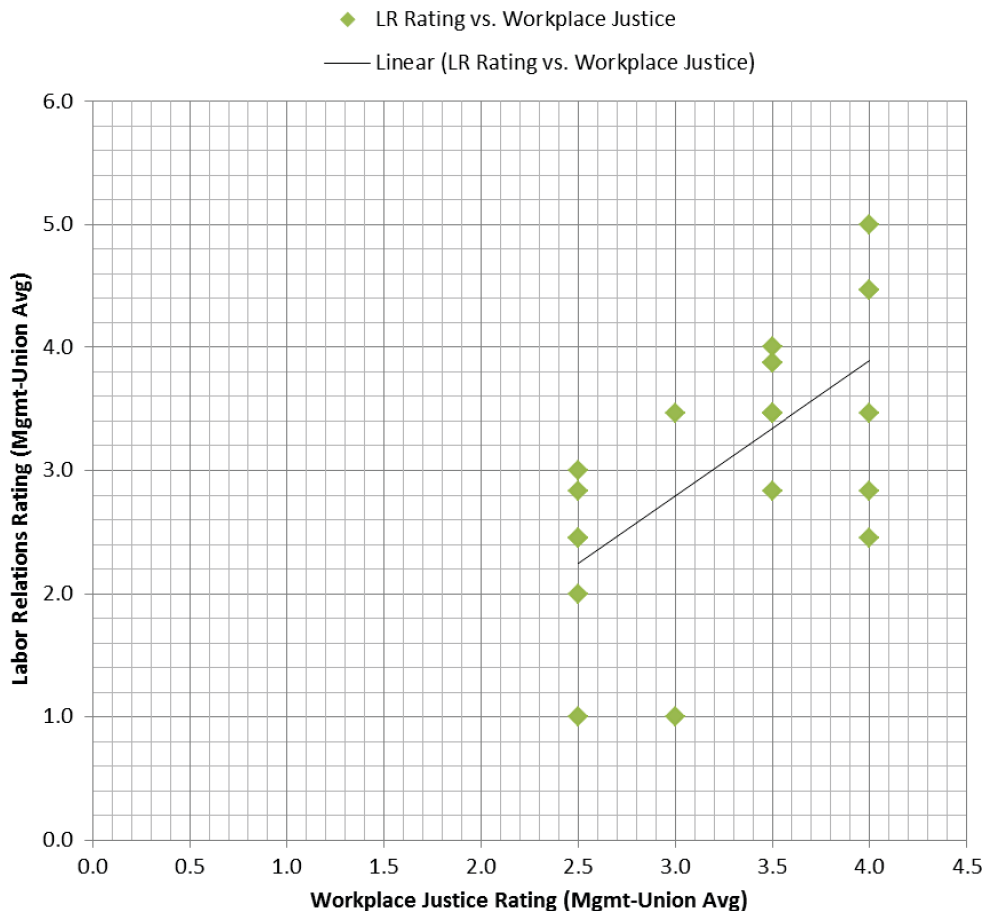
Figure D-2. Labor–management relations rating vs. workplace justice rating.

☐ Longer than 5 years, but no longer than 10 years (score 3)
☐ Over 10 years (score 4)

The positive relationship between LMR ratings and the average management leadership term is inconclusive according to statistical analysis. The correlation between the two variables is very weak (p-value = 0.64).

A similar analysis was performed on the LMR rating and the average union leadership term. Survey respondents were asked to report the average term of their union leaderships over the past three union local presidents.

Figure D-6 shows a negative relationship between the two variables that was found to be inconclusive statistically (p-value = 0.69).

Figure D-5 and Figure D-6 indicate that the survey responses received do not statistically prove any relationship between management or union leadership longevity and labor relations.

Labor–Management Partnership Issues

Chapter 3 presents the issues addressed in labor–management committees. However the data presented are for the 21 transit systems with both management and union

responses. A summary of broader representation is presented in Table D-3. All 47 transit systems that responded to the survey are included, even if only management or union responded. Because of the unequal number of responses from management and union, a percentage is added to the table to show how prevalently an issue is addressed in labor–management committees in transit systems.

Table D-3 presents the issues ranked in order of frequency by which they were identified by a management or union survey respondent in their transit system and addressed by a labor–management committee. For example, in the case of "pension and deferred compensation governance" 17 management survey respondents and 24 union survey respondents said that the issue is addressed in a labor–management committee in their transit system; the two numbers are summed and the issues are ranked by the sums. If two issues have the same numbers of management and union responses confirming that they are addressed in a labor–management committee, the issue with management and union confirming responses closer in number, would rank higher. For example, "skill training, testing, and apprenticeship" and "violence and driver assault or work place security" both have 29 confirming responses from management and union, but the former ranks higher because the difference between its management
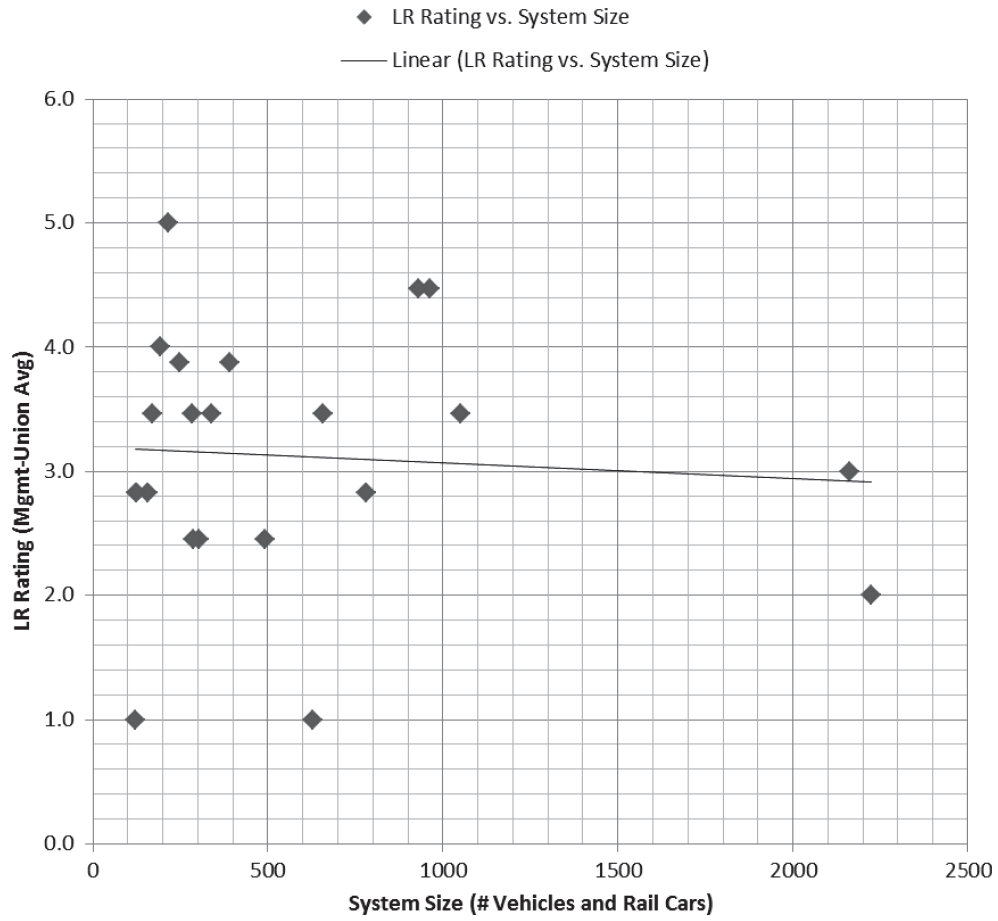
Figure D-3. Labor–management relations rating vs. transit system size by number of vehicles and rail cars.
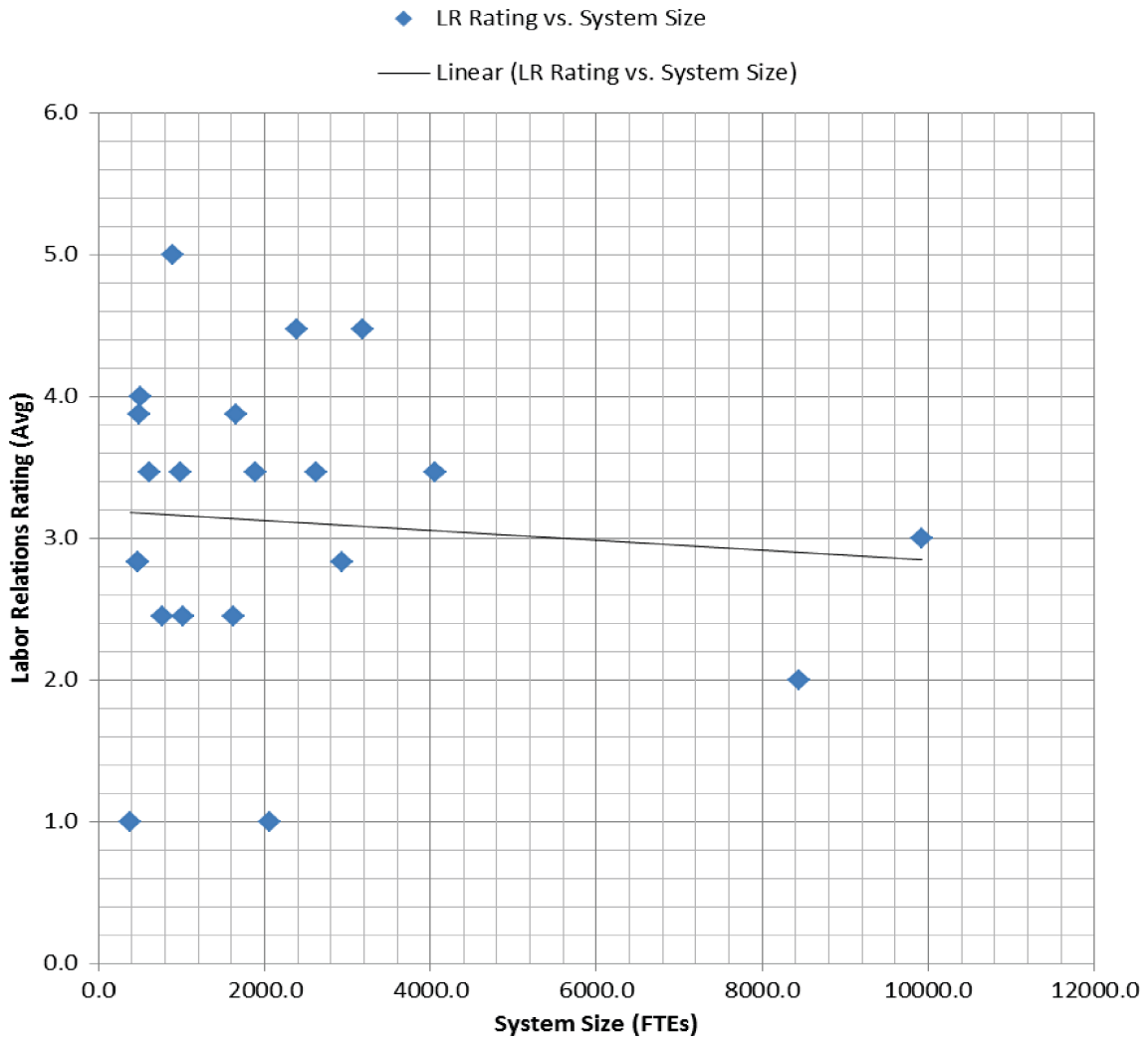
Figure D-4. Labor–management relations rating vs. system size by number of full-time equivalent employees.

Figure D-5. Labor-management relations rating vs. average management leadership term.

Figure D-6. Labor-management relations rating vs. average union leadership term.

Table D-3. Number of transit systems with labor–management committees addressing specified issues.

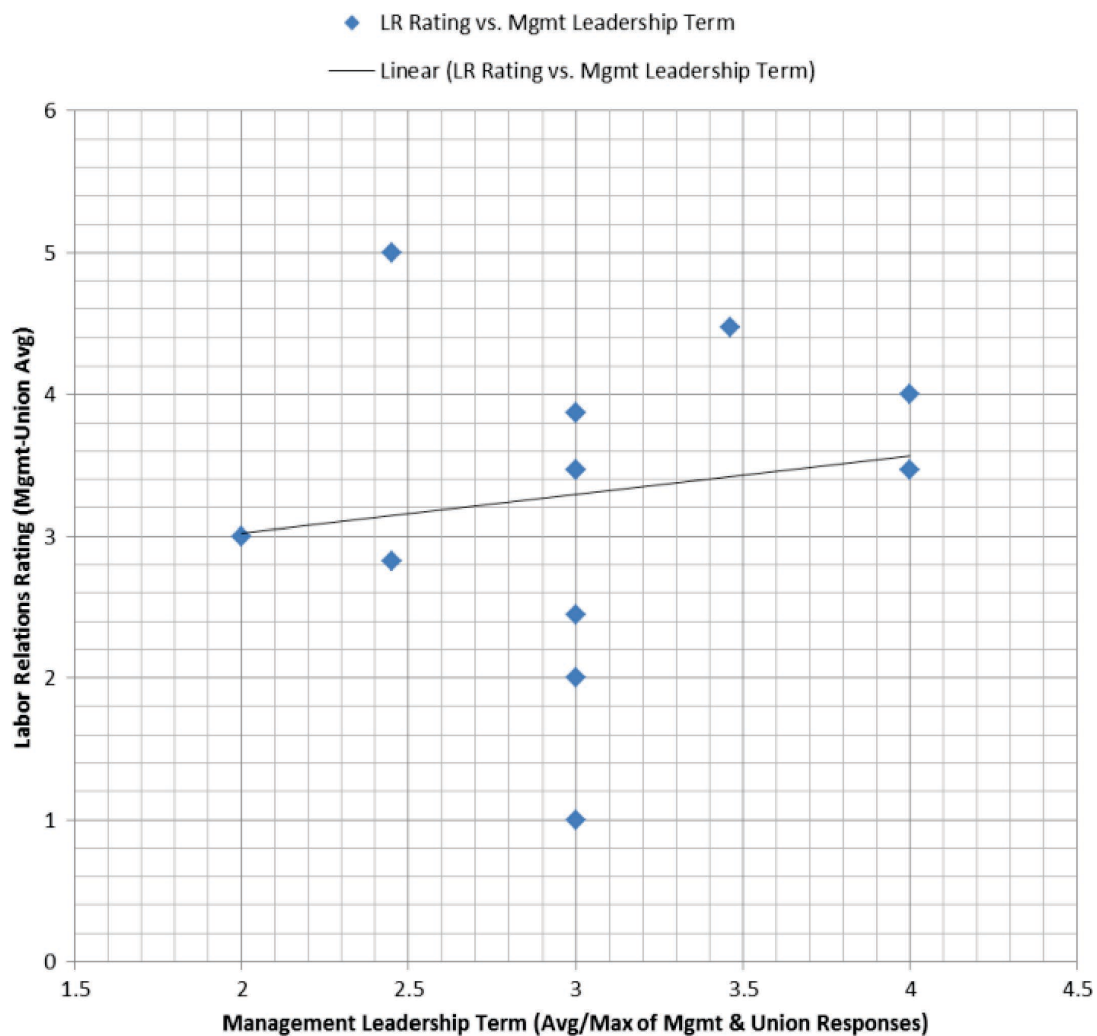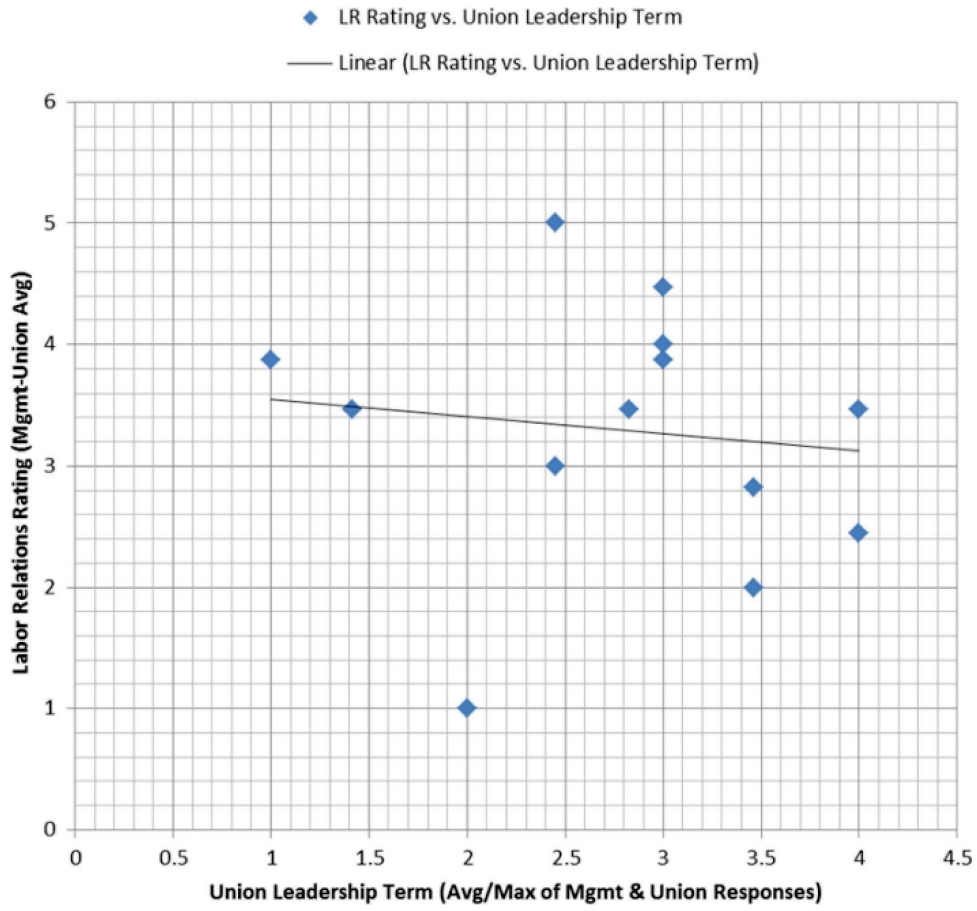| Areas of Issues	# Systems with Labor Management Committees Addressing the Issue (Mgmt)	% "Yes" Among 29 Mgmt Responses	# Systems with Labor Management Committees Addressing the Issue (Union)	% "Yes" Among 39 Union Responses
· **Pension and deferred compensation governance**	17	59%	24	62%
· **Preventable accidents**	17	59%	20	51%
· **Skill training, testing, and apprenticeship**	14	48%	15	38%
· **Violence and driver assault or work place security**	12	41%	17	44%
· **Schedule preference**	12	41%	15	38%
· **Jointly administered health and welfare plan**	11	38%	16	41%
· Drug and alcohol abuse	7	24%	11	28%
· Safety	6	21%	11	28%
· Restroom access for transit operators	5	17%	10	26%
· New service modes or expansion	6	21%	8	21%
· Management and union's position on funding votes in legislation	4	14%	7	18%
· Attendance and disability policy	4	14%	7	18%
· Cell phones or electronic devices use in vehicle operation	3	10%	8	21%
· Fare collection systems and discount identification cards	4	14%	5	13%
· Overtime assignment	2	7%	6	15%
· Extra board rotation	3	10%	4	10%
· Management and union's position on public referendum	4	14%	3	8%
· Scope of work by skill	3	10%	3	8%
· Uniform/attire	3	10%	2	5%
· Management and union's position on other public controversies	3	10%	1	3%
· General committee (as issues arise)	1	3%	1	3%
· Activity	1	3%	1	3%
· Interactive management group	1	3%	1	3%
· Seniority	0	0%	4	10%
· Crew composition on rapid transit, streetcars, and commuter rail	0	0%	3	8%
· Child care	0	0%	1	3%
· Grievance review	0	0%	1	3%
· ADA compliance	0	0%	1	3%
· Diversity	0	0%	1	3%
· Christmas fund committee	0	0%	1	3%
· Marketing committee	0	0%	1	3%
· Radio committee	0	0%	1	3%
· Continuous quality committee	0	0%	1	3%
· Wellness	2	7%	0	0%
· Career development/workforce education	2	7%	0	0%
· 2nd Chance (substance abuse/cell phone use)	1	3%	0	0%
· Excellence of performance (reward)	1	3%	0	0%
· Dispute resolution	1	3%	0	0%
· Employee assistance program	1	3%	0	0%
· Drivers committee to resolve routine issues	1	3%	0	0%
· Bus route and stop change	1	3%	0	0%
· Cause containment/changes in healthcare	1	3%	0	0%

Table D-4. Comparison of ranking of top six issues most prevalently addressed in labor–management committees.

Among all 47 Transit Systems	Among 21 Transit Systems with Responses from both Management and Union
Pension and deferred compensation governance	Pension and deferred compensation governance
Preventable accidents	Preventable accidents
Skill training, testing, and apprenticeship	Violence and driver assault or work place security
Violence and driver assault or work place security	Skill training, testing, and apprenticeship
Schedule preference	Schedule preference
Jointly administered health and welfare plan	Jointly administered health and welfare plan

and union confirming responses is only one, while the latter has a difference of five.

The top six issues most commonly addressed in labor–management committees are the same among all 47 transit systems and the 21 transit systems where both management and union responded. However, the ranking of the top six issues is slightly different. Table D-4 shows the two rankings side by side.

Case Study Pre-Visit Checklist

1. **Confirmation of participation in the case study from both management and union sides of a property**

2. **Contact persons from both management and union sides of a property for the case study**

3. **Property profiles**
   - o O&M data: number of vehicles operated at peak service; modes operated; number of operators and mechanics
   - o Contracting relationships in O&M
   - o Major union locals, readily available types and number of employees represented
   - o Statutory nature of employer
   - o Law governing labor-management relationship (collective bargaining)

4. **LMP documents and data**
   - o Readily available LMP governing documents and other LMP documents (MOUs, parts of CBAs, side agreements, charters, program descriptions, etc.)
   - o CBA. At least the most recent one for the principal union. If someone indicates the earlier ones are very different, we try to get more than one.
   - o Organizational chart
   - o Readily available records of LMP activities, e.g. meetings, training, labor-management joint committees activities. The records could include:
     - ▪ Date and time of activities
     - ▪ Participants or attendees
     - ▪ Meeting minutes
     - ▪ Outcomes, e.g. resolutions, action plans, agreements
     - ▪ Financial records, e.g. expenditures, funding, etc.

5. **Interviewees, contact information, and interview appointments**

  o A list of names and contact information of confirmed interviewees in all or some of the following categories:

    ▪ Top management representative (general manager/CEO)

    ▪ Union local president

    ▪ Management/union (if not local president) representative who is the management/union lead of the LMP

    ▪ Management/union representative who sits on a labor-management joint committee (panel members requested to include at least a manager from operations, and a "front-line" worker)

    ▪ Management and union representatives who actively participate in other LMP activities

    ▪ LMP facilitator(s)

  o Interview appointment details for each interviewee: date, time, and location

6. **Premises for verification in each case study: these factors are favorable to LMP**

  o Precise outlining of all goals, requirements and expectations of the partnership

  o Establishing a strong and flexible LMP administrative structure

  o Providing for comprehensive skill building for both groups throughout the course of the partnership

  o Designing, implementing and sustaining a detailed communication plan

  o Aligning all necessary resources to support the partnership

  o Requiring consistent accountability of everyone in the organization with a governing or executing responsibility for the partnership

  o Presence of an independent facilitator

  o Stability in union and management leadership

  o Managers' confidence in their ability to defend prerogatives (without threat from boards, public opinion, litigation)

  o Union leaders' confidence in their ability to defend against worker accusation of sell-out

  o Taking advantage of shared challenges and crises to catalyze partnership agreements

  o Taking advantage of specific successes (e.g. pension fund governance, or apprenticeship) to build broader LMP

  o Respect for the individuals representing the other party is critical to the effectiveness of communication between the management and the union

  o Rapid processing of grievances (Does this factor (1) result from and/or (2) contribute to LMP?)

  o The separation of issues into integrative (or win-win) and distributive (or zero-sum) ones fosters a collaborative labor-management relationship

7. **Questions arising from survey responses (if any, property specific)**

8. **Travel arrangement – transportation and accommodation**

APPENDIX F

Case Study Interview Guide

This is a guide for the TCRP F-20 research team to conduct case studies of six transit properties regarding their experience of implementing labor-management partnerships. As an underlying principle, the guide encourages open conversations with the interviewees. The research team should use open-ended questions whenever possible, but especially at the beginning of an interview and when an interview moves on to a new topic. The interviewers from the research team should use this guide as cues instead of asking every question strictly as it is written and in the exact order this guide provides. This requires the interviewers to be very familiar with the intended takeaways from the interviews and hence the questions listed below. At the same time, the interviewers need to be attentive to what the interviewees have to share so as to quickly filter useful information and ask questions that will lead to further information pertinent to the intended takeaways.

This guide includes general questions for all interviewees, and questions specific to each interviewee group. The division is because the level of involvement in Labor-Management Partnership may vary across interviewee groups, using group specific questions would allow for more effective use of the interviewees' time and generate more relevant responses.

❖ **Interviewee Groups**

1. **Top Management Representative (General Manager/CEO)**

   Questions should focus on strategic and organization-wide aspects, and appropriate to top management's level of involvement in LMP.

2. **Union local president**

   Questions should address union local president's role and involvement in LMP. If the union local president is the union lead of LMP, questions for "Type 3" below should also be asked. The relation or separation of collective bargaining and LMP should also be explored with the union local president.

3. **Management/union (if not local president) representative who is the management/union lead of the LMP**

   Questions should explore the governance and administrative structure of LMP, interviewees' role and involvement in LMP, and depending on their involvement in day-to-day LMP activities, how LMP activities are carried out (institutionalized or informal) and their views on LMP effectiveness and barriers.

4. **Management/union representative who sits on a labor-management joint committee (will include an operations manager and a "front-line" worker, as suggested by the Panel)**

   Questions should focus on the activities specific to the joint committee in question. Ask the interviewees how the joint committees were established, how joint committee activities are carried out (institutionalized or informal), and their views on the effectiveness and barriers of the joint committees.

5. **Management and union representatives who actively participate in other LMP activities**

   Questions should identify what these activities are, how they are carried out, what the interviewees roles are in the activities, and their views on the effectiveness of such activities on facilitating a positive and productive labor-management relationship.

6. **LMP facilitator(s)**

   Questions should explore in what ways the facilitators are involved in LMP activities, and how their presence helps make LMP more effective.

A. <u>General Questions</u>

1. What is your role in the labor-management relationship of your transit system?
2. According to the responses to our survey of your transit system, your system had a positive labor-management cooperation rating. (or "an adversarial cooperation rating")
   2.1. Do you agree with that impression from the responses to the survey? If not, why not?
   2.2. How would you generally describe the relationship between union-management at your transit system?
   2.3. What would you attribute, if anything, to the impression of a positive (or, "adversarial") or productive cooperative (or, "less-than-productive") relationship?
   2.4. What are the three most important factors that affect union-management relationship at your transit system?
   2.5. Has collective bargaining impacted your union-management relationship? If so, how?
   2.6. Has any change in leadership within the last three years (Union or Management) impacted the relationship? If so, how?
3. Is there a formal document in place that governs labor-management cooperation here at your transit system? If so, what is it?

<u>Levels of Cooperation</u>

4. What would you say the level of cooperation is between the union and management? Very cooperative, cooperative, neutral, adversarial, or very adversarial?
5. What are the good practices that you believe lend themselves to establishing and sustaining effective labor-management cooperation, and the conditions for the practices to be effective, e.g. sequence of being carried out?
6. What do you think are the barriers in this organization to establishing and sustaining effective labor-management cooperation?
7. Do you believe it is necessary to have a professional facilitator present to make labor-management cooperation work well? If so, why?

<u>Labor–Management Partnerships (LMPs)</u>

8. What term do you use to refer to labor – management cooperation in your transit system? (LMP is square parenthesized in the rest of this guide to indicate that the interviewer should refer to LMP using the term mentioned by the interviewees in response to this question.)
9. Is there a structured process for discussing and resolving mutual interests between labor and management? If so, please describe it.
10. Our background research, directed us to the following document(s) which seem to speak to the [LMP]? (show document(s) to interviewee)

11. Do you believe that this (these) document(s) is/are a reflection of the [LMP] here?

12. What have been some recent/notable accomplishments of labor-management cooperation at your transit system?

13. Has the [LMP] of your transit system been, in your view, a successful venture? If not, why not?

14. Do you believe that [LMP] works and that it should be pursued by both union and management on various issues of common interest?

15. What issues do you believe would lend themselves well to a [LMP]?

16. What issues do not lend themselves well to a [LMP]?

17. As a management/union representative in [LMP], do you report regularly to your peers and ask them for input in a structured or informal way?

18. Should an employee be assigned to a full-time position to address LMP? If so, why and should the assignment be permanent or only for a certain period? If not, why?

19. Should [LMPs] be structured and made a part of the collective bargaining process?

    18.1.   If so, why do you think it is desirable?

    18.2.   If not, why not?

20. The type of labor-management cooperation that we are studying, like the [LMP] in your property, has been referred to as "Labor Management Partnership". Do you have any comments on the term LMP?

21. Is there any question that I did not ask that you may want to comment on or add to this interview?

B. <u>Interviewee Group Specific Questions</u>

1. **Top Management Representative (General Manager/CEO)**
   1.1. What are the activities/work areas here that have produced the highest level of labor-management cooperation on?
      1.1.1. What joint committees, if any, show the greatest degree of cooperation?
      1.1.2. Which ones do not work well cooperatively?
      1.1.3. Are you a proponent of joint committees? If so, why? If not, why not?
   1.2. How often does the top leadership or senior officials of both union and management meet to discuss issues, formally or informally?
      1.2.1. How are such meetings planned and arranged, e.g. through phone calls, structured calendar meetings, etc.?
   1.3. How have you dealt in your labor relationship with the problems of (1) absenteeism (excluding tardiness) and (2) restroom relief point for bus operators? (These two are issues for comparison across properties. They are of on-going interests to unions and management across the transit industry so could provide a point of comparison.)

2. **Union local president**
   2.1. What are the activities/work areas here that have produced the highest level of cooperation on?
      2.1.1. What joint committees, if any, show the greatest degree of cooperation?
      2.1.2. Which ones do not work well cooperatively?
      2.1.3. Are you a proponent of joint committees? If so, why? If not, why not?
   2.2. How often does the top leadership or senior officials of both union and management meet to discuss issues, formally or informally?
      2.2.1. How are such meetings planned and arranged, e.g. through phone calls, structured calendar meetings, etc.?
   2.3. How have you dealt in your labor relationship with the problems of (1) absenteeism (excluding tardiness) and (2) restroom relief point for bus operators?

3. **Management/union (if not local president) representative who is the management/union lead of the [LMP]**
   3.1. What are the activities/work areas here that have produced the highest level of cooperation on?
      3.1.1. What joint committees, if any, show the greatest degree of cooperation?
      3.1.2. Which ones do not work well cooperatively?
      3.1.3. Are you a proponent of joint committees? If so, why? If not, why not?
   3.2. How often does the top leadership or senior officials of both union and management meet to discuss issues, formally or informally?
      3.2.1. What channels or methods do they use when setting up those meetings, phone calls, structured calendar meetings, etc.?

4. Management/union representative who sits on a labor-management joint committee (will include an operations manager and "front-line" workers, as suggested by the Panel)

    4.1. What is your role in this joint committee?

    4.2. How often does the joint committee meet?

    4.3. How do union and management reach a resolution in joint committee meetings?

        4.3.1. Do both sides in the LMP have equal voice and equal power in making decisions?

        4.3.2. Does the other side (union if management is asked; management if union is asked) ever change their positions in joint meetings due to a more thorough understanding of the issues being deliberated? If so, how often does it occur?

    4.4. Do you think the joint committee is effective in achieving the objectives for which it was established? Why or why not?

    4.5. Is there a professional facilitator present for the joint committee meetings? If so, in what ways is the facilitator helpful for maintaining the effectiveness joint committee?

5. Management and union representatives who actively participate in other [LMP] activities

    5.1. Could you describe the [LMP] activity(ies) that you are involved in and your role in such activity(ies)?

    5.2. What is/are the objective(s) of the activity(ies)?

    5.3. How often do management and union representatives meet for such activity(ies)?

    5.4. Do you think the activity(ies) is/are effective in achieving the objectives for which it was established? Why or why not?

6. [LMP] facilitator(s)

    6.1. In what labor-management cooperation activities do you play a role?

    6.2. In what ways do you see yourself valuable to effective labor-management cooperation?

APPENDIX G

Case Study Summaries

Overview

After reviewing the survey results, it was obvious that the breadth and effectiveness of cooperative labor–management activities varied widely from one transit operation to another. With guidance from the TCRP Project F-20 panel, we selected six transit systems as case study properties which seemed to have extensive labor–management cooperative activities. The case studies included in-depth examination of operational details and thorough in-person interviews. The six case studies included:

- A large bus and rail operator in the Northeast
- A large bus and rail operator in the Mountain Region
- A large bus and rail operator on the West Coast
- A medium bus and rail operator in the Southeast
- A medium bus and rail operator on the West Coast
- A medium bus operator in the Northeast

Please note that to insure confidentiality, the six case studies are not identified in this document. The sequence of the summaries presented does not correspond to the sequence listed above.

We cataloged various cooperative activities in each location. To focus our research, we compiled a list of premises to examine and determine whether these cooperative activities are robust labor–management cooperative activities. The premises we examined are:

1. Outline shared goals and expectations of the partnership.
2. Establish broad-based buy-in from all key stakeholders with formality and structure that is made clear to all.
3. Require consistent accountability of everyone in the organization with a governing or executing responsibility for the partnership.
4. Provide for comprehensive skill building for both union and management throughout the course of the partnership.

5. Design, implement, and sustain effective communication.
6. Align all necessary resources to support the partnership.
7. Respect the individuals representing the other party.
8. Provide an independent facilitator, if affordable.
9. Separate issues between integrative (or win-win) and distributive (or zero-sum) ones.
10. Take advantage of specific successes (e.g., pension fund governance, apprenticeship) to build a broader partnership.
11. Limit the frequency of grievances and the time spent to resolve them; recognize that the partnership is not a substitute for the grievance process.
12. Take advantage of shared challenges and crises to catalyze partnership agreements.
13. Support stability in union and management leadership and smooth labor–management partnership leadership transitions.
14. Be confident that managers can cooperate with unions yet still continue to defend prerogatives and efficiency.
15. Be confident that union leaders' cooperation with management will not compromise members' interests.

In the six case study summaries that follow, the research team reported findings from the case studies that addressed these 15 premises. In general, the case studies affirmed the premises, with a few missing information; sometimes they disproved the premises. Based on the findings reported for each premise, the summaries analyze the findings comprehensively to paint a complete picture, and then conclude with the key lessons learned for each case study.

Case Study 1

Introduction

The transit system studied is located in a traditionally agricultural area. The major city served by the transit system is the county seat—a long-time center for warehouse, packing,

and rail transport and encompasses a university. The transit system was formed by purchasing and consolidating several small private bus operations which provided commuter service in and out of the city and has since grown to provide more typical fixed-route urban bus and light rail transit services. There are about 1500 represented employees including operations, maintenance, and clerical, divided among four work locations, three for bus and one for light rail. The local economy has also changed dramatically in recent decades—orchards are filled with corporation compounds.

In advance of the site visit, the research team reviewed the transit agency's collective bargaining agreement, pension plan, enabling statute which created the Authority, and a partnership program known as the "Joint Workplace Investment" or "JWI." During the site visit we interviewed three managers, two current union officers, and a retired union officer still active in JWI endeavors, as well as the independent administrator and staff person of JWI. We focused on the history of JWI and its evolving functions, including perspectives from both management and labor, and discussed in more general terms how JWI operation interfaces with other more traditional and familiar labor–management endeavors such as collective bargaining, grievance resolution, and pension administration.

An operations manager was assigned to guide and transport us throughout the transit system and we had the occasion to observe the operation with him informally. He had only an indirect connection with JWI and was mainly concerned with its generally positive impact on the maintenance workforce. Otherwise, all of those we spoke to were heavily involved in JWI, its creation, progress and operation; each spoke uniformly in positive, almost glowing terms about the transformative impact that JWI has made in the operations and in the labor relationship in particular in this transit system.

JWI was drafted originally to establish, promote, and operate a program for job training in the context of promotion and transfer of existing employees. It was later expanded to encompass training and improvement of new workers, particularly in the operator occupation. It has been in full operation for about 8 years.

The stated functions of JWI revolve mainly around manpower development, providing career advancement and support for workers and more stable/skilled manpower for the management. Many of those working in the fueling and cleaning operation felt they could function at a skilled maintenance level, performing at least running maintenance services traditionally done by entry-level mechanics. This transition required basic mechanical training as well as job-specific classes, which the workers could not accomplish without receiving time, pay, and education resources. JWI organized the program by

- Spearheading the process for identifying people, needs, and training steps required, and then following through
- Obtaining resources from the broader community including State and Federal grants for training facilities, job improvement funding, and local community college education programs
- Utilizing JWI's own funds along with specific budgetary items (such as funding for open and unfilled positions) to pay for training time and then enlisting time from managers, supervisors, and paid union officers

Results

Three factors were responsible for the successful design and operation of this labor–management program:

- A very committed and capable neutral facilitator/administrator
- State and local resources available to sustain workplace jobs initiatives
- A clear separation between JWI and collective bargaining activities (Even though some people were involved in both, the litigation and bargaining people were kept out of JWI and there were no disciplinary or bargaining table consequences for discussions held in the context of JWI—the so-called "Las Vegas rules" were strictly applied.)

Premises

This transit system has the most advanced and functional LMP of all the transit properties we studied and, perhaps, throughout the entire public transportation industry. Almost all the premises were evaluated while studying the operation of this transit system and the story of partnership development places each premise in perspective.

Outline Shared Goals and Expectations of the Partnership

Precise goals and expectations were established and outlined for the partnership. The shared goals and expectations took several years to emerge and materialize.

Establish Broad-Based Buy-In from All Key Stakeholders with Formality and Structure that is Made Clear to All

The partnership arose from a general, not specific, commitment, backed by resources from management and labor to construct a detailed program. Dissatisfaction on both the management and the union side with a perpetual and exclusively combative relationship and contributions into a fund

from both sides got things going. It took several years to put the program on paper and in detail, which survives today. The document establishes a clear and flexible administrative structure, precise goals and expectations, accountability (the precise standards were characterized in slightly different terms on either side), skills training, improved communications and respect, and finally, resources necessary to move the partnership endeavors forward.

Require Consistent Accountability of Everyone in the Organization with a Governing or Executing Responsibility for the Partnership

Accountability of individuals is clearly defined in the JWI governing document.

Provide for Comprehensive Skill Building for Both Union and Management throughout the Course of the Partnership

The JWI provides for skills training, including improved communications and mutual respect.

Design, Implement, and Sustain Effective Communication

The JWI specifies a communication plan. For example, successful and experienced operators, "mentors" in JWI, gather once every other month or so in a formal, planned meeting and while "service demands come first" they meet during work time and supervisors go to some lengths to ensure that half to three-fourths of the mentors are released from driving long enough to attend. The mentorship meetings are

- Attended by high-level union and management officials
- Governed by what everyone referred to as "Las Vegas rules," meaning that what happens or is said in the meetings stays in the meetings
- Unrelated to the grievance procedure in any way

The mentorship meetings guide mentors and provide a forum for them to discuss problems that arise between them and the drivers they speak with. Over time, however, the mentorship meetings have become vital sources for everyone involved to improve operations, improve management accountability, and indirectly improve the grievance and bargaining processes by making changes which are premised on shared objectives. Moreover, the emphasis on the value and improvement of performance has fueled the sense that the operations and maintenance work is important and valued.

The interviews revealed a fairly involved and subtle sense of distinction between problems which are better approached through JWI as being worthy of improvement in an affirmative way, as opposed to discipline and negative reinforcement.

Align All Necessary Resources to Support the Partnership

JWI obtains resources from the broader community including state and federal grants for training facilities, and job improvement funding, and local community college education programs, as well as utilizing JWI's own funds along with specific budgetary items (such as funding for open and unfilled positions) to pay for training time and then enlisting time from managers, supervisors, and paid union officers. JWI's own fund is supported by funds from both budget commitment of management and union members' payroll reduction.

Provide an Independent Facilitator, if Affordable

The program was designed, improved, and now operates on an ongoing basis with the active direction of an independent administrator who has skills and experiences peculiarly suited to a joint labor–management endeavor. The JWI administrator is an independent, neutral professional who has education and experience in labor mediation, organizational behavior and, specifically, in workplace development programs.

The JWI administrator carries credibility with the various agencies and political bodies involved in granting resources and maintains strict neutrality between labor and management concerns. The administrator's unusual combination of skills, viewpoint about shared objectives, and ability to identify "integrative" problems focus the JWI representatives on solutions which meet the needs of both sides and are credited by everyone as vital contributions. This is especially effective at times when turnover through union elections or management replacements and reorganizations made it necessary to integrate a new participant into the process.

Separate Issues Between Integrative (or Win-Win) and Distributive (or Zero-Sum) Ones

The labor relationship is now imbued with active identification of workplace issues as "distributive" vs. "integrative" in order to determine whether they are handled in the contract negotiation/administration arena or in the partnership JWI arena.

We learned about several examples where they sorted through workplace events in a fairly detailed manner to discern which process needed to apply to which problem. For example,

- A wellness program promoting good diet, exercise, and healthy life style is entirely run and administered by JWI;

while the health care plan—vital to ongoing health and wellness—is negotiated across the table because of the cost/family budget implications of coverage choices.

- The perpetual problem of lavatory and food/drink breaks is similarly addressed in multiple arenas. Identifying reliable and adequate facilities for drivers en route is seen as an integrative problem, perfect for resolution in JWI, whereas the re-design of driver assignments to build in extra headway or relief is a clear distributive problem which costs money in order to preserve continuity and service headway.

Take Advantage of Specific Successes (e.g., Pension Fund Governance, Apprenticeship) to Build a Broader Partnership

JWI started out as a training-based partnership. Its success led to cooperation in other areas such as employee wellness, and lavatory and food/drink breaks.

Take Advantage of Shared Challenges and Crises to Catalyze Partnership Agreements

No direct findings on this premise.

Support Stability in Union and Management Leadership and Smooth Labor–Management Partnership Leadership Transitions

In the first several years of the JWI, there was leadership stability on both management and union sides, as well as managers' and union officers' confidence in their positions. This was important to establish and institutionalize JWI.

Be Confident that Managers Can Cooperate with Unions yet Still Continue to Defend Prerogatives and Efficiency

No direct findings on this premise.

Be Confident that Union Leaders' Cooperation with Management Will Not Compromise Members' Interests

No direct findings on this premise.

Analysis

JWI focused on obtaining consensus on operational details, from the underlying terms of agreement onward, then identifying and reporting various aspects or "metrics" of the program so that the parties could assess its value. The metrics included

- The total number of participants
- The number of participants who successfully completed required training to undertake skilled jobs
- The impact of participants' successful transition to skilled positions on stability in their existing classifications and productivity in their new ones
- The amount of money garnered in grants and the like which were added to the overall operation by JWI endeavors

JWI has endured not only because the metrics are generally positive, but also because it is energized on an ongoing basis. JWI has taken on new projects to transition employees from fueling and cleaning functions to skilled rail maintenance and also provides relatively protracted mentoring, beyond traditional "ride along" instructions to new operators. Again, mentors are successful, experienced operators who are assigned to guide new operators for several months one year after they begin service and are selected for the program by JWI with union and management concurrence.

Among the most interesting and durable aspects of the maintenance training program is a training facility which is stocked and supported by various vendors and used to train classifications throughout bus maintenance, and in particular, for the bus maintenance mentoring program. Skilled mechanics are designated by JWI (both management and labor agree on them) to oversee and work actively with JWI participants as they transition to their new jobs. There are no formal reports or discipline involved. New mechanics ultimately demonstrate their ability but the mentors do not grade or evaluate them, just assist and guide.

It is fair to say that "JWI" has become workplace nomenclature for joint governance and workplace problem solving, in contrast with grievance and bargaining activities which are seen and valued as power- or leverage-based encounters.

Both management and union officials spoke very highly of their respective professionals who work in traditional labor disputes, including the human resources/labor relations staff (and their outside counsel) and, on the union side, the international vice president who assists their local and the lawyers and other professionals they consult. In the conclusion of a contract in the early 2008 recession days, the union voted to forebear a negotiated wage increase. For some, a resulting feeling of that interplay and the general notion of a shared privation helped give a boost to the JWI program; but this sentiment was not shared by all.

While we did not discuss JWI with either human resources or the international union staff, it was significant to us that every person with whom we discussed JWI emphasized its importance to the transit agency and that it should remain entirely divorced from grievance dispute activity and from the labor relations dynamic altogether. They see the conten-

tion of typical labor relations as important and valuable to both sides, but fear that the behavioral conventions associated with that process would undermine, if not destroy, the relationships which fuel progress of the JWI. That said, the constant emphasis on grievance arbitration and litigation may have given rise on each side to an appetite to establish a partnership alternative for at least some matters.

On each side, those we interviewed cautioned that there were union members and management officials who were not enamored with the JWI or convinced of its success—yet the interviewees also said uniformly that the program was generally viewed positively by members and supervisors and that its diminution or demise would be perceived as a loss for the entire workplace.

Conclusion

Four factors were critical for the genesis of JWI.

1) The program is supported in part by funds which come directly from union members through payroll deduction and from specific budget commitment from management.
2) The program is based on a written document which is apart from the collective bargaining agreement and functions independently of the bargaining and grievance process.
3) There was at least one promoter or "champion" of the program on each side of the bargaining table.
4) The program was designed, improved, and now operates on an ongoing basis with the active direction of an independent administrator who has skills and experiences peculiarly suited to a joint labor–management endeavor.

Case Study 2

Introduction

The region is served by several overlapping transit agencies. The agency, which owns the largest number of buses and light rail vehicles in the region, is called "the owning jurisdiction." The operators, maintenance employees, and first-line supervisors (street supervisors, station dispatchers, and foremen) are represented by the local of a major international transit union. Most transit management employees are represented by a separate professional employees union local.

The bus system transitioned from a municipal transit system to an independent regional services agency, which was then merged into the jurisdiction that currently owns the system. Another local government has established a streetcar system which is operated by the transit agency under an intergovernmental contract. Although there are a number of suburban and surrounding region transit agencies, the local

does not represent other transit workers at the other transit systems.

The labor and management indicators from our survey data were high and were unique in that the union respondent rated the relationship slightly higher even than the management respondent. The partnership between the jurisdiction and the largest local is currently based on a strong interest on the part of the current local leadership in securing funding for transit and thereby serving the more constant interest of the local in employee wages and benefits, complemented by a policy on the part of the jurisdiction which owns the transit agency of responsiveness to employee perspectives and interests. These policies on the part of the current local and the jurisdiction are driven by perceived membership views and public opinion, respectively.

Union interviews were conducted throughout the first day with the president, the vice president representing maintenance employees, the financial secretary and the recording secretary. Interviews with management were conducted at the transit department's offices on the following day. Labor relations and human resources were located at the department's headquarters where the interviews were conducted. Safety and risk management representatives and an operations representative came to the headquarters for the interviews.

Results

The collective bargaining agreement (CBA) established a labor–management relations committee with monthly meetings. Either party may place items on the agenda. Specific meeting topics are "matters of mutual concern"—agency policies which affect the union and contract administration issues other than grievances (unless both parties agree to discuss a grievance). In addition, the CBA established other committees on topics ranging from safety to vehicle procurement.

Other ad hoc labor–management committees have been formed from time to time, including a special bus technology committee, and of current note, a committee to investigate systemic discrimination in agency activities. In general, both management and labor interviewees praised the activities and results of these committees. More specific comments were that management's commitment to safety was particularly genuine and impressive.

However, an observation by one local union officer was that the personnel on some of the more specific committees did not have the level of understanding necessary to achieve significant results, and that key issues needed to be addressed by management and labor at the senior level.

In several areas, the local union officers felt that they had been able to propose a jointly acceptable resolution to an

issue through the committee process: for example, they had proposed a new maintenance position and work group structure to avoid craft specialty restrictions and inefficiencies in the installation of IT equipment on buses, and the current effort on comprehensive equity was a union initiative.

On the specific topic of operator relief facilities, this had been a significant topic of discussion. Specifically, it was noted that maintenance reported more than 60 instances of discovering urine-damaged operator seats in 12 months. Management has a full-time position dedicated to identifying and retaining operator relief stations. A large retail chain has granted formal permission to transit operators to use its restrooms at any of its stores. There are a few facilities with dedicated restrooms constructed for operators, but there has been resistance to the construction of such facilities particularly from suburban elected officials. Union officials also noted that owners' had withdrawn the right to use certain facilities because of abuse by employees including graffiti. While both management and the union note that it is an issue of unresolved concern, both parties seemed to believe it was being addressed as effectively as possible. One suggestion was that a federal, state, or municipal requirement for a relief facility in proximity to every bus route in service might produce the necessary civic cooperation as a condition of obtaining transit service.

In general, on issues of mutual interest (non-distributive or win-win issues) such as safety, both parties felt that collaboration was easy and effective. Of particular note among several non-distributive issues discussed was the win-win situation of the public funding issue for transit, discussed under "Analysis," below.

On distributive, competitive, zero-sum issues, it was the author's impression that collaboration was still feasible in this union–management relationship. For example, the local union officers were articulate in describing the financial challenges facing the transit budget, the necessity for the proposed service reductions, and in defending what they themselves had described as a concessionary wage settlement. They were also clear that defending the settlement proposal was possible because of their perception that transit agency wages were relatively high and that they had enjoyed past successes in wage and benefit bargaining.

In addition to but outside the LMP, the union has initiated a political action committee to support pro-transit positions in local policy debates. A quarter of the union membership joins with other pro-transit interests in funding the committee's pro-transit activities.

Premises

The specific premises regarding the factors contributing to strong and lasting partnerships are as follows:

Outline Shared Goals and Expectations of the Partnership

Precise outlining of all goals, requirements, and expectations is present and confirmed to the extent that the CBA sets out the committee structure. However, the more specific goals of safety, health, fair employment, efficient and effective operations, and adequate transit funding all seemed more intuitive for both parties rather than stated, discussed, or documented.

Establish Broad-Based Buy-In from All Key Stakeholders with Formality and Structure that is Made Clear to All

This was confirmed in the provisions of the CBA regarding committee constitution and operation. This transit agency has both strong documentation and a strong LMP. Looking ahead, if there is indeed a more confrontational relationship over the next 5 years than over the preceding 5 years, the CBA committee provisions would likely have a moderating effect.

Require Consistent Accountability of Everyone in the Organization with a Governing or Executing Responsibility for the Partnership

On the management side, some of the reporting relationships were unusual in that significant aspects of safety, benefits, and risk management were provided by a "shared services" structure of the owning jurisdiction rather than by transit division personnel reporting to the transit executive. Nevertheless, a consistent commitment to a collaborative and open relationship with the local union seemed effective throughout these functions, based on the local union's understanding of the policies and implementation.

Provide for Comprehensive Skill Building for Both Union and Management throughout the Course of the Partnership

Providing for comprehensive skill building for both groups was confirmed in that both management and the union reflected a pursuit of sophisticated approach toward LMR. The union provided mentoring and training to officers and membership. Management recruited and trained sophisticated labor relations practitioners.

Design, Implement, and Sustain Effective Communication

No formal communication plan was mentioned, but both parties seemed to be well-coordinated in communicating

issues. The union periodical in particular was broad in coverage of all views, and also included space for management presentations on collaborative topics such as risk management.

Align All Necessary Resources to Support the Partnership

Aligning all necessary resources was a requirement met. Committee meetings were not constrained by lack of funding.

Respect the Individuals Representing the Other Party

Respect for the individuals representing the other party was confirmed by this case study. Both parties mentioned the importance of courtesy in the relationship, and local union officers specifically cited the deleterious effect of union personnel who were too confrontational. More fundamentally, both parties cited the strong relationships developed by key management personnel who arose from union ranks and who cultivated an ongoing open and trusting personal relationship with union officials.

Provide an Independent Facilitator, if Affordable

Presence of an independent facilitator was not apparent. Not only was no outside facilitator active with either party, there was no apparent need for an in-house neutral party or facilitator. To some extent, the labor relations office does delegate or cede responsibility for labor–management matters to operating departments, and can play a neutral facilitator role when necessary, but this was not perceived as an impartial role as labor relations clearly represents management in its involvement.

Separate Issues between Integrative (or Win-Win) and Distributive (or Zero-Sum) Ones

This premise was confirmed to the extent that joint labor–management committees were quickly formed where the parties recognized shared interests, and also that there was continuing tension, particularly within the factions of the union, over wages and the pending wage settlement. However, it also seemed that the LMP policy of current union leadership contributed to a partnership approach to the wage issue: their defense of their proposed settlement on wages was based on their understanding of the transit agency's financial environment. In other words, the union approached the wage issue from both the perspective of members' welfare and the financial sustainability of the transit agency.

Take Advantage of Specific Successes (e.g., Pension Fund Governance, Apprenticeship) to Build a Broader Partnership

The history of partnerships was so long at this transit agency that major successes and their effect were not cited; however, the partnership does continue to broaden with new collaborative efforts on systemic discrimination and safety.

Limit the Frequency of Grievances and Time to Resolve Them; Recognize that the Partnership is Not a Substitute for a Grievance Process

This premise was confirmed in that the grievance rate is low and grievances are resolved with very few arbitrations.

Take Advantage of Shared Challenges and Crises to Catalyze Partnership Agreements

Taking advantage of shared challenges and crises to catalyze partnership agreements was confirmed in this case. While there were long-term underlying demographic and social factors that favored the partnership, it seemed clear that the threats to the transit tax base presented by the anti-tax initiatives had catalyzed a significant new dimension to the partnership in the political activity of the local.

Support Stability in Union and Management Leadership and Smooth Labor–Management Partnership Leadership Transitions

This did not seem to be a major factor in this relationship. There was acknowledgment among both the labor and management representatives that it was a significant advantage that key management personnel had come from union ranks and had an effortless, strong personal relationship with union officials. But there had been significant turnover at the top of the transit system organization in the past 10 years and the current local union president was a two-term president with no sense of pre-ordained succession from his predecessors. As mentioned above, there will be a change in union leadership; several interviewees predicted this would negatively impact the LMP.

Be Confident that Managers Can Cooperate with Unions yet Still Continue to Defend Prerogatives and Efficiency

This was a major factor in strengthening this relationship in that both management and union had confidence that the governing body and the public supported careful consideration and constant attention to employee interests, and even partnership with the union.

Be Confident that Union Leaders' Cooperation with Management Will Not Compromise Members' Interests

This premise was confirmed by the incumbent union officers' sense that the collaboration was in the members' long-run interests, that the membership had supported their policies in electing them, and that the members would support collaboration in the long run. However, the interviewees predicted a change in union leadership that would deviate from the partnership policy and negatively affect the LMP. That also confirmed that lack of confidence in the union leaders' ability to uphold union members' interests hurts the partnership.

Analysis

While the CBA contains a large number of strong clear provisions providing for labor–management committees in a number of specific areas as well as an overall labor management relations committee, both parties believed the relationship is driven by more fundamental factors in orientation of the parties.

For its part, the local union officers all believed that collaborative relationships were more productive than confrontational tactics. The union president is a clear leader and spokesperson for a policy perspective supporting partnerships and cooperation and is likely more confirmed in this view than some of the officers and certainly than the union board. Yet all of the officers interviewed agreed that collaboration was more productive than confrontation, and all of the officers interviewed specifically acknowledged that they were not in line with the current membership perspective on confrontation versus collaboration. Several officers specifically said that members of the union board were more confrontational than the officers group, and several predicted that a more confrontational group would be elected in the upcoming officer elections.

The president also recognizes that his position is different from his peers at other local unions. He attributes the difference to the combined effect of two factors: first, the populace is more diverse and progressive than the average U.S. metropolitan area, and second, because of the prominent role of part-time operators, the local is more moderate in its perspective on LMRs than locals with less diversity and turnover in their memberships. He cites favorable relationships in past decades as well as his two elections as president.

Conclusions

This seems to be a case of an unusually strong LMP arising in large part from the demographics and policy inclination of the populace reflected in the political leadership and public management, and amplified by the composition of the work force. The partnership has developed documented and institutionalized action processes. It has also been strengthened by a material challenge from anti-tax activism, although the clear sense of this dynamic is much stronger among union interviewees than among management interviewees.

It is possible that the partnership may be weakened in the coming years if management and union develop more antagonistic relationships, as seems possible, but this would be a departure from the 20-year or more trend recalled by the interviewees.

Case Study 3

Introduction

This case study involves a regional transit system organized in the late 1960s. This regional authority operates public transit services in eight of the twelve counties. It is governed by a 15-member, publicly elected Board of Directors. The directors are elected to a 4-year term and represent a specific district. Elections are staggered so that eight seats are open in one general election, seven in the next. It currently operates a bus and light rail transit system.

This transit system contracts out a significant portion of its fixed-route services. The contractors employ bus operators, not mechanics. It is interesting to note that the same union that represents employees of the primary public transit system also represents employees at the property of the larger of the two contractors, which provides for an interesting mix for its labor–management relationship between the primary transit system and the contractor, both in terms of issues and the crossover of key personnel.

In the course of completing the case study, a number of key management personnel as well as key union leadership personnel were interviewed. The interviews included the general manager, assistant general manager for bus operations, senior human resources manager, labor relations manager, and president and general counsel of the local union which represents the bargaining unit employees at the primary and larger contractor locations.

Results

The telephone survey conducted before the on-site interviews revealed very little in the way of a formal cooperative relationship, yet each side gave high marks (4 and 5, labor and management, respectively) when asked, "How would you characterize the relationship between the management and the union in your system? Could you rate it on a scale of 1 to 5?" Each party to the survey, union and management, attributed the high numbers to a different set of circumstances: the

union to a change in top leadership; middle management to more open lines of communications and fewer grievances.

The survey also pointed out that despite the high marks for the characterization of the relationship, each party had a somewhat typical view of each other when it came to responding to the question: "Can you think of any barriers your system has encountered to establishing cooperative union and management relationship?" The union representative responded that the perceived barrier was the director of labor relations and middle management representative responded, the Union. Yet, when you dig deeper, the information reveals that the perceived improvement to the relationship is largely attributable to the improved relationship between the union president and general manager.

Each side responding to the survey cited success with a few labor–management committees and stated that they have very few committees formed. No reason was given as to why they did not use the committee process more. The one or two committees, outside of the typical jointly administered Health and Welfare and Pension committees, have worked well according to the responses to the survey.

During the onsite visit, a number of handouts were provided in response to the question "Has there ever been a formal structure in place for labor–management cooperation?" Many of the handouts provided were undated, but some referenced a labor–management committee structure, dating back to the year 2000 and, possibly earlier. One such document provided was entitled "Ground Rules" (name of Transit) Labor Management Committee (LMC). It was quite detailed and provided a listing for the "Structure" of the Committee, the "Behavior" and "Process" of the Committee. It even had formal minutes taken and shared with the committee members. However, that particular Committee lasted for a short while, and was abandoned after there was a change in leadership of those who championed the committee.

Efforts to establish a labor–management cooperative structure was also suggested to the parties as long ago as 1997 by the local's Union's International when the transit system was under fire by the legislature to contract out more fixed-route services. The document sent by the International to the union local outlined a "Six-Step Proposal for Improving Operation and Efficiency of the (Name of) Transit System." The six steps of the proposal are outlined below:

1. "Conduct a Benchmark Study to Identify Actual Costs in Major Operational Areas Including Procurement, Management, Safety, Scheduling, Work Rules, and Other Areas.
2. Establish Attainable Goals and Standards.
3. Establish a Joint Labor-Management Committee to Analyze Options for Restructuring the System, Revising Schedules, Operational Rules and Procedures and Other Changes as Determined.

4. Review Existing Management Structure to Establish Agreed-Upon Approach for System Administration.
5. Work With the 'Blue Ribbon Transit Committee.'
6. Set a Time Table and Stick to it."

As stated to the writer, it was quite unique to receive that document from the International in support of management's efforts to improve its operations.

Another point of note was the collective bargaining agreements. The parties were both very proud that they reached a successful agreement before the current agreement expired and that it will serve as one of the longest term collective bargaining agreements in the transit industry, a five year agreement. The general manager and the union president said that they were able to reach such an agreement because of the cooperative relationship, involving months of talks before contract negotiation began where they limited the outstanding issues for bargain to five major areas. However, they later expanded it to seven. The keys to the agreement, they expressed, was their honest and frank relationship, built up over time, and limiting the major areas of bargaining to a small number.

Premises

Establishing a strong and flexible LMP is dependent on a number of important factors that provide not only for the establishment of an LMP, but also for sustaining the relationship. In the interviews conducted for this case study, a number of questions were asked to test the various premises development for the study against the reality of the relationship at the transit system.

Outline Shared Goals and Expectations of the Partnership

Because this transit system does not have a formal LMP structure in place, it is difficult to document this premise. Yet, while no formal outlining of goals, requirements, and expectations was evident, the parties did set goals, requirements, and expectations to reach a successful collective bargaining agreement. The goal was to reach a negotiated settlement with only five areas for consideration. They met the goal and reached a 5-year agreement, one of the longest term collective bargaining agreements in the transit industry.

Establish Broad-Based Buy-In from All Key Stakeholders with Formality and Structure that is Made Clear to All

This transit agency does not have a formal LMP in place, therefore no administrative structure exists. The leadership

of the transit system and the union stated that they did not believe that a formal structure was necessary because of their past experience with formal LMP structures. During the onsite visit, the documents provided outlined a past formal labor–management committee structure (although more in committee form). But the documents did not demonstrate that a formal LMP ever existed.

To illustrate the point, the management leadership stated that their experience with large labor–-management committees was not conducive to addressing large issues. It was stated that the intent of the committees was good, but they were not effective and, for the most part, largely unproductive. The information gathered during the interviews and survey suggest that what has worked well for their cooperative labor–management relationship is an informal meeting process by which the leadership of labor and management meet regularly to communicate and resolve issues. It was pointed out that the meetings are sometimes used to just "talk" with each other. These informal, but regular, meetings support the premise that one of the keys to sustaining a good labor–management relationship is an open line of communications.

Require Consistent Accountability of Everyone in the Organization with a Governing or Executing Responsibility for the Partnership

While there was not a formal partnership structure in place, the findings of the case study did confirm that the parties required consistent accountability from everyone serving on and executing responsibilities for committees. There are four active joint committees: Health and Welfare, Pension, Safety, and Schedules (identified here as a Run Board Committee). These committees, whose membership was shared equally by both labor and management, were the backbone of the joint cooperative initiatives.

Provide for Comprehensive Skill Building for Both Union and Management throughout the Course of the Partnership

There was no information based upon the findings of the case study on this premise.

Design, Implement, and Sustain Effective Communication

Although there was no evidence to demonstrate that a formal communication plan was in place, it was clear that management and the union believed in communicating with each other and worked out an informal communications system that benefited both. For example,

- A monthly publication is produced by management which notifies employees and the union of new developments within their transit system,
- The general manager and union president meet three to four times each year to share ideas and discuss issues,
- The general manager is invited to attend the union president's executive board meeting which he does, and
- A constant theme which became clear throughout the interview process was that both labor and management expressed the need to keep the lines of communication open in order to have any meaningful and sustained relationship.

Align All Necessary Resources to Support the Partnership

There was no information based upon the findings of the case study on this premise.

Respect the Individuals Representing the Other Party

This premise was explored and confirmed in the interviews as well as in the review of data. The union president and the general manager expressed that they operated on the basis of mutual respect and never on blindsiding or diminishing the other party. They expressed that a cooperative relationship or partnership was not going to work unless it fostered mutual respect, a critical and necessary element to the success of the relationship.

The general manager expressed that his philosophical approach was to convey to his management staff for them "to do the right thing" by their employees. He stands by that philosophy and believes that it has been very helpful in fostering a better labor–management relationship with the union. The union president stated that he also operates on the platform of mutual respect.

Provide an Independent Facilitator, if Affordable

There was no information to suggest that the parties believed that an independent facilitator was necessary for a cooperative relationship. In fact, it was just the opposite. It was stated by both parties that they have a good open line of communication to resolve their differences and that an independent facilitator would not add much value or be beneficial to the relationship.

Separate Issues Between Integrative (or Win-Win) and Distributive (or Zero-Sum) Ones

There was no information based upon the findings of the case study on this premise.

Take Advantage of Specific Successes (e.g., Pension Fund Governance, Apprenticeship) to Build a Broader Partnership

There was no information based upon the findings of the case study on this premise.

Take Advantage of Shared Challenges and Crises to Catalyze Partnership Agreements

There was no information based upon the findings of the case study on this premise.

Support Stability in Union and Management Leadership and Smooth Labor–Management Partnership Leadership Transitions

The evidence provided from all data sources reviewed pointed to an improved labor–management relationship within the last 5 years following the appointment of a new general manager and the election of new local union president.

It is noteworthy that the general manager and local union president are considered insiders, since each has been with their respective organizations for a significant period of time before assuming their new roles. In essence, their familiarity with each other may be credited for a smoother transition and stronger relationship, supporting the premise of stability in the leadership. Given the stability in the relationship, both leaders noted fewer grievances, a more open line of communication, and the ability to address shared challenges. The union president stated during the interview that he can call upon the general manager at any time and that the general manager will respond to his concerns. The same was held true by the general manager when he needed to reach out to the union president for the resolution of issues.

Be Confident that Managers Can Cooperate with Unions yet Still Continue to Defend Prerogatives and Efficiency

There was no information based upon the findings of the case study on this premise.

Be Confident that Union Leaders' Cooperation with Management Will Not Compromise Members' Interests

There was no information based upon the findings of the case study on this premise.

Analysis

It is clear from the interviews and data that a labor and management cooperative relationship exists at this transit system, but it would not be identified as a traditional partnership with a formal structure and signed document. What the parties have formed is a very good labor–management cooperative relationship built on mutual respect and some shared goals, which are the two key ingredients for a partnership. It is also clear that neither party favors formal labor–management structures.

While the general manager stated that he believed in joint committees, he did not believe that large committee structures worked very well. He found them to be well attended, but unproductive. He preferred smaller groups and meetings as needed. The union president also did not favor formal labor–management structures. He was not a fan of Labor–Management committees; rather he would prefer to keep meetings informal.

While the information reveals a good cooperative labor–management relationship, the concern rests with the fact that it is driven by the relationship between the general manager and the local union president. There was little evidence to support the fact that the good cooperative relationship that exists today goes beyond the top level of both organizations. In fact, the information provided from the interviews and data strongly suggests that if the general manager or local union president were to leave, the relationship may slip back to a more adversarial one. That fact came out in the interviews where it was expressed by the union that they had a problem with certain key senior management personnel who they interacted with on a frequent basis. A similar statement was made by key senior management personnel about dealing with the union representatives.

With respect to the contractors at this transit agency who provide over half of the fixed-route service, data was gathered and an interview conducted with the general manager for the largest of the contractors. He expressed that many of the premises tested in this study did not relate to his contracted services due to the fact that the union representing his employees do not have that much involvement with him. He expressed that his current transit site is the contracted bus yard that he has run with relative ease with regard to labor relations. In his opinion, it all has to do with the union leadership. He stated that he and the union president have a great relationship and that they have pledged never to lie to each other and they haven't.

Conclusion

In returning to the main theme of LMPs in the transit system and "What Makes Them Work," this case study suggests that LMPs take many different forms. There is no one size fits all.

- One could argue that if the cooperation agreement is not in a structured document, with time, place, participants,

and goals written down, it cannot be a partnership agreement. And that argument has some merit.

- One could also argue that what matters most is the cooperative relationship and its achievements, not a structured written document. And that argument has some merit.

What this study proved more importantly is that without a cooperative labor–management relationship very little can be achieved.

The transit system of this case study made that point very clearly. They have a very good relationship at the top level of both labor and management. They communicate with each other well, solve problems, work on long-term collective bargaining agreements, and visit each other in person. But the greatest danger for this and other transit systems that have a great cooperative relationship that depends on the personalities of the leadership is that a change in leadership has the possibility of weakening or destroying that great relationship.

Unless both labor and management at this transit system can find a way to incorporate their very good relationship into the fabric of the organizations, all of their great effort on specific issues and goals will be lost and a new leadership will have to begin the process again. Maintaining good labor–management cooperative relationships must have a basis on factors that go beyond the personalities of the leaders of the organizations. While the labor and management leadership of this transit system should be applauded for their fine work in maintaining a good cooperative relationship, they must look for ways to have it live on beyond their tenures.

Case Study 4

Introduction

This case study involves a medium-size bus operator. According to the National Transit Database FY 2012 profile, the transit system operates 188 buses and employs 401 full-time vehicle operation employees and 83 full-time vehicle maintenance employees. One major union local represents bus operators and mechanics in this transit system. It is mandatory by state statute that the transit system bargain with the union local.

In telephone surveys, both the CEO and the local union president rated their labor relationship very highly and indicated effective cooperation. Interviews with management and union representatives indicated that this cooperative and productive relation emerged after the current CEO joined the transit system in August 2012 as the interim CEO and later became the CEO.

The labor–management relationship at this transit system was very negative when the former CEO was in office. The union local president attributed the negative relationship to

the former CEO's top-down management style, disregard of union's concerns, and reluctance to communicate with union officials outside of collective bargaining. The current CEO's initiatives to communicate with union officials were instrumental in improving the relationship and the mutual efforts of the CEO and the union local president reinforced and advanced the developing cooperation.

The current CEO used to be a union official in another industry, which helps him understand labor relations issues from a union perspective, and his empathy with union allows him to communicate more effectively with union leaders and members.

The overall relationship between management and union is currently positive and cooperative. Frequent and direct communication between them is present at the top leadership level. The management and the union local work collaboratively on issues that concern both parties (e.g., safety, transit service planning, funding for the transit system, external political pressure that interferes with effective operation of the organization, extreme weather, implementation of new devices/equipment that improves operation effectiveness). Two formal labor–management joint committees are in place and actively functioning—the safety committee and the service review committee.

Results

Both management and union representatives interviewed for this case study approved most of the premises.

The CEO and union president did not believe a formal structure was necessary for an effective partnership, but the CEO acknowledged that such a structure would be valuable during leadership turnover. They did not make use of an independent facilitator for the partnership. The CEO believes a facilitator may be helpful but only when an impasse occurs.

The union local files very few grievances. The union president attributed this to his effectiveness in leading the local and the human resources director's competency in the grievance process. The union president thinks that both he and the director of human resources, who processes grievances, are very knowledgeable about the grievance process. The current director of human resources was brought into the transit system by the current CEO. The union local president recognizes her effectiveness and efficiency in processing grievances.

The CEO and the union local president do not always agree with each other on how to resolve grievances, but based on the trust they built, they believe that the intention of their counterpart is to resolve every grievance in a fair and equitable way for the overall well-being of the transit agency. The CEO and the union local president do not reach an agreement on every grievance, so they sometimes need to go through arbitration. However, such disagreements and arbitrations do not affect

the relationship between the two parties and are not carried over to affect the resolution of other issues.

Information is lacking for the premise of alignment of all resources for the partnership.

Premises

In the interviews conducted for this case study, a number of questions were asked to test the various premises developed for the study against the reality of the relationship at the transit system.

Outline Shared Goals and Expectations of the Partnership

There is no formal documentation of goals, expectations, or requirements of the LMP. Cooperation between management and union is largely dependent on the CEO and the union president, who are both proactive in nature, and on the trust between them. Though lacking formal governing documents, the two individuals demonstrated a consistent understanding of the goals and expectations of the partnership in separate interviews. Both recognized the philosophy that the interest and well-being of the transit agency ultimately determines the overall success and welfare of the management, the union, and its members. They also acknowledged that frequent and effective communication is critical in developing and reinforcing shared understanding of the goals and expectations.

The goals and expectations of labor–management cooperation that are commonly shared and constantly emphasized by both the CEO and the union president include (1) delivery of quality transit service to customers, (2) management's intention to fairly and equitably resolve problems, and (3) union's trust that such intention is held by the management even if opinions on specific issues differ.

Establish Broad-Based Buy-In from All Key Stakeholders with Formality and Structure that is Made Clear to All

The partnership in this transit system is largely dependent on the leadership and cooperative relationship between the CEO and the union president. No formal administrative structure and procedures are in place at the top level of the transit system. Both the CEO and the union president believe that a formal administrative structure does not fit the existing partnership. They believe formal structures have a tendency to become procedural requirements that do not contribute much to problem solving and relationship building compared to the administrative cost imposed. A frequent and allegedly effective, yet non-institutionalized, line of communication

between the CEO and the union local president allows flexibility in problem solving. So when a problem arises, the two individuals can react quickly by making a plan and organizing resources necessary for implementation to solve the problem through effective communication.

However, some formal structures are in place for the two joint labor–management committees on safety and service review (e.g., required representation from union and what issues are addressed in those committees and how). The committees are formatted in a way that everyone is able to speak at the table without time limits. Meetings are well organized and minutes are recorded.

Require Consistent Accountability of Everyone in the Organization with a Governing or Executing Responsibility for the Partnership

The CEO and the union president are responsible for all aspects of the partnership through direct involvement in problem solving. Representatives of management and union on the two active committees—service review and safety— have defined responsibilities within the two committees.

Provide for Comprehensive Skill Building for Both Union and Management throughout the Course of the Partnership

The union president emphasized the importance of skills training for union members. He encourages and supports union members, mostly stewards and executive board members, to participate in training in labor relations related topics (e.g., grievance process, relationship building, negotiation skills).

Management did not provide comments on this premise.

Design, Implement, and Sustain Effective Communication

The LMP in this transit system does not have an institutionalized communication plan between management and union. However, a frequent and issue-driven communication channel exists between the CEO and the union local president. The CEO has an open door policy for the union local president, which means that the local president could stop by the CEO's office anytime to raise issues of concerns to the union and its members. The CEO and the local president communicate several times a week, in person and via phone calls and emails.

Due to the proximity of the union building to the transit system's headquarters, the union president is able to walk to the building where management personnel are located in a few minutes, which allows for frequent face-to-face meetings.

Communication with peers or members is equally important. The CEO recognized the union president for being an effective leader, including his ability to precisely and effectively communicate messages coming out of a meeting between himself and the CEO. On the management side, the union local president recognized that the new management personnel whom the CEO brought to this transit agency share the CEO's management philosophy and work effectively in resolving operational challenges in cooperation with the union.

Align All Necessary Resources to Support the Partnership

No information was provided on this premise.

Respect the Individuals Representing the Other Party

Top management and labor leaders expressed high respect for their counterparts. The CEO recognized the union local president's experience and leadership not only as an elected union official, but also as an experienced transit operation expert. The union local president acknowledged the CEO and other management personnel's prerogative in management decision making and respected the CEO's willingness to listen to and fairly address union members' concerns. Both sides also value the CEO's past experience being a union official.

Provide an Independent Facilitator, if Affordable

Both parties expressed that there was no need for a facilitator. The last contract negotiation went exceptionally well—no arbitration was needed, for the first time in 10 years. However, the CEO indicated that if impasse occurs in the future, mediation may be helpful.

Separate Issues between Integrative (or Win-Win) and Distributive (or Zero-Sum) Ones

Management and the union local share a common understanding that it is for their mutual benefit to productively operate a transit system that provides quality transit service in a cost-effective manner. On distributive issues, the management listens to union's concerns and opinions and makes fair decisions that they believe serve the best interest of the transit agency. The management and the union local work collaboratively on issues that concern both parties (e.g., safety, transit service planning, funding for the transit system, external political pressure that interferes with effective operation of the organization, extreme weather, implementation of new devices/equipment that improves operation effectiveness).

Take Advantage of Shared Challenges and Crises to Catalyze Partnership Agreements

Both management and union interviewees approved this premise.

When a major storm hit the area, the CEO reacted promptly and effectively by laying out an emergency plan and keeping close communication with both management and the union locals. The CEO appreciated and made use of the union president's ability to quickly and effectively mobilize union members to implement the emergency plan. The union president acknowledged the CEO's ability to effectively handle emergency situations with union members' concerns in mind, and that the successful reaction to the hurricane reinforced the improving labor–management relationship.

Another example is when the management and the union reached a collective bargaining agreement without arbitration. This was the first agreement reached without arbitration in the past 10 years. The success reinforced the relationship between the management and the union local.

Take Advantage of Specific Successes (e.g., Pension Fund Governance, Apprenticeship) to Build a Broader Partnership

The union president thought that the safety committee was an example that approved this premise.

The safety committee, almost nonexistent until the new CEO's arrival, has grown substantially in its effectiveness and functionality. It has gone beyond minor safety issues to tackle major safety issues requiring substantial financial commitment, such as inspection and modification of lifts. A combination of management and union representatives from all levels sit in the committee, including the local union president, two bus operators, a paratransit driver, a mechanic, head of operations, head of maintenance, head of training, chief safety officer, and a superintendent.

The safety committee meets once a month to discuss issues emerging from daily operations. The revival of the committee through addressing minor safety issues gave rise to confidence this form of cooperation and built trust between management and union representatives on the committee. The confidence and trust allowed the two sides to move on to more significant issues that require greater financial and non-financial commitments.

Support Stability in Union and Management Leadership and Smooth Labor–Management Partnership Leadership Transitions

Both parties acknowledged that the trust developed by the CEO and the union local president was indispensable for the

cooperative relationship; any leadership change might negatively affect the relationship.

The CEO suggested one way to sustain labor-management partnership through leadership changes was careful selection of new leaders on the management side. He agreed that institutionalization of the partnership would have value in sustaining the partnership in times of leadership turnover.

Be Confident that Managers Can Cooperate with Unions yet Still Continue to Defend Prerogatives and Efficiency

The CEO's way to defend his prerogatives was to gather all possible facts and evidence and make fair decisions.

Be Confident that Union Leaders' Cooperation with Management Will Not Compromise Members' Interests

The union president acknowledged that different opinions about his interactions with the management exist but that during his tenure as president, disagreements from within the union were minor. He always stood firmly behind his decisions.

Analysis

The LMP at this transit system is fairly new but has been effective for 2 years since the new CEO joined. The leadership turnover on the management side (i.e., the CEO, as well as a few other management positions such as the director of human resources and chief counsel) was the starting point of a new labor–management relationship at this transit system. Several key factors contributed to the successful recast of the relationship:

- Appointment of a union-friendly CEO with experience serving as a union official;
- Frequent and proactive communication between top management and union leaders;
- Shared understanding that (1) it is to the advantage of both management and union to provide quality transit service, and hence any decisions and actions should not deviate from that objective; and (2) in the face of conflicts, leaders from both management and union hold the intention to fairly and equitably resolve problems and believe the same in their counterparts, even when their views on specific issues differ; and
- Management's effective engagement of union and union's active cooperation to resolve emergencies and crises.

Beyond these factors, it is critical that top leaders from both sides develop trust in and respect for their counterparts.

Differences in opinions on specific issues can occur on a daily basis. A cooperative relationship cannot sustain if such differences are taken beyond the issues they immediately concern to affect deliberation on other issues, or even worse, to question the professionalism and the intention of the counterparts. That has proven to be challenging in many labor–management relationships.

At this transit system the two top leaders have been successful in developing the necessary trust in and respect for each other. Frequent and effective communication played a critical role in their success. The CEO and union president meet in person and talk on the phone a few times a week to discuss issues, which include grievances, but more broadly operational decisions, transit agency funding and state politics, and so forth. Many of those areas call for cooperation of management and union for the greater well-being of the transit agency.

Besides trust and respect between the two top leaders, sustaining a cooperative and productive labor–management relationship also requires strong leadership who can effectively communicate, or defend if necessary, their decisions and actions to their colleagues or union members, so that the partnership not only exists at the top but at all levels of the transit agency.

The LMP at this transit agency has been informal and largely run by the top leaders of management and union. At a relatively small transit system, this could be effective as it simplifies the layers of communication and delegation. The leaders could react to issues directly and quickly. However, this model may not work so well for large transit systems, when the quantity of issues is simply too large to be handled by two individuals. Multiple layers of delegation are inevitable, and thus communication and implementation is much more complex.

Conclusions

This case study demonstrates a successful partnership that is largely dependent on the leaderships of the CEO and the union president. Overall institutionalization is nonexistent for the partnership, although structures and procedures exist for two joint labor–management committees on safety and service review. Frequent and effective communication on an equal and respectful basis between the CEO and the union president is critical to the success. The two leaders developed a common understanding that it's a mutual goal consistent with management and union interests to deliver quality transit service to customers in a cost-effective manner, and that management should and will maintain the intention to fairly and equitably make decisions while union should and will trust that such intention is held by the management, even if opinions on specific matters differ.

Case Study 5

Introduction

The transit system studied is a medium-size bus and light rail operator. The transit system acquired a private operator and has been authorized by state law to employ workers to operate transit. A private corporation has been formed under the direct control of the transit system to conduct collective bargaining. Under current NLRB law, members of the major local union of this system, roughly 380 operators and maintenance employees providing fixed-route bus, paratransit, and light rail service, are employees within the meaning of the National Labor Relations Act. The contract provisions (now on contract number 45) are venerable and comprehensive.

The CFO, COO, and human resources director along with the union financial secretary/business agent and recording secretary were interviewed. The enabling statute, most recent collective bargaining agreement, and pension plan were reviewed.

Each of those interviewed was surprised that anyone from the transit system or the major local union had rated the LMP as being particularly cooperative. After some discussion, we concluded that the survey information on which our committee selected target study properties had been collected 1 year ago, when both the union and management were under different leaderships. The parties confirmed that the union business agent and the general manager enjoyed a long and well-established business relationship, which they used to resolve disputes directly between the two of them. When the general manager left in the fall of 2013 and the union elected a new business agent in January of the same year, the replacements on each side faced many challenges, including the upcoming expiration of the existing collective bargaining agreement.

In addition to ongoing service as pension trustees, the two officials are governed by a contract provision for periodic "labor management meetings." The new general manager and business agent revived the regular meetings, which had been ignored for many years. They set a monthly meeting date based on a written agenda. The top officers, along with others who may be concerned about one or more of the planned issues, attended the meeting.

The business agent will not run for another term, as he has already retired from active duty at this transit system and the by-laws do not permit him to run for local office again as a retiree. The CFO knows already that he may not continue to direct the LMP under the new CEO, hired from outside the transit agency, who had been in place for less than a month when the case study was conducted. Both were concerned with taking steps to solidify their progress before their roles and status change in the future. Consequently, they spoke quite a bit about how the process might be preserved in the future, especially to make sure that they could work together on matters of mutual interest, such as funding, manpower, and even compromise to save litigation cost.

The CFO and union president identified several actions to try to bolster or preserve the positive aspects of the LMP.

- First, they are keen on widening the circle of participation by both management and labor.
- Second, they would like to routinize the labor–management meetings and get people on each side to view those meetings as helpful, productive encounters outside of the grievance procedure.
- Third, they would like to focus on openness and go out of their way to reassure the other of good will and reliability— when one says they will do something they follow through and note that they have done so.

Premises

In this transit system, there are certainly collaborative activities, though not necessarily called collaborative by the parties themselves, including pension oversight, periodic work/run selection, contractual labor–management meetings, and strong informal personal relations between the top executives. The contractual requirements to administer the pensions, pick work assignments, and conduct labor–management meetings provided opportunities to collaborate, but as anyone with experience in labor relations knows, these can easily become targets for confrontation rather than collaboration (though collaboration on pension administration is the rule almost everywhere).

The fourteen premises were tested against the reality in this transit system and the findings are summarized as follows.

Outline Shared Goals and Expectations of the Partnership

As the collaborative efforts emerged, the contract was concluded and this was a clear goal which was obvious and scarcely needed to be "outlined."

Establish Broad-Based Buy-In from All Key Stakeholders with Formality and Structure that is Made Clear to All

In this transit system, a formal, long-term collaborative system or partnership has not emerged, so there is no way to evaluate the benefit of a clear and formal administrative structure.

Require Consistent Accountability of Everyone in the Organization with a Governing or Executing Responsibility for the Partnership

There were no findings on this premise.

Provide for Comprehensive Skill Building for Both Union and Management throughout the Course of the Partnership

There is no skill building program in place for the LMP.

Design, Implement, and Sustain Effective Communication

Both management and union interviewees credit their capacity to communicate and listen respectfully as the key to positive outcomes. The two parties took advantage of positive developments in the labor–management meetings to draft a new contract which they see as a shared accomplishment. It is fair to say that each side separately values the qualities of mutual respect and focused and effective communication; but there is no communication plan in place.

Align All Necessary Resources to Support the Partnership

There were no findings on this premise.

Respect the Individuals Representing the Other Party

The two parties took advantage of positive developments in the labor–management meetings to draft a new contract which they see as a shared accomplishment and it is fair to say that each side separately values the qualities of mutual respect and focused and effective communication.

Provide an Independent Facilitator, if Affordable

There were no findings on this premise.

Separate Issues Between Integrative (or Win-Win) and Distributive (or Zero-Sum) Ones

As the interviewer explained the difference between integrative and distributive issues, each interviewee felt that they described part of the collective bargaining process, but neither really thinks of the ongoing labor relationship in that way.

Take Advantage of Specific Successes (e.g., Pension Fund Governance, Apprenticeship) to Build a Broader Partnership

There were no findings on this premise.

Take Advantage of Shared Challenges and Crises to Catalyze Partnership Agreements

The element which turned these particular parties to collaborative postures was the departures, almost simultaneously, of the principals on each side. Those remaining had to conclude a collective bargaining agreement and re-construct their labor–management relationship in short order. Each, it seems, felt that they could use the help of the other. Also, neither was particularly concerned about their predecessor looking over their shoulder and undermining their own position in the union or management hierarchy.

Support Stability in Union and Management Leadership and Smooth Labor–Management Partnership Leadership Transitions

The recent leadership turnover on both sides brought challenges in labor relations to this transit system. However, the challenges were also catalysts for the new leaders to establish new cooperation for the negotiation immediately following the leadership turnover.

Be Confident that Managers Can Cooperate with Unions yet Still Continue to Defend Prerogatives and Efficiency

There were no findings on this premise.

Be Confident that Union Leaders' Cooperation with Management Will Not Compromise Members' Interests

There were no findings on this premise.

Results

In the case of this transit system, taking advantage of shared challenges was an important catalyst, whereas stability in leadership, managers' confidence without threat of interference from other stakeholders, and union leaders' freedom from internal political pressure were not significant factors.

Analysis

Both the acting general manager and the new union business agent found the labor–management meetings helpful to resolve issues which did not get much attention at the bargaining table and, more importantly, to determine whether they would be able to work with each other. Each felt the need to replicate the relationship of their predecessors, but also each wanted to conduct more open and inclusive collective bargaining so that their respective constituencies would

not see the collective bargaining process as secret and exclusive and to prepare their respective fellow officers to assume responsibilities in the future. Each felt that they had not been informed by their predecessors the way grievances had been handled, negotiations had been conducted, and other related issues had been resolved. Each was seeking better communication moving forward.

The interviewer's observation was that the two men were cordial, even warm in their personal relationship, but cautious to keep a proper distance and very careful to make sure that others on each side were involved in the day-to-day interactions. They have very different styles of interacting, but they work hard to understand where the other is coming from and probe for issues where they might find common ground. Since the union president is a bus operator, he brings in tangible experiences in operation, while the CFO/acting general manager brings in a more analytical and fiscal slant to their meetings. Each has advisors involved but they very much "own" the collective bargaining determinations and process.

Neither management nor union leaders focused on distributive versus integrative issues, though they noted that work selection was a key regular joint labor–management activity based on mutual interest. They worked toward making sure that the assignment roster was workable and well-understood and that assignments were selected equitably. This fact was an advantage from an efficiency point-of-view but did narrow the number of participants in the relationship and amplified the disruption during leadership transition. Neither side was willing to reject out of hand the idea of a "labor-management partnership" but the phrase did not garner immediate enthusiasm either. The management officials said "show me the details," while the union leaders were more concerned with the appearance that the union would be signing on to a management-sponsored program to water down collective bargaining.

Conclusion

Both the acting general manager and the union president were quite eager during their first year of working together to establish and institutionalize a partnership. They possess already a strong and shared sense of responsibility for the success of the transit system and the well-being of those who work there.

Case Study 6

Introduction

This case study was of a large multimodal transit system and its largest union local. A majority of the transit system employees in both bus and rail modes are represented by the largest union local.

The relationship between management and the union local has a contentious recent history and has seen periods of labor unrest and postponed collective bargaining. The telephone surveys showed that the current labor–management relationship at the top level (executive management/local union leadership) has improved somewhat in the last 18 months. It appears to be stable and there is some regular cross-communication. The relationship at all other levels was adversarial and both sides rated the overall effectiveness of joint labor–management committees as poor.

The current CEO and local union president were not available for interviews for this case study. Of the senior executives interviewed, one has served for over a decade in the present position and appears to have the longest continuing management impact on a vital function of the organization. This may have significance since a joint committee formed to oversee and advance the function reported that it was one of very few sustained partnership activities now functioning that generated positive comments from both sides. Committee structure and procedure are well defined with clear lines of reporting and communication for both management and union members. Other committees are rated poorly because they are seen differently by the union and management.

Results

At the highest management and union local levels, relationships have stabilized over the past few years. But interview data gathered from senior management and union leadership points to a poor overall state of labor–management cooperation. Management attributes some of this (or perhaps much of it, depending on the narrator) to confrontational behavior by the union. Labor tends to attribute it mainly to bad faith bargaining and unnecessarily harsh day-to-day management behavior at most levels of the organization.

It should be noted that the financial recession and resulting public budget issues of the last several years have at times placed union leadership in a position of disagreement with both the transit system and its public funding sources.

Premises

The following premises are assumptions, based on previous research, about actions or activity that will help to effectively establish and sustain productive labor–management cooperative relationships around issues of common interest. These premises may be confirmed, not confirmed, or possibly shown not to apply at this organization.

In the text below, each premise is considered against the various LMP activities that have been established at this tran-

sit system in recent times. Since only a few of those activities appear viably functional at the time of this study, a confirmation of any premise may not be applicable to the overall joint relationship, but only to very limited activities.

Outline Shared Goals and Expectations of the Partnership

This premise is partially confirmed by the case study. Over time, many joint committees or other joint endeavors have been established by memoranda of understanding (MOU) and letters of agreement (LOA). Only a few of these were fully implemented. These few do have a requirements and expectations structure and some outlining of goals. However, in these cases, most funding comes from management; and in at least one case, a jointly established activity is administered only by the union. As noted, very few of these activities are currently seen as functioning with at least some success by both sides.

Establish Broad-Based Buy-In from All Key Stakeholders with Formality and Structure that is Made Clear to All

This premise is partially confirmed. The structures of very few existing joint labor–management activities are clearly delineated. In some cases there are designated administrators and oversight. For the majority of the joint endeavors that exist on paper, no structure has been designated.

Require Consistent Accountability of Everyone in the Organization with a Governing or Executing Responsibility for the Partnership

Where labor–management activities exist, there is no evidence of systematic accountability requirements. There is evidence of some accountability requirements specific to a few activities; but there is no programmatic system of accountability applying to everyone who may be involved in joint activity.

Provide for Comprehensive Skill Building for Both Union and Management throughout the Course of the Partnership

Little evidence was found from either side of the systematic addressing of skill development for the purpose of administering, managing, and sustaining joint LMP activities. There is anecdotal evidence from both sides that those carrying out joint activities have specific professional or skills training to do so. With the possible exception of one committee, there appears to be no formal jointly recognized effort to specifically train for skills that will sustain LMP activities.

Design, Implement, and Sustain Effective Communication

There is no evidence of a formal communication plan for LMP activities. Some labor–management meetings are prescribed by an MOU but there is no prescribed protocol or structure. There is evidence that such meetings occasionally take place, but not with regularity. For the few LMP activities that have some structure, there are certain communication requirements for both sides so that the activity may continue; but these do not appear to constitute a detailed, sustaining plan.

Align All Necessary Resources to Support the Partnership

In one major labor–management effort there is evidence of resource alignment to sustain processes and objectives. In other existing joint efforts, this could not be confirmed.

Respect the Individuals Representing the Other Party

This premise was not confirmed. Senior executive managers indicated respect for the contribution and judgment of certain, senior, experienced union members. While no executive interviewed indicated disrespect for union members, the union leadership consistently stated that management lacked respect for the union leadership and members. This criticism, along with lack of trust, was the most frequently encountered criticism from labor throughout the case study process.

Provide an Independent Facilitator, if Affordable

There is no independent facilitation for current LMP activities.

Separate Issues Between Integrative (or Win-Win) and Distributive (or Zero-Sum) Ones

Multiple memorandums of understanding and letters of agreement specifying exploration of many integrative issues indicate that both sides identify the issues appropriately. However, there is no consistent evidence that this leads to collaboration in addressing or resolving the issues.

Take Advantage of Specific Successes (e.g., Pension Fund Governance, Apprenticeship) to Build a Broader Partnership

This premise was not confirmed. There is no evidence of leveraging successful labor–management activity into

something more. The few existing functional joint efforts do not appear to have spurred further action toward cooperation.

Take Advantage of Shared Challenges and Crises to Catalyze Partnership Agreements

In the past certain challenges led to the formation of a labor–management committee which included the establishment of structure and procedure beyond what had previously existed. However, the continuing activity of that committee draws regular criticism mainly from the union, which does not believe its legitimate concerns about committee functioning are being addressed. In response to another challenge, a broad, coordinated joint effort was launched which management characterized as an ongoing success. The general tone of the union leadership's opinion is that it worked in spite of some management missteps. While the labor–management effort still exists, it is difficult to predict if any formal long-term partnership will continue around the particular challenge.

Support Stability in Union and Management Leadership and Smooth Labor–Management Partnership Leadership Transitions

There appears to be a current relationship of mutual respect at the highest leadership levels on both sides. There has previously been some volatility at this level. Below this level, there appears to be widespread disapproval of how the other side operates, and some antagonism and distrust.

Be Confident that Managers Can Cooperate with Unions yet Still Continue to Defend Prerogatives and Efficiency

Management generally appears to believe it can defend its prerogatives. There is evidence that there is always some consideration given to other stakeholders and to the law; but these considerations do not diminish the defense of prerogatives.

Be Confident that Union Leaders' Cooperation with Management Will Not Compromise Members' Interests

Union leaders interviewed indicated that in a unionized organization such accusations will inevitably exist; but they do not currently characterize the leader-member relationship. But there is past evidence of members being concerned that their leaders interact with management in ways that would foster long-term well-being of members. The cur-rent leadership characterizes its approach to management as assertive and believes it is the spirit endorsed by a majority of the members.

Analysis

Both labor and management interviewees at this transit system have characterized their relationship as mostly adversarial over many years. But through this time a few previously established cooperative labor–management activities have continued with some useful impact on issues of mutual interest in the organization. Additionally, two new joint efforts have more recently been established to address significant operations and maintenance issues.

The older cooperative activities continue; some are now no longer functional even though they still exist. Each side has voiced differing criticism as to the way both dormant and active joint efforts are being handled; and each side appears to believe that the other is not addressing the criticism.

There has been a recent effort by management to focus mutually on issues of existing committees and to consider some important new issues that both sides identified. Accordingly, labor–management meetings have been prescribed in writing. As of the completion of the case study, meetings have not yet been held. But management indicates that it is still working toward continuing the dialogue on the existing cooperative issues and opening discussion in new areas. Labor leadership is skeptical and even suggests that management agrees to prescribed joint meetings, but often does not follow up. Management admits that many mandated committees never meet but has not yet offered a resolution for the situation.

Management notes that labor's cooperation is essential to address both existing and new topics, some of which are considered urgent. But management also notes, and labor confirms, that the interests of each side around these issues are conflicting. Nevertheless, management indicated it will seek a dialogue very soon in an attempt to create a labor–management task force to seek some agreement on these issues that could be included in the next collective bargaining agreement.

Management suggested that dialogues between leaders in the various subdivisions of the union and their direct management counterparts might be a viable route to cooperation on both existing and new issues. The union agreed in principle, but it does not believe there can be widespread cooperation due to current management failings at these levels and heavy-handed disciplinary practices. The union would like to see more managerial/leadership training and more motivation than is evident in the current rigid organizational structure. Management indicated that the union probably thinks disciplinary practice is too heavy-handed, but added that it

thought there was some recent improvement in both the perception and in the administration of discipline. The union does not yet find this evident. This could be a topic for a constructive discussion.

Management believes that cost, cost versus value, or funding availability are frequent determiners of what issues do or do not lend themselves to cooperative efforts. The union does not dispute this, but it often perceives cost versus value differently from management and questions whether management always provides complete fiscal information. This too would seem to be a topic for constructive discussion.

Union confirms that management keeps it well informed but believes that this can also be a confirmation of a recurring unwillingness to seek union input on mutually important operations and maintenance issues. Management indicated that trust and effective communication are paramount to successful joint cooperation. The union agreed and added mutual respect as being equally important. The union claims that these qualities are lacking in management at levels below the top, and occasionally even there. In some union interviews it was suggested that certain joint-effort "successes" in the past were actually management-mandated programs or actions that the union, for one reason or another, accepted with little discussion or input. But no specific examples were offered. Related to this, management interviews expressed opinions that the union resists change even while recognizing that it may be in the union's immediate interest to do so. The nature of the two-way communication would appear to be another topic for constructive discussion.

Conclusion

For a decade or more, LMPs at this transit system have resulted in the effective addressing of a few serious issues of mutual concern. Most of these issues are not subject to a one-time resolution; they evolve situationally and demand regular attention and action that must also evolve accordingly. The ongoing adversarial labor–management environment makes this difficult; and progress is slow or at a standstill because of many existing issues. But the trust, respect, and effective communication that both sides seek—especially at the mid-level of the organization—would appear to offer the most immediate opportunity to open a constructive dialogue.

The current conditions hinder the joint resolution of mutual interest issues and make it even more difficult to come together around newly identified issues of mutual interest unless the impetus comes from the very top of both the labor and management organizations. But the current conditions also make a willing dialogue a useful first step to better understand each side's point of view, motivations, impediments, and political realities. The understanding and trust that could result would likely facilitate voluntary, effective cooperation at the mid-level where it appears from this study to be most wanted and needed by both sides.

A P P E N D I X   H

Evaluation Workshop Feedback Form

Evaluate Labor-Management Partnership Toolkit Elements

Please rate each of the LMP Toolkit elements from 1 to 5 (circle the number that you would like to assign to each element) and provide comments for your rating.

Labor-Management Partnership Charter (signed document)				
Circle one: 1 = very effective; 5=not effective				
1	2	3	4	5

Comment:_____
_____
_____

Labor-Management Partnership Guidance (14 Guidelines)				
Circle one: 1 = very effective; 5=not effective				
1	2	3	4	5

Comment:_____
_____
_____

Labor-Management Partnership Workshop Framework				
Circle one: 1 = very effective; 5=not effective				
1	2	3	4	5

Comment:_____
_____
_____

Rank Labor-Management Partnership Guidelines

Please rank the 14 Labor-Management Partnership guidelines (1 = most effective, 14 = least effective) and provide relevant comments for your ranking.

	Guideline	Ranking	Comments
A. Improve the Cultural Environment for Partnership	1. Respect the individuals representing the other party.		
	2. Design, implement and sustain effective communication		
B. Prioritize the Best Partnership Objectives	3. Separate issues between integrative (or win-win) and distributive (or zero-sum) ones.		

	Guideline	Ranking	Comments
C. Advocate the Partnership	4. Establish broad-based buy-in from all key stakeholders with formality and structure that is made clear to all		
	5. Be confident that managers can cooperate with unions yet still continue to defend prerogatives and efficiency		
	6. Be confident that union leaders' cooperation with management will not compromise members' interests		

	Guideline	Ranking	Comments
D. Build Strength within the Partnership	7. Outline shared goals and expectations of the partnership		
	8. Align all necessary resources to support the partnership		
	9. Require consistent accountability of everyone in the organization with a governing or executing responsibility for the partnership		
	10. Provide for comprehensive skill building for both union and management throughout the course of the LMP		
	11. Provide an independent facilitator, if affordable		

	Guideline	Ranking	Comments
E. Make the Most of Events	12. Support stability in union and management leadership and smooth LMP leadership transitions		
	13. Take advantage of specific successes (e.g. pension fund governance, or apprenticeship) to build broader LMP		
	14. Take advantage of shared challenges and crises to catalyze partnership agreements		

Abbreviations and acronyms used without definitions in TRB publications:

A4A	Airlines for America
AAAE	American Association of Airport Executives
AASHO	American Association of State Highway Officials
AASHTO	American Association of State Highway and Transportation Officials
ACI–NA	Airports Council International–North America
ACRP	Airport Cooperative Research Program
ADA	Americans with Disabilities Act
APTA	American Public Transportation Association
ASCE	American Society of Civil Engineers
ASME	American Society of Mechanical Engineers
ASTM	American Society for Testing and Materials
ATA	American Trucking Associations
CTAA	Community Transportation Association of America
CTBSSP	Commercial Truck and Bus Safety Synthesis Program
DHS	Department of Homeland Security
DOE	Department of Energy
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FHWA	Federal Highway Administration
FMCSA	Federal Motor Carrier Safety Administration
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
HMCRP	Hazardous Materials Cooperative Research Program
IEEE	Institute of Electrical and Electronics Engineers
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITE	Institute of Transportation Engineers
MAP-21	Moving Ahead for Progress in the 21st Century Act (2012)
NASA	National Aeronautics and Space Administration
NASAO	National Association of State Aviation Officials
NCFRP	National Cooperative Freight Research Program
NCHRP	National Cooperative Highway Research Program
NHTSA	National Highway Traffic Safety Administration
NTSB	National Transportation Safety Board
PHMSA	Pipeline and Hazardous Materials Safety Administration
RITA	Research and Innovative Technology Administration
SAE	Society of Automotive Engineers
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (2005)
TCRP	Transit Cooperative Research Program
TDC	Transit Development Corporation
TEA-21	Transportation Equity Act for the 21st Century (1998)
TRB	Transportation Research Board
TSA	Transportation Security Administration
U.S.DOT	United States Department of Transportation

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