To successfully negotiate, the management negotiator must be credible. The union must believe what management says. When management proposes its bottom line, it must in fact be the bottom line. When management says no to a union proposal, the union must believe management will not retreat from its position.

This need for the negotiator to gain respect is obvious. If management gains the reputation of a “retreater”, then the union will continue to pursue all its demands even to the point of calling a strike if the union feels management will continue to retreat under strike pressure.

Gaining Credibility

On the other hand, if management consistently stands by its “bottom line” proposals, management gains credibility, and the union will respect what management says. Further, a solid, immovable stance by management on “bottom line” proposals once communicated to the union will cause the union to be more reluctant to call a strike. The union will seldom call a strike if the management aligns when management says it will not budge from a stated position. It should be realized that not only must management be consistent, the union must be made aware of the management consistency. Needless to say, this “reading” of management by the union may take several bargaining sessions or more likely several contracts. This reflects the advantage of using the same negotiators over a period of years.

Further, it should be realized that gaining the respect of the union involves a game. Management must condition the union to know when a bottom line is reached by management. It is suggested key words or phrases may be used which over a time will convey to the union that management’s position is not a bluff. Use of the word “no” to a union proposal is a good word to signal a bottom line stance. If “no” is never used except to communicate an absolute steadfast refusal, the union will soon get the meaning.

Other Than ‘No’

In preliminary negotiations, management can refuse or invite compromises by words other than “no.” Use “no” only when management is prepared to go to strike to refuse a union proposal. After repetition, the union will realize that “no” means no. The result will be the union respecting and believing management. The more important result will be the union backing down unless they feel the (Continued on Page 19)
(Continued from Page 17)

The disputed proposal is an absolute necessity in which event a strike is likely.

The upshot of this “credibility game” is to signal to the union how far management will go with or without a strike. Strikes will not be called simply to see if management will cave in.

Another important factor in gaining the union’s confidence is to never mislead the union chief negotiator into shifting his position by hinting reciprocity and then failing to deliver. Above all, do not under any circumstances violate a confidence by using an off-the-record conversation held outside the bargaining room to undercut the ‘business agent or union chief negotiator. Tough issues may be settled between the chief negotiators for management and the union in meetings off the record and not in the presence of the other members of the committee. Always be alert for side discussions with union negotiators. Some chief employer negotiators establish an understanding early with the chief union negotiators to attempt a side discussion before any real strike issues harden the bargaining positions at the table.

If the union is evidencing bad faith or stubbornness, management might suggest to the union to call in an international union representative if the negotiations are bogged down.