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ONSTAGE WITH LABOR MEDIATORS:
SOME TACTICS OF IMPRESSION MANAGEMENT

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It is a truth almost universally acknowledged that the role of labor mediator is a difficult one. The parties possess more information than the mediator about their dispute and hold the key to its resolution or eruption. The mediator lacks formal authority to induce settlement and may be at risk even in making recommendations. His efficacy is thought to be related, therefore, to the perceptions the disputants have of him: his acceptability, trustworthiness and credibility as a third party.¹ Presumably, mediators possess, as Simkin (1971, p. 53) semi-facetiously puts it, "Job's patience, a rhinoceros' hide and Solomon's wisdom". But these attributes, desirable as they may be, come to naught if they cannot be observed and appreciated by the disputants. Such attributes must be enacted; they will not be assumed. To enact these, the mediator must use tactics that foster impressions favorable to the pursuit of his objectives and obscure those less favorable.²

The multiple character of social interactions necessitates at least some attention to impressions. Interactions have an instrumental dimension, -- the ostensible purpose for their occasion and an expressive one, the symbolic communications, either controlled or unintentional, that accompany the purposive actions. To play a given social role successfully, a player must perform the functions normally associated with that role, but do so in a way that makes the role recognizable and in conformity with the audience's conception of the kind of person who is suitable and believable in that role. Potentially problematic in this regard is the ambiguous and fluid character of interactions. Information is always available to interactants from which impressions about an actor and his performance may be judged. Some impressions support a particular claim while others may discredit it. Thus interactants attempt to exercise at least partial control over the expressions they give such that the discrepancy between the impressions they want to convey and those received by an audience is minimized.

Such techniques include the management of settings, personal front, dramatic realizations, and mystification practices. Only the latter three are discussed here.

Impressions and Mediators

Guidebooks and research on the process suggest that the mediator's ability to mediate is highly dependent on the perceptions the parties have of his capacity to help them resolve their dispute. In particular, mediators must be acceptable to the parties. Acceptability is an amorphous trait, partially a result of prior reputation and standing, but also developed by tactics designed to win the "trust and confidence" of the parties. Our understanding of these tactics is, however, limited and superficial. Researchers in their press to understand better the decisionmaking calculus of strategic usage, tend to emphasize substantive strategies over those that are more expressive in character. In one sense then, the findings reported here extend and fill a gap in our knowledge about this battery of strategies largely unexplored in practice. In addition, this study treats such strategies not as a prelude to more "active" ones, but as integral, complementary and a necessary condition for any successful enactment of more substantive strategies.

The Method and The Data

Data for this analysis come from an ethnographic study of labor mediators who work out of a field office of the Federal Mediator and Conciliation Service (FMCS) and a state office of mediation.³ The observation and accounts by mediators of these impression management tactics constitute a special category of data, namely the description of practices that are so instinctive and taken for granted that mediators are often not consciously aware of their use.⁴ In other words, mediators did not point them out to me as recognizeably important to their practice, but once identified,

did acknowledge their relationship to more direct activities. It was through the observation of recurring patterns that these tactics were noticed at all, which then made it possible to check the observations with the mediators for verification and intent. For example, one mediator was continually interrupted and called away from meetings to answer telephone calls. I asked him why, since he was away from the office, he wanted to be bothered by the interruptions. He responded that he liked to be on top of his caseload and then, hesitating, said, "Besides, it shows these folks that I am in demand." Observations of interruptions took on a new meaning in future cases.

It is well accepted that mediators develop distinctive styles of mediating, a fact that gives mediation its trademark as an art. In the domain of impression management, this seems particularly true. All the mediators used impression management techniques. Some used more than others. A few of the tactics were used by only a few mediators and others were more generally employed. Some techniques require "props" and mediators had differential access to such resources. Finally, the management of impressions, as an ongoing activity and basic trait of interaction suggests that such expressive control occurs continually at many levels, verbal and non-verbal. The analysis presented here should be read, therefore, as only a scratch on the surface, suggestive of the variety and range of the techniques employed.

Tactics of Impression Management

A. Appearance

Appearance is that part of "personal front" that tells a particular audience about the mediator -- his attributes, motives and qualifications. Certain attributes are "given off" in manners of dress, style and office decor, while others have to be

verbally identified. For example, mediators display aspects of their professional and social status by showing their position in the labor relations community and of their capability, by making various aspects of their knowledge and expertise visible.

1. Showing themselves as members of the Industrial Relations (IR) Community

When a mediator employs this tactic, he calls attention to information that can only be obtained by being hooked into the local IR grapevine. By use of this tactic, mediators hope to show, by association, that they are people who can be trusted. The technique may be used in a variety of ways. One mediator started off every meeting by turning to the spokesman with some piece of "gossip" about a mutual acquaintance. The person mentioned is presumably known to both the mediator and the spokesmen by virtue of their membership in the loose, but real local IR community.

Did you hear Joe Smith of XYZ union just became a grandfather?
or had a heart attack? or retired to Florida?

Such an opportunity to impress may surface when a name is mentioned in the normal course of discussion. The mediator can show he knows the person, has worked with him and what is more, they have a working relationship.

Oh you know Dick Jones. I hear he just got a promotion.
What a nice thing for such a great guy.

Tidbits about plant shutdowns, strikes and settlements, particularly if they are mentioned before they become common knowledge, are also presented.

The audience, for these displays of "connections", are committee spokesmen, particularly those that are considered "pros" by the mediator. For pros, such tactics reaffirm the joint membership they and the mediators have in the community. For spokesmen unfamiliar to the mediator, the allusions identify the mediator, by association as a member of the same fraternity. To employ these tactics requires, of course, membership in this community. Mediators familiar with the locale in previous occupational capacities have an edge, but to continually benefit from the "grapevine link"

requires that these relationships be maintained by participation in community activities -- award dinners, Christmas parties and conferences and by teaching at local programs. Such maintenance is uneven among the mediators studied.

2. Displaying "intimate but well founded" knowledge about Industrial Relations

The display of local gossip demonstrates familiarity with the local scene, whereas knowledge about industrial relations concerns "macro" issues -- settlement trends in wages and fringes, standard contract language, public policy. This type of knowledge is directly applicable to one of the mainstays of the process -- helping the parties to face reality by identification of the ways particular proposals are at variance with trends. However, the contribution of such information serves as well to show the mediator as an "expert" well informed and therefore capable of making such interventions into the dispute in the first place.

Knowledge about trends and practices are acquired from direct experience and by perusal of secondary sources. Through participation in other cases in a given locale, with particular occupational groups and in certain industries, mediators implicitly develop standards about settlement trends that enable them to comment when a proposal is presented, "That is way out of line with the other settlements I have been getting." Display of knowledge based solely on experience is potentially risky because the mediator's sample is unlikely to be representative. A party who has done his "homework" may challenge the presentation of the mediator and destroy the impression being fostered. Such a situation arose when a mediator tried to convince a town negotiating committee to pay an EMT stipend. A major element in the mediator's argument, in addition to the equity of such a practice, was its typicality for compensating EMT in most neighboring cities and towns. When the town personnel director checked a reputable published source, he observed that the practice was not as common as the mediator

alleged. The mediator replied, "You are looking at the wrong cities and towns." The EMT stipened was not part of the final contract.

In addition and less likely to be challenged, knowledge about trends and practices can be acquired from secondary sources such as Bureau of National Affairs publications, national and local statistical surveys and relevant journals. Data gleaned from these sources can be displayed at appropriate times to demonstrate the variance of a proposal from a norm.

You are asking for another holiday? You already have one above the average.

Such a comment may be low on empathy with the unique circumstances of a case, but it does demonstrate to the parties that the mediator is well informed.

I keep up to date on these trends. I have to. It helps me if I can bring out these numbers. They have to think I know what I am talking about.

The ability to display expert knowledge depends in part on the resources available, the presence of the secondary sources themselves, and then the time and proximity to the materials to read them. The practices of FMCS to both make available secondary sources and to distill in field reports major issues of public policy and posture aids the field mediators in their claims to expertise.

3. Displaying Unusual Skills

Arithmetic conversion of demands into dollar and cents presumably helps the parties appreciate the choices they have to make. Not all mediators are adept at making these conversions, but those who are take ample opportunity to display their prowess.

Let me think for a minute. You say the standard average hourly rate is \$5.40. What's the total fringe cost? \$1.20. That's about 22-23% of wages, that's about right. The standard is usually 25% of wages. \$1.20 seemed low but at \$5.40, that's about right. (All without a calculator)

A policy like the voluntary wage price guidelines offers unique, unanticipated opportunities for mediators to display these skills. In fact, though mediators are explicitly precluded from playing a "policeman" role in the implementation of the guidelines, they continually introduce them into the proceedings and in so doing call attention to their skill.

The extra holiday is about 2¢ per hour; sick leave, vacations they all count because they are new benefits. If you added it up, it is another 10¢, about 2%. Bear that in mind. 7% of the average hourly rate is 38.2 but with the benefits folded in, it's 46¢.

B. Dramatic Realization

Dramatic realization practices highlight activities that might otherwise be obscure or hidden. Many activities the mediator performs in a case are done outside the physical presence of a particular audience. Such activities would go unnoticed unless identified by the mediator. Similarly, details of a recent success or even an old glory, brought forth almost as evidence of a proven track record, serve to build and reinforce impressions of competence.

1. Making the Invisible Visible

In the normal course of a case, a mediator as "message carrier" will report to a committee what he has said and done in a caucus with the other committee. These reports provide occasions for mediators to paint themselves in colors of their choosing. Because these reported activities occur out of sight and hearing of the original audience, checking on the veracity of the mediator's renditions is therefore difficult, if not impossible. For example, in transmitting a counter-proposal, mediators have the opportunity to describe the part they play in terms that are more active, grandiose, and successful than is usually the case.

Listen, I told them to drop some of the language items. I got them to reduce their 30 issues to 16 and really it is down to only 2 or 3 items.

Often a spokesman is the audience for such realization.

I was very firm about it. That wage offer is crazy. I told them that.

Such portraits of actions foster the impression that the mediators are busily and actively working on behalf of the party (one at a time) in the interests of settlement.

In each of these examples, the renditions presented were at variance with the reality. The mediator in the first example had not accomplished such a diminution of the proposal nor had the second mediator been quite as firm as he claimed. Discrepancies between presentations and reality are endemic to impression management and problematic only if they are discovered or if they harm (which they occasionally do) the interests of the parties.

2. Showing Other Successes

If the activities of mediators in a given case escape notice, those on other cases are totally obscure. Yet identification of successes in such other cases fosters the impression, mediators say, that you can help the current parties too. Hence mediators frequently refer to the "case I was on last night". Such references may be introduced to lend support to a procedural suggestion a mediator makes.

I think we ought to meet together on just this one issue--break it apart from the others. I used this approach last night in Smithtown and it was the thing that broke the deadlock and got us going.

Frequently a "pro" will cooperate to identify a mediator's success in a case particularly one that has been well publicized.

Spokesman: I heard that ABC trucking settled at 7.3%. That was really something. Were you the yeoman on that?

Mediator: Yes

Spokesman: You know this agency is the best one going. They get results. Okay boys, let's caucus.

Such flattery, the mediator said, would be useful later in the case when the

committee would have to judge whether to listen to him or not. Illumination of successful cases, particularly if they occurred "last night" have the added advantage of conveying to the parties how busy and in demand the mediator is. Interruptions for phone calls, a full calendar and a visible stack of phone messages were other similar practices observed. They express to the parties the impression that "If others want his service, he must have something to offer".

C. Mystification

Mystification devices are used to create an aura about a person and his activity that suggest he possesses distinctive competencies not available to the ordinary layman. Such techniques serve to foster the impression that the parties need the mediator's assistance because they do not fully appreciate the intricacies and complexities of the process.

1. Overstrategizing

When mediators overstrategize, they take what otherwise might be a simple situation and convert it into something that is more complex. Overstrategizing is sometimes seen in the use of "mediator's proposals" -- actions that have the mediator present as his own, proposals that in reality come directly from the parties. Such practices have their function; they allow parties to "save face", to make a proposal that might be seen as a concession if it were proposed directly. But mediators sometimes overuse the tactic. For example, sometimes a proposal given to the mediator as a "table position" and meant to be transmitted as such, is instead converted into a "tentative indication" emanating from the mediator,

Management spokesman (to mediator): We'll offer them the \$10 increase on pensions.

Mediator (to Union committee): I have indications that they might be prepared to give something on pensions. Something like \$10.

Union (to mediator): We'll accept that.

Mediator (to Management): I have indications from the union that we might be able to work around pensions.

Overstrategizing may backfire. In one case a mediator intentionally negelected to convey a particular proposal. When the proposal later surfaced, much to the union's surprise, the union spokesmen was angered about the deletion and questionned the mediator's judgment in withholding this piece of information. The mediator tried to justify his action.

Mediator: I knew if I told you about it before you would have taken it as an insult and possibly walked out.

Union Spokesman: Your job is to transmit management's offer. Besides, I knew they weren't serious. What they proposed is illegal.

Such discoveries potentially detract from a mediator's claim to being a sophisticated analyst of strategic interactions.

2. Language Games

The language a mediator uses to describe his activities to the parties is often a mystification of what he actually does. In his choice of terms rather routine and mundane activities are lent an air of importance and significance.

- Calling a joint meeting becomes "orchestrating the process"
- Silently sitting in a meeting while the parties negotiate becomes "playing a gatekeepers role".
- Carrying a message becomes "facilitating communication".
- Letting parties argue becomes "allowing the parties to vent their hostilities".
- Asking parties what they are looking for becomes a "search for priorities".
- Making a strong presentation about a position becomes "banging heads".

The linguistic labels mediators use to mystify their activities paint them as more active, rational, controlling and strategic than a cursory inspection of their activities might indicate.

Comment

This paper has suggested some of the ways mediator try to manage and manipulate the impressions parties have of them and discusses some of the pitfalls observed in their attempts. Because expressive tactics are a necessary complement to instrumental actions explicit consideration of these impression management techniques contributes to a fuller understanding of the gamut of mediation strategies. Similarly, attention to the subtleties of these tactics needs to be fully integrated into the programs for training, developing and motivating mediators, particularly, into those which are designed for newer mediators in the public sector.⁵ Acceptability and credibility are ultimately in the eyes of the beholders. Impressions will be formed. The question is only which ones?

FOOTNOTES

1. Observations about mediator practice, particularly the use of strategies are based on the following studies. Kenneth Kressel, Labor Mediation: An Exploratory Survey (New York: Association of Labor Mediation Agencies, 1972) Thomas Kochan and Todd Jick, "The Public Sector Mediation Process", Journal of Conflict Resolution (March, 1965); Bernard Indik, B. Goldstein, J. Chernick, M. Berkowitz, "The Mediator Background, Self Image and Attitudes, (Rutgers, New Jersey: Institute of Management and Labor Relations, 1966); D.G. Pruitt and D.F. Johnson, "Mediation as an Aid to Face Saving in Negotiations" Journal of Personality and Social Psychology 6 (1968); Carl Stevens, "Mediation and the Role of the Neutral" in J. Dunlop and N. Chamberlain (ed) Frontiers of Collective Bargaining (New York: Harper and Row, 1957). For guidelines on mediation practice the following works were used: William Simkin, Mediation and the Dynamics of Collective Bargaining (Washington, D.C.: BNA, 1971); Walter Maggiolo Techniques of Mediation in Labor Disputes (Dobbs-Ferry, New York: Oceana Publications, 1971); Eva Robbins with Tia Denenbers, A Guide for Labor Mediators (Honolulu: University of Hawaii, Industrial Relations Center, 1976)
2. The dramaturgical perspective employed in this paper is developed from the works of Erving Goffman, The Presentation of the Self in Everyday Life (New York: Doubleday, 1959); Everett C. Hughes, The Sociological Eye (Chicago: Aldine Press, 1971) Peter Manning, Police Work (Cambridge, Mass: MIT press, 1977)
3. See Deborah M. Kolb, Roles and Strategies of Labor Mediators Unpublished Doctoral Dissertation, Sloan School, MIT. Summer, 1980
4. See Jack Douglas, Investigative Social Research (Beverly Hills: Sage Publications, 1976); John Van Maanen, "The Fact of Fiction in Organizational Ethnography" Administrative Science Quarterly (December, 1979) 539-551.
5. More experienced mediators tend to be more attuned to the nuances and subtleties of impression management and develop, in particular, well articulated displays of appearance. Less experienced mediators, especially it seems in the public sector, possibly because they have fewer "props" available to them, attend less to the management of appearance and emphasize devices which have greater potential for discrediting a performance.



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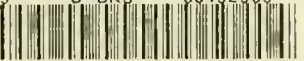
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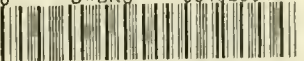
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