

THE UNIVERSITY OF MANITOBA

FACTORS INFLUENCING SETTLEMENT IN TEACHER-SCHOOL BOARD  
CONCILIATIONS IN MANITOBA IN 1969

by

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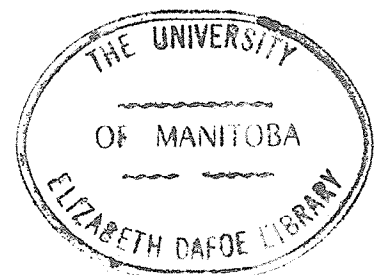
A THESIS

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## ABSTRACT

The purpose of this study was to provide information on the operation of the conciliation process in teacher-school board collective bargaining in Manitoba and on its use and effectiveness in resolving negotiation disputes, and to identify factors and conditions that assisted and/or influenced the parties in reaching agreement at the conciliation stage.

The conciliation process was examined in general terms and specifically in terms related to teacher-school board collective bargaining in Manitoba. Its use, effectiveness, legislation basis and the bargaining setting in which it had to function were reviewed. This examination and review was based upon the writer's experience with the process in Manitoba and upon the views expressed by others in the literature reviewed.

Identification of assisting and/or influencing factors and conditions was achieved through the use of a questionnaire. One member from each of the teacher and school board negotiating committees involved in the sixteen conciliations that resolved a negotiation dispute in 1969 was requested to respond to a survey. On the basis of the response, data was compiled, presented and analysed providing information on the respondents, the conciliations, and the factors and conditions that assisted and/or influenced the parties in reaching agreement at conciliation.

It was concluded that the most important factors influencing settlement at conciliation were economic. Next came pressures created by the possibility of arbitration, and the assistance received from conciliation officers and from MTS and MAST staff officers. In addition, positive attitudes towards settlement on the part of the parties and certain procedural factors were of assistance in reaching settlement. No substantial difference was found in the factors perceived as being of assistance by teacher-school board, urban-rural, or experienced-inexperienced negotiator respondents.

Two recommendations were made. Since it appeared that the identified influencing factors had a more general applicability, it was recommended that the survey portion of this study be replicated for another year using teacher-school board negotiation disputes that were resolved at conciliation. If possible, a replication should also be made of negotiation disputes in the private sector to test the general applicability of the identified factors. It was also recommended that a study be made of teacher-school board negotiation disputes that failed to resolve at conciliation. Determining the reasons for failing to reach settlement at conciliation could contribute to improving conciliation's effectiveness. Such a study could be based upon the factors and conditions identified by this study.

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## CHAPTER I

### THE PURPOSE OF THE STUDY

#### I. INTRODUCTION

Many people today have some knowledge of collective bargaining if for no other reason than because of the publicity usually associated with the success or failure of bargaining parties to reach agreement. Increasingly in an economy which is growing more and more inter-dependent, public attention is focused on collective bargaining--on negotiations, settlements, disputes, strikes, lockouts, and arbitrations--by the mass media, by writers and researchers, and by commentators and specialists in a variety of disciplines. In the resultant volumes of words however, one facet of the bargaining process has received little more than passing attention. This is the conciliation process. This lack of attention and study would be understandable if conciliation were little used and of dubious worth. It is all the more surprising, in Canada at least, because of the nature of collective bargaining legislation.

While mediation of negotiation disputes in the United States is largely voluntary and in the United Kingdom extra-legal, a distinctive characteristic of Canadian industrial relations law is the provision for compulsory conciliation (Carrothers, 1961, p. 9; Woods, 1955, p. 449). Not only must bargaining parties in most cases make use of the machinery provided for conciliation of negotiation disputes, but also the use of this conciliation machinery has resulted in the peaceful

resolution of many of these disputes.<sup>1</sup> With the required use and the apparent effectiveness of conciliation machinery to resolve interest disputes, it would seem that studies and information on the dynamics of the process would be available in abundance. Such is not the case. There exists a dearth of studies of the conciliation process, so that knowledge of the process and how it works remains largely esoteric.<sup>2</sup>

The relative lack of research on the conciliation process in general is even more pronounced when specific bargaining groups are considered. Research on the use and effectiveness of conciliation in the public sector is virtually non-existent. Admittedly collective bargaining in the public sector on a widespread basis is comparatively recent, but some groups within the public sector have bargained collectively under legislated provisions for many years. Teachers and school boards in western Canada for example, have bargained collectively for over 20 years. Legislation governing teacher-school board collective bargaining in Manitoba has provided conciliation machinery since its inception in 1948. This machinery has been used by Manitoba's teachers and school boards over the years with considerable success in the

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<sup>1</sup>E.G., The 1969 Annual Report of the Manitoba Department of Labour indicated that 76% of the negotiation disputes were settled in conciliation and that an additional 18% were settled without a work stoppage (p. 20). The report also indicated that in most of these latter cases there was further involvement by conciliation officers in bringing about settlements. The 1968 Annual Report indicated percentages of 73 and 25 respectively.

<sup>2</sup>Some writers have suggested that even the initiated would be hard pressed to explain why or how conciliation works in the successful resolution of disputes. See Cole, 1961, p. 48; Meyer, 1959-60, Editor's footnote, p. 159.

resolution of their negotiation disputes.<sup>3</sup> Yet no studies exist on the use and effectiveness of conciliation in teacher-school board negotiations. This factor provided one of the main reasons for undertaking the present study.

## II. THE PURPOSE

The general purpose of this study was to provide some information on how the conciliation process functioned in teacher-school board collective bargaining in Manitoba--a review of its use and effectiveness in resolving teacher-school board negotiation disputes.

The specific purpose of this study was to identify factors and conditions teacher and school board negotiators perceived as having assisted and/or influenced them in resolving their dispute and reaching agreement at conciliation. In addition, the study was to determine whether factors and conditions perceived as having assisted and/or influenced settlement were substantially the same for both teacher and school board negotiators, for negotiators in urban and rural areas, and for experienced and inexperienced negotiators.

## III. SOME LIMITS TO THE STUDY

Though it was stated earlier that there existed a general scarcity of research on the use and effectiveness of the conciliation process, and an almost total lack of study of the process in the public sector, to remedy the situation in one additional study was considered impossible.

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<sup>3</sup>See Chapter II, Section IIC.

Similarly, though the need for study of the conciliation process was most apparent in the area of public sector collective bargaining, to fulfill the need in a single global study required either a study of such mammoth proportions that it was put beyond the reach of individual resources, or a study which treated the area so superficially that its general usefulness was put in doubt. Consequently, this study was initially limited to the public sector and to one segment of it--teacher-school board conciliations in Manitoba. The choice of teacher-school board conciliations was made because of the group's lengthy involvement in collective bargaining under legislated provisions as compared to other segments of the public sector, and because of the investigator's knowledge and experience in the area gained through participation in over one hundred teacher-school board conciliations during the past eight years. The study was limited to one province because variations in legislation, conciliation procedures, and general circumstances from province to province might tend to invalidate any general conclusions, or make the drawing of general conclusions impossible. Manitoba was chosen because of the investigator's familiarity with the teacher-school board conciliation process there and with available sources of information, and because the final method of resolving teacher-school board negotiation disputes failing settlement at conciliation was by binding arbitration.

A further limitation was placed on this study by restricting the identification of factors and conditions to conciliations arising from disputes on the contents of 1969 collective agreements. While it was considered highly desirable to identify factors and conditions which

generally assisted and influenced parties in their dispute resolution, the possibility that circumstances surrounding negotiations varied from one year to another, to the extent that one set of factors might be considered of assistance and influence one year and a different set the next year, made it necessary to restrict the identification to a single year. Once an initial identification of factors and conditions was made its general applicability could be tested for other years. The year 1969 was chosen because it was the latest year for which all teacher-school board negotiations in the province were completed.

Finally this study was limited to conciliations that successfully resolved a teacher-school board negotiation dispute and resulted in agreement on the contents of a collective agreement. Unsuccessful conciliations, or those that did not resolve a negotiation dispute, were ignored.

One writer (Phillips, 1956) has suggested however, that review of conciliation should be based on cases that failed to settle since the use of conciliation services did not necessarily mean the existence of a genuine dispute for no one really knew the intent of the parties-- use of conciliation could be a genuine attempt to resolve a dispute or an opportunity to publicize issues and grievances. The parties could also have used conciliation as a "ceremonial" to relieve internal or external political pressure (Kerr, 1954, p. 236), or to avoid the responsibility of concluding an agreement around the table.<sup>4</sup>

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<sup>4</sup>The ease of obtaining dispute resolution assistance may preclude settlement at earlier stages. The machinery may be made so readily available as to encourage its use without first expending every effort to conclude an agreement without third party intervention. See Zack, 1970, generally and p. 271; Stevens, 1963, p. 124.

Though the suggestion merited attention because of the real possibility of the misuse of conciliation services, it was considered more appropriate to attempt to determine which factors and conditions contributed to successful resolution of disputes by using cases that were resolved successfully. Once factors and conditions were identified they could be used as a basis for analysis of conciliation cases that failed to settle, which in turn could serve as further validation of the factors and conditions or could lead to their modification. It seemed more logical to proceed from analysis of successes to analysis of failures, for to accomplish the latter required some foreknowledge of what contributed to the former.

Along with the stated limitations there existed one major assumption upon which the achievement of the specific purpose of this study depended. It was assumed that teachers and school boards involved in conciliation were aware of what factors and conditions assisted and/or influenced them in reaching agreement at that stage and could identify them from a list of factors and conditions. However, one observation made in the literature surveyed suggested the possibility that no ready answers were available to the question of what makes conciliation work because the parties themselves may not be conscious of the factors and conditions that influenced and assisted them in reaching agreement (Meyer, 1959-60, Editor's footnote, p. 159). This observation, though plausible, was rejected and the study proceeded on the basis of its assumption. To have limited the study because of the observation would have meant accepting an underlying assumption that the parties involved in conciliation were unconscious of its dynamics. Experience did not warrant accepting such a general assumption.

## IV. NEED FOR THE STUDY

There is a general recognition of the continuing need for effective dispute resolution machinery in the collective bargaining process. This machinery usually takes the form of some method of third party intervention. Though intervention may take a number of forms, the one of highest incidence in Canada is that of the conciliation officer (Task Force, 1969, p. 168). Recent recommendations for encouraging voluntary schemes of third party intervention, for imposing state conciliation officer services prior to direct economic action (strike or lockout) being permitted the bargaining parties, and for emphasizing accommodative approaches as opposed to normative ones throughout all stages of conciliation (Task Force, 1969, pp. 168-69), will do little to reduce conflict if the intervention is ineffective. There is an obvious need for research and study of the conciliation process to provide knowledge for improving and increasing its effectiveness.

Woods (1958) recognized this need years ago when he stated:

We need a clearer definition of the public interest, and more careful analysis of the areas of dispute, their causes, and the important influences which lead to agreement or conflict. With such knowledge the process of accommodation might reach its maximum effectiveness (p. 385),

and more recently, the need was recognized by Zack (1970) with reference to the public sector when he wrote:

Steps must be taken to insure that mediation and fact-finding do not become mere procedural formality, with the strike-- or threat of it--remaining as the final weapon with which to force agreement (p. 259).

Zack went on to indicate, "Of prime importance in minimizing tomorrow's turmoil is improving the effectiveness of the existing dispute-



settlement machinery" (p. 261).

This study was a modest attempt to answer part of this need. Information on the use and effectiveness of conciliation and on factors and conditions assisting and influencing the parties to settle is a necessary basis for considering improvements to increase the effectiveness of this one form of dispute-settlement machinery in one segment of public-sector collective bargaining. The use of conciliation officer services is the sole dispute-settlement machinery, short of binding arbitration, open to teacher-school board negotiators in Manitoba. Settlement at arbitration however, is made by an outside party and not by the parties themselves. Though the process settles a dispute by providing a decision, it is a moot point as to whether the process actually resolves the differences between the parties in an interest dispute, or simply postpones them for another day. It has also been suggested that the process tends to break down if too frequently used (Leiserson, 1951, p. 10). If this process continually does not resolve the differences between the parties at least to some level of their expectations, and does break down from overuse, turmoil will certainly follow. To minimize this possibility, it becomes imperative that conciliation machinery function at maximum effectiveness. This study attempted to provide a contribution towards achievement of this level of functioning either of itself, or as a basis for additional research.

#### V. USE OF TERMS

As a rule, terms in this study were given no special meaning

but were used in a way generally accepted by those familiar with collective bargaining. While this section was not intended to provide a glossary of collective bargaining terms, an explanation of some terms as used in this study was required to avoid possible confusion.

Arbitration was restricted to mean the process used by teachers and school boards in Manitoba for final resolution of interest disputes.<sup>5</sup> It did not refer to procedures used to resolve disputes arising out of collective agreement administration which also include arbitration as the final method of resolution.

Conciliation was restricted to mean the process of intervention in a negotiation dispute by a conciliation officer who sought to bring about agreement between the parties. It excluded the use of conciliation boards, the second stage of conciliation, which function to accommodate the parties, but failing resolution of a dispute, resort to a normative approach by recommending terms of settlement. Mediation was used synonymously with conciliation.

Theoretically, the distinction between conciliation and mediation depended upon the role assumed by the third party. A passive role of bringing the parties together to keep them talking in a spirit of harmony and co-operation was considered conciliation. A more active role of guiding the parties by making suggestions for compromises and alternatives was considered mediation.<sup>6</sup> Today the use of one role or the other is

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<sup>5</sup>For a brief description of the procedures used in Manitoba see Gordon, 1969, pp. 11-13.

<sup>6</sup>Even here there is some confusion. While this distinction is generally accepted (See Kerr, 1954-55, p. 236; Cole, 1961, p. 43; Rehmus, 1965, p. 119), the reverse has also been suggested (See Leisersen, 1951, p. 9).

largely a function of circumstances. The two roles overlap and are generally inseparable so that the words conciliation and mediation are usually used interchangeably.

Another distinction between the two terms is sometimes made, based not upon function, but upon the stage of intervention in a dispute. The initial intervention in a dispute by a third party is usually called conciliation, while later intervention, such as that possible following the report of a conciliation board or during a strike or lockout, is often called mediation. This latter stage of intervention is often dignified and increased in importance by the use of high ranking government officials or "outside experts". Whatever the case, and not detracting from the importance of intervention at any stage, the function of the conciliator and the mediator is substantially the same--that of assisting the parties to resolve their dispute.

The development of the concepts of accommodative and normative conciliation is generally ascribed to Woods (1958). Very simply, accommodative conciliation is assisting the parties to help them to decide for themselves, while normative conciliation is helping the parties by deciding for them through the imposition or suggestion of norms.<sup>7</sup>

Machinery was used to mean procedures.

Negotiation dispute, interest dispute and dispute were used

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<sup>7</sup>While this explanation does injustice to the distinction developed by Woods, the concepts are not altogether unlike Meyer's (1959-60) distinction between the role of mediation and arbitration.

interchangeably to mean an impasse reached by the bargaining parties in determining the substance of a collective agreement. Excluded were disputes arising out of agreement administration, that is, grievances arising from the meaning, interpretation, application or violation of a collective agreement. These latter type of disputes do not generally involve conciliation but are resolved through binding arbitration failing resolution by the parties.

Teacher in 'teacher-school board' was used to refer to a division or local association (or committee thereof) of The Manitoba Teachers' Society (MTS) which had been certified to bargain collectively on behalf of all the teachers employed by a particular school division or district. A teacher-school board negotiation dispute was thus a dispute between a school division or district and the certified bargaining agent for its teachers, which in all cases in the public schools in Manitoba was a division or local association of the MTS.

School board in 'teacher-school board' was used to refer to a public school district or division in Manitoba.

Urban was interpreted to mean any area in Greater Winnipeg, Brandon, Portage la Prairie, Dauphin, Flin Flon, Selkirk and Thompson.

Rural was interpreted to mean all areas in Manitoba that were not urban.

## VI. ORGANIZATION OF THE STUDY

The remainder of this study was organized into five chapters. In Chapter II, an examination was made of conciliation and its basis; the statutory provisions for teacher-school board conciliations in

Manitoba and the nature of its operation; and the extent and effectiveness of past teacher-school board conciliations. In Chapter III, the literature available on past studies and commentaries on the conciliation process and conciliation officer functions was reviewed. The survey instrument and its development, the source and collection of data and the method of its analysis were discussed in Chapter IV. In Chapter V, the collected data was tabulated and analysed. Finally, in Chapter VI, the study was summarized, and the findings, conclusions, implications and recommendations arising from the study were presented.

## CHAPTER II

### THE CONCILIATION PROCESS

#### I. CONCILIATION'S BASIS

Conciliation has been variously referred to as "industrial diplomacy" (Lester, 1964, p. 480), "catalysis" (Meyer, 1959-60, p. 165), an "essential component of compulsory collective bargaining" (Carrothers, 1961, pp. 10-11), an "integral part of collective bargaining" (Stevens, 1963, p. 123; Logan, 1956, p. 80), a "means for minimizing the conflict" and a "method of persuasion" (Warren, 1954, p. 292), "inseparable from collective bargaining...an integral part of dispute settlement" (Cole, 1961, p. 43), "the most important of the devices we have for promoting peaceful adjustment of disputes" (Leiserson, 1951, p. 10), an art by some (Meyer, 1959-60) and a science by others (Peters, 1955). While varieties of descriptive terms of conciliation abound almost all have accepted it as one of the most important means of accommodating bargaining conflict,<sup>1</sup> even though all do not agree on how it makes its greatest contribution to dispute resolution (see Chapter III).

How it makes its contribution to the resolution of disputes becomes important, for disputes there will always be. Kerr (1954-55) sees conflict as inherent to the labour-management relationship--because

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<sup>1</sup>While Kerr (1954-55) sees mediation as a "part of the game", he does not see it as an essential part. Even so, he recognizes and outlines the contributions mediation can make to conflict resolution (pp. 236-239).

of the unlimited nature of desires and the limited means of their satisfaction; because of the inevitableness of the manager-managee relationship; because of constantly changing situations; and because of the essentialness of conflict to survival (p. 231). "Out of aggressive conflict or its latent possibility", Kerr said however, "comes the resolution of many disputes" (p. 232).

Carrothers (1961) also expressed this conflict aspect of collective bargaining when he said:

Collective agreements are not yet works of art. To the contrary, they represent reconciliation of conflicts of interest. As such they are frequently the product of adversity, and they rarely embrace all the matters impinging on the relations between the employer and his employees (p. 79).

Labour-management's response to this ever-present conflict is accommodation (Kerr, 1954-55, p. 235), and the most important device used by labour-management to achieve accommodation is collective bargaining (Leiserson, 1951, p. 10). As records so clearly show however, the process of accommodation is rarely smooth and often outside assistance is required. The assistance most commonly provide when collective bargaining breaks down is that of conciliation.

The general situation faced by negotiating parties and the circumstances within which a conciliation officer must work when called to intervene in a dispute has been aptly described by Meyer (1959-60):

The parties to an industrial dispute may seem to be reaching for the moon, but the settlement must be made within narrow limits fixed by custom, history, the changing times, and the power content of the situation. The demands of the parties may be represented by two large circles that barely touch, the important fact is that they do usually intersect and that it is this common segment which represents the not impossible area of agreement. The precise point of accord may fall anywhere within this field, but it cannot appropriately fall outside

of it. Justice may sometimes appear to point to another result--but what is justice? Is it a fixed rule based on the logical selection and weighing of equitable determinants? Or is it a changing thing which, from moment to moment, satisfies the probable expectation of contending parties? It is, I apprehend, the presence of such an area of expectation which normally leads to a peaceful adjustment of industrial disputes. It is the willingness to step away from the rest of the two circles and approach the common segment which Mr. George Taylor has called "a willingness to lose". It is the shrewd apprehension of the extent of this segment, and of its changing position, that makes the mediator a trustworthy guide (p. 160).

Discovery of this "common segment"<sup>2</sup> and the "point of accord" within it is the proper function of the bargaining parties in their negotiations, and a common recognition of the area usually results in agreement. Failure by the parties to reach agreement however results in the initiation of the conciliation process and the intervention of a conciliation officer.

The purpose of conciliation is the peaceful resolution of disputes and the only criterion of peaceful resolution is acceptability to the parties (Phillips, 1956, p. 532). The function of the conciliation officer is to assist the parties to reach the "point of accord" of which Meyer spoke.<sup>3</sup> Using the premise that the final responsibility for

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<sup>2</sup>This "common segment" has been described by Stagner and Rosen (1965) as the "bargaining zone", by Stevens (1963) as the "contract zone", and by many practicing conciliation officers as "the area of settlement". The resolution of any round of negotiations or any dispute always presumes the existence of such an "area". It exists either in the basic situation at the beginning of negotiations, or its existence is created either through the pressures exerted by the bargaining parties or through norms imposed by an outside party. Though the existence of an area of settlement must always be presumed because all disputes must end sometime, the identification or achievement (or acceptance, for that matter) of the area is seldom an easy and simple matter.

<sup>3</sup>Stevens (1963) has analysed in some depth the tactics available to mediators for achieving this point of accord in disputes where the contract zone--its presence but unavailability, or its absence--is the major problem, and in disputes where it is not the major problem.



settlement and agreement rests with the bargaining parties, and that agreement is what the parties will accept, the conciliation officer endeavours to induce one, or the other, or both of the parties to come to terms, to change positions, and to effect a compromise. Whether they do, or do not, depends upon the parties' assessment of, and susceptibility to, the influences of a variety of variables operating during the whole process, including the reaction of the conciliation officer, his assessment of the realities of the situation, and the tactics and procedures used by him. Acceptability, and consequent agreement, rests on the outcome of this assessment and susceptibility.

The traditional basis for this process of conciliation is the "cooling-off period", the idea that an enforced waiting period would prevent many work stoppages. The system of collective bargaining throughout most of Canada has been built on a policy of third party intervention in industrial conflict and delay in the right to strike and lockout, all in the cause of the public interest (Task Force, 1969, p. 168). Phillips (1956) has said that "...the principle of compulsory delay and conciliation has had a prominent and generally respected place in Canadian Labour Law for fifty years" (p. 523), and Jamieson (1957) has indicated as well that "...Canadian legislation for almost fifty years has placed its major emphasis on compulsory intervention...as a means for settling disputes" (p. 102).

Current legislation governing collective bargaining and conciliation throughout most of Canada is patterned on the federal government's Order-in-Council No. 1003 passed in 1944. P.C. 1003 drew from the Wagner Act passed in 1935 in the United States for the concept

of controlled compulsory collective bargaining, and from the 1907 Industrial Disputes Investigation Act of Canada for the concept of enforced delay of strikes and lockouts and for compulsory conciliation with conciliation officer and conciliation board stages.<sup>4</sup> "By 1948, the federal parliament and most provincial legislatures had enacted statutes modelled on P.C. 1003" (Carrothers, 1961, p. 8). The conciliation process as it is now known throughout most of Canada had its foundation in the '40's, and it has operated essentially the same way for over twenty years.

## II. TEACHER-SCHOOL BOARD CONCILIATION IN MANITOBA

### A. Legislated Provisions

In 1948 The Manitoba Labour Relations Act was enacted. Among its various provisions, this Act provided for the services of conciliation officers and conciliation boards at the discretion of the Minister of Labour. Conciliation officer services might be made available to the parties on the instruction of the minister either on his own advice, or at the request of either party. A request could be made either in the case that notice for collective bargaining had been given by a party but did not commence within the time prescribed, or in the case that collective bargaining had commenced but the parties had encountered difficulties (Section 16). Similarly, the appointment of a conciliation board rested upon ministerial discretion and might be made on the minister's own advice, or in the case that a conciliation officer had failed to bring

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<sup>4</sup>For a detailed historical background to current collective bargaining legislation see Logan, 1956; Jamieson, 1957; Woods, 1955; Carrothers, 1961.

about an agreement between the bargaining parties (Section 17).

The conciliation officer's function was to assist bargaining parties to conclude a collective agreement (or a renewal or revision of one) (Section 16), and to report to the minister those matters that the parties had agreed upon, those upon which they did not agree and a recommendation on the appointment of a conciliation board (Section 27). The function of a conciliation board was to endeavour to bring about agreement between the parties (Section 32 (1)). Every opportunity must have been given the parties, by a conciliation board during its sittings, to present evidence and make representations (Section 32 (2)). A conciliation board was also required to report its findings and recommendations to the minister (Section 35). The report of the majority of a conciliation board, which was made up of three members, was the report of the board (Section 32 (7)). Provision was also made to bind the parties to the report if the parties had so agreed in writing (Section 38). The Act also precluded the parties from strike or lockout until after the report of a conciliation board had been received, or until seven days had elapsed following the request of a party for the appointment of a conciliation board and no appointment, or notice of appointment, had been made by the minister (Section 21).

Collective bargaining by teachers and school boards was governed by the provisions of The Manitoba Labour Relations Act until 1956. Bargaining by teachers was thus conducted under the same legislation covering all other employee-employer groups in the province for eight years. However, many school boards strongly opposed collective bargaining by teachers during this period, especially bargaining under the provisions

of The Manitoba Labour Relations Act. Although no teacher strikes occurred during the period, the use of the strike by teachers was strenuously questioned. Following a series of actions initiated in the latter half of the period by the breakaway Manitoba Urban School Trustees' Association opposing teacher bargaining under The Manitoba Labour Relations Act, counter actions by The Manitoba Teachers' Society, additional actions by the Manitoba School Trustees' Association, many representations, meetings, and joint-meetings, and the efforts of many teachers and trustees, the issue of collective bargaining rights for teachers was resolved. Agreement was reached by teachers and trustees on a number of points which were incorporated in a brief which was presented jointly to the provincial government in June 1955. The culmination of all this action was legislation passed in 1956 which, among other things, amended The Public Schools Act to provide for collective bargaining rights for teachers in that Act.<sup>5</sup>

The provisions of The Manitoba Labour Relations Act were included in Part XVIII of The Public Schools Act, (with required modifications of wording to make them applicable to teachers and school boards), with two major changes. First, teachers were prohibited from striking (Section 384 (1)), and second, the conciliation boards of The Manitoba Labour Relations Act became the arbitration boards of Part XVIII, but their awards (reports) rather than becoming recommendations, became decisions which bound the parties (Section 391 (8)).

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<sup>5</sup>For a brief account of the happenings of that period see Pindera, 1968, pp. 20-21; Gordon, 1969, pp. 9-11. For a more detailed account see McMaster, T. A. "Prelude", The Manitoba Teacher, March-April 1955.

The provisions for conciliation officer services were modified and strengthened when compared to the initial provisions of The Manitoba Labour Relations Act. While the conciliation officers appointed were those as defined by The Manitoba Labour Relations Act and made available by the Minister of Labour, their services were no longer available at the Minister's own initiative. At the request of either party the Minister of Education was required to appoint a conciliation officer either in the case that notice for collective bargaining had been given by a party but bargaining did not begin within the time prescribed, or in the case that bargaining had begun but the parties had encountered difficulties, provided he was satisfied that the applicant had made every reasonable effort to conclude an agreement (Section 378). The function of the conciliation officer remained essentially the same as that under The Manitoba Labour Relations Act. Under both Acts the conciliation officer was required to report to the appropriate minister within fourteen days after appointment, or within such longer periods as the minister might allow. Where, under The Manitoba Labour Relations Act, it was possible for the minister to appoint a conciliation board without the parties making use of the services of a conciliation officer, under The Public Schools Act, an arbitration board could not be appointed until a conciliation officer had reported failure to bring about agreement between the parties.

These provisions for conciliation in teacher-school board negotiations have remained essentially the same from 1956 to the present day. They provide for the assistance of a conciliation officer in the two major types of problems arising from interest negotiations--negotiation breakdown and recognition, that is, the refusal of one party to recognize

the other by refusing to bargain collectively with the other party. Cases of this latter type are more common to first-time bargaining by parties, or in the case of frequent turnover of representative agents, and are usually precipitated by the employer. While they were not uncommon in the early history of teacher-school board bargaining in Manitoba, they rarely occur today.<sup>6</sup> Almost all requests for conciliation officer assistance today are the result of a breakdown in negotiations where teacher and school board committees have met and bargained but have been unable to reach agreement.

Legislation thus makes provision for assistance to bargaining parties should they reach impasse--how does this assistance operate?

#### B. The Nature of Its Operation<sup>7</sup>

A description of the operation of the conciliation process in teacher-school board negotiations can be made only in general terms. The generality of the description however, does not detract from its significance for the operation of the process has been essentially constant over the years. Where variations in approach have occurred because of conciliation officer style or the peculiarities of a particular

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<sup>6</sup>But they still occur. The most recent case occurred in 1968 when a small school district refused to recognize and to bargain with the certified teachers' committee. Though the conciliation officer managed to get the parties together he was unable to get the parties to agree--the dispute was finally resolved by arbitration.

<sup>7</sup>The information in this section was based on the investigator's knowledge and experience gained through involvement in teacher-school board collective bargaining across the province over the past 15 years both as a teacher at the local level, and since 1962, as staff member of the M.T.S.

situation, they have been taken into account and mentioned where considered significant. Since conciliation rarely takes place in a vacuum, some general information on teacher-school board collective bargaining must be considered.

Collective bargaining by teachers and school boards across the province is local-level bargaining, that is, the bargaining takes place between a particular school board and its teachers. At this level, negotiations are conducted by local committees of school boards and teachers. The teacher and trustee provincial organizations attempt to offset the loss of bargaining experience and expertise that may occur on both sides through the turnover of personnel by supplying local committees with information and training assistance. Both provincial organizations, through annual provision of staff and resources, attempt to keep committees informed on up-to-date developments, supply both general and specific bargaining information, run training sessions for local negotiators (though this is more generally true of the teachers than of the school boards), provide trouble-shooting assistance on request, and strongly encourage continuity on local committees. Though negotiation by local committees is and has been the general rule, use of outside personnel by school board committees to act as spokesmen, either continuously during negotiations or from time to time, has taken place on a limited basis in recent years. While local committees experience some loss of personnel, negotiations between teachers and school boards can hardly be considered a case of one green committee sitting across the table from another green committee. Continuity of personnel is generally preserved to some degree by most local committees.

This has been especially true in more recent years as school areas have grown larger and problems have grown more complex.

The contents of collective agreements negotiated across the province vary according to the needs of the area they serve. The provisions may be limited to a few essential clauses in some area employing a small number of teachers, or they may run into pages of complex clauses in another area employing hundreds of teachers. Among the various provisions included in agreements are clauses outlining salary scales, responsibility allowances, a variety of other allowances, specific rates, systems of classification, various types of leaves with and without pay, insurance schemes, fee deductions, "closed shops", transfer procedures, use of auxiliary personnel, class sizes, teaching load, grievance procedures, effective periods and opening procedures. The list, though not exhaustive, indicates the scope of the terms of employment and rates of pay which may be involved in negotiations. It also indicates a number of traditionally accepted matters involved in other employee-employer negotiations that are not involved in teacher-school board negotiations. These include security of employment provisions, pensions, hours of work and holidays. Tenure provisions are provided in The Public Schools Act, pension provisions are provided in a separate Teachers' Pension Act, and the length of the school day and school year is controlled by the minister under separate regulations. These matters are not negotiated at the local level, but are controlled by the provincial government.

All collective agreements include a provision for the opening of negotiations by either party to the agreement either the same as that



provided by the Act or one that is similar to it. The Act provides for notice to open to be given by either party ninety to thirty days prior to the termination date of the agreement (Section 375). However, most agreements in the province do not have a term certain. Though they do have a specific clause which indicates that the agreement will be for one year or two, virtually all agreements also go on to indicate that the agreement will automatically renew itself unless notice to open negotiations is given by a specified time. Once notice to open has been given, bargaining by the parties must commence within fourteen days, or within such period as the parties might agree (Section 377(a)), and once this bargaining has been substantially entered into (generally, once the parties have met) it cannot be discontinued because of irregularities of notice (Section 377A).

For many years collective agreements throughout the province took effect September 1st. Over a period of years however, a January 1st effective date has been negotiated so that all but one or two agreements now take effect January 1st. The duration of agreements has varied from one to two years and rarely, if ever, have all the agreements in the province had the same term at the same time. During the past few years the vast majority of agreements have been for one year. Thus, for most teachers and school boards across the province, negotiations are yearly affairs generally commencing in October or November and continuing through the winter months.

At the present time, one hundred and four collective agreements cover all but a handful of teachers in the province. These agreements are between teachers and school districts and divisions located in the

far north, in large urban centres, in small urban centres and in rural areas. An agreement might cover anywhere from two to twenty-five hundred teachers. These teachers might be employed by a school board which administers secondary schools only, elementary schools only, or a combination of both along with vocational schools in a few cases. Negotiation of collective agreements might involve, directly or indirectly, the federal government, the provincial government, local companies, the local populace, or some combination of these. Costs might be borne solely by the group involved, or in some specific proportion by the group and the provincial government. In most cases however, the majority of teachers are covered by agreements with school boards which employ teachers from kindergarten to Grade XII, which represent the local populace, and which are in areas where costs are shared by the local area and the provincial government.

A conciliation officer must function in this general setting. When appointed to assist teachers and school boards in negotiation disputes, the possibility of strike does not loom large in the background to engender "moment of truth reality" into the situation. His entrance into a dispute represents the parties' last chance to make collective bargaining work. Should the parties fail to settle at this stage, the accommodation process of collective bargaining and conciliation fails, for final resolution by arbitration is no longer accommodation, but is adjudication.

A request for the services of a conciliation officer may be made by either the teachers or the school board once negotiations have been opened and have been conducted with every reasonable effort to conclude an agreement, but have resulted in impasse. The conduct of negotiations

may be accomplished in one meeting by the parties or in twenty; in a period of two weeks or in one of several months; may involve proposals made by one party only or by both; and may consider one proposal or thirty-five which may request amendments, deletions, additions or some combination of these.

Application for a conciliation officer is made to the Minister of Youth and Education and may be made by one party or by both. If the teachers apply, the application is made by the MTS on their behalf; if the school board applies, the application is made either directly by the board or by The Manitoba Association of School Trustees (MAST) on their behalf. An application is usually accompanied by a statement outlining the number of meetings held by the parties, the original proposals made by each party during negotiations, the items upon which agreement has been reached, the items which remain in dispute, and generally, the last position of each party in respect to the items in dispute.

When the application is received by the minister, he must be satisfied that the applicant has complied with that provision of the Act which instructs the parties "to bargain collectively and make every reasonable effort to conclude" (Section 377a) an agreement before he must appoint a conciliation officer. In practice, he has been so satisfied if the application was made by both parties either individually or jointly. If the application was made by one party only he has satisfied himself by informing the other party of the request for conciliation and by asking for information on the number of meetings held by the parties during negotiations, confirmation of the status of negotiations and of the

information supplied by the original applicant, whether the party believed every reasonable effort had been made and whether the assistance of a conciliation officer was necessary. This practice precluded the injection of a conciliation officer into negotiations at the sole request of one party, and became in effect, provision for voluntary rather than imposed conciliation. While this precise practice was not required by the Act, and a conciliation officer could be appointed without the consent of both parties as long as the minister was satisfied that the applicant had complied with the Act's provisions, it was a reasonable and desirable practice followed to forestall possible difficulties since any party could oppose the appointment of a conciliation officer under another section of the Act (Section 395(1)).

Once the minister was satisfied that the parties had complied with the provisions of the Act he appointed a conciliation officer to confer with the parties. The officer appointed was (and must be) a conciliation officer employed by the Department of Labour and made available by the Minister of Labour.

Upon receipt of appointment the conciliation officer's first task was to arrange a meeting with the disputing parties. To expedite the matter, this was usually done through staff members of MTS and MAST. Though negotiations are conducted at the local level with local committees, both MTS and MAST provide these committees with staff officer assistance from the initial stages of conciliation on through to arbitration. Every effort is made to hold the initial meeting as soon as possible following the appointment of the conciliation officer. However, depending upon the time commitments of the conciliation officer himself, the members of the

two negotiating committees, and the two staff officers involved, this first meeting might take place within one week, or as long as three weeks, after appointment. (There have been cases when the first meeting took place later than this--the crucial factor generally being the conciliation officer's case load and his availability.) Beginning from the last negotiating meeting held by the parties, the time spanned in making application, appointment and setting up the first conciliation meeting might be a period of one or two months, though exceptions on both sides of this time period have taken place. Whether intended or not, the time involved in this whole process of bringing the two parties together with the conciliation officer has the effect of the traditional "cooling-off period". It also means that information, especially of an economic nature, may be available to the parties at the time of conciliation that was not available at the last negotiating meeting because of changes which may have occurred during the elapsed period.

The meetings arranged were almost always held within the boundaries of the school district or division involved in the dispute and were generally held in schools, though meetings have been held as well in school board offices where these had the facilities required for the type of meeting conducted. The time of meetings varied, but most generally, they were held during the late afternoon through the evening and into the night. The meetings usually lasted from three to twelve hours with a probable average duration of eight hours. The number of meetings per conciliation depended upon the complexities of the dispute and the conciliation officer's continual assessment of the possibilities of settlement--rarely, if ever, were the parties told that they had but one meeting in which to resolve

their dispute. If more than one meeting was required, details were arranged at the close of the current meeting for a date usually within the week. Though on occasion the conciliation officer would meet with one party only, almost all meetings involved both parties to the dispute. In addition to meetings held with the conciliation officer, the parties might hold their own meeting with or without the presence of a staff officer prior to and/or following conciliation meetings.

At the first meeting the conciliation officer generally took time to explain to the parties the conciliation process and his role in it. As well, he would spend considerable time with each party exploring the issues in dispute, the last position of the party with respect to each of them and the possibility of alternate solutions.

During the first and subsequent meetings, the conciliation officer as a rule kept the two parties separated, meeting first with one party, then with the other.<sup>8</sup> He generally dealt with each item in dispute in specific terms either individually, or as part of a total package. In exploring positions and alternatives to them, along with the parties' evidence supporting the positions, the conciliation officer would endeavour to get the parties to modify their positions to come to terms to conclude

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<sup>8</sup>This separation of the parties accomplished three functions. First of all, it reduced, and possibly eliminated, problems that may have been caused because of personality clashes, emotional involvement and the like. Secondly, and perhaps most importantly, it provided the conciliation officer with control of communications forcing the parties into a tacit, or pure, bargaining situation (see Schelling, 1957, for a discourse on tacit bargaining; and Stevens, 1963, pp. 137 ff., on the mediator's use of the pure-bargaining game). Thirdly, it provided the parties with the means for negotiating without prejudice and being able to test positions without formal commitment. Control of communications enabled the conciliation officer to practice what George W. Taylor has called the "art of proposing the alternate solution" (as quoted by Stevens, 1963, p. 141).

an agreement. Whether the parties modified their positions and came to terms depended upon the influence of a host of interrelated factors and conditions operating during the entire process. Aside from the time and procedural factors which might affect the parties' decisions and the effect of the conciliation officer's style and approach in dealing with the parties, the parties might also have been assisted and influenced in their decisions by factors and conditions arising from: the nature of conciliation itself, for example, the parties' strong desire to retain determination of the contents of the agreement in their own hands; the nature of arbitration, for example, the fear of an adverse award; the information, assistance and advice provided by staff officers from MTS and MAST who were almost always present during all sessions; a series of economic factors, for example, the extent of the changes in the cost of living, or the contents of other teacher-school board agreements recently renegotiated; and various other pressures affecting the parties, for example, direct community pressures on the parties to settle. (While, in a sense, anything which causes a party to modify its position can be considered a "pressure", this last category includes those that do not easily fit into the other categories, and some which might be considered examples of direct outside pressure on the parties.)<sup>9</sup>

The conciliation officer would continue working with the parties (and perhaps working on them) until the dispute was resolved and the

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<sup>9</sup>These categories of factors and conditions were arbitrarily determined by the investigator and are explained in Chapter IV. Specific factors and conditions in each of the eight categories were not listed here since they were contained in the survey instrument used to collect the data required to achieve the specific purpose of this study. Please see Appendix C for a copy of the questionnaire used.

parties concluded an agreement, or until such time as he determined he could not resolve the dispute and the meetings were broken off. In this latter case, the dispute generally proceeded to arbitration for resolution at the request of one of the parties. However, in a number of cases at the initiative of a teacher or school board committee member, some other teacher or trustee, a MTS or MAST staff officer, or the conciliation officer himself, efforts were made to get the parties back together and these efforts often resulted in agreement by the parties. In these cases conciliation might have assisted the parties sufficiently to allow them to continue their negotiations to conclusion. They could also be considered examples of additional conciliation efforts with someone other than a government-employed conciliation officer acting as the conciliator.

### C. Use and Effectiveness of Conciliation

A review of the six year period from 1963-64 to 1968-69 provided an indication of the extent teacher and school board negotiators used conciliation services and the effectiveness of this assistance in resolving their disputes. Though a review from 1948, covering the entire period teachers and school boards negotiated under legislated provisions, would have been of interest historically, incomplete records made such a review impossible. The six year period was chosen because of the availability of complete records, and because it provided a period long enough to adequately indicate the use made of conciliation and its effectiveness in settling disputes.

Table I indicates that the parties made considerable use of the



TABLE I

THE NUMBER OF NEGOTIATIONS, SETTLEMENTS, CONCILIATIONS  
AND AGREEMENTS BY TEACHERS AND SCHOOL BOARDS IN  
MANITOBA IN THE PERIOD 1963-64 TO 1968-69

	Total No. of Negotiations	No. Settled by Parties Alone	No. of Con- ciliations	Percent Con- ciliations of Total No. Negotiations	Total No. of Agreements <sup>a</sup>
1968-69	102	79	23	22.5	104
1967-68	102	88	14	13.7	106
1966-67	213	195	18	8.5	216
1965-66	277	261	16	5.8	386
1964-65	143	108	35	24.5	352
1963-64	150	122	28	18.7	327
Totals	987	853	134		

Source: Years 1963-64 to 1967-68, Pindera, 1968, p. 24  
1968-69, Records of MTS Economic Welfare Department

<sup>a</sup>The number of agreements increased to 1965-66 as the result of efforts by MTS to get all teachers employed by small districts covered by collective agreements. The number decreased from that time because of amalgamations and mergers resulting from administrative reorganizations across the province.

services of a conciliation officer during the six year period. For each year considered, the Table gives the total number of teacher-school board negotiations that took place, the number that were settled by the parties without third party intervention, the number of conciliations, the number of conciliations as a percentage of the total negotiations in each year, and the total number of collective agreements in effect. The use of a conciliation officer by the parties varied from year to year, ranging from a low of 5.8 percent in 1965-66 to a high of 24.5

percent in 1964-65. The average yearly use during the period was 15.6 percent. The Table also indicates that the use of conciliation officer services by the parties has increased yearly from 1965-66 when it represented 5.8 percent of the year's negotiations, to 1968-69 when it reached 22.5 percent, the second highest level in the period.

The effectiveness of the conciliation process as judged by the number of disputes that settled with the assistance of a conciliation officer is indicated in Table II. Using the same period of 1963-64 to

TABLE II  
THE NUMBER OF CONCILIATIONS AND SETTLEMENTS REACHED  
DURING CONCILIATION BY TEACHERS AND SCHOOL  
BOARDS IN MANITOBA IN THE PERIOD  
1963-64 TO 1968-69

	No. of Conciliations	No. Settled at Conciliation	Percent Settlements of No. of Concilia- tions
1968-69	23	20	86.9
1967-68	14	12	85.7
1966-67	18	18	100.0
1965-66	16	15	93.8
1964-65	35	27	77.1
1963-64	28	24	85.7

Source: Years 1963-64 to 1967-68, Pindera, 1968, p. 24  
1968-69, Records of MTS Economic Welfare Department

1968-69 the Table compared the number of settlements reached with the number of conciliations that took place in each year of the period. The vast majority of teacher-school board disputes during the six years settled at conciliation. Settlements ranged from a low of 77.1 percent in 1964-65 to a high of 100 percent in 1966-67, and averaged 88.2 percent annually over the six year period.

On the basis of the evidence supplied by the reviews in Tables I and II, teacher and school board negotiators made considerable use of the conciliation process to assist them in their negotiations during the past six years, and the process must be judged to have been very effective in achieving resolution of their disputes.

### III. SUMMARY

In this Chapter the conciliation process was examined. The process was considered to be one of the most important means of accommodating disputes likely to arise from the conflict inherent in bargaining relationships. The purpose of conciliation was looked at, as was its legislated basis, both in general terms and with specific reference to teachers and school boards in Manitoba.

The legislation providing conciliation officer services to disputing teachers and school boards was examined in detail. The operation and function of these provisions in the general setting created by the collective bargaining practices of the parties was considered in some depth. In this consideration, factors and conditions operating during the process that might assist and influence the parties were touched upon. Lastly, the use and effectiveness of the conciliation process in teacher-school board negotiations were reviewed for a six year period ending in 1969.

In the next chapter, the question of what contributes to conciliation's effectiveness in resolving negotiation disputes will be considered. The consideration will be based upon the views expressed by various writers and researchers in Canada and the United States during the past twenty years.

## CHAPTER III

### A REVIEW OF THE LITERATURE

#### I. WHAT MAKES IT WORK

A number of studies of the conciliation process and the conciliator's function have been made. While these studies were generally helpful in developing an understanding of the process, not many of them provided an answer to the question of how conciliation contributed to the successful resolution of negotiation disputes. Even among those that did, there existed no general agreement either on what led to successful dispute resolution, or on how the conciliation officer functioned to achieve settlement. This review was restricted to those studies that provided some suggestion as to what contributed to settlement at conciliation and how the conciliation officer functioned to achieve settlement.<sup>1</sup>

##### A. Availability of Succeeding Stages

Though not dealing directly with factors that contributed to successful dispute resolution, some writers have suggested what they believe contributes to reduce conciliation's effectiveness. In these

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<sup>1</sup>As this study was concerned with identifying factors that assisted the parties in resolving an existing dispute, only studies concerned with tactical (or fire-fighting) conciliation were reviewed here. Suggestions on the contributions of strategical (or preventative) conciliation to peace keeping have been advanced by some writers (see Woods, 1958; Kerr, 1954-55), but were not used since they were not considered pertinent to this particular study.

studies, it was suggested that the effectiveness of the conciliation officer stage was directly related to the availability of succeeding modes of intervention. Logan (1956) expressed this point of view when he stated:

Boards [Conciliation], I feel sure, used subsequent to the effort of the official conciliator, should be the exception and not the automatic and regular process on which disputants who fail to respond to efforts of the first conciliator can depend. Conciliation should be strengthened at the first stage and not undermined; if necessary, more time should be allowed, and the practice ... of requesting the first conciliator in his report to the Minister to advise whether or not a board should be appointed, should be revised and taken as a serious responsibility. Indeed conciliation might well be strengthened by being raised to the level of a ministerial function and it might include the alternative of sending the conciliation officer, reinforced perhaps by further personnel, back to the parties to try again (p. 96).

A similar point was made thirteen years later by the Task Force (1969) when, dealing with recommendations concerning the services of conciliation officers, it said,

... if our next recommendation to cut back on the availability of conciliation boards is accepted, the role of the conciliation officer is considerably strengthened. It would be unfortunate if his functions, now augmented in importance, were by-passed because of the industrial relations tactics of the parties (p. 168).

Zack (1970) expressed it as being a problem of extended absolutes. In an effort to gain a little bit more, the parties might not make every effort to resolve their dispute at the current stage of intervention but might proceed to the next available stage, and then on to the next, until they reached the final stage where every effort to reach agreement would, perhaps, finally be made because there were no more stages left. He suggested that the availability of succeeding stages of dispute-

resolution assistance might preclude settlement at earlier stages. If any stage of intervention was to remain effective, there must be a limit to the number of last steps and the establishment of what he called a final "fail-safe" procedure.

A similar problem might be faced by the parties even before the dispute stage. Stevens (1963) has suggested that "... mediation is an integral part of collective bargaining negotiations whether it is employed or not" (p. 123). The easy availability of conciliation could remove some of the pressure of responsibility for achieving settlement from the parties, and add the problem of the parties negotiating with something in reserve--something saved for conciliation if the possibility of conciliation was anticipated.

#### B. Social and Economic Conditions

In their investigation, Armstrong and Armstrong (1958) reached the conclusion that there was no universal pattern for third party intervention. The course of action became a function of the nature of the dispute, the relations between the disputing parties, and the personality and ability of the conciliator. The effectiveness of third party intervention however, was external to the intervention itself. Success or failure depended upon such factors as labour supply, the condition of union politics, the issues involved, the financial strength of the parties, and broad social and economic issues. While not discounting the importance of the ability of the personnel involved in settling disputes, Armstrong and Armstrong pointed out that the calibre of the third party could not explain success or failure, for the same

personnel settled some disputes and did not settle others. Nor did the machinery used explain the effectiveness of the intervention for procedures used had remained much the same over the years. They concluded that, "The principal explanation of the success of third party intervention is external to the third party, and can be found only in the social and economic conditions which are reflected in the temper and strength of the disputants" (p. 83).

Vaselenak (1958) arrived at a similar conclusion. As he saw it, conciliation officer success or failure depended to a large extent on conditions enabling consent agreements, that is, on the economic conditions surrounding the negotiations. "The reasons for their success or otherwise" he concluded, "are largely to be found in the situations in which they functioned and in the external conditions with which they contended" (p. 350).

### C. Personal Interaction and Psychological Factors

Another investigator saw the success or failure of the collective bargaining and conciliation process as generally internal to it, and largely dependent upon psychological factors and personal interactions. Douglas (1957) posited the existence of a sequence of three phases in negotiations. In the first phase, "establishing the bargaining range", the parties established their various positions which became the parameters of the bargaining. Interaction at this stage was largely institutional and characteristically disparaging of each other's positions. It provided a basis however, for auditing areas of disagreement. The second stage, "reconnoitering the range", was a position

testing stage where the parties engaged in personal interaction. This interaction served as a basis for probing and modifying positions in search of areas of agreement. The third phase, "precipitating the decision-making crisis", forced the negotiators from personal interaction to contact with those outside the negotiations and often saw them revert back to their institutional positions. Out of this crisis, the interaction ceased either in impasse or agreement.

In a later book, Douglas provided a detailed psychological analysis of the interaction of negotiators and mediators (Rehmus, 1965, pp. 123-124).<sup>2</sup> In this book, which expanded upon her previous article, she characterized as fictions the following three points generally held by negotiators and mediators: "that the possibility of a strike is essential to resolution of conflict; that compromise is an essential part of agreement-making; and that the ultimate agreement is narrowly circumscribed by market economics" (p. 123). According to Rehmus, Douglas' case against the first point "is far from overwhelming", and her second and third conclusions "disturb those with experience in industrial relations" (p. 123). Rehmus went on to say that, "Negotiators and mediators find it hard to believe that, if the process of bargaining is satisfying to the negotiators, agreement will result without regard to the intent thereof" (p. 123). Douglas' conclusions "seem to seriously question the rationality" of union-management representatives, "elevating their personal psychological needs above their institutional obligations" (p. 124).

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<sup>2</sup>The book by Ann Douglas, Industrial Peacemaking (New York: Columbia University Press, 1962) was unavailable to the investigator.



A book by Stagner and Rosen (1965), drawing from numerous sources, examined in depth the psychological aspects of union-management relations as well. While the study was concerned with ways in which psychological processes modified the operation of other principles affecting the union-management relationship, it did not attempt to discard these other principles. "A study of union-management relations" stated Stagner and Rosen, "requires an intricate interrelation of economics, sociology, psychology, and engineering. No one of these specialized studies offers a full and complete analysis" (p. 7).

In considering the contribution of mediation to dispute settlement, Stagner and Rosen saw the mediator as a "kind of technical consultant" who used his prestige, persuasiveness, knowledge of union contracts, sense of humour, and ability to see the facts from both sides, to help both sides find a solution. The mediator also contributed by providing an opportunity to "break the communications barrier" and "to save face"; by providing "a wider range of experience" than that possessed by either of the disputant parties; by introducing alternate solutions; and possibly, by wearing down the parties through continual meetings. A basic requirement for the mediator was to find out what the parties really wanted--their hidden agenda. Once this was known the possibility of compromise and settlement became more likely. The mediator sometimes also sought a wider agenda, by pointing out wider implications and unintended consequences of an issue in dispute. While the superordinate goal of seeking "the public interest" should have some effect in resolving a dispute, perceptual distortions effectively precluded agreement on an objective definition of just what the public

interest was. "To a large extent," said Stagner and Rosen, "the mediator must rely upon persuasion and the ultimate operation of economic pressures on both sides to open the road to a settlement" (p. 114).<sup>3</sup>

#### D. Mediators' Views

Mediators who have written on the subject see their roles in varying lights and emphasize differing aspects of their function. Cole (1961) saw attitudes, psychological factors, receptivity to bargaining, reasoning and persuasion as factors which affected the resolution of disputes. For him, the "Essential function of the mediator is to keep the parties in intelligent discussion with each other. Vindictiveness and bitterness, unreasoning obstinacy and bad manners, fixed and rigid attitudes are his principal problems, because they stand in the way of composing differences through reasoning" (p. 50). Meyer (1959-60) saw mediation as an art rather than a science, where the service was essentially personal and individual, designed to help others to decide for themselves. Timing and inspiration, for him, were everything. While recognizing the importance of general trends, precedents, business conditions and the power content of the situation, the practice of the art was more dependent on a host of personal qualities possessed by the mediator. Peters (1955) considered collective bargaining a science. He saw the process as one with rules that demanded more of the parties than simply making demands and threatening to strike. However, on the basis of the case material supplied in his book, he

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<sup>3</sup>The material in this paragraph was based on the contents of pp. 113-116.

appeared to consider the operation of economic pressures and the ability of the parties to assess, realistically, their chances of conducting or taking a strike successfully as one of the main contributors to dispute resolution. His cases also indicated the importance of psychological and communication (both direct and indirect) factors.

A study by Berkowitz, Goldstein and Indik (1963-64), which surveyed practicing Canadian and American mediators, indicated that the mediators generally viewed their role as one of service to the parties and not to the public. In the view of the respondents, the mediator must possess patience and endurance, must forcefully pursue a settlement rather than act as a passive message carrier, must act as a confidential advisor to both sides, and must possess self-generating sources of influence to persuade. As effective bases for sources of influence the mediators saw the creation of a friendly atmosphere of agreement and mutual consent as most important, distantly followed, as second and third most important, by their ability to point out the benefits of settlement and their expertise in the field. They generally viewed mediation as an art which must be adapted to the situation at the time of impasse.

#### E. Personal Skills

Landsberger (1960) attempted to identify the personal factors and skills of mediators considered most important by mediator users. In thorough studies based upon users' rankings of the importance of certain personal factors and skills he found that the users considered intellectual skills and factors as most important. These skills

included originality of ideas, understanding quickly the complexities of a dispute, and the mediator's accumulated knowledge of labour relations. What Landsberger categorized as tough human relations factors, were ranked second. These included mediator attitude, persistence, and patience; the mediator as a respected authority; and the mediator's willingness to act as a vigorous salesman. Last were ranked soft human relations factors--sense of humour, ability to act unobtrusively, control over feelings, and the mediator as "one of us".

#### F. Use of Pressure

Two other studies considered the mediator's role somewhat differently. Lovell (1952-53) considered that the most satisfactory explanation for negotiation disputes was based on "economic rather than human factors" (p. 20). Mediation became necessary not because of personality clashes or anger, but because the parties had been unable to resolve "problems posed by conflicting objectives or by unusual conditions" (p. 20). He did not see that the parties were generally in need of a mediator's knowledge of collective bargaining practices, or of his ability to provide alternate solutions and to reduce emotional tensions. He considered human relation explanations of disputes applicable only to a very limited extent, and only in cases where negotiators were "extremely inept or extremely inexperienced" (p. 30). For him, the mediator's primary problem

... is one of forcing the negotiator or his organization to reconsider its position, to make further concessions than those previously indicated or decided upon. It is

here that the mediator can utilize his most important weapon, the pressure of events which forces the parties toward agreement (p. 22).

To solve his problem the mediator used direct efforts to persuade the disputing parties; acted as a confidential intermediary, thereby simplifying the bargaining process by allowing the parties to sound out positions without committing themselves; and controlled the level of pressure. Pressure encompassed "... all the factors which tend to make one or both parties reconsider. Anything which lessens one's relative bargaining power and makes one less likely to take a determined stand increases pressure" (p. 22). Such factors might include the strike deadline, internal political problems, economic factors, labour supply, the strength of the parties to carry out threats, tactics and competition. The mediator was able to carry out his role of applying pressure and controlling its level because he could control the "flow of information between the parties" (p. 27).

Lovell's position was essentially supported by Warren (1954). For Warren, the essence of mediation was the "... exertion or channeling of pressure on one or both of two parties in dispute to obtain the necessary concessions for the settlement of their differences" (p. 292). According to Warren, procedures for the resolution of negotiation disputes, short of compulsory arbitration, presupposed "... the pressures of industrial conflict, including withdrawal of employment and job action by workers, as elements for producing agreement" (p. 292). During a dispute, a multiple interaction of different pressures took place. Some of these were intrinsic to labour disputes, some were created by the mediator, and some worked in opposite directions. All were generally

one of three kinds--personal pressures, social and political pressures, or economic pressures. While Warren admitted that human relations played an important part in the settlement of many disputes, he stated that "... the economic forces at work in every labour dispute are the primary determining factors making for a settlement. Hence it is these forces which establish the effectiveness of particular mediation efforts" (p. 294). A mediator's effectiveness in dealing with economic pressures was based on "... his ability to make a realistic appraisal of possible future trends and the comparative economic positions of the parties" (p. 297).

#### G. Mediation's Contributions

In a study by Kerr (1954-55), the contributions of both tactical and strategical mediation were described. Tactical mediation occurred when a third party intervened in an already existing dispute. Strategical mediation concerned itself with attempts to structure social and environmental factors prior to the existence of any disputes, in an effort to create underlying conditions which contributed to long range industrial harmony. Kerr saw four contributions that tactical mediation made to conflict resolution. Irrationality could be reduced by the mediator drawing the parties' attention to the objective issues of the dispute and the consequences of aggressive conflict. The mediator could remove elements of nonrationality by clarifying and bringing to light the intentions of the parties, the real issues and facts, true cost calculations, accurate estimates of the other party's strength, and truer expectations of outcomes. Mediation provided opportunities and assistance

for exploring other solutions and for making graceful retreats. Kerr also saw the mediator as supplying the parties with negotiating skills which allowed them to explore areas of settlement. On their own, some parties' lack of skills or their awkwardness in using them often prevented them from realizing or seeing existing areas of settlement. However, Kerr also considered the strike and lockout as a means of inducing agreement. "Out of aggressive conflict or its latent possibility comes the resolution of many disputes" (p. 232).

In addition to mediation's contributions to dispute resolution, it was also possible for mediation to prolong disputes. Such cases occurred when negotiators who, for personal or institutional reasons were unwilling to settle a dispute except on their own terms, used mediation as a guise for indicating to the public, or their organizations, or their members, that efforts were being made to settle when they were in fact interested only in prolonging the dispute. This case is but a logical extension of mediation as a "ceremonial" which Kerr indicated was used by parties who, recognizing a settlement, proceeded to mediation for political reasons to indicate that they did not yield too much too soon.

#### H. Mediation Tactics

An analytical study of mediation functions and tactics was made by Stevens (1963, Ch. 7). Stevens considered the problems faced by the mediator in disputes where the contract zone was absent because of either the basic situation or tactical manoeuvring, and where the contract zone was not the major problem. In the case of the absence

of a contract zone because of the basic situation, the mediator must get one or the other (or both) of the parties to change positions. He may accomplish this through persuasion, rationalization, or coercion. He may be able to persuade the parties to see the realities of the situation and get them to change positions because he is in a position to control the communications flow. Rationalization may be accomplished through argumentation, or "... the mere fact of a mediator's entrance into a dispute provides the parties with a means for rationalizing retreats from previously held positions, particularly if the mediator can be made to appear to take part of the 'responsibility' for any settlement" (p. 130). The use of coercion hinges around the use of the strike. The mediator may exert pressure by removing elements of party-bluff. In attempting to persuade or coerce, the mediator may use deceptive tactics--whether he should or should not however, is another question. Where the contract zone is there but not available because of the parties' tactical manoeuvring, the mediator must use tactics of retreat. He may help the parties "save face", or may help share some responsibility for the outcome of the settlement.

When the contract zone is not the major problem, the mediator, through his control of communications, may force the parties into a pure-bargaining game (tacit bargaining) which may produce results similar to the "divide-a-sum" game. To win such a game requires coordination and co-operation as opposed to conflict and competition. The mediator, as the sole channel of communication, may force the parties towards the most obvious solution, or towards suggested alternate solutions. The parties' use of the mediator as a means of negotiating



without prejudice provides the mediator with indications of the direction of settlement and possible alternate solutions.

Stevens' use of game theory to analyse mediation, and Schelling's (1957) discussion of tacit bargaining were early examples of a growing use of game theory, mini-max strategy, conflict-choice models and simulation, to analyse and to test various hypotheses of what takes place during mediation and negotiation.<sup>4</sup> Simple models related to problems faced by negotiators and mediators were used by various investigators as bases for analysis and tests of choices, strategies and tactics open to participants as they function in the complicated processes of negotiation and mediation. Such studies contribute to dispelling some of the esotericism surrounding the whole subject of collective bargaining.

## II. SUMMARY

In an attempt to find an answer to the question of what contributed to successful dispute resolution at the conciliation officer stage, previous studies on the conciliation process and the conciliation officer's role in it were examined in this chapter. The literature reviewed consisted of empirical research, investigations, descriptive studies, theoretical analyses and individual commentaries, and, for the most part, was concerned with the operation of conciliation in the private sector. A search of this literature for a simple answer to the question however, proved to be a search in vain. There appeared to be

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<sup>4</sup>E.g., See Podell and Knapp, 1969; and generally, Gaming Section, Journal of Conflict Resolution, 1965-69.

almost as many answers as there were studies, with one writer emphasizing the primacy of one set of factors, and another writer emphasizing another, and sometimes opposing set. Though the emphasis placed upon the importance of factors varied with the writer, recognition, by most writers, of the particular importance of specific factors generally appeared to be a matter of degree rather than one of acceptance or rejection. If the literature reviewed could be considered as a totality, the answer to the question of what contributed to the effectiveness of conciliation in resolving negotiation disputes appeared to be the operation and interaction of certain economic, psychological, social, political and personal factors, and the skills and tactics employed by the conciliator. The primacy of a particular set of factors and the specific skills and tactics to be employed by a conciliator depended, to a large extent, upon the circumstances of the particular dispute. Such an answer suggested that success was a function of the conditions surrounding a dispute, the conciliator's analysis of the interaction of these conditions, and the resultant skills, tactics and course of action employed by the conciliator.

## CHAPTER IV

### METHODOLOGY

#### I. SOURCE OF THE DATA

The general purpose of this study was to provide some insight into the operation of the conciliation process in teacher-school board collective bargaining in Manitoba. Data used to achieve this purpose was drawn from the records of the MTS Economic Welfare Department and the personal experience of the investigator. This data was presented in expository form in Chapter II.

The specific purpose of this study was to identify factors and conditions perceived by teacher and school board negotiators as having assisted and/or influenced them in reaching agreement at conciliation. The study was limited to conciliations that successfully resolved teacher-school board negotiation disputes in Manitoba in 1969. The major source of data was the teachers and school boards who reached agreement on their 1969 collective agreements at the conciliation officer stage. A secondary source of data was the records of the MTS Economic Welfare Department. This latter source provided information on the number of successful conciliations, and the number and type of issues that were in dispute at the time the conciliation officer intervened.

In the year under study, twenty teacher-school board negotiation disputes were resolved at conciliation (see Table II, p. 33). The resolution of the twenty disputes however, involved only sixteen con-

ciliations because five of the twenty were elementary school districts within one school division that had negotiated jointly with the teachers from the beginning, and continued joint negotiations through conciliation.<sup>1</sup> Thus, the total source of data on assisting and influencing factors and conditions was thirty-two teacher and school board committees. The data was collected by means of a questionnaire.

## II. COLLECTION OF THE DATA

A questionnaire was mailed to the chairman of each of the teacher and school board committees involved in the sixteen successful conciliations.<sup>2</sup> The chairman was chosen because he was generally the most experienced negotiator on the committee. If he could not be contacted, or did not respond, another member of the committee was contacted.

Each committee was limited to one questionnaire for two reasons. First of all, it seemed reasonable to presume that the factors and conditions that assisted and/or influenced the reaching of agreement affected the total committee to, more or less, the same degree, so that no more than one reply per committee was required to identify these factors and conditions. Secondly, and perhaps more importantly, it was

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<sup>1</sup>Though these five districts conciliated jointly, they were reported as five conciliations in the MTS records because bargaining was conducted by the teachers under five separate bargaining certificates. Had the conciliation officer's efforts failed to resolve the dispute, separate conciliation meetings could have been held with the teachers and each of the school boards involved.

<sup>2</sup>Names and addresses of school board committee chairmen and members were provided by E. R. McDonald, Director of Field Services, a MAST staff officer. Names and addresses of teacher committee chairmen and members were obtained from the records of the MTS Economic Welfare Department.

decided that limiting each committee to one response prevented possible distortion of the significance of certain factors and conditions. Skewing could easily occur, for example, if the total membership of some committees responded to the survey while only a few members of other committees responded.

The questionnaires were mailed on August 20, 1970.<sup>3</sup> An explanatory covering letter (see Appendix A), and a stamped, self-addressed return envelope were included with the questionnaire. A follow-up letter (see Appendix B) was mailed on September 21, 1970 to those persons who had not responded to the questionnaire by that time.

### III. THE SURVEY INSTRUMENT

The questionnaire (see Appendix C) used to collect data from the teacher and school board negotiators was developed by the investigator. It contained four major sections. The first section requested information from the negotiator concerning his position on the negotiation committee, his experience as a negotiator, his experience with conciliation, the number of conciliation meetings held, the duration of these meetings, and the stage at which agreement was reached. To provide this information, the respondent was asked to complete six specific statements by checking the appropriate response from among a number of responses provided for each statement.

The second section contained a list of eighty-five factors and conditions which could have operated during conciliation to assist or

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<sup>3</sup>Some delay and disruption occurred during the initial mailing because of postal strikes.

influence the parties in reaching agreement. The factors and conditions listed were drawn primarily from the experience of the investigator. In drawing up the list of conciliation officer factors however, the investigator was also assisted by the information and findings provided by Landsberger (1960) and Meyer (1959-60). In addition, once the list was compiled, its completeness was checked by consulting staff officers of MAST and MTS, and the Director of Industrial Relations of the Manitoba Department of Labour. Their suggestions assisted in modifying and expanding the final list.

The respondents were asked to check all those factors and conditions listed in the section that they believed assisted and/or influenced them in reaching agreement during conciliation. They were cautioned to avoid checking factors and conditions on the basis of what they thought ought to have helped them. It was suggested that as they read through the section to check factors and conditions that they ask themselves the question--"Did this item assist or influence us in any way in coming to a settlement?"

The list of factors and conditions in Section II, though extensive, could not possibly be exhaustive. Thus, an open-ended third section was provided. The respondents were asked to list any other factors and conditions that they believed assisted and/or influenced them in reaching agreement.

In the fourth section, the respondents were requested to pick the ten factors and conditions they considered the most important in assisting and influencing them in reaching agreement. The factors and conditions were to be picked from among all those checked in Section II

and listed in Section III. The respondents were then asked to rank these ten factors and conditions in their order of importance. A table was provided listing the ranks from one, the most important, down to ten, with spaces next to each rank where the number of the appropriate factor or condition could be entered.

A final page was provided in each questionnaire where the respondent could add any comments he wished, and could indicate whether he wanted a copy of the final summary of the findings and conclusions of the study.

Each questionnaire was prefaced with an introduction which provided some details and reasons for the study, asked for the negotiator's assistance by providing the data requested, indicated the approximate time required to complete the questionnaire, and thanked the respondent in advance for his co-operation and assistance. Instructions for completing the questionnaire preceded each specific section.

Though the questionnaire was not piloted, its final form was the result of many consultations with staff members of both MTS and MAST, and the Department of Labour's Director of Industrial Relations who all offered suggestions and advice which assisted in its overall development. It was decided that further modifications could not be determined until after the questionnaire was actually used in the survey of teacher and school board negotiators.

#### IV. PRESENTATION AND ANALYSIS OF THE DATA

All major data was presented in tabular form. Any identification

of school districts and divisions that was necessary in the presentation and analysis of the data was done by means of a code letter which had been assigned to each. The identity of the districts and divisions was held in confidence to encourage the frank and open assessment of factors and conditions by each of the respondents.

Tables were prepared that provided information on the respondents to the survey; the conciliations surveyed; factors and conditions assisting and/or influencing settlement as checked, ranked and listed by the respondents; comparisons of the factors and conditions checked and ranked by teachers and boards; comparisons of factors and conditions checked and ranked by urban and rural respondents; and comparisons of factors and conditions checked and ranked by experienced and inexperienced negotiators.

The responses were analysed to provide information on the replies used to obtain the data, the number of urban and rural conciliations covered by these replies, the number of teacher and board respondents, and the area, position and experience of the respondents.

Analysis of the conciliations surveyed provided information on the number and types of issues in dispute, the number and length of conciliation meetings held, and the stage at which agreement was reached.

Factors and conditions assisting and/or influencing settlement were analysed on the basis of all respondents to the survey, and comparatively for teacher and school board respondents, urban and rural respondents, and experienced and inexperienced negotiator respondents. The analysis in all cases considered each factor or condition on the basis of the number of respondents checking it as being of assistance



or influence in reaching settlement, the number of respondents assigning it a rank, and the weight of all the rankings assigned to it. In the case of all the respondents, the frequencies of the ranks assigned to each factor or condition were also considered. Respondent-listed factors or conditions were listed for all respondents only--no comparative analysis was made of these factors and conditions.

In dealing with the survey as a whole, only factors and conditions checked by ten or more respondents were identified and listed as assisting and/or influencing the parties in resolving their dispute and reaching agreement at conciliation. In the comparisons between teacher and school board respondents, urban and rural respondents, and experienced and inexperienced respondents, only factors and conditions checked by more than half of the specific respondents were identified and listed. The importance of factors and conditions in assisting and/or influencing settlement was determined by assigning weights of ten down to one to the ranks one to ten (e.g. rank one was assigned weight ten, rank two was assigned weight nine, and so on), and then totalling the weights for all the rankings assigned by the respondents for each of the factors and conditions. Factors and conditions with weighted rankings totalling 21 or higher were considered of some importance and were listed. When comparing the specific groups of respondents however, the ten factors and conditions with the highest weighted rankings on the basis of the rankings assigned by each group were used.

All factors and conditions listed in the questionnaire fell into one of eight general categories. These categories, established by the investigator, included time factors (2.01 to 2.13); procedural factors

(2.14 to 2.25); nature of conciliation factors (2.26 to 2.32); nature of arbitration factors (2.33 to 2.39); economic factors (2.40 to 2.51); conciliation officer factors (2.52 to 2.68) which were sub-divided on the basis of Landsberger's (1960) categories of intellectual skills (2.52 to 2.57), tough human relations factors (2.58 to 2.64) and soft human relations factors (2.65 to 2.68); other pressure factors (2.69 to 2.75); and staff officer factors (2.76 to 2.85). By taking the top checked and ranked factors and conditions and determining the categories to which they belonged, the relative importance of certain types of factors and conditions that assisted and/or influenced the respondents in reaching agreement at conciliation was established.

CHAPTER V  
ANALYSIS OF THE DATA

The data in this chapter is analysed and presented in a series of twenty-one tables in six sections. In Section I four tables provide information on the replies and the respondents to this survey. Four tables in Section II provide details of the conciliations surveyed--the issues in dispute, the number and length of meetings, and the stage agreement was reached. The factors and conditions assisting and/or influencing settlement at conciliation are analysed in four tables in Section III. The factors and conditions perceived by teacher and school board respondents, by urban and rural respondents, and by experienced and inexperienced negotiator respondents as assisting and/or influencing them in resolving their dispute and reaching agreement are compared respectively in three tables in each of Sections IV, V, and VI. A short summary concludes the chapter.

I. THE RESPONDENTS

Table III summarizes the response to the survey questionnaire by the teacher and school board negotiators contacted. Out of a total possible 32 replies, 16 were received from teacher negotiators and 10 from school board negotiators. Six board negotiators did not reply. One reply from both a teacher and a board negotiator was unusable. Thus, the data in this chapter was based upon 24 usable replies, 15 from teacher negotiators and 9 from school board negotiators. Expressed in percentages,

the survey received an 81% response, and the data presented and analysed was based upon an usable return of 75%.

TABLE III  
RESPONSE TO SURVEY QUESTIONNAIRE

	Teacher Negotiators	Board Negotiators	Totals
Possible replies	16	16	32
No reply	0	6	6
Unusable replies	1	1	2
Usable replies	15	9	24
Usable replies as percentage of possible replies	93.75	56.25	75.00

The teacher and school board negotiators contacted represented the committees in the five urban and eleven rural teacher-school board conciliations initially involved in this study. Table IV indicates that

TABLE IV  
CONCILIATIONS SURVEYED BY TYPE  
OF RESPONSE AND AREA

	Urban	Rural	Totals
Conciliations surveyed	5	11	16
Both teachers and boards responded	3	6	9
Teachers responded only	2	4	6
Boards responded only	0	0	0
Conciliations covered by usable replies	5	10	15

responses were received from both the teacher and school board negotiator in nine of the conciliations--three of the five urban, and six of the eleven rural. Teacher negotiators only responded in the other two urban and four rural conciliations. One rural conciliation was not covered by this study because the school board negotiator did not respond and the response from the teacher negotiator was unusable. This study therefore covered fifteen successful teacher-school board conciliations. Five of these were urban with responses from five teacher and three board negotiators, and ten were rural with responses from ten teacher and six board negotiators.

The respondents' positions on their respective negotiating committees are shown in Table V. The nine school board respondents were all

TABLE V  
RESPONSES BY AREA AND POSITION  
OF RESPONDENTS

	Urban		Rural		Totals
	Chairman	Member	Chairman	Member	
Teachers	2	3	9	1	15
Boards	3	0	6	0	9
Totals	5	3	15	1	24

chairmen of their committees. Eleven of the teacher respondents were committee chairmen and four were committee members. Three of the four teacher members were from urban areas and one was from a rural area.

The negotiating and conciliation experience of the respondents is outlined in Table VI. Almost all the respondents had two or more

years experience with negotiations. One teacher and one board respondent, both from urban areas, indicated that the year under study was the first experience with negotiations. Experience with conciliation however, was evenly divided. Twelve respondents had no previous experience with conciliation, and twelve had been involved in one or more previous conciliations. Of the twelve with no previous conciliation experience, nine were teacher (four urban and five rural) and three were board (one urban and two rural) respondents. The twelve with conciliation experience included six teacher (one urban and five rural) and six board (two urban and four rural) respondents.

TABLE VI  
RESPONSES BY EXPERIENCE OF  
RESPONDENTS AND AREA

	Experience							
	Negotiations				Conciliations			
	1st. year		2 or more yrs.		1st conciliation		2 or more	
	Urban	Rural	Urban	Rural	Urban	Rural	Urban	Rural
Teachers	1	0	4	10	4	5	1	5
Boards	1	0	2	6	1	2	2	4
Totals	2	0	6	16	5	7	3	9

## II. THE CONCILIATIONS

Rather than present the variety of individual proposals in dispute in each of the fifteen teacher-school board conciliations used for this study, the issues in dispute were grouped and placed in one of fourteen categories. The categories established were salary scales, responsibility

allowances, other allowances, experience recognition, leaves, insurances, medical benefits, rates, classification, fee deduction, auxillary personnel, discretionary payments, preparation time, and effective period. With the exception of the last three categories, each category covered and included a number of related issues. The number of issues covered by a category varied from two to six. The category "fee deduction", for example, included those proposals which dealt with at-source deduction of both provincial MTS and local association fees; while the category "other allowances" included those proposals which dealt with allowances for additional courses, special teacher designations, marital status, geographic location, and extra-curricular duties.

The categories covered issues in four general areas usually dealt with by collective bargaining--salary, fringe benefits, working conditions and contract administration. Most of the categories however, were in the areas of salary and fringe benefits.

Table VII lists the fourteen categories of issues and shows the number of conciliations in which each of the categories was in dispute. The categories effective period, preparation time and discretionary payments were in dispute in one conciliation only, though not necessarily the same one. Auxillary personnel and fee deduction were in dispute in two conciliations each. Experience recognition was an item of dispute in three conciliations. Four conciliations dealt with the issues of medical benefits and classification, while five dealt with insurances and rates. Leaves were in dispute in eight conciliations, other allowances in ten, responsibility allowances in twelve, and salary scales in fourteen.

Though there was a wide variety of issues in dispute in the con-

ciliations studied, the majority of issues involved monetary changes of some form or other as most issues fell into the areas of salary and fringe benefits. Most of the conciliations as well were the result of disputes on salary and fringe benefit issues. All conciliations but one, dealt with issues on salary scales, all but three with responsibility allowances, and all but five with other allowances. One-half of the conciliations were concerned with fringe benefit issues. Only three of the conciliations were concerned with working condition issues.

TABLE VII  
CATEGORIES<sup>a</sup> OF ISSUES IN DISPUTE  
BY NUMBER OF CONCILIATIONS

	Number of conciliations category was in dispute
Salary scales	14
Responsibility allowances	12
Other allowances	10
Experience recognition	3
Leaves	8
Insurances	5
Medical benefits	4
Rates (hourly, daily)	5
Classification	4
Fee deduction	2
Auxillary personnel	2
Discretionary payments	1
Preparation time	1
Effective period	1

Source: MTS Economic Welfare Department records

<sup>a</sup>Categories include all issues related to the item. For example, "Salary scale" includes minimum, maximum and increments; and "Leaves" includes sabbatical, compassionate, sick, examination, executive duties, and other leaves.

The number of categories of issues in dispute in each of the con-



ciliations is shown in Table VIII. The number ranged from one to nine. Three of the conciliations had only one category in dispute, one had two, two had three, three had four, one had six, two had eight, and three had nine. While none of the conciliations involved more than nine categories of issues in dispute, a number of the conciliations had more than nine specific issues in dispute. This was possible since all but three of the categories each covered a number of specific issues.

TABLE VIII  
CONCILIATIONS BY NUMBER OF CATEGORIES  
OF ISSUES IN DISPUTE<sup>a</sup>

Conciliation	Number of categories in dispute
C	4
D	9
E	1
F	4
G	2
H	4
I	3
J	8
K	9
M	8
N	9
O	3
P	1
Q	6
R	1

Source: MTS Economic Welfare Department records

<sup>a</sup>While none of the conciliations involved more than nine categories of issues in dispute, a number of them had more than nine specific proposals in dispute for each category could include more than one specific proposal.

The variation in both the number and length of the conciliation

meetings held by the conciliation officer to effect settlement is outlined in Table IX. In the case of nine conciliations, the conciliation

TABLE IX  
CONCILIATIONS BY NUMBER AND LENGTH OF MEETINGS

Number of meetings	Length of meetings			Totals
	4 hrs. or less	more than 4 less than 8 hrs.	8 hrs. or more	
One	2	3	4	9
Two or more	2	1	3	6
Totals	4	4	7	15

officer held one meeting. These meetings varied in length from less than four hours to more than eight hours. Two conciliations had one meeting of four hours or less, three had one meeting more than four hours long but less than eight hours, and four had one meeting of eight hours or more. Six conciliations involved two or more meetings, and these too varied in length--two of four hours or less, one of more than four hours but less than eight hours, and three of eight hours or more.

Settlement at the conciliation stage was not always effected at a meeting of the parties and the conciliation officer. Table X indicates the stage at which the issues were finally resolved and agreement was reached in the fifteen conciliations studied. Ten conciliations were settled at a conciliation meeting with the assistance of a conciliation officer. Three others were settled after conciliation meetings had been held but with the assistance of a conciliation officer. In the case of one of the conciliations, the parties themselves were able to work out an agreement after conciliation meetings had been held. In one other





TABLE XI--Continued

Factor or condition <sup>a</sup>	Total checks	Total rankings	Ranks Assigned by Frequency										Total weight of rankings <sup>b</sup>		
			1	2	3	4	5	6	7	8	9	10			
2.53	7	0													0
2.54	3	0													0
2.55	8	0													0
2.56	4	2	1										1		12
2.57	6	0													0
2.58	6	4	1		1									2	22
2.59	2	0													0
2.60	10	1									1				3
2.61	7	2						1					1		8
2.62	6	5					1	2	1				1		26
2.63	12	5				1	1		2	1					29
2.64	3	1											1		2
2.65	7	5	1	2							2				34
2.66	4	0													0
2.67	9	2				1					1				10
2.68	8	2								1				1	5
2.69	1	1											1		2
2.70	2	1									1				3
2.71	2	0													0
2.72	2	0													0
2.73	2	1		1											9
2.74	4	2			1						1				11
2.75	5	2						1	1						11
2.76	6	1				1									7
2.77	12	6		2				1	1	1	1				36
2.78	5	0													0
2.79	10	3							1	1				1	10
2.80	1	0													0
2.81	10	4				2				2					22
2.82	7	0													0
2.83	1	1		1											9
2.84	12	2		1					1						14
2.85	6	3						1			1			1	10

<sup>a</sup>See Appendix C, Section II, for verbal description of factor or condition.

<sup>b</sup>Ranks 1 to 10 were assigned weights from 10 to 1. The total weight for each factor or condition ranked was determined by adding the weights of all the ranks assigned to the factor or condition by the respondents.

questionnaire, indicates the total number of respondents who checked each

factor or condition as being of assistance and/or influence in reaching agreement at conciliation, indicates the total number of rankings assigned to each factor or condition by the respondents, summarizes the number of specific ranks assigned to each factor or condition, and gives the total weight of rankings for each factor or condition.

All factors and conditions but one were checked by respondents at least once as being of assistance and/or influence in reaching agreement at conciliation. Eight factors were checked by one respondent, seven factors were checked by two respondents, five factors were checked by three respondents, five were checked by four, six were checked by five, twelve were checked by six, seven by seven, five by eight, two by nine, ten by ten, three by eleven, five by twelve, three were checked by thirteen, two factors were checked by fourteen respondents, one was checked by fifteen, one by sixteen, one by seventeen, and one by eighteen respondents.

The number of factors and conditions checked by each of the respondents ranged from nine to fifty-six. The median number checked was twenty-six. The specific factors and conditions that were checked by ten or more respondents as being of assistance or influence in reaching agreement are listed in the next table.

Not all the factors and conditions checked as being of assistance and/or influence in reaching agreement at conciliation were ranked as being one of the ten most important factors and conditions. Though generally, those factors and conditions that were checked by most of the respondents were also ranked most often as being among the ten most important, it did not always follow, for a number of highly checked

factors and conditions received few rankings. As well, a number of factors and conditions that were checked by relatively few respondents received a comparatively high number of rankings.

Twenty-six factors and conditions were assigned no ranks at all by the respondents. They included a range of factors and conditions that were checked by one respondent only through to two that were checked by eight respondents. Seventeen factors and conditions were assigned one rank by the respondents. These ranged from three that were checked by one respondent to one that was checked by twelve respondents. Nine factors were assigned two ranks, and these ranged from one that was checked by three respondents to one checked by twelve. Six factors were ranked three times and included one factor checked by five respondents and one checked by fourteen. Ten factors received four rankings and included one factor checked by four respondents and one checked by fifteen. Seven factors were assigned five ranks including one factor checked by seven respondents to one factor checked by twelve. Five factors ranging from one checked by ten respondents to one checked by seventeen received six rankings. Two factors, one checked by twelve respondents and one checked by eighteen, were ranked seven times. One factor each, with thirteen, fourteen and sixteen checks by respondents, was ranked nine, ten and eleven times respectively.

Fifty-nine factors and conditions were ranked by the respondents. The number of rankings per factor ranged from one to eleven with three as the median number of ranks assigned. The number of rankings assigned did not total 240 because not all respondents ranked ten factors and conditions, and some respondents ranked respondent-listed factors and

conditions. Eighteen respondents ranked ten factors and conditions, while six ranked less than ten. Five respondents ranked respondent-listed factors.

The ranks assigned to specific factors and conditions by the respondents varied as widely as from one to ten--from the most important to the least important of those factors ranked. While most of the ranked factors with multiple rankings received different ranks, the top-ranked factors were assigned a number of same ranks by the respondents. The highest number of same ranks assigned to one factor was five firsts. Three firsts were assigned in one case, three thirds in two cases, three fourths once, three fifths once, three sixths once, and three eighths once. The same rank was assigned twice in twenty-seven cases, and 122 single ranks were assigned.

The factor with the highest number of rankings received five firsts, two sevenths, and single ranks of second, third, fourth and fifth. The next highest factor with a total of ten rankings was assigned three firsts, two thirds, three fourths, one fifth and one tenth. The factor with nine rankings received two firsts, one second, three thirds, two fourths, and one seventh. One other factor received two firsts, two thirds and single rankings of fourth and seventh. No other factors received more than one first ranking.

Using weights of ten to one, the ranks assigned to each factor and condition were weighted and totalled to provide a weight of rankings for each factor ranked. The weight of rankings for the fifty-nine ranked factors ranged from one to eighty-eight. One factor had a weight of eighty-eight, the weights of two factors were in the seventies, three



factors were in the forties, seven factors in the thirties, nine in the twenties, sixteen in the tens, and twenty-one in the ones. The top-ranked factors and conditions with rankings weighted twenty-one or higher are listed in Table XIII.

Table XII lists and describes the twenty-seven factors and condi-

TABLE XII  
FACTORS AND CONDITIONS CHECKED BY TEN OR MORE  
RESPONDENTS AS ASSISTING OR INFLUENCING  
THEM IN REACHING SETTLEMENT

Factor or condition	Verbal description	Number of respondents
2.25	A staff officer from the Teachers' Society Central Office was present at the conciliation meetings.	18
2.16	The conciliation officer kept the two negotiating committees separated during the conciliation meetings.	17
2.40	The contents of recently renegotiated collective agreements in surrounding school districts and divisions.	16
2.21	The issues in dispute were resolved by dealing with each in very specific terms.	15
2.18	The issues in dispute were well defined by the negotiating committees before conciliation meetings began.	14
2.32	We wanted to reach a settlement.	14
2.24	A staff officer from the Trustees' Association Central Office was present at the conciliation meetings.	13
2.34	We did not think we could get a better agreement through an arbitration award.	13
2.39	The best agreement is always one that is concluded by the two negotiating parties.	13

TABLE XII--Continued

Factor or condition	Verbal description	Number of respondents
2.20	Time was spent during the first conciliation meeting in exploring and clarifying the last position of both negotiating committees on all issues in dispute.	12
2.29	The other committee adopted a more realistic position during conciliation and was willing to compromise.	12
2.63	The conciliation officer's genuine and active concern in trying to work out a settlement.	12
2.77	The Trustees' and/or Teachers' staff officer's general knowledge of collective bargaining and the conciliation process.	12
2.84	The Trustees' and/or Teachers' staff officer's knowledge of the contents of other teacher-school board collective agreements.	12
2.04	Conciliation meetings were held during the afternoon and/or evening.	11
2.41	The contents of recently renegotiated collective agreements in school districts and divisions throughout the province.	11
2.42	Settlements recently reached in other teacher-school board conciliations.	11
2.15	Conciliation resulted because both negotiating parties believed that the assistance of a conciliation officer was necessary.	10
2.23	Time was spent during the first conciliation meeting in clarifying the role of the conciliation officer.	10
2.36	The liabilities that might arise from going to arbitration outweighed the benefits.	10
2.46	Recent changes in general economic conditions.	10
2.47	Recent changes in local economic conditions.	10

TABLE XII--Continued

Factor or condition	Verbal description	Number of respondents
2.48	The general financial position of the school district or division.	10
2.52	The conciliation officer's general knowledge of the collective bargaining process.	10
2.60	The conciliation officer's patience.	10
2.79	The Trustees' and/or Teachers' staff officer's understanding of the issues in dispute.	10
2.81	The Trustees' and/or Teachers' staff officer's active concern in trying to work out a settlement.	10

tions checked by ten or more respondents as assisting and/or influencing them in reaching agreement at conciliation. Of these, eight were procedural factors, including the two top-checked factors--the presence of a MTS staff officer at the conciliation meeting, and the separation of the two negotiating committees during the meetings. Six of the top-checked factors were economic including the third highest, that is, the impact of recently negotiated collective agreements in the surrounding area. Four of the factors fell into the staff officer category, three into the nature of arbitration and three into the conciliation officer category. Of the latter, one top-checked factor was in the intellectual skills category, two in the tough human relations category and none in the soft human relations category. Two factors were in the nature of conciliation category and one in the time factors category. None of the top-checked factors were in the other pressures category.

Factors and conditions with rankings weighted 21 or higher ranked by the respondents as assisting and/or influencing them in reaching a settlement are listed and described in Table XIII. Eight of these

TABLE XIII  
FACTORS AND CONDITIONS WITH RANKINGS WEIGHTED 21  
OR HIGHER RANKED BY RESPONDENTS AS ASSISTING  
OR INFLUENCING SETTLEMENT

Factor or condition	Verbal description	Weight of rankings
2.40	The contents of recently renegotiated collective agreements in surrounding school districts and divisions.	88
2.32	We wanted to reach a settlement.	74
2.34	We did not think we could get a better agreement through an arbitration award.	71
2.48	The general financial position of the school district or division.	47
2.29	The other committee adopted a more realistic position during conciliation and was willing to compromise.	45
2.41	The contents of recently renegotiated collective agreements in school districts and divisions throughout the province.	43
2.46	Recent changes in general economic conditions.	37
2.33	We had always settled our own problems and did not want an outside arbitration board to decide the contents of our collective agreement.	36
2.77	The Trustees' and/or Teachers' staff officer's up-to-date information on current teacher-school board negotiations.	36
2.39	The best agreement is always one that is concluded by the two negotiating parties.	36

TABLE XIII--Continued

Factor or condition	Verbal description	Weight of rankings
2.25	A staff officer from the Teachers' Society Central Office was present at the conciliation meetings.	34
2.65	The conciliation officer's ability to inspire trust and confidence.	34
2.42	Settlements recently reached in other teacher-school board conciliations.	30
2.63	The conciliation officer's genuine and active concern in trying to work out a settlement.	29
2.49	The general financial position of the local municipality(s).	29
2.45	Recent changes in the cost of living.	28
2.62	The conciliation officer's willingness and ability to sell our position to the other committee.	26
2.50	The level of financial support provided by the provincial government.	24
2.36	The liabilities that might arise from going to arbitration outweighed the benefits.	23
2.16	The conciliation officer kept the two negotiating committees separated during the conciliation meetings.	23
2.58	The conciliation officer's persistence in trying to get us to settle.	22
2.81	The Trustees' and/or Teachers' staff officer's active concern in trying to work out a settlement.	22

twenty-two top-ranked factors and conditions were economic including the top-ranked influencing factor--recently renegotiated collective agree-

ments in surrounding school districts and divisions. Other factors in this category included the financial position of the district or division, collective agreements renegotiated throughout the province, general economic conditions, other settlements reached through conciliation, the financial position of the local municipality, cost of living changes, and the financial support provided by the provincial government.

Four factors were in the nature of arbitration category including the third highest ranked influencing factor, that is the belief that a better agreement could not be achieved through arbitration. The other influencing factors included the fact that the parties had always settled their own problems and did not want an outside party to decide on the contents of their collective agreement, the belief that the best agreement is one concluded by the parties themselves, and the belief that the liabilities that might arise from going to arbitration outweighed the benefits.

The conciliation officer factors category accounted for four top-ranked influencing factors though none of them were among the top ten. No intellectual skills factors were top-ranked. Three tough human relations factors--the conciliation officer's genuine and active concern in trying to work out a settlement, his willingness and ability to sell one party's position to the other party, and his persistence in trying to get the parties to settle; and one soft human relations factor--the conciliation officer's ability to inspire trust and confidence; were top-ranked from this category.

The nature of conciliation category produced two top-ranked factors including the second highest ranked factor, the desire to reach

a settlement. The other factor was the belief that the other committee was more realistic during conciliation and willing to compromise.

Two staff officer factors, their up-to-date information on current teacher-school board negotiations and their active concern in trying to work out a settlement; and two procedural factors, presence of a MTS staff officer at the conciliation meetings and the separation of the two negotiating committees during conciliation; were also among the top-ranked influencing factors.

No time factors or other pressures factors were top-ranked.

Of the top ten top-ranked factors and conditions four were economic, three were in the nature of arbitration category, two were in the nature of conciliation category, and one was in the staff officer category. Except for the absence of conciliation officer factors, the top ten factors followed the same category sequence as all the top-ranked factors.

A comparison of Tables XII and XIII indicates that twelve of the twenty-seven top-checked factors and conditions were not among the top-ranked. These included six procedural factors, two conciliation officer factors, two staff officer factors, one economic factor, and one time factor. None of these excluded top-checked factors received a weighted ranking greater than four. Of the seven factors that were top-ranked only, two were checked by five respondents, three by six respondents, one by seven and one by eight. One of these appeared in the top ten top-ranked. Of the top ten ranked factors and conditions, six were also among the top ten checked.

Factors and conditions listed by respondents as assisting or

influencing them in reaching settlement, and the ranks, if any, assigned to them are outlined in Table XIV. Some difficulty was experienced in

TABLE XIV  
FACTORS AND CONDITIONS LISTED BY RESPONDENTS AS  
ASSISTING OR INFLUENCING THEM IN REACHING  
SETTLEMENT AND RANKS ASSIGNED TO THEM

Respondent listed factor or condition	Rank assigned
3.01 Approaching end of June added time pressure.	--
3.02 Tired. (Conciliation meetings held at night after full day's work.)	--
3.03 Only one item in dispute.	1
3.04 Provided other party with opportunity to save face.	1
3.05 Provided us with a ceremonial.	2
3.06 Provided opportunity to reveal your position without making a total commitment.	2
3.07 Provided opportunity to obtain fairly realistically the other's position.	3
3.08 Recent arbitration awards in neighboring divisions.	--
3.09 Depressed local economic conditions.	--
3.10 Conciliation officer had adequate knowledge of parties' positions and issues in dispute.	--
3.11 Both parties were knowledgeable of collective bargaining and its procedures.	--
3.12 Teachers' staff officer's persistence and timing in use of negotiation skills.	--
3.13 One board member on a payroll.	10
3.14 Members pressured negotiating committee to settle.	--
3.15 Approval by membership.	6
3.16 Parties wanted to maintain existing friendly relations.	--
3.17 Inter- and intra-group psychological factors.	--



drawing up the respondent-listed factors and conditions. Many respondents used Section III in the questionnaire as an opportunity to express annoyances, their philosophy of collective bargaining, rationalizations for their situation, what ought to help in reaching settlement, what prevented the reaching of agreement around the bargaining table, or a rephrasing of factors and conditions listed in Section II rather than to list specific factors or conditions. Nonetheless, seventeen listings were considered plausible factors or conditions and were presented in the Table. None of the listed factors or conditions was suggested by more than one respondent, but one respondent may have listed more than one factor.

The factors and conditions listed fell into seven of the general categories. Six factors were in the other pressures category, four in the nature of conciliation category, two were economic, one was in each of the time, procedural, conciliation officer and staff officer factors categories, and one was specifically psychological. Seven of the factors were ranked.

#### IV. TEACHER-SCHOOL BOARD RESPONSES COMPARED

Table XV lists all the factors and conditions listed in the survey questionnaire, indicates the number of teacher and school board respondents who checked each factor or condition as being of assistance and/or influence in reaching agreement at conciliation, indicates the number of teacher and school board respondents who ranked each factor or condition, and gives the total weight of rankings for each factor or condition on the basis of teacher and school board respondent rankings.

TABLE XV

COMPARISON OF FACTORS AND CONDITIONS CHECKED BY TEACHERS  
AND BOARDS AS ASSISTING OR INFLUENCING THEM IN  
REACHING SETTLEMENT BY NUMBER OF CHECKS,  
BY NUMBER OF RANKINGS, AND BY  
WEIGHT OF RANKINGS

Factor or condition <sup>a</sup>	Total checks		Total rankings		Weight of rankings	
	Teachers	Boards	Teachers	Boards	Teachers	Boards
2.01	5	2	1	0	5	0
2.02	4	2	0	0	0	0
2.03	3	0	0	0	0	0
2.04	6	5	1	0	1	0
2.05	6	0	0	0	0	0
2.06	1	0	0	0	0	0
2.07	2	4	0	0	0	0
2.08	5	1	3	1	12	6
2.09	2	4	1	1	6	1
2.10	3	2	0	0	0	0
2.11	7	2	0	1	0	5
2.12	5	2	0	0	0	0
2.13	1	0	0	0	0	0
2.14	5	3	0	0	0	0
2.15	6	4	3	0	11	0
2.16	11	6	5	1	17	6
2.17	0	0	0	0	0	0
2.18	8	6	2	1	11	6
2.19	5	1	0	0	0	0
2.20	8	4	0	1	0	4
2.21	10	5	3	1	5	1
2.22	1	0	0	0	0	0
2.23	7	3	1	0	4	0
2.24	6	7	2	2	9	10
2.25	14	4	6	1	32	2
2.26	7	1	2	1	11	2
2.27	3	2	2	1	8	3
2.28	2	0	1	0	4	0
2.29	6	6	3	4	17	28
2.30	5	2	0	0	0	0
2.31	2	0	1	0	3	0
2.32	12	2	8	2	59	15
2.33	6	0	5	0	36	0
2.34	10	3	7	2	55	16
2.35	2	1	1	1	10	1
2.36	9	1	4	1	21	2
2.37	1	0	0	0	0	0
2.38	1	0	1	0	3	0

TABLE XV--Continued

Factor or condition <sup>a</sup>	Total checks		Total rankings		Weight of rankings	
	Teachers	Boards	Teachers	Boards	Teachers	Boards
2.39	6	7	3	3	16	20
2.40	10	6	9	2	68	20
2.41	8	3	4	2	24	19
2.42	7	4	5	0	30	0
2.43	1	3	0	0	0	0
2.44	2	2	2	3	9	10
2.45	5	3	3	1	20	8
2.46	5	5	3	2	20	17
2.47	6	4	2	2	3	9
2.48	5	5	1	5	10	37
2.49	2	3	2	2	17	12
2.50	2	3	1	3	7	17
2.51	2	1	0	1	0	1
2.52	7	3	0	1	0	8
2.53	4	3	0	0	0	0
2.54	2	1	0	0	0	0
2.55	4	4	0	0	0	0
2.56	3	1	1	1	2	10
2.57	4	2	0	0	0	0
2.58	4	2	2	2	12	10
2.59	2	0	0	0	0	0
2.60	5	5	1	0	3	0
2.61	6	1	2	0	8	0
2.62	4	2	4	1	24	2
2.63	7	5	4	1	22	7
2.64	3	0	1	0	2	0
2.65	3	4	3	2	15	19
2.66	3	1	0	0	0	0
2.67	6	3	1	1	7	3
2.68	5	3	2	0	5	0
2.69	1	0	1	0	2	0
2.70	1	1	1	0	3	0
2.71	2	0	0	0	0	0
2.72	1	1	0	0	0	0
2.73	2	0	1	0	9	0
2.74	3	1	1	1	8	3
2.75	2	3	1	1	6	5
2.76	3	3	0	1	0	7
2.77	8	4	3	3	21	15
2.78	3	2	0	0	0	0
2.79	6	4	1	2	1	9
2.80	1	0	0	0	0	0
2.81	6	4	3	1	18	4

TABLE XV--Continued

Factor or condition <sup>a</sup>	Total checks		Total rankings		Weight of rankings	
	Teachers	Boards	Teachers	Boards	Teachers	Boards
2.82	4	3	0	0	0	0
2.83	1	0	1	0	9	0
2.84	7	5	2	0	14	0
2.85	5	1	3	0	10	0

<sup>a</sup>See Appendix C, Section II for verbal description of factor or condition.

Teacher respondents checked all listed factors and conditions, except one, at least once. The number of factors and conditions checked by teacher respondents ranged from ten to fifty-six, with twenty-six as the median number checked. School board respondents on the other hand checked all listed factors and conditions, except eighteen, at least once. The number checked by board respondents ranged from nine to thirty-five, with twenty-two as the median number checked. Only one factor was not checked by any respondent.

Twelve teacher respondents each ranked ten factors and conditions and three ranked less than ten. Six school board respondents each ranked ten factors and conditions and three ranked less than ten. Teacher respondents ranked a total of fifty-four factors and conditions while board respondents ranked a total of forty. Twenty-one factors and conditions were ranked once by teacher respondents, eleven were ranked twice, eleven were ranked three times, four four times, three five times and one each was ranked six, seven, eight and nine times. School board respondents ranked twenty-three factors once, twelve twice, three three times, one

four times and one five times. Twenty-six factors were not ranked by any respondent.

Factors and conditions checked by more than half the teacher and board respondents as assisting or influencing them in reaching settlement are compared in Table XVI. Eleven factors and conditions

TABLE XVI  
FACTORS AND CONDITIONS CHECKED BY MORE THAN HALF THE  
TEACHERS AND BOARDS AS ASSISTING OR INFLUENCING  
THEM IN REACHING SETTLEMENT

More than half teachers checked			More than half boards checked		
Factor or condition <sup>a</sup>	Teachers checked	(Boards checked)	Factor or condition <sup>a</sup>	Boards checked	(Teachers checked)
2.25	14	(4)	2.24	7	(6)
2.32	12	(2)	2.39	7	(6)
2.16*	11	(6)	2.16*	6	(11)
2.21*	10	(5)	2.18*	6	(8)
2.34	10	(3)	2.29	6	(6)
2.40*	10	(6)	2.40*	6	(10)
2.36	9	(1)	2.04	5	(6)
2.18*	8	(6)	2.21*	5	(10)
2.20	8	(4)	2.46	5	(5)
2.41	8	(3)	2.48	5	(5)
2.77	8	(4)	2.60	5	(5)
			2.63	5	(7)
			2.84	5	(7)

\*Factor checked by more than half of both the teacher and board respondents.

<sup>a</sup>See Appendix C, Section II, for verbal description of factor or condition.

were checked by more than half the teacher respondents, and thirteen were checked by more than half the school board respondents. Four factors were common to both groups. Three of these fell into the procedural category--the separation of the two parties during conciliation

meetings, the issues in dispute being well defined by the parties before conciliation meetings began, and the issues in dispute being dealt with in very specific terms; and one factor was in the economic category--the contents of recently renegotiated collective agreements in surrounding school districts and divisions. Two other factors, though not the same, were similar. The top-checked factor by teacher respondents, the presence of a MTS staff officer at the conciliation meetings, was similar to the top-checked factor by board respondents, the presence of a MAST staff officer at the conciliation meetings. The MTS and/or MAST staff officer's up-to-date information on teacher-school board negotiations, checked by more than half of the teacher respondents, was very similar to the MTS and/or MAST staff officer's knowledge of the contents of other teacher-school board collective agreements, checked by more than half the school board respondents. While the remaining top-checked factors and conditions were different for each group they were not peculiar to each group. With the exception of two factors checked by teacher respondents--a desire to reach a settlement and the belief that the liabilities that might arise from going to conciliation outweighed the benefits--all the top-checked factors and conditions were checked by half of one group and by at least a third of the other group.

The top ten factors and conditions by weight of rankings ranked by teacher and board respondents as assisting and/or influencing them in reaching settlement at conciliation are presented in Table XVII. Of the board respondent top-ranked factors, five were in the economic category, two in the nature of arbitration category, two in the nature of conciliation category, one in the soft human relations conciliation officer category, and one in the staff officer category. The top-ranked teacher

respondent factors fell into the same categories though the number in each category varied slightly. Three factors were economic, three were in the nature of arbitration category, two in the nature of conciliation, two in the tough human relations conciliation officer category, and one in the staff officer category.

TABLE XVII

TOP TEN FACTORS AND CONDITIONS BY WEIGHT OF RANKINGS RANKED BY TEACHERS AND BOARDS AS ASSISTING OR INFLUENCING THEM IN REACHING SETTLEMENT

Teacher rankings			Board rankings		
Factor or condition <sup>a</sup>	Teacher weight of rankings	(Board weight)	Factor or condition <sup>a</sup>	Board weight of rankings	(Teacher weight)
2.40*	68	(20)	2.48	37	(10)
2.32*	59	(15)	2.29	28	(17)
2.34*	55	(16)	2.39	20	(16)
2.33	36	(0)	2.40*	20	(68)
2.25	32	(2)	2.41*	19	(24)
2.42	30	(0)	2.65	19	(15)
2.62	24	(2)	2.46	17	(20)
2.41*	24	(19)	2.50	17	(7)
2.63	22	(7)	2.34*	16	(55)
2.77*	21	(15)	2.32*	15	(59)
2.36	21	(2)	2.77*	15	(21)

\*Factor in both Teacher and Board top ten.

<sup>a</sup>See Appendix C, Section II, for verbal description of factor or condition.

Five factors and conditions were common to both groups' top-rankings. Two were economic--the contents of recently renegotiated collective agreements in surrounding school districts and divisions, and throughout the province; one was in the nature of arbitration category--the belief that a better agreement could not be achieved

through arbitration; one was in the nature of conciliation category--the desire to reach a settlement; and one was in the staff officer category--the MTS and/or MAST staff officer's up-to-date information on current teacher-school board negotiations.

The other factors and conditions top-ranked by the teacher respondents were ranked almost exclusively by them. These included the two tough human relations conciliation officer factors--the conciliation officer's genuine and active concern in trying to work out a settlement, and the conciliation officer's willingness and ability to sell one committee's position to the other committee; one economic factor--recent settlements in other teacher-school board conciliations; two nature of arbitration factors--the liabilities that might arise from going to arbitration outweighed the benefits and the fact that the parties had always settled their own problems and did not want an outside arbitration board to decide the contents of their collective agreement; and one procedural factor--the presence of a MTS staff officer at the conciliation meetings. Two of the other top-ranked school board respondents' factors and conditions received only one teacher respondents' ranking, and were thus similarly ranked almost exclusively by board respondents. These included two economic factors--the general financial position of the school district or division, which was the highest ranked board factor, and the level of support provided by the provincial government.

The four remaining top-ranked school board respondent factors and conditions also received strong ranking support from teacher respondents. The factors, one from each of the categories soft human relations



conciliation officer, economic, nature of arbitration, and nature of conciliation, were respectively, the conciliation officer's ability to inspire trust and confidence, recent changes in general economic conditions, the best agreement is always one that is concluded by the two negotiating parties, and the other committee adopted a more realistic position during conciliation and was willing to compromise.

#### V. URBAN-RURAL RESPONSES COMPARED

All the factors and conditions listed in the survey questionnaire are listed in Table XVIII, as are the number of urban and rural

TABLE XVIII

COMPARISON OF FACTORS AND CONDITIONS CHECKED BY URBAN AND RURAL RESPONDENTS AS ASSISTING OR INFLUENCING THEM IN REACHING SETTLEMENT BY NUMBER OF CHECKS, BY NUMBER OF RANKINGS, AND BY WEIGHT OF RANKINGS

Factor or condition <sup>a</sup>	Total checks		Total rankings		Weight of rankings	
	Urban	Rural	Urban	Rural	Urban	Rural
2.01	4	3	0	1	0	5
2.02	3	3	0	0	0	0
2.03	1	2	0	0	0	0
2.04	5	6	1	0	1	0
2.05	3	3	0	0	0	0
2.06	1	0	0	0	0	0
2.07	3	3	0	0	0	0
2.08	2	4	0	4	0	18
2.09	1	5	0	2	0	7
2.10	4	1	0	0	0	0
2.11	2	7	0	1	0	5
2.12	4	3	0	0	0	0
2.13	0	1	0	0	0	0
2.14	3	5	0	0	0	0
2.15	3	7	1	2	2	9
2.16	6	11	2	4	4	19
2.17	0	0	0	0	0	0
2.18	5	9	1	2	9	8
2.19	3	3	0	0	0	0
2.20	6	6	0	1	0	4

TABLE XVIII--Continued

Factor or condition <sup>a</sup>	Total checks		Total rankings		Weight of rankings	
	Urban	Rural	Urban	Rural	Urban	Rural
2.21	6	9	1	3	1	5
2.22	1	0	0	0	0	0
2.23	3	7	1	0	4	0
2.24	3	10	0	4	0	19
2.25	6	12	1	6	8	26
2.26	4	4	0	3	0	13
2.27	3	2	2	1	8	3
2.28	1	1	0	1	0	4
2.29	3	9	1	6	9	36
2.30	1	6	0	0	0	0
2.31	1	1	0	1	0	3
2.32	6	8	5	5	39	35
2.33	2	4	1	4	8	28
2.34	4	9	1	8	10	61
2.35	3	0	2	0	11	0
2.36	4	6	1	4	10	13
2.37	0	1	0	0	0	0
2.38	1	0	1	0	3	0
2.39	7	6	3	3	25	11
2.40	5	11	2	9	15	73
2.41	4	7	4	2	26	17
2.42	4	7	1	4	4	26
2.43	2	2	0	0	0	0
2.44	2	2	2	2	9	10
2.45	4	4	1	3	8	20
2.46	5	5	3	2	24	13
2.47	3	7	1	3	6	6
2.48	3	7	2	4	11	36
2.49	2	3	2	3	11	18
2.50	3	2	3	1	15	9
2.51	3	0	1	0	1	0
2.52	5	5	0	1	0	8
2.53	4	3	0	0	0	0
2.54	2	1	0	0	0	0
2.55	5	3	0	0	0	0
2.56	1	3	0	2	0	12
2.57	3	3	0	0	0	0
2.58	3	3	1	3	2	20
2.59	2	0	0	0	0	0
2.60	5	5	0	1	0	3
2.61	4	3	1	1	6	2

TABLE XVIII--Continued

Factor or condition <sup>a</sup>	Total checks		Total rankings		Weight of rankings	
	Urban	Rural	Urban	Rural	Urban	Rural
2.62	4	2	3	2	13	13
2.63	6	6	3	2	14	15
2.64	1	2	0	1	0	2
2.65	4	3	3	2	22	12
2.66	3	1	0	0	0	0
2.67	4	5	1	1	3	7
2.68	4	4	1	1	4	1
2.69	0	1	0	1	0	2
2.70	1	1	1	0	3	1
2.71	1	1	0	0	0	0
2.72	0	2	0	0	0	0
2.73	0	2	0	1	0	9
2.74	1	3	0	2	0	11
2.75	2	3	0	2	0	11
2.76	4	2	0	1	0	7
2.77	6	6	1	5	5	31
2.78	4	1	0	0	0	0
2.79	5	5	1	2	4	6
2.80	1	0	0	0	0	0
2.81	4	6	1	3	7	15
2.82	5	2	0	0	0	0
2.83	0	1	0	1	0	9
2.84	5	7	0	2	0	14
2.85	2	4	1	2	3	7

<sup>a</sup>See Appendix C, Section II, for verbal description of factor or condition.

respondents who checked each factor or condition as being of assistance and/or influence in reaching agreement at conciliation, the number of urban and rural respondents who ranked each factor or condition, and the total weight of rankings for each factor or condition on the basis of urban and rural respondent rankings.

Urban respondents checked all listed factors and conditions, except seven, at least once, and rural respondents checked all but eight at least once. One factor was not checked by either group.

Forty-six factors and conditions received no rankings from urban respondents, twenty-four received one ranking, seven received two, six received three, one received four, and one factor received five urban respondent rankings. Thirty-two factors and conditions were not ranked by rural respondents, seventeen factors were ranked once, sixteen factors twice, seven factors three times, seven factors four times, two factors five times, two factors six times, one factor eight times, and one factor nine times. Twenty-six factors and conditions were not ranked by either urban or rural respondents.

Table XIX compares the factors and conditions checked by more than half the urban and rural respondents as assisting or influencing them in reaching settlement during conciliation. Eighteen factors and conditions were checked by more than half the urban respondents, and eight were checked by more than half the rural respondents. Five factors were common to both groups. Of these, four were procedural--the separation of the parties during conciliation meetings, the issues in dispute being well defined by the committees before conciliation began, the resolution of the issues in dispute by dealing with each in very specific terms, and the presence of a MTS staff officer at the conciliation meetings; and one was economic--the contents of recently renegotiated collective agreements in surrounding school districts and divisions. With the exception of two of the top-checked factors checked by more than half the urban respondents--the conciliation officer's ability to understand quickly the complexities of the issues in dispute, and the MTS and/or MAST staff officer's ability to keep the situation calm and productive--all factors and conditions checked by more than half of one group were

also checked by at least a third of the other group.

TABLE XIX  
FACTORS AND CONDITIONS CHECKED BY MORE THAN  
HALF THE URBAN AND RURAL RESPONDENTS AS  
ASSISTING OR INFLUENCING THEM IN  
REACHING SETTLEMENT

More than half urban checked			More than half rural checked		
Factor or condition <sup>a</sup>	Urbans checked	(Rural checked)	Factor or condition <sup>a</sup>	Rurals checked	(Urban checked)
2.39	7	(6)	2.25*	12	(6)
2.16*	6	(11)	2.16*	11	(6)
2.20	6	(6)	2.40*	11	(5)
2.21*	6	(9)	2.24	10	(3)
2.25*	6	(12)	2.18*	9	(5)
2.32	6	(8)	2.21*	9	(6)
2.63	6	(6)	2.29	9	(3)
2.77	6	(6)	2.34	9	(4)
2.04	5	(6)			
2.18*	5	(9)			
2.40*	5	(11)			
2.46	5	(5)			
2.52	5	(5)			
2.55	5	(3)			
2.60	5	(5)			
2.79	5	(5)			
2.82	5	(2)			
2.84	5	(7)			

\*Factor checked by more than half of both urban and rural respondents.

<sup>a</sup>See Appendix C, Section II, for verbal description of factor or condition.

The top ten factors and conditions determined by weight of rankings based on the ranks assigned by urban and rural respondents to factors and conditions assisting and/or influencing them in reaching a settlement during conciliation are listed in Table XX. The top-ranked urban respondent factors fell into four categories. Six factors were in the

economic category, three were in the conciliation officer category--two tough human relations factors and one soft, two factors were in the nature of arbitration category, and one in the nature of conciliation category. The top-ranked rural respondent factors fell into six categories. As with the urban, the greatest number of factors, four, fell into the economic category. Two factors were in each of the nature of arbitration and nature of conciliation categories, and one in each of the procedural, conciliation officer and staff officer categories.

TABLE XX

TOP TEN FACTORS AND CONDITIONS BY WEIGHT OF RANKINGS  
RANKED BY URBAN AND RURAL RESPONDENTS AS ASSISTING  
OR INFLUENCING THEM IN REACHING SETTLEMENT

Urban rankings			Rural rankings		
Factor or condition <sup>a</sup>	Urban weight of rankings	(Rural weight)	Factor or condition <sup>a</sup>	Rural weight of rankings	(Urban weight)
2.32*	39	(35)	2.40*	73	(15)
2.41	26	(17)	2.34	61	(10)
2.39	25	(11)	2.29	36	(9)
2.46	24	(13)	2.48*	36	(11)
2.65	22	(12)	2.32*	35	(39)
2.40*	15	(73)	2.77	31	(5)
2.50	15	(9)	2.33	28	(8)
2.63	14	(15)	2.25	26	(8)
2.62	13	(13)	2.42	26	(4)
2.49	11	(18)	2.45	20	(8)
2.48*	11	(36)	2.58	20	(2)
2.35	11	(0)			

\*Factor in both urban and rural respondents' Top Ten.

<sup>a</sup>See Appendix C, Section II, for verbal description of factor or condition.

Three factors were common to the top-rankings of both groups.

Two were economic--the contents of recently renegotiated collective agree-

ments in surrounding school districts and divisions, and the general financial position of the school district or division; and one was in the nature of conciliation category--the desire to reach a settlement.

All the other factors and conditions top-ranked by the rural respondents were ranked largely by them alone. Each of these factors and conditions received only one ranking from the urban respondents. These included two nature of arbitration factors--the fact of always settling their own problems and not wanting an outside arbitration board to determine the contents of their collective agreement, and the belief that a better agreement could not be achieved through arbitration; two economic factors--settlements reached in other teacher-school board conciliations, and recent changes in the cost of living; one procedural factor--the presence of a MTS staff officer at the conciliation meetings; one nature of conciliation factor--the other committee was more realistic and willing to compromise; one tough human relations conciliation officer factor--the conciliation officer's persistence in trying to get the parties to settle; and one staff officer factor--up-to-date information on current teacher-school board negotiations. Two of the other top-ranked urban respondents' factors and conditions were ranked largely by them alone as well. These included one nature of arbitration factor--going to arbitration might have an adverse affect on staff morale, which was ranked exclusively by the urban group; and one economic factor--the level of financial support provided by the provincial government.

The seven remaining top-ranked urban respondent factors and conditions also received substantial ranking support from the rural respondents. Three of these factors were in the economic category and

were the contents of recently renegotiated collective agreements in school districts and divisions throughout the province, recent changes in general economic conditions, and the general financial position of the local municipality. Three factors were in the conciliation officer category--two tough human relations and one soft human relations--and were the conciliation officer's willingness and ability to sell one committee's position to the other committee, his genuine and active concern in trying to work out a settlement, and his ability to inspire trust and confidence. The remaining factor was in the nature of arbitration category and was the believe that the best agreement is always one that is concluded by the negotiating parties.

#### VI. EXPERIENCED AND INEXPERIENCED RESPONSES COMPARED

Table XXI lists all the factors and conditions listed in the

TABLE XXI

COMPARISON OF FACTORS AND CONDITIONS CHECKED BY EXPERIENCED AND INEXPERIENCED RESPONDENTS AS ASSISTING OR INFLUENCING THEM IN REACHING SETTLEMENT BY NUMBER OF CHECKS, BY NUMBER OF RANKINGS, AND BY WEIGHT OF RANKINGS

Factor or condition <sup>a</sup>	Total checks		Total rankings		Weight of rankings	
	Experi- enced	Inexperi- enced	Experi- enced	Inexperi- enced	Experi- enced	Inexperi- enced
2.01	4	3	0	1	0	5
2.02	1	5	0	0	0	0
2.03	2	1	0	0	0	0
2.04	4	7	0	1	0	1
2.05	3	3	0	0	0	0
2.06	0	1	0	0	0	0
2.07	3	3	0	0	0	0
2.08	2	4	2	2	6	12
2.09	3	3	1	1	1	6



TABLE XXI--Continued

Factor or condition <sup>a</sup>	Total checks		Total rankings		Weight of rankings	
	Experi- enced	Inexperi- enced	Experi- enced	Inexperi- enced	Experi- enced	Inexperi- enced
2.10	2	3	0	0	0	0
2.11	6	3	1	0	5	0
2.12	4	3	0	0	0	0
2.13	0	1	0	0	0	0
2.14	3	5	0	0	0	0
2.15	6	4	0	3	0	11
2.16	7	10	1	5	6	17
2.17	0	0	0	0	0	0
2.18	8	6	2	1	8	9
2.19	2	4	0	0	0	0
2.20	5	7	1	0	4	0
2.21	6	9	3	1	5	1
2.22	0	1	0	0	0	0
2.23	4	6	0	1	0	4
2.24	7	6	2	2	10	9
2.25	7	11	3	4	16	18
2.26	3	5	1	2	2	11
2.27	3	2	1	2	3	8
2.28	0	2	0	1	0	4
2.29	8	4	5	2	37	8
2.30	4	3	0	0	0	0
2.31	1	1	1	0	3	0
2.32	6	8	4	6	27	47
2.33	2	4	2	3	12	24
2.34	7	6	5	4	39	32
2.35	1	2	1	1	1	10
2.36	5	5	4	1	13	10
2.37	1	0	0	0	0	0
2.38	0	1	0	1	0	3
2.39	6	7	3	3	20	16
2.40	11	5	8	3	68	20
2.41	8	3	3	3	26	17
2.42	5	6	2	3	13	17
2.43	2	2	0	0	0	0
2.44	3	1	3	1	15	4
2.45	5	3	4	0	28	0
2.46	6	4	2	3	10	27
2.47	7	3	4	0	12	0
2.48	6	4	4	2	29	18
2.49	3	2	2	2	12	17
2.50	3	2	3	1	17	7
2.51	1	2	1	0	1	0
2.52	4	6	1	0	8	0

TABLE XXI--Continued

Factor or condition <sup>a</sup>	Total checks		Total rankings		Weight of rankings	
	Experi- enced	Inexperi- enced	Experi- enced	Inexperi- enced	Experi- enced	Inexperi- enced
2.53	4	3	0	0	0	0
2.54	0	3	0	0	0	0
2.55	5	3	0	0	0	0
2.56	3	1	2	0	12	0
2.57	3	3	0	0	0	0
2.58	2	4	1	3	10	12
2.59	1	1	0	0	0	0
2.60	4	6	0	1	0	3
2.61	3	4	1	1	6	2
2.62	3	3	3	2	13	13
2.63	6	6	2	3	11	18
2.64	0	3	0	1	0	2
2.65	3	4	2	3	13	21
2.66	2	2	0	0	0	0
2.67	6	3	1	1	3	7
2.68	2	6	0	2	0	5
2.69	0	1	0	1	0	2
2.70	0	2	0	1	0	3
2.71	1	1	0	0	0	0
2.72	2	0	0	0	0	0
2.73	0	2	0	1	0	9
2.74	1	3	0	2	0	11
2.75	2	3	2	0	11	0
2.76	1	5	0	1	0	7
2.77	8	4	5	1	33	3
2.78	1	4	0	0	0	0
2.79	5	5	1	2	4	6
2.80	0	1	0	0	0	0
2.81	5	5	1	3	4	18
2.82	5	2	0	0	0	0
2.83	0	1	0	1	0	9
2.84	7	5	1	1	5	9
2.85	1	5	0	3	0	10

<sup>a</sup>See Appendix C, Section II, for verbal description of factor or condition.

survey questionnaire, the number of respondents experienced in conciliation and those inexperienced in conciliation who checked each factor or condition as being of assistance and/or influence in reaching agreement at

conciliation, the number of experienced and inexperienced respondents who ranked each factor or condition, and the total weight of rankings for each factor or condition by experienced and inexperienced respondents.

Experienced respondents checked all factors and conditions but thirteen at least once. Inexperienced respondents checked all listed factors and conditions except three at least once. One factor was not checked by either group.

Respondents experienced with conciliation ranked one factor eight times, three factors five times, five factors four times, seven factors three times, eleven factors twice, sixteen factors once, and forty-two factors not at all. Respondents inexperienced with conciliation ranked one factor six times and another five times, two factors four times, twelve factors three times, eleven factors twice, twenty-three factors once, and thirty-five factors not at all. Neither group ranked twenty-six factors and conditions at all.

Factors and conditions checked by more than half the experienced and inexperienced respondents as assisting or influencing them in reaching settlement are compared in Table XXII. More than half the experienced respondents checked eleven factors, and more than half the inexperienced checked seven factors or conditions. Only two factors were common to both groups, and these were both procedural factors--the separation of the negotiating committees during the conciliation meetings, and the presence of a MTS staff officer at the conciliation meetings. However, excepting two top-checked factors by experienced respondents which were both in the economic category--the contents of recently renegotiated

collective agreements in school districts or divisions throughout the province, and recent changes in local economic conditions--all factors or conditions checked by more than half of one group of respondents were also checked by at least a third of the other group.

TABLE XXII

FACTORS AND CONDITIONS CHECKED BY MORE THAN HALF THE EXPERIENCED AND INEXPERIENCED RESPONDENTS AS ASSISTING OR INFLUENCING THEM IN REACHING SETTLEMENT

More than half experienced checked			More than half inexperienced checked		
Factor or condition <sup>a</sup>	Experienced checked	(Inexperienced checked)	Factor or condition <sup>a</sup>	Inexperienced checked	(Experienced checked)
2.40	11	(5)	2.25*	11	(7)
2.18	8	(6)	2.16*	10	(7)
2.29	8	(4)	2.21	9	(6)
2.41	8	(3)	2.32	8	(6)
2.77	8	(4)	2.04	7	(4)
2.16*	7	(10)	2.20	7	(5)
2.24	7	(6)	2.39	7	(6)
2.25*	7	(11)			
2.34	7	(6)			
2.47	7	(3)			
2.84	7	(5)			

\*Factor checked by more than half of both experienced and inexperienced respondents.

<sup>a</sup>See Appendix C, Section II, for verbal description of factor or condition.

Top ten factors and conditions by weight of rankings ranked by the respondents experienced in conciliation and those inexperienced in conciliation as assisting or influencing them in reaching settlement are compared in Table XXIII. The top-ranked experienced respondent factors

were from four categories. Five factors came from the economic category, two each from the nature of arbitration and the nature of conciliation categories, and one from the staff officer category. Inexperienced respondent top-ranked factors came from six categories. Three were from the economic category, two from the nature of arbitration, two from the conciliation officer--one each from tough and soft human relations factors, and one each from the procedural, nature of conciliation and staff officer categories.

TABLE XXIII

TOP TEN FACTORS AND CONDITIONS BY WEIGHT OF RANKINGS  
RANKED BY EXPERIENCED AND INEXPERIENCED  
RESPONDENTS AS ASSISTING OR INFLUENCING  
THEM IN REACHING SETTLEMENT

Experienced rankings			Inexperienced rankings		
Factor or condition <sup>a</sup>	Exper. weight of rankings	(Inexperienced weight)	Factor or condition <sup>a</sup>	Inexper. weight of rankings	(Experienced weight)
2.40*	68	(20)	2.32*	47	(27)
2.34*	39	(32)	2.34*	32	(39)
2.29	37	(8)	2.46	27	(10)
2.77	33	(3)	2.33	24	(12)
2.48*	29	(18)	2.65	21	(13)
2.45	28	(0)	2.40*	20	(68)
2.32*	27	(47)	2.25	18	(16)
2.41	26	(17)	2.48*	18	(29)
2.39	20	(16)	2.63	18	(11)
2.50	17	(7)	2.81	18	(4)

\*Factor in both experienced and inexperienced respondents' top ten.

<sup>a</sup>See Appendix C, Section II, for verbal description of factor or condition.

Four factors were common to the top-ranked factors of both groups. Two of these were economic--the contents of recently renegotiated collective agreements in surrounding school districts and divisions, and the general financial position of the school district or division; one was in the nature of arbitration category--the belief that a better agreement could not be achieved through arbitration; and one was in the nature of conciliation category--the desire to reach a settlement.

One factor from the top-ranked inexperienced respondents' group--the MTS and/or MAST staff officer's active concern in trying to work out a settlement; and three from the experienced respondents' group--the MTS and/or MAST staff officer's up-to-date information on current teacher-school board negotiations, recent changes in the cost of living, and the level of financial support provided by the provincial government; were ranked largely by the respective groups themselves.

Three of the remaining top-ranked experienced respondent factors and conditions, and five of the remaining top-ranked inexperienced respondent factors and conditions also received strong ranking support from the respondents of the other group. Of these eight factors, two were in the economic category--the contents of recently renegotiated collective agreements in school districts and divisions throughout the province, and recent changes in general economic conditions; two were in the nature of arbitration category--the best agreement is always one concluded by the two negotiating parties, and the fact that the parties always settled their own problems and did not want an outside arbitration board to decide the contents of their collective agreement; two were in the conciliation officer category--the conciliation officer's

genuine and active concern in trying to work out a settlement, and his ability to inspire trust and confidence; one was in the nature of conciliation category--the other committee adopted a more realistic position during conciliation and was willing to compromise; and one was in the procedural category--the presence of a MTS staff officer at the conciliation meetings.

## VII. SUMMARY

Data derived from the responses of teacher and school board negotiators to a survey questionnaire on factors and conditions that assisted and/or influenced them in reaching settlement during conciliation was tabulated and presented in this chapter. The data was based upon responses from 15 teacher and 9 school board negotiators which represented an usable return of 75% to the survey questionnaire. The respondents were mostly chairmen of their respective negotiating committees, came from five urban and ten rural areas, and were experienced negotiators, half of whom had had no previous experience with conciliation.

The study involved fifteen conciliations. In most cases, settlements were reached by the parties at one meeting which lasted more than four hours and at which a conciliation officer was present and assisted the parties. The issues in dispute varied widely both in number and in kind. Most conciliations, however, dealt with more than four items in dispute involving mostly monetary changes of some form or other.

All the factors and conditions listed in the survey questionnaire were presented four times in separate tables which indicated the response of the total number of respondents, of the teacher and school board respondents, of the urban and rural respondents, and of the respondents experienced and inexperienced with conciliation. In each case, the number of respondents checking and ranking each of the factors and conditions as being of assistance and/or influence in reaching settlement was tabulated. As well, and again in each case, the assigned rankings were weighted and totalled so that each factor and condition received a total weight of rankings.

The top-checked and the top-ranked factors and conditions were determined for all the respondents and for the various types of respondents from these general tables and were listed in eight other separate tables. The data in these tables represented the findings of this study and fulfilled the specific purpose of the study by identifying factors and conditions teacher and school board negotiators perceived as having assisted and/or influenced them in resolving their dispute and reaching agreement at conciliation. In addition, the data provided a basis for determining whether the factors and conditions perceived as having assisted and/or influenced settlement were substantially the same for the various types of respondents to the survey.



## CHAPTER VI

### CONCLUSIONS

#### I. SUMMARY

The general purpose of this study was to provide information on the functioning of the conciliation process in teacher-school board collective bargaining in Manitoba. To achieve this purpose, the purpose and the basis of the conciliation process were examined both in general terms and with specific reference to teacher-school board collective bargaining. The legislated provisions for conciliation services in Manitoba were considered in detail, as were the nature of their operation and their functioning. These were considered in the general setting of the collective bargaining practices of Manitoba teachers and school boards. The use and the effectiveness of conciliation in teacher-school board negotiations were reviewed for a six year period ending in 1969. A review of the views expressed by various writers on conciliation and its contributions to dispute resolution provided additional information and understanding about the process, and provided the necessary background to the achievement of the specific purposes of this study.

The specific purposes of this study were to identify factors and conditions perceived by teacher and school board negotiators as assisting and/or influencing them in reaching agreement at conciliation, and to determine whether these factors and conditions were substantially the same for teacher and school board negotiators, for negotiators from urban and rural areas, and for experienced and inexperienced negotiators.

To achieve these purposes, a questionnaire was developed by the writer and sent to the chairman (or member, if the chairman could not be contacted) of each of the teacher and school board negotiating committees involved in the sixteen conciliations that resulted in an agreement in 1969. The respondents were requested to identify assisting and/or influencing factors and conditions from a supplied list of eighty-five and to rank the ten most important. Respondents were also requested to provide data on themselves and their conciliation, and to write-in any additional assisting and/or influencing factors and conditions they believed were omitted from the supplied list.

The data supplied by the respondents to the survey was compiled, analysed and presented in a series of tables. These tables provided information on the overall response to the survey; on the area, position, and experience of the respondents; on the conciliations themselves-- the number and types of issues in dispute, the number and length of conciliation meetings, and the stage agreement was reached; and on the factors and conditions perceived by the respondents as assisting and/or influencing settlement at conciliation. The factors and conditions were presented for all respondents to the survey, and comparatively, for teacher and school board respondents, urban and rural respondents, and for experienced and inexperienced respondents. In all cases, when considering each factor and condition, the total number of checks and the total number of rankings assigned by the respondents were indicated. As well, the weight of the rankings as determined by the investigator was noted for each factor and condition.

The top-checked factors and conditions for all respondents, and

for the comparative groups, were noted and identified. In addition, the top-ranked factors and conditions, determined on the basis of the weight of rankings, were noted and identified. This latter identification provided an order of importance to the perceived assisting and/or influencing factors and conditions.

Lastly, each of the listed factors and conditions was placed in one of eight general categories which had been established by the investigator. By determining the category-placement of the top-checked and top-ranked factors and conditions, the general importance of certain types of factors and conditions in assisting and/or influencing settlement was established and identified.

## II. FINDINGS

The findings of this study resulted from the achievement of its specific purposes, and were derived from the data provided by the respondents in their response to the survey questionnaire. This data was tabulated, analysed, and presented in a series of tables which provided information on the response to the survey, the respondents, the conciliations surveyed, and the factors and conditions perceived as having assisted and/or influenced settlement as indicated by all respondents, and comparatively, by teacher-school board, urban-rural, and experienced-inexperienced respondents. The top-checked and top-ranked factors and conditions for all respondents, and for the comparative groups were also identified. The tables of Chapter V and their analyses thus represented the findings of this study.

### III. CONCLUSIONS

The factors and conditions perceived by teacher and school board negotiators as having assisted and/or influenced them in resolving their dispute and reaching agreement at conciliation were identified in Table XI. The top-checked and top-ranked factors and conditions were determined and identified in Tables XII and XIII. Similar identification was made comparatively for teacher and school board respondents, urban and rural respondents, and experienced and inexperienced respondents in Tables XV to XXIII. With this identification, the specific purpose of this study was achieved.

The conclusions expressed in the following paragraphs and statements were based upon and derived from these identifications. As this study was restricted to teacher-school board negotiation disputes in Manitoba that were successfully resolved at conciliation in 1969, the same limitations apply to the conclusions.

The most important factors and conditions assisting and/or influencing settlement at conciliation were economic factors. These factors accounted for 36% of the top-ranked factors and conditions. They indicated, in the following order of importance, the importance of comparability, local economic conditions, general economic conditions, cost of living changes, and the level of provincial government financial support in the resolution of teacher-school board negotiation disputes.

The possibility of arbitration strongly influenced the resolution of negotiation disputes. Factors and conditions in the nature of arbitration category accounted for 18% of those top-ranked. The pressures

of arbitration were largely negative arising from the uncertainties of what an award might bring, and attitudinal based upon a strong desire by the parties for handling their own affairs, and the belief that the best agreement was one concluded by the parties.

The conciliation officer assisted the parties by becoming actively involved in trying to work out a settlement, by acting as a spokesman, by persistently pursuing settlement and by establishing a climate of trust and confidence. Conciliation officer factors accounted for 18% of those top-ranked.

Staff officers of MAST and MTS complemented the role of the conciliation officer and assisted the parties by providing expertise and knowledge in current collective bargaining and, along with conciliation officers, by taking an active role in trying to work out a settlement.

In addition to the attitudinal pressures generated by the possibility of arbitration, a positive attitude on the part of the parties towards settlement along with a realistic assessment of the situation and a willingness to compromise were highly rated as assisting factors. The attitudes of the parties thus played an important role in reaching settlement at conciliation.

Procedural factors, though not highly ranked, were highly checked by the respondents. The negotiating parties found that the presence of staff officers from MTS and MAST, the separation of the parties during conciliation, the conciliation officer's handling of the issues through exploration, clarification and specificity, the dispute being well defined by the parties prior to conciliation, both parties believing conciliation was necessary, and a clarification of the conciliation officer's role

were of assistance in reaching settlement. Though these factors were not the key factors in attaining agreement, the parties found them very helpful.

Factors and conditions perceived as having assisted and/or influenced settlement were substantially the same for the three groupings considered, that is, for teacher-school board, urban-rural, and experienced-inexperienced negotiators. Though, in all cases, there were some variations in specifics and some differences in emphasis, when the top-checked and the top-ranked factors and conditions and their category placement were compared, the above conclusion was indicated.

#### IV. IMPLICATIONS

Though this study was restricted to teacher-school board negotiation disputes that were successfully resolved at conciliation in 1969, the factors and conditions identified as having assisted and/or influenced settlement appear to be more generally applicable. Many of the different factors identified as contributing to the resolution of a negotiation dispute corresponded to those suggested by many of the writers reviewed in Chapter III. Most of the writers reviewed were concerned with the operation of conciliation in the private sector.

Settlement at conciliation was strongly influenced by economic factors, the attitude of the parties (e.g., desire for settlement, best agreement concluded by the parties), and the uncertainties of arbitration. Should the parties view the economic factors differently and, at the same time, modify their attitudes towards settlement and the responsibility of concluding an agreement, success in resolving a dispute at con-

ciliation appears doubtful. It is unlikely that resolution of a dispute could be achieved on the strength of procedural factors and conciliation officer techniques alone.

The strong influence of economic factors in the resolution of a negotiation dispute suggests that conciliation officers (and MAST and MTS staff officers as well) should be familiar with current economic factors and how these apply to the parties, in addition of course, to being familiar with successful procedures and techniques.

#### V. RECOMMENDATIONS

Two recommendations flow from these implications.

First, that portion of this study devoted to the identification of factors and conditions that assisted and influenced settlement at conciliation should be replicated for another year in which many teacher-school board negotiation disputes were successfully resolved at conciliation. Such a replication could test the general applicability of the identified factors and conditions to all teacher-school board conciliations in Manitoba. It could also substantiate whether these factors were essentially the same for teacher-school board, urban-rural and experienced-inexperienced negotiators. There may be some doubt as to the validity of the conclusion reached in this study because of the limited size of the sample. In addition, a replication in some form should be made to test the general applicability of the identified assisting and influencing factors and conditions to conciliations in the private sector. In any replication however, some modifications to the survey questionnaire based upon the findings of this study should be

considered.

Second, a study of teacher-school board conciliations in Manitoba in a year where many failed to resolve a negotiation dispute should be made. Such a study would be a further test of the general applicability of the identified factors and conditions. More importantly however, a study which would analyse and identify the reasons why a dispute failed to resolve at conciliation would greatly contribute to improving the effectiveness of the conciliation process. Such an analysis could be based upon the factors and conditions identified by this study.



APPENDIX A  
COVERING LETTER REQUESTING  
RESPONDENT'S ASSISTANCE

August 20, 1970

I am currently working on a Master's thesis under the direction of Dr. H. E. May of the University of Manitoba on factors and conditions which assist or influence teacher-school board negotiators in reaching settlement during conciliation. Very few studies have been made of the conciliation process in general, and to my knowledge, no studies have been made of teacher-school board conciliations. I have discussed my study and questionnaire with members and staff of the Teachers' Society and the Trustees' Association, with the Department of Labour's conciliation officers and with staff of the Faculty of Education. All believe that the study should be of some interest and benefit to those involved in collective bargaining. However, to complete my study I need your help.

My study is limited to conciliations involving school districts and divisions in Manitoba for 1969 collective agreements. 1969 was chosen because it is the latest year for which all teacher-school board negotiations are complete. Since your committee reached agreement on your 1969 collective agreement during conciliation, I would appreciate your assistance in supplying the information requested by the accompanying questionnaire on factors and conditions you believe assisted and

influenced you. All districts and divisions, and persons responding to this questionnaire, will be held in confidence throughout my thesis. Whatever identification is necessary will be done by means of a code letter. (You will note a code letter has been assigned to your questionnaire.)

Accompanying this letter is a questionnaire and a self-addressed return envelope. Although the questionnaire appears long it should take about 20 minutes to complete. The same questionnaire has been sent to a representative of each of the teacher and board committees involved in conciliation last year. As only 32 committees were involved I will need a reply to all or most of the questionnaires in order to draw significant conclusions. I hope you will be able to assist me by completing the enclosed questionnaire and returning it to me as soon as possible.

If you wish I will send you a summary of the findings and conclusions once the study is completed. Space has been provided on the last page of the questionnaire to indicate whether you want such a summary.

Thank you in advance for your time and co-operation.

APPENDIX B  
FOLLOW-UP LETTER

September 21, 1970

A month ago I sent you a letter asking your help in supplying data for a study I am conducting under the direction of Dr. H. E. May of the University of Manitoba on factors and conditions that assist or influence parties in reaching settlement during conciliation. I realize that my request was made at a time when you were likely very busy, for the end of summer and the beginning of a new school term are generally busy times for everyone. Understandably, you may have put my letter and questionnaire aside and then forgotten it. If this is the case, consider this letter a reminder. I still need the data you can supply by responding to my questionnaire, and would appreciate your assistance as soon as possible.

If for any reason, you find that you cannot complete the questionnaire, return it to me anyway in the stamped return envelope supplied. As I have restricted myself to one response from each teacher and school board committee involved in conciliation in 1969, I need the questionnaire I sent you so that I may seek the assistance of some other member of the committee involved.

Thank you for your consideration.

APPENDIX C  
FACTORS AND CONDITIONS THAT ASSIST AND/OR  
INFLUENCE SETTLEMENT DURING CONCILIATION

INTRODUCTION

This questionnaire is designed to obtain information from teacher and school board negotiators in Manitoba concerning the factors and conditions that they believe assisted and/or influenced them in reaching settlement during conciliation. Information is being sought from those districts and divisions where final agreement on the contents of their 1969 collective agreement was reached through conciliation. The survey is limited to 1969 because it is the latest year for which all teacher-school board negotiations are complete. The information received from this survey will be used in a Master's thesis which hopes to identify factors that influence settlement in teacher-school board conciliations. As a member of the 1968-69 negotiating committee, you are asked to assist in identifying these factors by providing the information requested in this questionnaire.

Specific instructions appear at the beginning of each Section of the questionnaire. Completion of the entire questionnaire should take approximately 20 minutes. Your open, frank and prompt response to this questionnaire would be greatly appreciated. Thank you in advance for your co-operation and assistance.

## SECTION I

Please complete the following statements by checking the appropriate response in the space provided.

1. My position on the committee that negotiated the 1969 collective agreement was that of  
 a) chairman of the negotiating committee.  
 b) member of the negotiating committee.
2. My experience with teacher-school board negotiations before negotiating for the 1969 collective agreement was  
 a) 0 years.  
 b) 1 or more years.
3. My experience with conciliation before the one involving the 1969 collective agreement was  
 a) none.  
 b) 1 or more previous conciliations.
4. The number of meetings held with the conciliation officer in the conciliation involving our 1969 collective agreement was  
 a) 1 meeting.  
 b) 2 or more meetings.
5. The average length of the conciliation meeting(s) in the conciliation involving our 1969 collective agreement was  
 a) 4 hours or less.  
 b) more than 4 hours but less than 8 hours.  
 c) 8 hours or more.

6. Agreement was reached on our 1969 collective agreement
- \_\_\_\_\_ a) at a meeting at which the conciliation officer was present.
  - \_\_\_\_\_ b) with the assistance of a conciliation officer but after all conciliation meetings were held.
  - \_\_\_\_\_ c) by the teacher and school board committees themselves after all conciliation meetings were held.
  - \_\_\_\_\_ d) by the teacher and school board committees themselves with the assistance of Teachers' Society and/or Trustees' Association staff after all conciliation meetings were held.

## SECTION II

The following is a list of factors and conditions that can operate during conciliation. Many of them may have been operative during your conciliation. Some of the factors and conditions operating during your conciliation may have assisted and/or influenced you in reaching settlement while others did not. Please read the list and check (in the space provided) only those items you believe assisted and/or influenced you in some way in reaching agreement during conciliation. (Try to avoid checking items on the basis of what you think ought to have helped you. You might find it helpful as you read the following list to ask yourself the question--Did this item assist or influence us in any way in coming to a settlement?)

- \_\_\_\_\_ 2.01 The first conciliation meeting took place a short time (within one month) after the last negotiating meeting.

- \_\_\_\_\_ 2.02 The first conciliation meeting took place a long time (more than one month) after the last negotiating meeting.
- \_\_\_\_\_ 2.03 Conciliation meetings were held during the school day.
- \_\_\_\_\_ 2.04 Conciliation meetings were held during the afternoon and/or evening.
- \_\_\_\_\_ 2.05 Conciliation meetings were held at night.
- \_\_\_\_\_ 2.06 Conciliation meetings lasted less than 4 hours.
- \_\_\_\_\_ 2.07 Conciliation meetings lasted between 4 to 8 hours.
- \_\_\_\_\_ 2.08 Conciliation meetings lasted longer than 8 hours.
- \_\_\_\_\_ 2.09 Only one conciliation meeting was held.
- \_\_\_\_\_ 2.10 No limitation was placed upon the number of conciliation meetings held.
- \_\_\_\_\_ 2.11 Conciliation meetings were held only as long as the conciliation officer believed there existed some possibility of reaching settlement.
- \_\_\_\_\_ 2.12 The time between conciliation meetings was one week or less.
- \_\_\_\_\_ 2.13 The time between conciliation meetings was more than one week.
- \_\_\_\_\_ 2.14 Conciliation resulted because one of the negotiating parties believed that the assistance of a conciliation officer was necessary.
- \_\_\_\_\_ 2.15 Conciliation resulted because both negotiating parties believed that the assistance of a conciliation officer was necessary.

- \_\_\_\_\_ 2.16 The conciliation officer kept the two negotiating committees separated during the conciliation meetings.
- \_\_\_\_\_ 2.17 The conciliation officer met with the two negotiating committees jointly during the conciliation meetings.
- \_\_\_\_\_ 2.18 The issues in dispute were well defined by the negotiating committees before conciliation meetings began.
- \_\_\_\_\_ 2.19 Time was spent during the first conciliation meeting in defining and clarifying the issues in dispute.
- \_\_\_\_\_ 2.20 Time was spent during the first conciliation meeting in exploring and clarifying the last position of both negotiating committees on all the issues in dispute.
- \_\_\_\_\_ 2.21 The issues in dispute were resolved by dealing with each in very specific terms.
- \_\_\_\_\_ 2.22 The issues in dispute were resolved by dealing with each in broad general terms.
- \_\_\_\_\_ 2.23 Time was spent during the first conciliation meeting in clarifying the role of the conciliation officer.
- \_\_\_\_\_ 2.24 A staff officer from the Trustees' Association Central Office was present at the conciliation meetings.
- \_\_\_\_\_ 2.25 A staff officer from the Teachers' Society Central Office was present at the conciliation meetings.
- \_\_\_\_\_ 2.26 Conciliation provided the last chance to alter the contents of our collective agreement ourselves.
- \_\_\_\_\_ 2.27 Conciliation provided the opportunity to reassess our position in light of the most current information.



- \_\_\_\_\_ 2.28 Clarification of the issues in dispute enabled us to better understand the other committee's position.
- \_\_\_\_\_ 2.29 The other committee adopted a more realistic position during conciliation and was willing to compromise.
- \_\_\_\_\_ 2.30 Our committee adopted a more realistic position during conciliation and was willing to compromise.
- \_\_\_\_\_ 2.31 Conciliation provided the opportunity to alter our position without "losing face".
- \_\_\_\_\_ 2.32 We wanted to reach a settlement.
- \_\_\_\_\_ 2.33 We had always settled our own problems and did not want an outside arbitration board to decide the contents of our collective agreement.
- \_\_\_\_\_ 2.34 We did not think we could get a better agreement through an arbitration award.
- \_\_\_\_\_ 2.35 Going to arbitration might have an adverse effect on staff morale.
- \_\_\_\_\_ 2.36 The liabilities that might arise from going to arbitration outweighed the benefits.
- \_\_\_\_\_ 2.37 We were afraid to go to arbitration.
- \_\_\_\_\_ 2.38 Arbitration boards tend to put off rather than to resolve major problems.
- \_\_\_\_\_ 2.39 The best agreement is always one that is concluded by the two negotiating parties.
- \_\_\_\_\_ 2.40 The contents of recently renegotiated collective agreements in surrounding school districts and divisions.

- \_\_\_\_\_ 2.41 The contents of recently renegotiated collective agreements in school districts and divisions throughout the province.
- \_\_\_\_\_ 2.42 Settlements recently reached in other teacher-school board conciliations.
- \_\_\_\_\_ 2.43 The contents of teacher-school board collective agreements in other provinces.
- \_\_\_\_\_ 2.44 The level of settlements recently reached by other employee-employer groups negotiating in the province.
- \_\_\_\_\_ 2.45 Recent changes in the cost of living.
- \_\_\_\_\_ 2.46 Recent changes in general economic conditions.
- \_\_\_\_\_ 2.47 Recent changes in local economic conditions.
- \_\_\_\_\_ 2.48 The general financial position of the school district or division.
- \_\_\_\_\_ 2.49 The general financial position of the local municipality(s).
- \_\_\_\_\_ 2.50 The level of financial support provided by the provincial government.
- \_\_\_\_\_ 2.51 Recent changes in the financial support provided by the provincial government.
- \_\_\_\_\_ 2.52 The conciliation officer's general knowledge of the collective bargaining process.
- \_\_\_\_\_ 2.53 The conciliation officer's knowledge of teacher-school board collective bargaining.
- \_\_\_\_\_ 2.54 The conciliation officer's knowledge of current information on negotiations in both the private and public sectors.
- \_\_\_\_\_ 2.55 The conciliation officer's ability to understand quickly the complexities of the issues in dispute.

- \_\_\_\_\_ 2.56 The conciliation officer's originality in suggesting possible compromises.
- \_\_\_\_\_ 2.57 The conciliation officer's ability to clarify the issues in dispute.
- \_\_\_\_\_ 2.58 The conciliation officer's persistence in trying to get us to settle.
- \_\_\_\_\_ 2.59 The conciliation officer's persuasiveness.
- \_\_\_\_\_ 2.60 The conciliation officer's patience.
- \_\_\_\_\_ 2.61 The conciliation officer's ability to understand our point of view.
- \_\_\_\_\_ 2.62 The conciliation officer's willingness and ability to sell our position to the other committee.
- \_\_\_\_\_ 2.63 The conciliation officer's genuine and active concern in trying to work out a settlement.
- \_\_\_\_\_ 2.64 The conciliation officer's ability to remain detached and to let the parties work out their own settlement.
- \_\_\_\_\_ 2.65 The conciliation officer's ability to inspire trust and confidence.
- \_\_\_\_\_ 2.66 The conciliation officer's friendliness and sense of humor.
- \_\_\_\_\_ 2.67 The conciliation officer's impartiality.
- \_\_\_\_\_ 2.68 The conciliation officer's ability to remain unruffled throughout the conciliation meetings.
- \_\_\_\_\_ 2.69 The conciliation officer continually pressured us to settle.
- \_\_\_\_\_ 2.70 Strong local community forces put pressure on us to settle.

- \_\_\_\_\_ 2.71 To remain competitive with other school districts and divisions in holding and attracting staff we had to settle.
- \_\_\_\_\_ 2.72 Our provincial organization wanted us to reach a settlement.
- \_\_\_\_\_ 2.73 The number of negotiation and conciliation meetings wore us down to settlement.
- \_\_\_\_\_ 2.74 We had spent enough time on this round of negotiations and did not want to devote any more time to them.
- \_\_\_\_\_ 2.75 A settlement was in the best interests of the children of our schools.
- \_\_\_\_\_ 2.76 The Trustees' and/or Teachers' staff officer's general knowledge of collective bargaining and the conciliation process.
- \_\_\_\_\_ 2.77 The Trustees' and/or Teachers' staff officer's up-to-date information on current teacher-school board negotiations.
- \_\_\_\_\_ 2.78 The Trustees' and/or Teachers' staff officer's knowledge of negotiations in both the private and public sectors.
- \_\_\_\_\_ 2.79 The Trustees' and/or Teachers' staff officer's understanding of the issues in dispute.
- \_\_\_\_\_ 2.80 The Trustees' and/or Teachers' staff officer's originality of ideas.
- \_\_\_\_\_ 2.81 The Trustees' and/or Teachers' staff officer's active concern in trying to work out a settlement.
- \_\_\_\_\_ 2.82 The Trustees' and/or Teachers' staff officer's ability to keep the situation calm and productive.
- \_\_\_\_\_ 2.83 The Trustees' and/or Teachers' staff officer convinced us to settle.

\_\_\_\_\_ 2.84 The Trustees' and/or Teachers' staff officer's knowledge of the contents of other teacher-school board collective agreements.

\_\_\_\_\_ 2.85 The Trustees' and/or Teachers' staff officer's suggestions in timing and content changes in our position.

SECTION III

Section II may have omitted some factors and conditions which assisted and/or influenced you in reaching agreement during conciliation. If this is so, please write out in the spaces provided any other factors and conditions which you believe assisted and/or influenced you in reaching agreement.

- 3.01 .....
- 3.02 .....
- 3.03 .....
- 3.04 .....
- 3.05 .....
- 3.06 .....
- 3.07 .....

(Use additional paper if necessary.)

## SECTION IV

From the factors and conditions you checked in Section II and those you may have listed in Section III pick the 10 factors and conditions you believe were the most important in assisting and influencing you in reaching your decision to settle during conciliation. Rank the 10 factors and conditions you picked in their order of importance from 1 to 10, with number 1 the most important factor or condition assisting or influencing you, number 2 the next most important, and so on to number 10. Enter the number of each factor and condition you picked from Section II to Section III next to the rank you gave it in the space provided for the number in the table below.

<u>Rank of Factor or Condition</u>	<u>Number of Item in Section II or III</u>
1. (The most important)	_____
2. (The second most important)	_____
3. (The third)	_____
4. (The fourth)	_____
5. (The fifth)	_____
6. (The sixth)	_____
7. (The seventh)	_____
8. (The eighth)	_____
9. (The ninth)	_____
10. (The tenth)	_____
Comments (if any):	

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