



Review

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processing industry is to be complimented. In the end, his arguments against predicting a Japanese win are based on his earlier analysis and follow a logical and understandable line of thought. However, only time will tell if he's right.

As laudable as the book is, however, there are numerous examples of poor editorial work. In chapter 1, footnote 9 is missing from the text. In chapter 2, Figure 4 has "%" as its only label for the vertical axis. The description of the figure refers to "... average return on profits," while the text mentions "... returns on assets." In chapter 4, footnotes 7 and 23 are missing from the text. And in chapter 6, back-to-back misspellings of "government" attest to minimal proofreading. These errors are likely the result of production pressures to get the book on the market before its material is too dated and while interest in the Japanese is still high. While the resulting errors are a nuisance, they do not detract from the overall fine and balanced work Davidson has written.

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The Mediators.

Deborah M. Kolb. Cambridge, MA: MIT Press, 1983. 230 pp.
\$22.50.

Mediation has often been viewed as a somewhat mysterious art rather than a science. Major works on labor mediation by Simpson (1971) and Maggiolo (1971) have stemmed from the authors' experiences as mediators. Kolb's book, based on her doctoral dissertation at MIT, departs from the existing major works on mediation. Her knowledge of the mediation process, rather than coming from experience as a mediator, comes from over 400 hours of observation of nine mediators as they attempted to resolve 16 different union-management bargaining impasses. Four of the mediators, who were involved in six cases, were assigned to one field office of the Federal Mediation and Conciliation Service (FMCS), which handled primarily private-sector cases. The office housed a total of six mediators, four of whom had over 20 years of mediation experience. Each of the six had experience in labor relations before joining the FMCS and had extensive mediation training thereafter. The office had a reputation as being highly professional because of the experience of the mediators.

Five of the observed mediators, and 10 of the cases, came from the central office of the state Board of Conciliation. Three of the six mediators in that office had over 20 years of mediation experience, but none had experience in labor relations before they joined the state office, and none had training thereafter. These state mediators were solely concerned with public-sector negotiations.

Kolb's major thesis is set forth in chapter 2:

Based on case observations and the associated explanations mediators provide for their own actions, it appears that each agency, whether state or FMCS, has its own distinctive brand or pattern of mediation. State mediators act and describe themselves as "dealmak-

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ers," while their federal counterparts see themselves as "orchestrators." These differing conceptions of role seem to reflect the contrasting perspectives that the two groups of mediators have on resolving disputes, and these differences in turn color the tactics and techniques they employ as mediators. (p. 25)

Dealmakers tend to be actively involved in the negotiations, to make direct suggestions for modification of offers and counteroffers, and to manipulate the parties in their search for agreement. Orchestrators view their role as one of assisting rather than manipulating. They are more passive, preferring that the parties explore jointly areas of agreement and disagreement and change the parameters of the settlement based primarily on their own explorations rather than on direct mediator input.

"State dealmakers attempt to arrange a mediation so that their access to information and their ability to influence the development of the package and to push the settlement in a particular direction are facilitated" (p. 70). They assume that the parties have been ineffective in negotiations. They prefer separate meetings and minimal use of caucuses that exclude the mediator. Off-the-record meetings are used to heighten the mediator's impact on the formulation of a deal. State mediators see separate meetings as promoting truth and objectivity.

FMCS mediators prefer a negotiating format. Joint meetings give way to separate meetings only at the request of the parties. Numerous caucuses but few off-the-record meetings are used. Federal mediators view negotiators as more truthful and objective in joint meetings.

State mediators take a building approach to achieving settlement. They identify priority issues, diagnose the issues according to their conformity with existing patterns, and build on the priority issues to form a package that becomes the basis of a deal between the parties. Federal mediators take a narrowing approach. The parties meet jointly to narrow their differences and reach agreement. The mediator resorts to persuasion and pressure only when the parties seem incapable of further movement.

The mediators labeled as "pros" many of the chief negotiators with whom they worked, because of the negotiators' experience in the bargaining and mediation processes and their ability to work with the mediators. Ten of 12 chief negotiators in federal cases were classified as pros, as were eight of the 18 chief negotiators in the state cases. Mediators were influenced in the development of their approaches to various cases by the presence or absence of pros. Generally, chief negotiators' roles were viewed as consistent with mediators' roles. Pros helped the state mediator build an acceptable package and the federal mediator to narrow differences between the parties.

Dealmakers were more likely to misread the role that the parties wished them to play, fail to recognize all of the parties' demands, misgauge priorities, and use too much pressure. Orchestrators were more likely to have trouble if they had to take the role of a chief negotiator or when they received miscues from the pros. Federal mediators were more apt to appear as passive and withholding, though this was not necessarily a problem. State mediators were far more likely to make

errors because of their more aggressive, interventionist posture and are seen by Kolb as less professional than federal mediators.

Kolb concludes that differences between orchestrators and dealmakers are partially related to the maturity of collective bargaining in the private sector and the immaturity, including inexperience among the parties, of public-sector bargaining. The absence of a legal right to strike in the public sector also affects the mediation process. Like other writers, Kolb believes that the "contributions the mediators make to the achievement of industrial peace appear quite limited" (p. 163). She views federal mediators, despite their greater professionalism, as somewhat more biased toward management and both federal and state mediators as more helpful in the resolution of economic issues than strictly local issues, of which they often have less knowledge.

The major strength of the book lies in the detailed look at mediators' strategies and tactics. Partial case summaries and liberal use of the mediators' own explanations of what they did and why help to demystify the process. Kolb's conclusion, that there is more system and less art to the process than others have indicated, appears to be correct. The distinction between orchestrators and dealmakers leads to greater understanding of the varieties of approaches to mediation and the advantages and disadvantages of each approach.

On the other hand, Kolb's analysis is questionable. In the final chapter, she acknowledges the relationship between public- and private-sector differences and state and federal mediator differences. Yet, I get the impression that she would expect state and federal mediators to maintain their approaches even if they were mediating each others' cases.

Kolb may be right for reasons that she has not recognized. The federal mediators she observed were highly experienced and well trained, with significant experience in labor relations before they became mediators. In contrast, state mediators had no premediation labor relations experience and no specific training. It is highly likely that differences between dealmakers and orchestrators result as much from differences in experience and training as from public-private sector differences. Additional research that focuses on the personal characteristics and competencies of mediators in a variety of state and federal offices might help to explain better the differences between dealmakers and orchestrators and to verify whether it is appropriate to distinguish between them on the basis of employing agency, training, and experience, or whether other variables, such as the complexity and intensity of the dispute under mediation, might explain the differences.

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