

# LABOR MANAGEMENT IN *Agriculture*



University of California  
Agriculture and Natural Resources  
Agricultural Issues Center  
ANR Publication 3417

Gregory Encina Billikopf





# LABOR MANAGEMENT IN AGRICULTURE: CULTIVATING PERSONNEL PRODUCTIVITY

2<sup>nd</sup> Edition





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*To those who work in agriculture*





David Marsing Billikopf

## ABOUT THE AUTHOR

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Gregory Encina Billikopf was born and raised in Chile's Central Valley. His interest in agriculture and farm labor issues has been developing since his youth, part of which was spent in his family's vineyard in San Javier. Billikopf obtained a BS in plant science with emphasis in production agriculture at the University of California, Davis, and a MA in labor management from California State University, Stanislaus. Before coming to the University of California in 1981, he worked in migrant education and farm worker training programs.

Billikopf's agricultural extension research and teaching efforts have focused on such topics as employee selection, compensation, performance appraisal, discipline and termination, supervision, interpersonal relations, conflict resolution, and negotiation skills. Gregory has been a frequent national and international speaker in the field, and has had the opportunity to give presentations in Russia, Canada, México, Uganda, and Chile. He is also the manager of the international agricultural human resource electronic forum, *AG-HRnet*, and the electronic newsletter *People in Ag*.



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The author takes responsibility for the opinions expressed as well as any errors that may remain. I am especially appreciative to the University of California for the opportunity I have had to dedicate my work efforts to labor management in agriculture and the writing of this book.

## PREFACE

Research shows worker output is not a constant. As a farmer or labor contractor you can play an important role in shaping work outcomes. My intention with this book is to present sound theory and practices hopefully leading to a better understanding of worker performance and output—and improved management of human resources on the farm. The emphasis of this publication is in areas most critical to the productivity of personnel on your farm.

Besides teaching and research, an important part of my job as farm advisor is to work directly with individual farm employers, helping them with challenging issues they face. This second edition has been substantially revised and tested in the field. Some of the changes are subtle, such as the order in which to approach a problem. Perhaps the greatest change has been the addition of numerous examples of how farm employers have dealt with many of the issues. Some of these examples have been altered but others stand essentially as they happened.

This book was written on the premise that those who read it will want to maximize farm output as well as long-term profits. For labor management to be successful, it must benefit both farmer and worker in the long run. I hope this will be a useful reference for years. The emphasis is on management principles whose importance transcend geographical and cultural backgrounds, rather than on legal requirements. It is imperative, then, that a qualified local labor attorney is consulted, before implementing many of the suggestions found herein.

Human resource management must do much more than foster good relationships between management and personnel. It must also provide farm employers with more creative and cost-efficient ways of managing agricultural labor. I have tried to present material that draws out alternatives and corresponding consequences.



Jack Kelly Clark

There are benefits to reading *Labor Management in Agriculture* sequentially, but it is also meant for individual chapters to essentially stand alone. Farm employers can focus on topics of special interest to them. Some topics are more technical in nature, while others are more people oriented, dealing with supervision and interpersonal relations.

An overview of the field of human resource management is given in Chapter 1. It warns against trying to solve every problem with the same set

*Research shows worker output is not a constant.*

of management tools, and suggests that farm employers can really affect organizational results. Chapters 2 and 3 promote a selection process in which practical tests play a specially critical role. Who is hired is one of the most important decisions a farm manager will make. In agriculture, as in so many other types of organizations, employers often select people based on first impressions, or insufficient data. Issues related to movement of employees within the organization, including the role of seniority vs. merit are addressed in Chapter 4.

Chapter 5 provides tips on training employees, and establishes parameters for training partnerships with public or government organizations. Chapter 6, contributes a new approach to performance appraisal, one that leans heavily on effective negotiation strategies. Compensation is the subject of Chapters 7 and 8, dealing with internal wage structures and incentive pay. Wage structures deal with equity issues in terms of what people get paid in contrast to others, both within and outside the organization. While compensation is not the only reason people work, it is important to understand how compensation affects employee motivation and morale, as well as business viability. A number of incentive pay strategies are discussed. A persistent lack of understanding in the area of incentive pay management has frequently kept agricultural employers from benefiting from this immensely powerful tool.

Supervisory power is the subject of Chapter 9. Power can only be maintained when it is not abused. Abuse of power can take different forms, such as favoritism, dishonesty, and sexual harassment. Chapter 10 sets the stage for more effective delegation. Employees often have much to contribute in terms of creative thinking

and solutions to challenges, and this potential is seldom tapped to its potential. Conducting effective meetings is the subject of Chapter 11. Decision-making meetings can tap into the creative potential of employees. Chapter 12 focuses on day to day issues of interpersonal relations, and includes topics of special interest to farm employers with a multi-cultural workforce. Interpersonal contact can lead to conflict, and that is the topic of Chapter 13.

Chapters 14 helps supervisors separate and deal with performance problems. Suggestions are provided for ways of approaching employees so the problem is not compounded. Terminating employees without stepping on their dignity is the topic of Chapter 15. When employees leave, management often loses a valuable asset. Chapter 16 considers what employers can do to reduce unwanted turnover. Personnel policies and handbooks are considered in Chapter 17. A sick leave policy is used as an example of how employees can turn a policy that encourages people to be sick, to one where employees feel an incentive to come to work.

Chapter 18 is new to this edition. It is a bit of a review, and also provides a test of people-management skills, through the use of various scenarios. Because of its importance, much of the book deals with negotiation principles in one way or another. The essence of effective negotiation is understanding that long-term solutions are more likely when the needs of all the participants are considered.

This book is meant to stimulate and structure positive action. Some ideas seem unique, and no matter where I go, someone will say, "That won't work here." Yet almost invariably someone else will comment "It works, and we are already doing it."

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## Managing People on the Farm



One day I was taking photos of farm workers when one vineyard pruner explained with a twinkle in his eye, “My photo will cost you \$10.” I smiled, as I asked why that would be.

“You see,” the pruner explained, “I’m the best!”

Now my interest was peaked even more. “How can you say that,” I continued with humor in my voice, “when those two pruners a couple of rows over are ahead of you?”

“Well, there you have it,” he concluded matter-of-factly. “You said it yourself, two pruners. Both are pruning the same row while here I am on my own, right on their tail, and there is only one of me,” he concluded in triumph.

Research shows that, indeed, the best farm employee can consistently be four to eight times better than the worst.

Farm personnel are certainly not a constant. Whatever control over production you have at your farm, it is achieved through people, whether they are in production, supervisory, administrative, or management positions. How these individuals are selected and managed makes all the difference.

People management skills can be broken down into three essential ingredients: (1) a *concern* for productivity and for employees; (2) an *understanding* of human resource management; and (3) purposeful *action*. Effectiveness in people management skills calls for a mix of all three ingredients. Concern and action alone cannot make up for inadequate understanding. Nor can plentiful care and knowledge succeed without action.



*Fixation on productivity alone, with little concern for worker needs, may lead to a reduction in worker output.*

*The flow of trust cannot be turned on and off like irrigation water.*



Roger Duncan



Roger Duncan

## A CONCERN FOR PRODUCTIVITY AND PEOPLE

To effectively manage a labor force, an employer must be concerned about productivity and also about people. Some farmers are always looking for ways to improve production and ensure the long-term viability of the business. Others operate deteriorated farms and seem to have little interest in increasing yield or in recycling profits into the operation. A manager's attitude toward farm productivity, especially toward product quality, can strongly influence worker output. Performance is often enhanced when employees believe they are contributing to a valuable product and are part of an effective team.

The connection between employee productivity and farm profitability is direct and obvious. Not as apparent, but just as vital, is the association between concern for worker needs and profitability. How employees' needs are met has a direct bearing on their performance. Focusing on productivity alone may lead to a reduction in worker output.

A concern for worker needs means attending to their well-being, as both individuals and employees. Courteous and consistent treatment, job security, fair pay, and safe working conditions are important to employees. When those needs are ignored, worker dissatisfaction may impede productivity. One disenchanted employee explained, "When I first worked here, I really

exerted myself. But now I try to do as little as I can and still keep my job." Another put it this way, "I've learned to give my job the time it deserves, but I no longer give any more of my own time. I've been burnt by doing so." A third worker confided, "When I'm mad at the supervisor, I do exactly what she asks me to do ... even if I know a better way of doing something or have a good reason not to do the job her way."

Trust is another important contributor to productivity. Trust builds gradually, as managers and employees learn they can count on each other. Even after workers' trust has been won, management must continually nurture such trust if they are to retain it. The flow of trust cannot be turned on and off like irrigation water.

Management generally expects personnel to (1) consistently produce high quality work on a timely basis; (2) take their responsibilities seriously, at times even going beyond the call of duty; (3) show concern for the welfare of the farming operation and for other employees; and (4) represent the farming enterprise well within the community.

Employees hope, in turn, that management will (1) value their feelings and opinions; (2) provide positive feedback for work well done; (3) meet the agreed-upon terms and conditions of employment; (4) be consistent and courteous; and (5) provide a work environment where they can develop their potential over time (in terms of skills and earnings).

## UNDERSTANDING LABOR MANAGEMENT

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Effective labor management demands a clear understanding of its principles and familiarity with its tools. Managers deal with a complex web of interrelated elements. For instance, the wage scale advertised may affect the quality of applicants you recruit; the qualifications of those ultimately hired will in turn determine the amount of on-the-job training needed.

People mistakes may be quite costly. A new worker on a kiwifruit plantation fertilized too close to the plants with a highly concentrated formulation that burned the foliage. Many plants died. The quality of the fruit that did grow was so poor as to be unmarketable through normal channels. Yet another worker mistakenly milked a penicillin-treated cow into the main tank. The good milk in the bulk tank was contaminated and all of it had to be discarded.

These blunders could have been avoided by selecting knowledgeable, skilled personnel, or by providing better orientation, training, management and supervision. Tapping motivation, building effective personal relationships, establishing and carrying out a constructive disciplinary process, and encouraging worker input in decision making are all part of labor management.

There are a number of options available for solving people problems. If we are comfortable using only a few management tools, we may be limited in our response to a challenge. Some, for instance, attempt to use *training* to solve most any adversity, such as tardiness, misuse of tools, and conflict on the job, whereas others believe that most every difficulty can be solved with *pay*.

There is a difference between a mistake and a purposeful error. In one vineyard the vines were planted upside down under the direction of an inexperienced supervisor. The ranch manager discovered the error the following spring, when the vines failed to bud out.<sup>1</sup> The supervisor's mistake

hurt them not only in terms of lost vine cuttings, but also a year of valuable vineyard development. Until recently, I thought this was just a mistake. A horrible one, granted, but nevertheless human blunder. That is, until I received the following note from a grape grower who had read the above narrative:

"Years ago [when] we were planting our vineyard, the Hispanic supervisor (within the farm labor contractor crew) was imparting his wisdom about crew management. He spoke about their last job at another farming community. Apparently the owner had come out to rant and rave and suggest that the men were slow and stupid. This supervisor told me how he gave that grower the expected humble response of *sí* (i.e., yes) and then quietly fulfilled the angry grower's expectations. At the first moment the owner's back was turned the Hispanic supervisor gained the already watchful crew's eyes; then proceeded to invert a cutting and insert it into the ground. Without a word the entire crew followed his lead and planted the rest of the vineyard with the cuttings upside down. He continued his tale: That grower would have no idea what happened until next year ... and if confronted, the Hispanic supervisor would just explain that he didn't understand English very well and

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*Some would try and solve every labor challenge with the same management tool: for example, only training, only pay, or only discipline.*

---



thought that the grower wanted them to plant those vines the other way ... how was he supposed to know?"<sup>2</sup>

A clear understanding of management tools includes the proper application of the same. One orchardist, after learning of a neighbor's success with an incentive program switched his pay system. The peach grower offered crew pickers a full day's pay—and the right to leave as soon as they finished—if they would pick an additional bin for the day. The pickers were delighted. Most were through before 11 a.m. The farmer was thrilled with the increased productivity. But after the initial excitement wore off he started to feel that the bargain was not so good. He tried to even out matters by asking for yet one more bin per day. The workers, who may have originally accepted the extra bin as a fair exchange, now instead voted for union representation. Crew workers felt the farmer had broken an oral contract.

When labor management principles are properly understood, the more likely a manager will choose the right set of tools—and apply them correctly—to deal with a given challenge. Time and effort spent on improving management competence pays off. Once the foundation is laid, new skills are easier to acquire. Also, tools developed for use

in one area may serve well in others. For example, a detailed *job analysis* may be used during the selection process. The same analysis may yield data to establish pay differences, fix performance parameters, and help tailor a training program.

An overview of human resource management is presented in Figure 1-1. The list in the left column shows external constraints that are placed on the workplace, the center column lists labor management tools and practices, and the column to the right lists potential results or outcomes.

I like to think of the *tools* in the middle column as filters or magnifiers affecting the *results* column. In the absence of effective human resource management practices (the middle column), external *influences* may have a pronounced effect on productivity and other sought after results.

For instance, an employer might choose to hire the first twenty applicants who show up for a citrus-picking job without testing their skills. By so doing she forgoes the opportunity to use a selection filter to hire more productive workers.

Let's briefly examine the elements within these three columns before moving on to the importance of purposeful action.

INFLUENCES AND CONSTRAINTS	PRACTICES, DECISIONS AND TOOLS	RESULTS
Tradition Competitors Laws Labor market Technology Union contracts Individual differences and skills	Organizational structuring Job design Recruitment Selection Orientation Training and development Supervision Performance appraisals Compensation Benefits Safety and health Organizational development Discipline Research and evaluation	Productivity - quantity - quality Waste Breakdowns Satisfaction Motivation Absenteeism Turnover Strikes Grievances Litigation Injury and illness Workplace violence

FIGURE 1-1

Adapted from Rosenberg, H. R. *et al.* (2002). *Ag Help Wanted: Guidelines for Managing Agricultural Labor*, Western Center for Risk Management Education (p. 24).

## External influences and constraints

*Tradition* represents the way things have been done in the past. Some traditions ensure stability. Others may reduce creativity.

*Competitors.* The techniques used by competitors can influence farm practices. Like tradition, competitors may provide a positive or negative influence.

*Laws* at the federal, state, province, municipality, or other local level regulate almost every aspect of labor management. When well thought out, such laws can extend important protections and benefits to a large number of workers. Many laws have been passed without sufficient study, however, and the time spent in compliance can be onerous. Unfortunately, some believe that simply following the law will guarantee that they are managing properly. This book is intended for an international audience, and is focused on effective human resource management practices, more than on what is legal or not. Because laws do change frequently and are so different from one nation to another, make sure to always consult with a qualified local labor attorney before implementing the suggestions found here.

The *labor market* generally deals with relationships between the supply and demand of workers on the one hand and with wages on the other. Generally, a shortage of workers will drive wages up.

*Technology.* Labor law constraints and potentially unpredictable labor markets tend to encourage mechanization. Technology may change the nature and number of jobs but is unlikely to diminish the importance of labor.

*Union contracts.* Agricultural enterprise managers desire freedom to manage, while unions want to restrain possible abuses of such freedom. Furthermore, unions often fight to improve economic outcomes for employees (wages and benefits). Beside issues of economics, unions also attempt to protect worker dignity and improve

working conditions. Unions may give employees a greater voice in some types of decision-making. The opposite can also be true. Perhaps the single most important predictor of unionization is the quality (or lack of) two-way communications between management and employees. One poor supervisor can have a negative effect on the whole organization. Other factors<sup>3</sup> that may also play a key role on whether employees will join a union include: (1) perceived costs for joining vs. expected returns (e.g., cost of union dues vs. increases in pay), (2) personal feelings towards unionization (e.g., workers who identify with management, prefer merit over seniority, and value individual initiative are less likely to want to join a union), and (3) feelings toward a particular workplace and a particular union.

*Individual differences.* Individual variations affect almost every aspect of human behavior, including labor productivity. An effective manager considers both how individual workers differ and how workers may react similarly to a given situation.

## Labor management practices

Productivity is a result of worker *ability* (the “can do”) and *motivation* (the “will do”). Farmers have a number of tools that can help them influence both of these factors.

*Organizational structuring.* A number of frameworks exist for getting jobs done, including by *function* (e.g., irrigation, tractor driving), by *product* (e.g., dairy, crops), and by *geographical location*.

*Job design.* Some jobs are designed so that workers can take responsibility for a product from beginning to end. Others tend to promote specialization. In the process of designing jobs, farmers can also prepare job analyses, job specifications, and job descriptions.

*Recruitment* involves attracting enough qualified applicants to fill the staffing needs of the farm. Generally, the larger the applicant pool, the greater the chances that the group contains a qualified applicant.





*First select employees with ability and then motivate them to excel on the job.*

*Selection.* Workers with a sufficient ability, knowledge or skill are selected from the applicant pool and hired to carry out the required jobs. Promotions and transfers are also selection decisions.

*Orientation.* During orientation periods, newly selected and promoted employees are exposed to the requirements of their new jobs. In addition, workers learn about the company's philosophy and its written and unwritten rules.

*Supervision.* Supervisors are responsible for directing and facilitating the performance of one or more employees. Some important supervisory skills include communication, delegation, training, performance appraisal, discipline, and conflict resolution.

*Performance appraisal.* Employees have a need to know how they are doing, and what they can do to improve. Performance appraisal is the process of evaluating employee performance and communicating the results to the worker.

*Compensation.* Pay may be designed in terms of *wage structures* or *incentives*. Wage structures establish pay differentials between jobs—and usually within a job, too. Incentives are designed to reward employees for performance or other valued outcomes.

*Benefits.* Some benefits are mandated by law (e.g., workers' compensation). Optional benefits may include farm

produce, paid vacation and sick leave. Once offered, optional benefits may also be regulated by law.

*Safety and health measures.* Safety and health management involves (1) promoting safety, (2) correcting hazards, (3) training employees, and (4) tying safety to other management actions (e.g., performance appraisals, discipline).

*Organizational development.* Elements of organizational development that promote sound communication and decision-making skills include assertiveness training, role definition, leadership skills, conflict resolution, team building, empowerment, coaching, effective meetings, and techniques based on group dynamics.

*Research and evaluation* help farmers credit specific results to particular management actions. Farmers can assess where adjustments in management direction are needed.

## Results

External influences interplay with management action to bring about specific results. These results are a measure of management effectiveness.

*Production* can be gauged in terms of both quantity and quality. For example, gallons of milk, flats of tomatoes, and boxes of grapes are examples of quantity measures. Indicators of product quality may include somatic cell counts (high counts in dairy cows may indicate health problems such as mastitis), bacterial counts in milk, color or size of fruit, and degree of marbling in meat.

*Motivation* can affect production, satisfaction, and a host of other outcomes. On the way home one worker may stop to fix a broken irrigation ditch, and another may drive past it. While employees may come to the farm with different degrees of enthusiasm, there is much a farmer can do to affect a worker's on-the-job motivation.

*Waste* may be gauged by such measures as the percentage of fruit or vegetables that do not meet grade, calf mortality, scrap metal, and leftover seed or fertilizer that cannot be reused.

*Breakdowns* of farm machinery and equipment can have deleterious effects, especially in the middle of harvest or other high labor-intensive periods.

*Satisfaction* is a measure of how well the employer's or worker's needs are being met. Sources of employee dissatisfaction may include pay, job design, handling of promotions, interpersonal conflict and supervision. Expressions of employee dissatisfaction may include reduced output, strikes or union activity, absenteeism, or turnover.

*Grievances* are employee complaints. When an effective mechanism is provided for management to hear grievances, early problem solving and increased mutual respect may develop.

*Litigation.* If grievances are not attended to and solved early on, they may result in litigation. If no one in-house will hear workers' complaints, they may find someone outside the organization who is more sympathetic.

*Injury and illness* may arise from unsafe and unhealthy work environments. Examples of injuries include slag in the eye (from welding), muscle strains, and ruptured disks. Work-related illnesses may flow from unprotected exposure to chemicals or heat, or from excessive stress in the workplace.

## PURPOSEFUL ACTION

Understanding and concern without action can be like planting and cultivating without harvesting. It is not always easy to confront employees with their poor performance, listen to their difficulties, act as an effective mediator to reduce conflict, or take an unpopular yet principled stand in the face of adversity. But purposeful action—carrying out a plan to obtain a specific result—may help you turn challenges into opportunities.

Action is not always the best choice when dealing with human behavior; many difficulties seem to disappear simply with time and patience. Other problems, however, only fester if they are not faced squarely.

## Obstacles to action

What hinders us from taking action or reaching objectives? The benefit may not seem worth the effort. Or, we may doubt that the effort will yield the desired result.<sup>4</sup> Two additional challenges may include lack of self-esteem or inability to focus. Finally, action may not be effective because of faulty planning, evaluation, or correction measures.

*Insufficient payoff.* A price must be paid to meet most objectives. We typically weigh that price against the value of the outcome. At times, goals require efforts or financial resources that are simply not available without forgoing other desired objectives. It is easy to act when minimal effort will yield large positive results.

More challenging objectives usually demand a correspondingly greater effort. Achieving long-term goals requires discipline and perseverance in spite of difficulties. It helps to be able to relish the actual process of achievement—even when progress is slow.

*Likelihood of success.* Will action really bring about the desired outcome? Managers may doubt, for instance, that confronting employees with their poor performance will result in improved production. Perhaps such action will simply confirm an enemy and further reduce output. Before taking action in doubtful situations, managers may want to consult a more knowledgeable employer, friend, or human resource management professional—or perhaps attend a seminar or course on management techniques.

*Lack of self-esteem.* Some managers may avoid action because they lack confidence in their ability to succeed. People who have reaped the rewards of attaining a difficult goal are more likely to believe in their ability to achieve again. Success—or lack of it—may become a self-reinforcing cycle. Current theories of self-esteem<sup>5</sup> suggest that although everyone encounters failure at times, the main contributor to self-esteem is coping with, rather than avoiding, difficulties.

*Many difficulties seem to disappear simply with time and patience. Other problems only fester if they are not faced squarely.*






---

*There is a balance found  
somewhere between  
premature, hasty action  
and doing nothing.*

*Lack of focus.* One of the major tasks in pursuing a difficult goal is avoiding distraction. People can use a number of devices to help stay focused on the goal: reading material related to the objective; setting aside specific time for contemplating the subject; or posting a visual reminder, such as a photograph or note in a prominent place.

*Faulty planning, evaluation, and correction.* You have probably heard the saying, “an unwritten goal is simply wishful thinking.” Although somewhat exaggerated, this remark emphasizes the need for careful planning, evaluating, and correcting. Planning may involve establishing goals and sub-goals and scheduling a logical sequence of events. Regular appraisal of progress that has been made is part of the evaluation process. Finally, correction may encompass dealing with challenges, failures (including going off course), or contingencies (the “what ifs”).

Though taking appropriate action when managing a work force is critical, speed is not always essential. There is a balance to be found somewhere between premature, hasty action and doing nothing. Some decisions require more time and careful planning before being implemented; other situations call for immediate reaction. Often, steady plodding will move an organization further towards positive changes than fast, yet short-lived, efforts.

Action alone, without consideration for worker needs and productivity or without understanding the dynamics of labor management, may yield mixed results.

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## SUMMARY

The three essential ingredients of effective labor administration are (1) a concern for productivity and people; (2) an understanding of human resource management; and (3) purposeful action. Labor management may suffer if any of these are absent.

A concern for both employee needs and worker productivity is fundamental to effective management. In the long run, labor management must benefit both farmer and worker.

A key understanding is that (1) workers differ in both ability and motivation and (2) farmers can manage much of that variation. There are numerous labor management tools that farmers can use to temper challenges or improve results. Managers must avoid the tendency to rely on a limited number of tools.

Impulsive or overly cautious action can worsen personnel challenges. It helps to have a plan with timetables, and to incorporate ways of evaluating progress toward goals. Perseverance is often better than uncoordinated bursts of effort. A lack of management intervention may cause producers to forgo control over long-term profitability and other desirable outcomes.

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## Practical Steps to Employee Selection



**“My dad used to manage this ranch before I did, and I remember he used to tell me that sometimes you just have to put up with lousy employees. I believed that up to a few years ago. I realize now that you don’t have to do that. You can hire somebody who can meet all your expectations and maybe more.”<sup>1</sup>**

**Chris Nelson, Farm Manager  
Cattle Ranch, El Nido, California**

While keeping within the law, *who* an employer hires is pretty much her determination—but one that ought not be taken casually. *Hiring the right person for the job may be the most critical management decision you will make.* Consider the farm manager who lost \$80,000 in alfalfa. He had trusted an employee who claimed to know how to bale. Or, the thousands of dollars lost by a hog producer in only three months as a result of hiring the wrong person.

Although employee termination is normally an option, it is one plagued

with both legal, economic, and practical consequences. Once a person is hired, there often needs to be a compelling reason for termination. If an employee is not working out, action must be taken promptly, however. The longer a worker is permitted to retain a job, the greater the potential consequences associated with a discharge (see Chapter 15).

Given the importance of employee selection, two chapters are dedicated to the topic. This one describes a step-by-step sequence to selection. We consider such factors as needed skills for the job,

the design of a selection process, getting the most out of the various selection tools, and conclude with suggestions on how to bring the new employee aboard the organization.

The next chapter illustrates the process of validating your selection approach. An outline of a practical, yet comprehensive, approach to selection follows. You will need to adapt it to your needs and special circumstances.

## DECIDE WHAT YOU NEED

### Step 1: Determine whether a temporary employee is needed

Necessity can often be the catalyst for haphazard selection. When your milker leaves, the choice may be between taking the shift yourself, or hiring the applicant who just drove up to the barn. Such a casual approach sometimes yields excellent results. “A while back I got lucky when I hired someone the traditional way,” Bruce Burroughs, of Vista Farming in Merced, recalled. “This person worked out so well that I thought it would always be this easy.” But as Bruce found out, good luck runs out eventually.<sup>2</sup>

Sometimes a new employee is urgently needed. Hiring a temporary worker is a good alternative to employing a less suitable replacement under pressure. Written employment contracts for such fixed-term work may help you avoid misunderstandings and possible litigation when the employee is laid off at the conclusion of this work period.

Exceptional temporary workers can be encouraged to apply for permanent positions. You can share with such workers the criteria that will be used to make the final selection decision, and offer additional help and training. Throughout the process, it should be made clear to the temporary employee, as well as other personnel at the farm, that you will hire the most qualified applicant.

A temporary employee has the advantage of having one foot in the door and the opportunity to learn what is

important to you. Management benefits by having the occasion to better evaluate the individual’s performance and personality. The down side is having to disappoint the temporary employee who does not get the job—or the co-workers who were rooting for him.

The statistical chances are not high that a temporary employee turns out to be the best candidate once the position is opened. Clear communication will help alleviate possible disappointment but is unlikely to eliminate it totally. At the end, the responsibility for qualifying for the job needs to be the employee’s.

Seasonal employees, hired without the benefit of a careful selection process, can also be evaluated for future employment. The best workers can be invited to return back for the next season.

### Step 2: Complete a job analysis, description and specification

A frequent sentiment among farm employers is that a good attitude and a lack of bad habits are the most important ingredients in the personal makeup of farm personnel. “Give me someone with a good attitude,” they argue, “and someone who will learn *my bad habits*—rather than those of a previous farmer!” It is indisputable that a good attitude is essential, but attitude alone does not make up for poor skills anymore than good skills make up for a poor attitude.

One would not dream of selecting an individual to represent one’s nation at the Olympics on attitude alone. Likewise, it is not an effective move to make selection decisions on the farm without testing for skills such as the ability to see what needs to be done, recognize difficulties, solve problems, make decisions, work at an acceptable pace, and consistently turn out quality results.

Successful employee selection is dependent on a clear understanding of a job’s components. A job analysis is used to identify job tasks and responsibilities. This may be accomplished by collecting information about the position; by interviewing workers, supervisors, and

other farm employers; and by observing current employees. Other sources, such as the *Dictionary of Occupational Titles* (DOT) or its replacement, the *Occupational Information Network* (O\*NET), provide written job analysis data to get you started. Figure 2-1 shows an example DOT for a poultry hatchery manager. End products of a job analysis include a job analysis schedule, job specifications, and a job description.

*Job analysis schedule.* This is a fancy name for a detailed, extensive, written job analysis. Elements of the analysis may include physical and intellectual requirements for the job, a comprehensive list of tasks to be

performed, and perhaps an organizational chart showing how this position fits into the overall operation. The job analysis schedule serves to create job specifications and a job description.

*Job specification.* This tool consolidates the necessary employee qualifications identified in the job analysis schedule and lists them in terms of knowledge, abilities, skills, or licenses.

For instance, if a job analysis shows that an assistant herdsman has to lift 50-pound feed sacks, 100-pound calves, and 120-pound alfalfa bales, the job specification would simply read “ability to lift and carry 120 pounds.” Likewise, if a pesticide handler had to read pesticide labels and special reports, the job specification might state “ability to follow written instructions.”

Here are some other examples of job specifications:

- possesses a valid driver’s license
- drives a wheel tractor
- backs up equipment onto ramp
- mends fences
- welds equipment
- maintains tractor
- irrigates corn and alfalfa

The employee selection requirements may emphasize skills and knowledge not easily learned on the job. It is often wise to select candidates who already have these skills rather than *hope* a candidate will be able to learn them after hiring.

A word of caution is not to take *any* skill, ability, or knowledge for granted. Are reading or math skills critical to the job you are trying to fill? Among a small sample of farm workers, I found that few knew how to divide or subtract, though most knew how to add and multiply. They also possessed limited skills reading a measuring tape, partly because they were used to the metric system. At higher-level jobs, other basic skills are often missing. Lack of knowledge in these areas may be even more serious. For example, an inexperienced agricultural technician turned wine into vinegar by improperly corking the bottles.

**180.167-046 MANAGER, POULTRY HATCHERY (agriculture) <sup>3</sup>**

Manages poultry hatchery: Plans, develops, and implements policies and practices for operation of hatchery to ensure attainment of goals and profitable operation. Arranges with farmers to supply eggs or obtains eggs from company flocks. Directs and coordinates, through subordinate supervisory personnel, hatchery activities, such as hatching of eggs, sorting, vaccinating and shipping of chicks, and maintenance of facilities and equipment. Prepares hatching schedules for variety of chicks, considering such factors as customer orders, market forecasts, and hatchery facilities and equipment. Arranges for sale of chicks to farmers or commercial growers. Interprets hatchery records and genetic data on chicks and advises customers regarding breeding, brooding, feeding, and sanitation practices to follow for various species of poultry. Arranges for purchases of equipment and supplies, such as brooders, incubators, feeds, and medicines. Prepares reports on hatchery activities, such as chick production and sales reports, required by regulatory bodies. May be designated by species of poultry hatched.

FIGURE 2-1

*Sample DOT job description.*



*In considering what talents are needed for a job, do not take any skill, ability, or knowledge for granted.*

**Job description.** From the job analysis and specifications, farm employers can develop a job description, which is used to give applicants a feeling for what the job will be like. These are brief (usually 1- to 2-page) position narratives with a job title, job summary, examples of job duties, supervisory relationships, and working conditions (Figure 2-2).

**Title.** Whatever title is used must accurately reflect the duties of the job. Job titles communicate subtle messages to applicants about the job. For instance, though the jobs might be identical, there is a difference in connotation between the titles of “herdsman” and “herd manager.”

**Job summary.** The job summary is usually a brief narrative containing information on duties. Additional information, such as hours of work, vacation, and other benefits may be included in this section.

**Job responsibilities.** The list of duties usually starts with the most important or most frequently performed. Providing estimates of the percentage of time to be spent on important tasks can give workers a sense of the job components. Arbitrators recognize that management generally has the prerogative to add duties to an

individual’s job description. This is also true where employees are represented by a union.<sup>4</sup> Nevertheless, it is a good practice to include, under examples of duties, the line “other duties as assigned.” From a practical perspective, however, employees need to be exposed to a large variety of duties within a short time of their selection. Morale is likely to fall when employees feel that a task is not part of their job description.

Job Title	
Job Summary:	Last revised: _____
<b>Examples of Job Responsibilities:</b> 1. 2. 3. 4. // 10. Other duties as assigned.	
<b>Relationships:</b>	
<b>Working Conditions:</b>	
<b>Salary and Benefits:</b>	

FIGURE 2-2

*Job description structure.*

*Relationships.* This section includes information on reporting (who this individual will work for), as well as supervisory responsibilities, if any.

*Working conditions.* This is a good place to give applicants an idea of the hours of work and overtime requirements, how much work is performed inside or outside, and the type and condition of farm tools and machinery to be used.

*Salary and benefits.* Farmers determine what they feel a job is worth and what is an appropriate starting salary for a qualified applicant (see Chapter 7). Setting a salary is a delicate process. Using the term *starting salary* implies that employees will obtain raises as they acquire experience on the job.

It is good to mention a starting salary. Leaving pay considerations until later may well be a waste of time for both farm employer and applicant if their wage expectations differ considerably. Also, if a farm employer has a good sense for the prevailing wages, little is gained by advertising a starting salary as *negotiable*. You may be inadvertently encouraging applicants to ask for higher wages.

The salary and benefits section should also detail information about the location and condition of any housing provided and about other benefits, such as paid vacation, sick leave, and health insurance coverage.

The Americans with Disabilities Act of 1990 (ADA) has given job descriptions additional importance: those written before a job is advertised can help defend employers' decisions about what constitutes the essential functions of a job if they are challenged under the ADA.<sup>5</sup>

### Step 3: Weight the job specification items

Weighting job duties can help the farm employer assess the qualifications of competing candidates. Each skill, knowledge area, and ability is rated according to its importance to the job. A skill may be given less importance, for instance, if it can be easily acquired or is seldom used. In hiring a tractor driver

one farm employer may give greatest importance to skills in operating a wheel tractor or crawler, but less to the ability to hook up implements. (An example of a weighted scorecard is found in Chapter 3, Figure 1.)

To arrive at the proper weight for a given factor, you can make forced comparisons between two skills, abilities, or knowledge areas. For instance, a cattle breeder might consider this question: "If two applicants are equal in every other way except their proficiencies in animal nutrition vs. computer use, which one would I rather hire?" By comparing imaginary candidates you can adjust the weights to reflect your preferences.

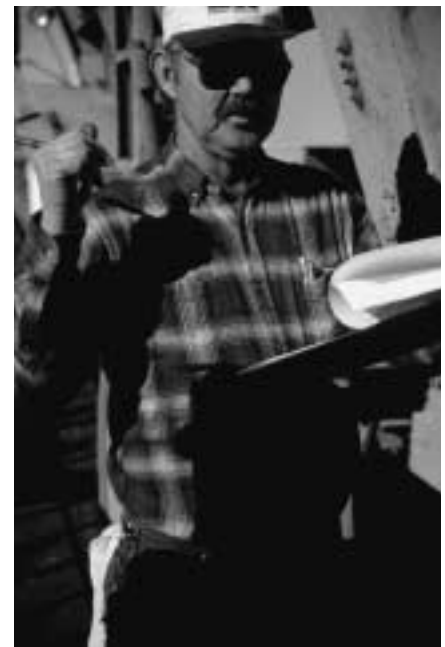
### Step 4: Determine the recruitment strategy

Among the most frequent objections to the systematic selection approach discussed in this chapter, are concerns about getting enough applicants. How many people apply partly depends on your recruitment efforts, the type of job, labor market, pay, and the reputation of your farm. The larger the applicant pool, the greater the chance of finding qualified applicants. The most thorough selection approach cannot make up for a poor candidate pool.

Sources to help you advertise the position include present employees, other farm employers, previous applicants, trade journals, newspapers, vocational schools, universities, and employment agencies. The radio is a particularly good recruitment source for many agricultural jobs. Farm employers who are trying to attract Hispanic applicants often find great success through Spanish radio stations.

Paul and Laura Fouts of Cortland, New York, found that radio ads allowed them to be quite creative, such as using sound effects. The radio station personalities helped write and read these. Their success with the radio spots led them to be more creative with their newspaper ads. Employees help by giving feedback or helping with ideas. The Fouts' are trying to attract people who may or may not have had previous

*The recruitment process is critical to effective employee selection. The most thorough selection approach cannot make up for a poor candidate pool.*





## SIDEBAR 2-1

## Attracting Workers to Agriculture

Some employers are hesitant to place ads, feeling that perhaps employees do not like agricultural work. As it turns out, farm workers love their jobs. Traditionally, agricultural work has not been held in high regard by the general population. It has been viewed as unpleasant, and as an undesirable way to earn a living. This opinion is supported by the popular press. Farm workers, however, do not generally share this negative view of farm work.

When 265 seasonal and year-round workers (in orchard, vineyard, vegetable, agronomic, dairy and livestock operations) were asked a series of questions to determine their true feelings and perceptions about their work, they had positive things to say. Workers rated their jobs on a 1 to 5 scale. A fantastic job was rated a 5, and a terrible one was rated a 1. On the average, farm workers rated their present jobs a 4. Crew workers, as well as other field workers such as irrigators and equipment operators, rated their jobs a 3.9, while dairy personnel rated theirs a 4.4. This is not to say workers did not have suggestions for improvement. They often spoke about the need for being treated with respect, as well as for higher wages.<sup>7</sup>

The farm reputation can go a long way to attract personnel. Employees will talk about their employer for good or for evil. Rob Morelli of Ollimac Dairies, Denair, California, goes out of his way to retain his employees and create a positive working environment at his dairy operation. Rob starts by paying a competitive wage (compared not only against neighboring dairy farmers, but also others with whom he may be competing to attract farm labor).

Besides wages, Rob feels he must provide housing, as do many dairymen in his area. Rob cautions, however, that run down temporary housing tends to attract temporary employees. That is why Rob goes out of his way to provide nice homes for his employees as well as the tools the employees need to keep these homes looking good. He makes it a point to catch employees doing good things and makes sure to compliment them so they feel appreciated. The day after an employee's child participates in a soccer match or piano

recital, Rob makes a point of asking how the child did.

Bonuses and incentives also play a role in staying competitive. Rob Morelli pays a number of typical incentives, such as those related to milk quality, death loss, and reproductive efficiency. He also pays a feed accuracy bonus and an English-speaking bonus. The English bonus comes to \$50 a month for employees with whom Rob can communicate in English. Rob is the sole determiner of who gets the bonus.

A unique bonus given by Rob is a longevity bonus for every five years a worker stays. He will invite all the employees together and form a circle. Rob will then invite the honored employee into the center of the circle and tell everyone present how much he appreciates this employee and the work performed over the last five years. Next, Rob takes out ten crisp \$100 bills, and counting from one to ten places them on the hand of the employee.

When Miguel, a feeder at Ollimac Dairy, had stayed for ten years, Rob stepped up the celebration. Not only were the employees invited, but also all the families, including the children. Rob's wife provided ice cream for everyone as part of a special social. Eventually, for the recognition ceremony, they all formed a circle, with the guest of honor and his wife and children, in the center. Rob first thanked Miguel and his family for the excellent job Miguel had done. Next, Rob had Miguel and his wife place their hands out together to receive the \$1000 dollars, using the same approach described above. Rob then tells all who are attending the ceremony that he also has some tickets for Miguel and his family for three days to a family theme park; that they will need gas to get there, and so here is some gas money; that they will need a place to stay while they are there, and so here are confirmed reservations at a hotel; as well as money for food out while they are gone; and of course, five days paid vacation to do all of the above. The wife of another employee was so touched that she started crying. Rob says that he suspects she will go home and tell her husband that he better stay for ten years. Rob Morelli cautions that he could not have done this without the help of his wife, who had a better understanding of the likes and dislikes of his employees.<sup>8</sup>

experience with farming.<sup>6</sup> Some farmers fear that by advertising job vacancies so openly they may attract undesirable applicants, but these may be eliminated at a later step.

Bernie Erven of Ohio State University is a pioneer in the area of effective recruitment. Erven suggests that farm employers talk about the many positive aspects of farm work, including the opportunity to raise a family in a healthier environment. Sometimes we can make working on the farm sound negative, he suggests. A creative ad can make a big difference. Bernie found this clever ad in *Hoard's Dairyman*:

**"Minnesota Dairyman**, caring, understanding, witty, intelligent, ambitious, divorced, 45 years old, seeks woman of similar character who enjoys life and would help milk cows, etc. Cows first, romance second."

An excellent source of potential candidates are persons who come looking for work when you may not have any job openings. Sometimes farmers ask such visitors to fill out an application form. Anyone who has filled out an application lately knows, however, that they tend to be too detailed, ask too many questions, and often are not worth the effort for just a "maybe" for the future. A better approach is to simplify the process by asking potential applicants to fill a 3 by 5 card with the bare essentials: 1) applicant name; 2) desired job; and 3) phone number, or other information on how to contact them in the event a position becomes open.

Some farm employers prefer not to have potential applicants contact them directly, so they may take out a post office box for that purpose. Other farmers want to take advantage of their positive reputation, and may provide the farm name in the ad, but include a "no phone calls" request. While the first call may be exciting, by the time the farm employer gets a dozen, she may get tired of answering questions and dealing with the interruptions. The first caller may get a forty-minute description of the job; the last one may get two minutes.

A mailer is a good way for growers and producers to answer many potential

questions, provide information about the job and operation in general, as well as an invitation to participate in an orientation day (more about this below). Addressing the mailer can be time consuming, however. When extensive efforts are taken to recruit, it helps to reduce the total clerical work involved. Farm employers can ask applicants to enclose a self-addressed envelope during the application process. The farm employer should make it clear that the applicant does *not* have to place a stamp, however, or this could give potential employees the wrong idea.

Other time saving possibilities include a Web page or telephone recording, where the farm employer can include additional information about the job, including the date and time for the orientation day. The more information that is provided, the greater the chances that potential applicants can make a well thought out decision as to whether or not to apply. The added advantage of a Website, is the possibility of including a map to the farm, a more extensive job description, photos of the farm operation, and other pertinent data. In a traditional ad there is simply not enough room for much information. One can, however, include a Website address and a phone number that will contain pre-recorded information.

## DESIGN THE SELECTION PROCESS

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A well-designed selection process will yield information about a candidate's skills and weaknesses, enabling the farm employer to make an informed choice.

### Step 1: Determine which selection tools to use

Applicant skills can be evaluated through applications, interviews, tests, reference checks, letters of recommendation, and physicals. Some selection tools are more effective than others, but a combination of tools is usually best. Some farm employers feel strongly about using a one or two week *trial period*. A trial phase in conjunction

with the rest of the tools described in this chapter can be very effective. A trial period makes a poor substitute for a systematic selection approach, however. All too often, if a person is barely good enough for the job, he is allowed to stay on. The chances of selecting the right individual for the job based solely on a trial period are greatly diminished, as we shall see in Chapter 3.

Factors reflecting worker motivation, such as punctuality and attendance, may be elicited within the interview, but contacting previous employers may give more reliable information. If possible, try to verify evidence of specific skills, knowledge, and abilities at more than one point in the selection process (Table 2-1). Time constraints may limit choices.

### Step 2: Prepare questions and situations for written and practical tests, the interview and reference checks

At this point the farm employer converts important skill areas into specific questions or activities for the application, interview, and tests. Also, questions for the reference check may be drawn up. The left-hand column in

Table 2-1 can serve as a checklist of attributes to be verified by selection tools.

Areas of inquiry can help determine an applicant's aptitude for interpreting plant or animal health distress signs, capability with measuring instruments, command of another language, understanding of labor management principles, lifting strength, or welding expertise.

Results are used to assess a candidate's technical knowledge, general problem-solving ability, interest in the operation, and other job-related attributes. Some queries or activities will elicit responses that can be judged objectively, such as how much pesticide should be mixed into a given number of gallons of water. Other responses may be more subjective, such as to an inquiry on how to deal with a negligent employee.

### Step 3: Assign a sequence to hurdles

The farm employer can think of the selection process as a series of hurdles that applicants must clear in order to obtain the job. Each hurdle eliminates some applicants from contention. The sequence of these hurdles needs to be

TABLE 2-1

*Determining where to check for skills, knowledge and abilities*

Skills, knowledge, and abilities may be measured using different tools at different stages of the selection process. An "X" indicates a principal method for measuring that skill, knowledge, or ability; an "O" indicates a secondary method.				
Skills / Knowledge / Ability	Test	Interview	Application	Reference Check
Operating wheel and crawler tractors	X		O	
Adjusting / calibrating equipment	X			
Maintaining equipment	X	O	X	
Using implements (disk, plow)	X	O		
Controlling weeds, pests, diseases	X	O		
Directing efforts of others	O	X	X	O
Training employees	O	X		
People skills	X	X		X
Reading and processing information	X			

designed with care. Generally, the most expensive and time-consuming selection tools are used later in the selection process.

For example, in the selection of a herd manager, 12 candidates may have passed the dairy records and computer test. Since this is not the most important part of the job, high passing scores should not be a strict hurdle to eliminate contenders. Otherwise, the applicant pool might be narrowed inappropriately to those who understand records and computers but lack important hands-on skills with cattle.

If there are only a few applicants, progressive hurdles are unnecessary. When selection tools are not used as hurdles, their sequence is less important. If all applicants will be interviewed and all take a practical test (or *job sample*), it does not matter much which of the steps comes first.

Often employers use biodata (information from applications and *résumés*) as the first step in eliminating applicants from consideration. This is useful if some applicants do not meet specific requirements, such as having a driver's or pesticide applicator's license. But excellent candidates may be eliminated if employers rely on more general qualifications—such as years of experience—as a screening criterion. Longevity in a position may have little correlation with job proficiency.

Furthermore, employers should not be overly influenced by nice-looking applications that may have been typed or completed by someone other than the candidate. Professional *résumé* services can make candidates appear quite attractive on paper. The caution here, then, is that there is little relationship between an applicant on paper and on the job.

Written exams for technical or managerial positions are an effective early hurdle (when ability to write is a requirement) because they are less expensive to administer than interviews or practical tests. Reference checks and medical screening are usually the last two hurdles. (U.S. law requires that medical screenings, if they are used, take place after a job offer has been made.)

When candidates are encouraged to apply, invitations may include a description of the steps in the process, their sequence, and any required applicant preparation. The sequence of hurdles may be programmed to minimize travel and expense for both applicants and employer. A preliminary telephone interview with out-of-state applicants may eliminate unnecessary travel. Written tests can sometimes be mailed out-of-state when they can be administered to applicants by a trusted, qualified third party.

*In a realistic job preview farmers try to present the job the way it really is. Selected applicants who have an accurate understanding of the job—of both its desirable and difficult aspects—are more likely to stay and succeed.*



#### Step 4: Provide a realistic job preview

Applicants who have a clear understanding of what the job entails can make more informed decisions as to whether they want to apply. For instance, will the job meet their financial, emotional, and social needs? Selected applicants who have an accurate understanding of the job—of both its desirable and difficult aspects—are more likely to stay and succeed.

When described to workers, conditions do not have to be labeled as positive or negative. Workers can make their own judgment. For instance, working alone will be viewed positively by one applicant and negatively by the next (see Chapter 16).

The realistic job preview begins with the job announcement and position description. As prospective applicants inquire about the job, farm managers can provide applications, position descriptions, and additional information. Although some employers use the preliminary interview to learn about applicants, the best use of this selection tool is to provide information to applicants.

If interviews as well as practical and written tests truly mirror the job requirements, these can also help candidates understand the job. If an applicant must lift half a dozen 3-wire alfalfa bales as part of the practical exam, he may eliminate himself if he has a bad back.

### EXCHANGE INFORMATION WITH APPLICANTS

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#### Step 1: Conduct a pre-interview (orientation day)

Good communication during the preliminary interview can minimize doubts about the job. One agricultural enterprise manager scheduled small groups of applicants for a tour of the ranch operation. This sort of informal pre-interview, where applicants have a chance to ask questions about the job and learn more about working conditions, is very effective. At this

point the farm employer does not have to make any decisions about eliminating applicants from the next stage, but some will drop out on their own—better now than after they are on the job!

Bruce Burroughs received over 300 applications for a cow feeder position and invited all to an orientation day. Only 60 potential candidates showed up. That was a little indication of how serious the others were about the job. Bruce had the opportunity to talk to applicants about the position requirements, what the selection process would be like, and tour them around the dairy operation. Furthermore, Bruce took the opportunity to give a mini-test to the applicants. This test helped him decide who to invite to the next hurdle. This was done in part because many of them had come from far away. The natural selection filter had to be a written test as it would not be practical to give a job sample test to all the applicants, and Bruce did not want to over-burden applicants by having them drive all the way back another day. The written test was very simple.

One question that a farm employer could ask in such a test might be, “You have seen a cow in heat, and there is no one around. Please write to me a note that cow number 312 is in heat.” If the person will need to deal with numbers on the job, perhaps a simple math question could also be included. Bruce did not want to eliminate people on the basis of how well they wrote, but since ability to communicate in writing was important, it would be the basis for inviting the top 20 candidates for the next hurdle in the process. More about written tests will be mentioned under that heading.

#### Step 2: Review applicants’ biodata (applications and résumés)

A properly designed application will help you check applicants’ minimum skills as well as their employment history. Very short employment periods, vague reasons for leaving previous jobs, and large gaps in employment history may all be cause for concern. Yet, too much credence has traditionally been

given to biodata in the selection of personnel. Skills and abilities that applicants claim to possess do not always show up in their job performance.

### Step 3: Conduct tests

Many types of tests can be used to measure an applicant's qualifications. They can be classified as power versus speed tests, as well as written, oral, or practical tests. Tests can measure knowledge, ability, skills, aptitude, attitudes, honesty, and personality. Whatever the type of test used, however, the integrity of test questions needs to be guarded. Test materials and scratch paper should not be removed from test sites by applicants, where they could possibly be shared with future applicants.

*Speed versus power tests.* *Speed* tests require applicants to perform repetitive tasks in a limited amount of time. They are typically used for skills such as picking, pruning and sorting. *Power* tests require applicants to demonstrate depth of ability rather than speed, such as in the diagnosis of a mechanical malfunction. You will still want to place reasonable time limits that resemble the reality of time pressures on the job.

*Written, oral, and practical tests.* A written test enables you to question an applicant on many areas in a short time period. Several formats may be used: multiple-choice, short-answer, fill-in-the-blank, and long-answer or essay questions. Though essay questions may be easier to construct, multiple-choice and short-answer tests are easier to score. Tests that require interaction with a computer may also be given.

In "open book" tests, applicants can consult the reference materials that they would normally have available on the job. For instance, a farm employer may allow applicants for a vineyard manager position to use classification keys or other reference materials for identifying vineyard pests. Open book tests can be quite demanding and revealing of workers' true abilities. References are usually most helpful to those who already understand the material.

Written exams provide a fine opportunity to exercise management creativity. For example, a dairy farmer can attach a DHI (Dairy Herd Improvement) record and ask applicants several questions that would reveal their understanding of these records as well as of herd management. Diagrams, slides, or photos of diseases could also be used.

Rien Doornenbal, a dairyman from Escalon, California, talked about how it felt to give a test: "I knew what our ranch manager would be required to do and know, so it wasn't hard to write up test questions. Telling [applicants] about the written test was hard for me to do. It wouldn't be difficult to do the second time. At first I started giving the written test to one person at a time. Later, as I gained confidence in what I was doing, I started giving a group test, and that worked best."

Although somewhat concerned about applicant reaction to the selection process as a whole, Rien reports: "Surprisingly enough, I got some good feedback about my selection process from the better qualified candidates. They said, 'Hey, this is really neat.' They thought I was going about this in the right way."<sup>9</sup> Ten years later, Rien was still using this approach to hire a manager for a second operation.

In practical tests, applicants are required to complete a job sample or a simulated task. Job samples may include pruning pear trees, milking a cow, sorting cherries, or backing up a tractor. Simulations are normally less realistic than job samples. Examples include demonstrating CPR (cardiopulmonary resuscitation) on a dummy, lifting weights at a medically supervised physical, and "flying" a crop duster in a computer simulation.

Bruce Burroughs set aside two days in which applicants were asked to demonstrate their skills with equipment and cows. With the help of other dairy personnel, he designed three practical test stations where applicants would perform tasks representative of what they would have to do on the job.

Before the first applicant ever set foot on the ranch for the practical test,



*Much can be understood about applicants from observing how they move around animals. People who are scared of farm animals are often the ones who handle them roughly.*

Bruce and his team pre-tested each job sample station. Using “volunteer” applicants from among the employees and family, the team of evaluators observed where the tests had to be modified or adapted, and they discussed how to score different levels of performance consistently. The team decided that applicants would be scored on their ability to follow instructions, the precautions they took, task-specific skills, and general communication skills.

At the first station, the task was to load 300 pounds of haylage from a pit onto a mix wagon with a front-end loader. Next, applicants drove a mixer forward and then backed it up over a prescribed course. At the final station, each applicant had to herd a fresh set of three cows through a series of fences. Each station was staffed by trusted farm personnel who evaluated applicants on a prescribed scale. After finishing the practical tests, each applicant went to the office for an interview.

The applicants varied enormously in their performance on the practical tests and not always in expected ways. One applicant had to take three trips to get enough silage, while most others did it in a single trip. Another banged the front-end loader too hard on the mixer. One was excused from driving the mixer after he failed to back up in a straight line and created concern that the

machine could end up in the cow pens. At the last station, applicants were instructed to move cows through certain pens. One applicant made the job look easy, while others struggled.

Noel Weeks of Nicolaysen Farms in Ripon, California, explained, “The way we tested [almond sorters] was by taking a scoop of almonds and weighing what percentage of the scoop contained good almonds [and] damaged ones. Almonds don’t evaporate, so the percentage of worm damaged, or chipped almonds would remain the same. Some applicants would throw away some of the good stuff, too.”<sup>10</sup>

The in-basket exercise is another form of simulation. Applicants receive a series of written notes and problems and must determine how—and in what order—they would handle each. In-basket exercises are useful to determine how applicants work under time pressure and how they plan their time. For instance, an applicant for a barn or equipment construction position may be asked to prepare a time line for different phases of the project. Dairy farmer Tim Wickstrom successfully used this approach to test accountant applicants on their time management and logical skills.

Observing how an applicant handles farm animals, starts a tractor, or hooks up a welding machine provides useful information about her experience with these tasks. People who are scared of farm animals are often the ones who handle them roughly. Nevertheless, such subjective observations should be transformed into objective measures whenever possible.

*What tests measure.* Tests that measure specific skills, knowledge, and abilities are the most useful selection tests. Intelligence and personality tests, on the other hand, are normally of limited utility. Intelligence tests may indicate a person’s potential to analyze and digest information quickly, but may do little to show a person’s practical skills. Neither will an intelligence test predict an applicant’s motivation, confidence, or need for achievement.

Personality and honesty are important, but tests provide little help in

## SIDEBAR: 2-2

## Two Legal Concerns

The employer should be aware of two legal questions that can arise during practical tests: (1) At what point does a trial period become employment? (2) Is an applicant who is injured during a practical test covered by workers' compensation insurance?

*First, when does the selection process itself become employment?* Equipment operators may be asked to demonstrate ability by loading and unloading a tractor from a ramp, and managers may be asked to answer situational questions in an interview as part of the selection procedure. Because there is no resulting "product," most would agree that these workers are not employees, and, therefore, they need not be paid. On the other hand, if a dairy farmer "tried out" a dairy worker for a couple of weeks, most people would agree that this person was an employee, not an applicant.

Not all cases are so clear-cut, however. Does a 1-hour pruning test constitute employment? Would your answer change if the test were 15 minutes long? Two hours? A common sense approach is best. For instance, one pruner might contribute directly to profits in a 1-hour test, but another might harm the vines. To determine what constitutes a fair employment test resulting in a product, factors such as the total amount of work available and

the amount of supervisory and management time involved in evaluating the practical test should be considered. Most farm employers would not object to paying the workers for time spent on the test so long as they were not considered employees in terms of immigration, unemployment insurance, and a host of other laws.

*Second, when job applicants are injured in an employment test, are they covered under the employer's workers' compensation insurance?* An affirmative answer has been rendered by at least two state courts. Employment tests, they reason, benefit both employer and employee.<sup>11</sup> The workers' compensation system should cover accidents during the selection process unless the employer was negligent.

Farm employers still need to think of the safety of the applicants and provide appropriate training. Instructing candidates on the proper techniques for lifting alfalfa bales, for instance, will not detract from their performance on a test measuring such a skill. If the candidate seems to be struggling with a task or doing something in an unsafe manner, it is better to stop the test rather than risk an accident. Some farm employers have taken out liability insurance for the eventuality of an accident, as well as for other related issues. As with any legal matter, make sure to consult with a qualified labor attorney.

evaluating these characteristics in a selection setting. Applicants can easily fake answers, and these tests are often offensive, prying into people's personal lives in areas that are not job related. Interaction with applicants, especially during the interview, can be a more useful means of evaluating attitudes and personality. Honesty tests may be prohibited by law in some instances, and it is doubtful that they are very helpful. This trait may be measured, in part, by checking references.

#### Step 4: Conduct interviews

An applicant for a ranch hand position claimed to know how to handle horses, mend fences, and have other skills related to the job. "Comes with the territory," he would answer each question about his ability. His lack of skills became readily apparent only after he was hired. Another cowboy watched as he attempted to saddle a horse and asked, "You ain't never rode a horse before, have you?" "No sir, I haven't," came the response. When asked about why he lied to the boss, the new worker replied, "Yeah, well, I was so desperate



for a job that if he'd 've asked me if I flew an airplane I'd 've told'm I could've."<sup>12</sup> Interviews are extensively used for middle and upper level jobs in agriculture, but often yield inferior results unless they are carefully planned and combined with practical tests.

When effective interpersonal relations are critical to a job, so is the interview process. If you are selecting pickers you may dispense with the interview with little negative consequence. Not so when choosing crew leaders who will provide training, discipline, or other supervision. During the interview you have an opportunity to gauge an applicant's leadership qualities and personality.

As with written tests, face-to-face questions or exercises can take several formats. These include short- and long-answer questions, applicant presentations, and situational responses ("What would you do if . . .?"). Some questions allow for a broader range of replies than others. "Closed" questions ask for specific answers, with little room for explanation. Typical closed questions may solicit true-or-false, yes-or-no, multiple-choice, or even fill-in-the-blank answers (for example, the name of an insect). Other questions are "open" and generally allow more flexibility in the response. The interview is an ideal context for open questions.

The interview gives you a chance to probe when unsure about an applicant's answers, capabilities, or work philosophy. Questions might cover the applicant's previous employment or responses to written test questions. Farmers may ask situational queries that in turn stimulate applicants to ask questions of their own. Candidates can often be evaluated by the kinds of questions they ask. The best type of questions that take advantage of the interview process are those that give applicants only part of the information. While some applicants will attempt to answer the question with only partial data, the really good ones will begin to ask you questions.

Chris Nelson of San Felipe Ranch showed supervisory applicants a videotaped scene of an employee

arriving late to work. Applicants were asked, "What would you do if you were the supervisor in this situation?" Some immediately responded with unequivocal answers, whereas others showed superior diagnostic skills by asking appropriate questions: "Is this the first time it has happened?" "How long has the worker been employed?"

Sometimes interviewers get the notion that they should make applicants squirm with difficult questions, especially those applying for the more stressful or demanding farm jobs, such as farm manager or herdsman. Some interviewers feel "that by asking offensive questions, they will be able to see the applicant's 'true colors' and weed out those whose personalities won't fit in the particular work environment. The objective, instead, should be for interviewers to look for 'grace under fire,' or the ability of applicants to juggle a multitude of disparate activities simultaneously." For instance, what would an applicant do if he discovered half an hour before the veterinarian arrives on her scheduled herd check visit, that a milker did not show up and there is no one to take his shift and that the milk tank refrigeration is malfunctioning? "The idea is to see if the applicant has the ability to deal with details so you don't miss deadlines, but also the ability to always see the big picture and not lose sight of the farm's goals."<sup>13</sup>

Although only one person will be hired, the rest will go back out into the community and talk about the farm and their experiences as an applicant. Anything that can be done to give applicants a positive experience throughout the selection process will pay off in the long run. Farmers who have a specific product or label, for instance, may give a sample to each applicant to take home. One dairy farmer gave applicants gift certificates to the local dairy cooperative store where numerous varieties of cheese were sold.

### Step 5: Check references

Reference checking involves obtaining information about applicants

from previous employers. Meeting references in person—which is not uncommon in farming communities—or on the phone is usually more productive than asking them to respond in writing. Reference checks can supply important information about personality and character, and may even provide some legal protection.

For example, one employee who was sexually assaulted by a co-worker sued her employer. She contended that, had management done a more careful reference check when hiring the worker, his previous record of sexual assault would have come to light.<sup>14</sup>

Contacting several references increases your chances of getting an accurate picture of the applicant's performance, in part because employers may not be entirely truthful when providing a reference. Some supervisors may even exaggerate the virtues of difficult employees to get them off their hands and speak poorly of those they wish to keep.

When checking references, it is common courtesy not to call an applicant's present employer unless this individual (1) is seriously being considered for the position, and (2) has given permission. Calling a present employer is a good idea, but can create challenges, too. A dairyman shared: "One of the better qualified people was talked out of taking this position because his boss knew he was interested in making the move. I called his boss and ... after I told him a little about the job he said, 'he will do *your* job standing on his head, and I will tell you something else, I will do my best to keep him.'"<sup>15</sup>

### Step 6: Conduct a final interview (if needed)

Even after following the steps described above, you may still have trouble making a decision. A final interview with the top two or three candidates can help resolve the dilemma. This final interview could be held formally or be part of another activity, such as dinner.

While the employer attempts to evaluate prospective applicants, it may be easy to forget that applicants are also forming impressions about the employer. From the first contact with potential applicants and throughout the selection process, those who interact with applicants need to be supportive. Whenever possible applicants' self esteem should be built up. Certainly, farm employers should avoid humiliating participants because of what they do not know.

## BRING NEW EMPLOYEE ABOARD

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### Step 1: Make offers and convey rejections

Following a thorough selection process enables you to base a decision on substantial data rather than on intuition alone. It is worth starting over with the recruitment process if you are not satisfied with any of the applicants. Offering the job to someone "because we've come this far" could mean hiring the wrong person for the job.

Making a job offer can be rewarding. Both applicant and employer are usually excited about confirming that a position has been offered and accepted. If you plan to include a medical examination as part of the selection process, the job offer can be made conditional upon passing a job-related physical (see Step 2).

When applicants and farm employer do not share the same language, a written offer of employment may be

*Offering the job to someone "because we've come this far" could result in costly consequences.*

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desirable. When offers are made orally, follow-up letters of confirmation help avoid misunderstandings. Additionally, although a starting salary and other working conditions may have been discussed, this is a good time to confirm these agreements.

Usually both parties want the new job to start immediately, but traditionally, applicants are allowed to give their present employer advance notice of their departure (e.g., 2 weeks). Some workers may need additional time to relocate or for personal reasons. Others may even need to take a short vacation as part of the transition. It is unwise to pressure an individual to begin the job immediately. Such an employer may obtain compliance at the cost of good will. He may give the impression of being disorganized or unconcerned about workers.

Unfortunately, too often candidates who are not selected for a position never hear from the employer. Others may find out a position was filled when they see the new employee. In addition to common courtesy, a reason for promptly notifying all applicants is that farm employers may want to stay in touch with top contenders to fill future openings. Do not commit yourself to *calling* all the candidates and letting them know if they got the job or not. When you telephone candidates, this will raise their hopes, only to be let down a moment later. I prefer to send letters to those who were not selected. A thoughtful rejection letter might be worded along the lines of the one in Figure 2-3.

Despite all your efforts to ensure that the best worker is hired, it is still possible for unexpected challenges to develop. For instance, the chosen applicant may not accept the job offer. Perhaps the applicant's current employer gave him a large raise to avoid losing him, or personal reasons kept him from taking the job.

If the new employee is not able to do part of the job as originally designed, he may be able to compensate in other ways. These changes may need to be reflected in a revised job description.

At times it becomes obvious to both the new employee and farmer that the relationship will not work. For whatever reasons, a farm manager who loses the newly selected employee may still be able to attract one of the other top contenders to avoid starting over at the recruitment stage.

## Step 2: Oversee the post-offer pre-placement physical ability testing<sup>16</sup>

A well-planned physical and physical ability exams require that the examining physician and physical therapist understand the job requirements. Some doctors and therapists are willing to work closely with agricultural enterprises to develop a job-related physical examination. Tests of important factors such as blood cholinesterase level, hearing ability, lifting strength, and tolerance for wearing a respirator will be useful in making employment decisions. Data may also be important to managing workers' compensation as well as farm illness and injury programs. Denying employment merely because of a conceivable propensity to disease or injury—without any history of it—may raise ethical and legal questions as well.

Dr. Alexis Dasig, who practices occupational medicine at the Gould Medical Foundation in Modesto, California, explained: "Because of the physical demands of many jobs in agriculture, a pre-placement medical evaluation is a wise investment. A farm worker was sent to us after his second day on the job. He had hurt his back on the job and has been off for the past year now. I am sure [the employer is] spending thousands of dollars on workers' compensation. If he had been given a pre-employment physical, we might have discovered that he already had three chronic lower back problems and that he was not physically fit to perform that kind of work."<sup>17</sup>

Physical therapist, Lyle Andersen, also from Modesto, adds, "We perform a thorough muscle/skeletal/postural evaluation. While the participants lift and carry progressively weighted objects we are evaluating fatigue levels and

Dear Applicant:

Thank you for your interest in the farm manager position with our farm. We regret to inform you that you were not selected. There were over 12 applicants, and we could choose only one of the several well-qualified candidates. We enjoyed meeting you and were particularly impressed with your interpersonal and mechanical skills. Please keep us in mind in the future. Thanks again for your time and interest. We wish you well in your career.

FIGURE 2-3

Sample rejection letter.

body mechanic issues. In cases where there is an accurate job analysis available, the individual will then be offered the opportunity to demonstrate safe lifting ability up to the documented maximum job requirement.” Lyle notes that those who lift safely tend to maintain a straight back, bend their knees, and look forward. Those with poor lifting skills tend to compensate and utilize weaker muscles, such as those of the back.<sup>18</sup>

Farm employers may want to add pre-employment drug testing where labor laws permit it. One dairy worker confided, “Before I went clean on drugs a few years ago, I used to work all day and not even remember what I had done.” It pays to wait until drug test results are back, however, before allowing an individual to start work. Reputable drug-testing firms using established and reliable procedures should be contracted with. It would be quite serious to reject an applicant who had never used drugs on the basis of a false positive test result.

Drug testing is more accepted—and may even be required by law—when personnel must operate dangerous equipment or are in a position to harm others. Normally, employers are not challenged for conducting pre-employment drug testing. Once workers are on the job, however, employers are expected to balance employee privacy rights against safety considerations.

Random drug testing for those on the job is usually not as well-accepted except in high responsibility positions where people’s lives are at stake. Testing people who have either been involved in an accident, or near accident, or seem under the influence is often considered more necessary. It is important to think ahead of time about what measures will be taken against employees who fail the test. Will they be terminated or sent to a drug rehabilitation program? Often, these circumstances present an opportunity to help employees overcome drug addiction, as long as the farm employer makes it clear that a single misstep in the future will result in termination.

### Step 3: Conduct orientation

Seldom in their careers will employees be so pliable or receptive to change as during their orientation period. This is particularly true when such changes have been clearly outlined through a realistic job preview. Farmers can plan the orientation to take full advantage of this phenomenon.

In psychological terms, new personnel go through an “unfreezing” period, in which they are receptive to new ideas and new ways of doing things. The very step of looking for a new job often means applicants are receptive to change. A new hire may act readily on a suggestion to take classes at the local community college, for instance, even after resisting the same idea a year earlier.

During this period, workers can make a successful transition into supervisory work. A person who has never been in a leadership position might have to adjust his thinking to that of a manager. Employees can learn to be part of a committed team that contributes to decision making.

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*Seldom in their careers will employees be so pliable or receptive to change as during their orientation period.*

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*A comprehensive employee selection process does not guarantee the selection of the right person, but it does help avoid many common mistakes.*

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Employees will be especially receptive to a farmer's working philosophy during the orientation period. Farmers must strike a balance between philosophical indoctrination and allowing new workers to learn about the job by trying it. Discussions should be brief, or the worker will have trouble remembering everything supervisors say.

Instructions that seem clear to the farm manager may not be to a new worker, especially one overloaded with information. After a week or two, farm

employers can review the information with new hires. Avoid negative comments about a previous or present employee.

Unwritten rules, traditions or informal perks should be discussed with employees as part of the orientation period. For instance, an employee may resent doing a job that requires driving his own vehicle to town, not knowing that the farm employer expects to be charged mileage for the effort.

Co-workers also realize that the orientation period can be used to gain the sympathy of a new worker. Some workers will attempt to “orient” employees to their way of thinking. Others may engage in hazing. Such activities can be destructive, even leading new employees to quit. Anti-hazing policies and assigning new employees a respected mentor may help. These established workers can help orient new hires to their jobs, to other co-workers, and to the work environment through a continuing informal relationship.

Test and interview results can be analyzed so that a comprehensive training and development plan can be drawn up. New employees should be exposed to as wide an array of tasks as practical, within their job description, early on in their careers.

Even before new personnel arrive for their first day at work, they may need information about such things as local banks, housing, utilities, and community activities. If it is available and applicable, supplying information about children’s schooling, possible jobs for a working spouse, or community activities can be helpful, though some applicants will prefer to investigate these factors on their own.

A checklist of items to be discussed during the orientation period is useful. It should clearly outline management expectations and help answer typical questions asked by new employees.

You may also want to take new personnel out to eat and to meet community members at the local hangout. Building a good working relationship is a long-term endeavor. The orientation period provides key opportunities towards this end.

If a probationary period is set up before the employee is hired, it needs to be structured so an employer does not feel forced to make a pass/fail decision at the end of such a period. A probationary period is most useful when the employer allows for extending the probation when warranted. Such an evaluation needs to take place before the probationary period expires (see Chapter 14).

## SUMMARY

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Farmers need to understand the skills and abilities that are required in a particular job and determine which candidates have those capabilities. Interviews, reference checks, tests, applications, and *résumés* can all help identify differences among candidates. The comprehensive process described here does not guarantee the selection of the right person, but it does help avoid many common mistakes. Farm employers can make their selection decisions with a fuller awareness of the applicants’ strengths and weaknesses. Combined with a good orientation period, careful selection enables the employer and new personnel to start out on a positive path.

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- ag-labor/7manual/7dao.htm within the *Agricultural Labor Management Website*. These resources need to be adapted to your needs, and it is unlikely that they can be used without modification.
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## Validating the Selection Process



Jack Kelly Clark

**“A couple of years ago we started experimenting with a new hiring procedure for our pruning crews. I feel the only fair way to hire pruners is through a practical test. We don’t have the problem any more of hiring people who claim to know how to prune only to find after they are on the job that they don’t know. I think 10 to 15 years from now a pruning test will be the standard for the industry.”<sup>1</sup>**

**Vineyard Manager  
San Joaquín Valley, California**

*Validity* is a measure of the effectiveness of a given approach. A selection process is valid if it helps you increase the chances of hiring the right person for the job. It is possible to evaluate hiring decisions in terms of such valued outcomes as high picking speed, low absenteeism, or a good safety record. A selection process is not valid on its own, but rather, relative to a specific purpose. For example, a test that effectively predicts the work quality of strawberry pickers may be useless in the selection of a capable crew foreman.

A critical component of validity is *reliability*. Validity embodies not only what positive outcomes a selection approach may predict, but also how *consistently* (i.e., reliably) it does so. In this chapter we will (1) review ways of improving the consistency or reliability of the selection process; (2) discuss two methods for measuring validity; and (3) present two cases that illustrate these methods. First, however, let’s consider a legal issue that is closely connected to validity: employment discrimination.



## AVOIDING DISCRIMINATION CHARGES

It is illegal—and a poor business practice—to discriminate on the basis of such *protected characteristics* as age (40 or older), sex, race and color, national origin, disability, and religion. In terms of discrimination one can distinguish—to use the language of the courts—between (1) disparate *treatment* and (2) adverse *impact*. Outright discrimination, or disparate treatment, involves treating people differently on the basis of a protected classification.

Examples of such illegal personnel decisions are disqualifying all women from arc-welding jobs on the assumption that they cannot operate the equipment, or hiring field workers only if they were born in Mexico.

Practices that appear unbiased on the surface may also be illegal if they yield discriminatory results—that is, if they have adverse impact. For instance, requiring a high school diploma for tractor drivers might eliminate more minority applicants from job consideration. If not related to job performance, this requirement is illegal. Even though there appears to be nothing discriminatory about the practice—or

perhaps even about the intent—the policy could have an adverse impact on minorities. In another example, a policy that requires all applicants to lift 125-pound sacks—regardless of whether they will be hired as calf feeders, pruners, office clerks, or strawberry pickers—might have an adverse impact on women.

Clearly, it *is* legal to refuse employment to unqualified—or less qualified—applicants regardless of their age, sex, national origin, disability or the like. You are not required to hire unqualified workers. Employers, however, may be expected to show that the selection process is job related and useful.<sup>2</sup>

An employer can give applicants a milking dexterity test and hire only those who do well. If a greater proportion of women passed the test, more women would be hired—on the basis of their test performance, not of their gender.

If women consistently did better than men, however, the farmer could not summarily reject future male applicants without testing them. Such a practice would constitute disparate treatment. In general, the greater the adverse impact, the greater the burden of proof on employers to defend the validity of their selection process if it is challenged.

The Americans with Disabilities Act is likely to cause an increase in the number of job opportunities for disabled individuals. A systematic selection approach, one where applicants have the chance to demonstrate their skills, is more likely to help you meet the requirements of this law. Instead of treating people with disabilities differently, where one might make assumptions about who can or cannot do a job, all applicants have the same opportunity to demonstrate their abilities. In some instances, applicants with disabilities may ask for specific accommodations.

Research has shown that people tend to make unfounded assumptions about others based on such factors as height and attractiveness. Obtaining more detailed information about an applicant's merits can often help employers

*An employer can give applicants a milking dexterity test and hire only those who do well. If a greater proportion of women passed the test, more women would be hired—on the basis of their test performance, not of their gender.*



**SIDEBAR 3-1****Suggestions for Interaction with the Disabled<sup>3</sup>**

- (1) Speak directly to the person rather than to a companion of the disabled.
- (2) Focus on the person's eyes, not the disability. (This is especially so when speaking to someone who is severely disfigured.)
- (3) Be patient. (If a person has a speaking disability, formulated thoughts may not be expressed easily. Also, be patient with the mentally retarded and those whose disabilities may reduce activity or speed of communication.)
- (4) Remember, a disabled person has feelings and aspirations like everyone else (even though muscles, hearing, or eyes may not work as well).
- (5) Refrain from hasty assumptions that uncoordinated movement or slurred speech are the result of intoxication.
- (6) Use slower speed but a normal tone of voice to speak with someone with a hearing impairment (no need to shout).
- (7) Do not cover your mouth when talking to someone with a hearing impairment (they may read lips).

(8) Write down the message if needed, when communicating with the hearing impaired.

(9) Announce your general intentions with the visually impaired (introduce yourself, announce your departure).

(10) Avoid gestures when giving instructions to the visually impaired.

(11) Offer to cut food when meals are involved; for those with muscular disabilities, have food pre-cut in the kitchen; tell those with visual disabilities where their food, utensils, and so on are placed, in terms of a clock (e.g., your milk is at 12 o'clock, knife at three o'clock).

(12) Avoid panicking if an individual has a seizure (you cannot prevent or shorten it). Instead, (a) protect the victim from dangerous objects she may come in contact with; (b) avoid putting anything between the victim's teeth; (c) turn the victim's head to the side when he relaxes; and (d) allow the victim to stay where she is until consciousness is regained.

(13) If you do offer help, make sure it is completed (e.g., don't abandon a blind person before he knows his exact location).

(14) Remember, the person with the impairment is the expert on how he can be helped.

overcome stereotypes and avoid discriminatory decisions. For instance, I know of a dedicated journeyman welder who can out-weld just about anyone, despite his missing the better part of an arm. Suggestions for interaction with the disabled are offered in Sidebar 3-1. A well-designed selection approach can help farmers make both legal and effective hiring decisions.

## IMPROVING SELECTION RELIABILITY

For a selection process to be valid, it must also be reliable. That means the process must measure what it is designed to measure, and do so consistently over time. For instance,

how consistently can a Brix refractometer gauge sugar content in table grapes? How reliable is a scale when measuring the weight of a calf? And how often does an employee selection process result in hiring effective workers?

*Obtaining more detailed information about an applicant's merits can often help employers overcome stereotypes and avoid discriminatory decisions.*





*For a selection process to be valid, it must also be reliable. That means the process must measure what it is designed to measure and do so consistently over time.*

Reliability is measured in terms of both (1) selection scores and (2) on-the-job performance ratings. If either measure is unreliable, the process will not appear to be valid. No matter how consistently workers pick apples, for instance, if an apple-picking test yields different results every time it is given to the same person, the lack of test consistency will result in low validity for the overall procedure. More often, however, it is the on-the-job performance measures that lack consistency. Performance appraisals are often heavily influenced by the subjective evaluation of a supervisor (Chapter 6).

Reliability may be improved by ensuring that (1) the questions and activities associated with the selection process reflect the job accurately; and (2) raters reduce biases and inconsistencies in evaluating workers' performance.<sup>4</sup>

### **Avoiding content errors**

Content errors occur when different applicants face unequal appraisal situations, such as different sets of questions requiring dissimilar skills, knowledge, or abilities. One applicant for the job of vineyard manager, for example, might be asked about eutypa and mildew and another questioned on phylloxera and grapeleaf skeletonizer.

As applicants may do better with one set of questions than the other, all should be presented with approximately the same items. Content errors may be reduced by carefully identifying the most important skill requirements for that job. Some flexibility is needed to explore specific areas of different applicants' qualifications, but the greater the variance in the questions presented, the greater the potential for error.

Hiring decisions should not be based on partial results. It can be a mistake to get overly enthusiastic about one candidate before all the results are in, just as it is a mistake to eliminate candidates too freely. It is not unusual, for instance, for a candidate to shine during the interview process but do poorly in the practical test—or vice versa.

### **Reducing rater inconsistency**

Rater inconsistency accounts for a large share of the total unreliability of a measure. Objective indicators are more likely to be reliable than subjective ones, but even they are not totally free from scorer reliability errors (e.g., recording inaccuracies).

One manager felt his seven supervisors knew exactly what to look for in pruning a young orchard. After a little prodding, the manager agreed to a trial. The seven supervisors and a couple of managers discussed—and later set forth to judge—pruning quality. Four trees, each in a different row, were designated for evaluation. Supervisors who thought the tree in the first row was the best pruned were asked to raise their hands. Two went up. Others thought it was the worst. The same procedure was followed with subsequent trees, with similar results.

In another situation, four well-established grape growers and two viticulture farm advisors participated in a pruning quality study. As in the preceding situation, quality factors were first discussed. Raters then went out and scored ten marked vines, each pruned by a different worker. As soon as a rater finished and turned in his results, to his surprise he was quietly asked to go right back and rate the identical vines again. The raters' ability to evaluate the vines consistently varied considerably. It is clearly difficult for each rater to be consistent in his own ratings, and it is even more difficult to achieve consistency or high reliability among different raters.

Here are eight areas where you can reduce rating errors:

1. *Present consistent challenges to applicants.* You can draw up a list of job-related questions and situations for interviews, practical tests, and reference checks (see Chapter 2). A standard set of comments to make when talking to applicants who show an interest in the position may also prevent uneven coverage of important information. It is all too easy to get excited sharing the details of the job with the first applicant who inquires, but by the time you talk to twenty others, it is hard to keep up the same enthusiasm. Pre-prepared written, visual, or recorded oral materials can often help.

Rules and time limits should be applied in a like manner for all candidates. If one foreman allows more time or gives different instructions to applicants taking a test, resulting scores may differ between equally qualified persons.

2. *Use simple rating scales.* The broader the rating scale, the finer the distinctions among performance levels. A scale of 0 to 3 is probably easier to work with consistently than a scale of 1 to 10 (see Figure 3-1). I find the following way to think about these numbers helpful: a 0 means the applicant was unable to perform this task at all; a 1 means that the applicant is unlikely to be able to perform this task; a 2 means the individual could do the task with some training; and finally,

Vineyard Pruning-Quality Scorecard			
Quality factor	Rating	Weight	Score
Fruiting wood selection		x4	
Spur placement		x3	
Spur number		x2	
Spur length		x2	
Closeness of cut		x2	
Angle of cut on spur		x1	
Distance of cut from bud		x1	
Removal of suckers		x1	
Total:			
Rate each category from a <i>three</i> (superior) to a <i>zero</i> (intolerable). Then multiply <i>rating</i> by the <i>weight</i> to obtain the <i>score</i> . Determine what the mistake tolerance for each quality factor will be, ahead of time, for a given sample of vines evaluated.			

FIGURE 3-1

*Pruning Score Card.*

a 3 means the person is excellent and can perform this task correctly right now. Some raters will add a plus or a minus to these numbers when trying to distinguish between multiple candidates, such as a 2+ or a 3-, and that is fine, as the basic numbers are properly anchored to begin with.

3. *Know the purpose of each challenge.* If it is difficult to articulate either the reason for including a question or what a good response to it would be, perhaps the item should be rephrased or eliminated.

4. *Reduce rater bias.* Raters need training, practice opportunities, and performance feedback. Utilize only effective, consistent raters, and provide clear scoring guidelines. Finally, when possible, it helps to break down potentially subjective ratings into objective components. (Chapter 6, on performance appraisal, deals further with rater skills.)

5. *Employ multiple raters.* Multiple raters may function in either a single or a sequential approach; that is, applicants may face one or several raters at a time. One advantage of having multiple raters



*It is possible for an instrument to measure consistently yet still be useless for predicting success on the job. Consider the farmer who hires cherry-pickers on the basis of their understanding of picking quality. Once on the job, these workers may be paid solely on the basis of speed.*

for each specific step is that raters share a common ground on which to discuss applicant performance. Employing multiple raters may also force individual raters to defend the logic of their questions and conclusions. Improper questioning and abuse of power may also be discouraged.

It is best for multiple raters not to share their evaluations until all candidates have been seen. In that way they are more likely to develop independent perceptions, especially if they belong to different levels in the management hierarchy or vary in aggressiveness. Some raters may be too easily swayed by hearing the opinions of others. Avoiding discussion of the candidates until all have participated in the practical test or interview session takes self-discipline. One advantage of reviewing candidates right after each performance is that perceptions are fresh in each rater's mind. Time for raters to take adequate notes between candidates is therefore crucial.

Sometimes raters seem more concerned with justifying their stand than with hiring the best person for the job. This may become apparent when a rater finds only good things to say about one candidate and bad things about the rest. A skillful moderator, who is less invested in the position being filled, may help. This facilitator can help draw out

shy raters and help manage disagreement among more aggressive ones. Positive and negative qualities about each candidate can be jotted down or displayed where all can see. Finally, participants can disclose their rankings for further discussion.

*6. Pretest each step of the selection process for time requirements and clarity.* Trying out interviews and tests in advance helps fine-tune contents and determine time limits. A trusted employee or neighbor who goes through the selection steps can advise you on modifications that improve clarity or reasonableness. Moreover, the results from a pretest can be used to help train raters to evaluate applicant performance.

Not infrequently, a query "matures" during successive interviews. As they repeatedly ask a question, interviewers sometimes realize that another question was really intended. The selection process is fairer to all if the correction is made before the actual applicants are involved.

*7. Pay close attention to the applicant.* Carefully evaluating candidate performance takes concentration and good listening skills, so as to help raters avoid premature judgments. If as an interviewer you find yourself speaking more than listening, something is amiss. Effective interviewing requires (1) encouraging the applicant to speak by being attentive; and (2) maintaining concentration on the here-and-now. Because interviews can be such a mental drain, it is a good idea to space them so there is time for a break between them.

*8. Avoid math and recording errors.* Checking rating computations twice helps avoid errors. On one farm, foremen are asked to conduct and rate portions of a practical test. To simplify their task, however, the adding of scores—and factoring of weights—takes place back in the office.

We have said that it is possible for an instrument to measure consistently yet still be useless for predicting success on the job. Consider the farmer who hires cherry-pickers on the basis of their understanding of picking quality. Once on the job, these workers may be paid

solely on the basis of speed. The motivation for people to perform during the application process and in the course of the job might be quite different. There can still be a benefit to a selection approach that measures performance in a very different job environment. Even when hiring for an hourly wage crew, for instance, a pruning test under piece rate conditions may be used to eliminate workers whose speed or quality are below a cutoff standard.

## MEETING VALIDITY REQUIREMENTS

Two important means of establishing the validity of a selection instrument are the *statistical* and the *content* methods. A related consideration is “*face validity*”—though not really a validation strategy, it reflects how effective a test *appears* to applicants and judges (if it is ever contested in court). Ideally, a selection process is validated through multiple strategies. Regardless of which strategy a farmer uses, a rigorous analysis of the job to be filled is a prerequisite.

### The statistical strategy

A statistical strategy (the technical term is *criterion-oriented* validity) shows the relationship between the test and job performance. An inference is made through statistics, usually a *correlation coefficient* (a statistic that can be used to show how closely related two sets of data are, see Sidebar 3-2).

For example, a fruit grower might want to determine how valid—as a predictor of grafting ability—is a manual dexterity test in which farm workers have to quickly arrange wooden pegs in a box. If a substantial statistical relationship exists between performance on the test and in the field, the grower might want to use the test to hire grafters—who will never deal with wooden pegs in the real job.

### The content-oriented strategy

In a content-oriented strategy, the content of the job is clearly mirrored in

the selection process. This approach is useful to the degree that the selection process and the job are related. Thus, it makes sense for a herdsman who performs artificial insemination (AI) to be checked for AI skills, for a farm clerk-typist to be given a typing test, and so on. The pitfall of this method is that people tend to be examined only in those areas that are easiest to measure. If important skills for the job are not tested, the approach is likely to be ineffective.

### Face validity

“Face validity” refers to what a selection process (or individual instrument) appears to measure on the surface. For instance, candidates for a foreman position will readily see the connection between questions based on agricultural labor laws and the job.

*“Face validity” describes what a selection process appears to measure on the surface. For instance, candidates for a foreman position will readily see the connection between questions based on labor laws and the job.*



SIDEBAR 3-2

Correlation Coefficients can be used to Gauge Reliability or Validity

The statistic essentially measures the extent to which two variables are linearly related. You cannot assume a cause-and-effect relationship just because of a high correlation. Factors may be related without one causing the other. Many inexpensive, easy-to-use calculators are available today that quickly compute the *correlation coefficient* used in the statistical approach.

Correlations may range from -1 through 0 to a +1. A positive correlation indicates that applicants who did well on a test would do well on the job; those who did poorly on the test would do poorly on the job. A negative correlation indicates that applicants who did well on a test would do poorly on the job; those who did poorly on the test would do well on the job. A correlation coefficient score close to “0” would indicate the test and performance are not related. Expect correlation coefficients that measure reliability to be higher than those that convey validity (see table below, with subjective meanings for reliability and validity coefficients).

A related factor is that of *statistical significance*. Statistical significance answers the question, “Are these two factors related by chance?” The fewer the number of pairs compared, the higher the correlation coefficient required to show significance. Statistical significance tables can be found in most statistic books. Below I indicate what the correlation coefficients can mean (in evaluating the *strength* of a negative correlation coefficient using the table below, ignore the negative sign. For instance, instead of a -0.56, just read 0.56):

Meaning of <i>Reliability</i> Scores	
<i>Correlation coefficient</i>	<i>Subjective Meaning</i>
r = .70 or greater	Somewhat acceptable
r = .80 or greater	Good
r = .90 or greater	Excellent

Meaning of <i>Validity</i> Scores	
<i>Correlation coefficient</i>	<i>Subjective Meaning</i>
r = .40 or greater	Somewhat acceptable
r = .50 or greater	Good
r = .60 or greater	Excellent

Although face validity is not a type of validation strategy, it is usually vital that a selection approach appear to be valid, especially to the applicant. A farmer wanting to test for a herdsman’s knowledge of math should use test problems involving dairy matters, rather than questions using apples and oranges. The skills could be determined by either approach, but applicants often resent being asked questions that they feel are not related to the prospective job.

Face validity is a desirable attribute of a selection process. Not only does it contribute toward a *realistic job preview*, it also helps eliminate negative feelings about the process. Furthermore, anyone conducting a legal review is more likely to rule in favor of selection procedures appearing relevant.

SELECTION CASE STUDIES:  
PERFORMANCE DIFFERENCES

The following case studies, one on the selection of vineyard pruners and the other involving a secretarial selection, should illustrate the practical application of statistical and content-oriented validation strategies.

Statistical strategy: testing of vineyard pruners<sup>5</sup>

Can a test—when workers know they are being tested—reliably predict on-the-job performance of vineyard pruners paid on a piece rate? Three hundred pruners—four groups on three farms—participated in a statistical-type study to help answer this question.





(Even though the emphasis of this test was on statistical evaluation, it clearly would also qualify as a content-oriented test: workers had to perform the same tasks during the test as they would on the real job.)

*Selection test data.* Workers were tested twice, each pruning period lasting 46 minutes. Pruners were told to work as fast as they could yet still maintain quality. A comparison of the results between the first and second test periods showed high worker consistency. There was a broad range of scores among workers: in one group, for instance, the slowest worker pruned just 3 vines in the time it took the fastest to prune 24. No relationship was found between

speed and quality, however. Some fast and some slow pruners did better-quality work than others.

*Job performance data.* On-the-job performance data was obtained from each farm's payroll records for two randomly selected days and two randomly selected grape varieties. To avoid influencing supervisors or crews in any way, on-the-job data was examined after the pruning season was over. Workers who had pruned quickly on one day tended to have pruned quickly on the other. Likewise, slow workers were consistently slow.

*Validity.* Significant valid relationships were found between the test and on-the-job performance

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*A statistical validation strategy shows the relationship between the test and job performance. For example, a 46 minute vineyard pruning test was shown to be a good predictor of worker performance on the job.*



measures. That is, workers who did well on the test tended to be the ones who did well on the job. The test was a good predictor of worker performance on the job. Similar results were obtained with hand-harvested tomato picking.<sup>6</sup>

Some may argue that it matters little if one hires effective workers as all are paid on a piece rate basis anyway. Some of the money farmers save as result of hiring fewer, more competent employees includes: (1) reducing the number of supervisors needed, (2) reducing fixed costs expended per worker regardless of how effective the worker is (e.g., vacation, training, insurance) and (3) establishing a reasonable piece rate. If some workers are very slow, the piece rate will need to be raised for all workers for these to be able to make a reasonable (or even a minimum) wage.

#### **Content strategy: secretarial selection**

Our second case study illustrates a content-oriented validation strategy—used to hire a secretary to assist in my work for the University of California. Specific job requirements were

identified.<sup>7</sup> In developing a testing strategy, particular attention was paid to artistic layout and secretarial skills that would be needed on a day-to-day basis.

An advertisement specifying qualifications—including a minimum typing speed of 60 words per minute (WPM) and artistic ability—ran twice in the local paper. Other recruitment efforts were made at a nearby college.

Of the 108 complete applications received, only a few reported typing speeds below 60 WPM. These were eliminated from consideration. All other applicants were invited to demonstrate their artistic layout ability. The quality of the artwork varied considerably among applicants, and was evaluated by three raters. The 25 applicants who performed at a satisfactory or better level were scheduled to move on to the next hurdle.

What applicants claimed they could type was at variance with their test scores (Figure 3-2). The average claimed typing speed was 65 WPM, the average tested speed about 44 WPM. The discrepancy between claimed and actual typing speeds was large (perhaps

*In a content-oriented strategy, the content of the job is clearly mirrored in the selection process. Thus, it makes sense for a herdsman who performs artificial insemination (AI) to be checked for AI skills, for a farm clerk-typist to be given a typing test, and so on.*



Jack Kelly Clark

our test was more difficult than standard typing tests). More importantly, the test showed that some typists claiming higher ability than others, ended up typing slower. While there was an applicant claiming very fast speeds, and she indeed almost made her typewriter sing as she typed so swiftly, one could place little confidence on what applicants said they could type.

As a non-native English speaker, I still have some difficulties with sentence construction. For instance, I need to be reminded that I do not “get *on* my car” as I “get *on* my horse” (there is no such distinction in Spanish). We designed an appropriate spelling, grammar, and

This content-oriented study also had “face validity” because the test was directly related to the performance required on the job. The selection process revealed the differences among more than 100 applicants. Had applications been taken at face value and the apparent top candidates interviewed, it is likely that a much less qualified candidate would have emerged. Moreover, the excellent applicant who was hired would normally not even have been interviewed: she had less secretarial experience than many others.

## SUMMARY

Agricultural managers interested in cultivating worker productivity can begin with the selection process. Any tool that attempts to assess an applicant’s knowledge, skill, ability, education, or even personality can itself be evaluated by how consistent (i.e., how reliable) it is and by how well it predicts the results it is intended to measure (i.e., how valid).

Improving the validity of a selection approach entails designing job-related questions or tests, applying them consistently to all applicants, and eliminating rater bias and error.

A content-oriented selection strategy is one in which the content of the job is clearly reproduced in the selection process. For example, applicants for an equipment operator position should be asked to demonstrate their tractor-driving skills, ability to set up a planter or cultivator, and other related tasks. A statistical strategy, on the other hand, studies the relationship between a test and actual job performance. A test may be useful even if it does not seem relevant at first glance. For instance, high performance on a dexterity test using tweezers may turn out to be a good indicator of grafting skill.

The validity of a specific selection instrument can be established by statistical or content-oriented strategies. Ensuring face validity will enhance applicants’ acceptance of the process. The more valid the selection instrument, the better chances a farmer has of hiring the right person for the job—and of



*This content-oriented study had “face validity” because the test was directly related to the performance required on the job. Had a secretarial applicant been selected without the benefit of a practical test, it is likely that a much less qualified candidate would have emerged.*

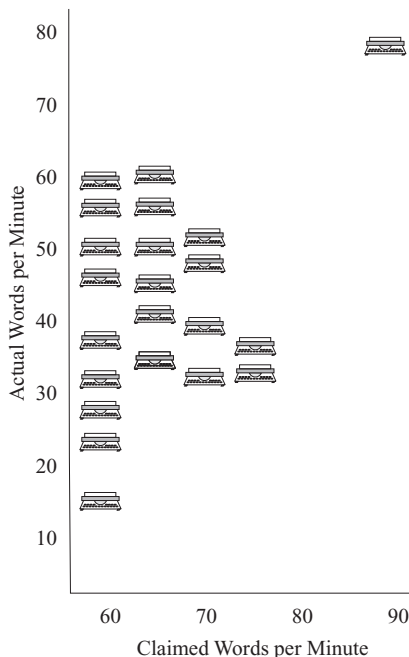


FIGURE 3-2  
Secretarial Typing Speeds.

punctuation test. Applicants were provided a dictionary and asked to retype a letter and make necessary corrections. There was plenty of time allowed to complete the exercise.

Applicants ranged from those who found and corrected every mistake in the original letter (even some we did not know were there), to those who took correctly spelled words and misspelled them. Eight persons qualified for a final interview; three of these showed the most potential; one was selected unanimously by a five-person panel.

successfully defending that choice if legally challenged.

A thorough employee selection approach brings out the differences among applicants' abilities for specific jobs. Farmers should not depend too heavily on applicant self-appraisal to make their staffing choices. In the long run, a better selection process can help farmers hire workers who will be more productive, have fewer absences and accidents, and stay longer with the organization.

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### CHAPTER 3: ADDITIONAL RESOURCES

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## Promotions, Transfers and Layoffs



Guadalupe Alegría has been a valued employee in a large poultry farm for twelve years—but she may not be for much longer. She was promoted to a temporary managerial position. What was originally supposed to be a few weeks on the job has stretched to well over a year now. Guadalupe, a salaried employee, has put in extra hours every week without added pay, leaving her with less time for family and friends. Recently, Guadalupe found out that she had been passed over for the permanent management position. To add to her disappointment, she will have to train the new manager. Her boss does not know it yet, but Guadalupe is looking for another job.

Porter Douglas, a long-term farm mechanic, expected the promotion to a supervisory position. When an outsider got the job—a woman—he was deeply disappointed. His bitterness lasted for years, affecting his job performance as he withdrew his full effort from work.

A *promotion* is a move up the organizational ladder; *job rotation* and *transfers* are lateral moves; *demotions* are downward moves; and *layoffs* move employees out. Layoffs, in contrast to dismissals (see Chapter 15), are terminations, sometimes temporary, required for business needs unrelated to

worker behavior or performance. All of these changes bring about shifts in status, and often in pay, of the employees involved.

Farmers may not anticipate the loss of morale and impact on productivity that such organizational actions can bring. When an employee feels rejected,

palpable dissatisfaction may result. Guadalupe Alegria is resentful of how the company has treated her. Questions keep popping into her head: “Why did they let me stay on as a manager for so long and never told me I was not doing well?” “In fact, why did they tell me I *was* doing a good job?” “Since I have already learned about and proven myself on the job, why would they put someone else in there?”

Bitter does not begin to describe how Porter Douglas felt after being passed over for his promotion. To this day he feels his boss pulled an affirmative action trick on him by hiring a woman for the supervisory position.

Promoted employees, or those hired from the outside, may also face challenges as they deal with their Guadalupe and Porters after securing the job. When workers understand the logic of decisions made, morale is less likely to drop.

Difficulties may also arise when employees are not consulted: moving an employee who was working alone so she now works side-by-side with another worker might be seen—from her perspective—as anything from a reward to a punishment. So can giving an employee an unsolicited promotion into a more difficult job.

In this chapter, we first focus on seniority and merit considerations in making promotion and layoff decisions. Next, an approach to opening the selection process to outside applicants without excluding present personnel is discussed. We conclude the chapter by offering some alternatives for satisfying employees’ needs for meaningful work—without having to resort to promotions.

## SENIORITY VS. MERIT IN PROMOTIONS<sup>1</sup>

*Seniority* is an employee’s *length of service* in a position, job grouping, or farm operation. An individual who has worked on a farm for three years has more seniority than one who has worked for two. *Merit*, in contrast, refers to “worth” or “excellence.” Merit is more

difficult to measure than seniority. In the context of promotion, it relates to relevant qualifications as well as effectiveness of past performance.

### Promotion by seniority

In a straight seniority system—where the only factor in allocating jobs is length of service—a worker would enter the organization at the lowest possible level and advance to higher positions as vacancies occur. All prospective farm supervisors and managers would work their way up through the ranks, for example, from hoer to irrigator and so on, up to equipment operator and eventually into management. In a seniority system, length of service is the chief criteria for moving up the ladder.

More typically, seniority counts only within specified job groups. Some groups might contain only one job classification, others several. For example, all hoers, pickers, irrigators, and tractor drivers might be in one group; mechanics and welders in another; foremen and managers in still another. All managers, for instance, would have once worked as foremen but not necessarily as hoers or pickers.

The benefits and disadvantages of using seniority in promotion decisions are summarized in Figure 4-1. The most obvious strength is its undisputed objectivity. Growers may deviate from a system based purely on seniority in order to avoid some of its inherent limitations. Seniority systems tend to reward loyalty and promote cooperation—albeit not excellence.

### Promotion by merit

Promotions based on merit advance workers who are best qualified for the position, rather than those with the greatest seniority. When present employees are applying for a position, a worker’s past performance is also considered. Effective performance appraisal helps build trust in the system (see Chapter 6).

Merit is not easy to define and measure—it often requires difficult subjective evaluations. At some point,

### ADVANTAGES

- Employees get to experience many jobs on the way up the promotional ladder, provided that they stay long enough and openings develop. Jobs can be grouped into different ladders such that experience on one job constitutes good training for the next.
- Cooperation between workers is generally not hindered by competition for subjectively determined promotions.
- Workers need not seek to gain favor with supervisors (through non-productive means) to obtain advancement. If, for example, a supervisor's direction violates the interests or policy of the ranch, employees would have less fear of reprisal for not following it.

### DISADVANTAGES

- Some employees may not be able or want to do certain jobs into which a strict seniority system would propel them. (Not all tractor drivers would make good foremen, or would like to be foremen.) Employees should be able to opt not to accept an opportunity for promotion.
- Ambitious workers may not be willing to "wait their turn" for higher-level jobs that they want.
- Employee motivation to work as well as possible is not reinforced.
- Immigrant or ethnic groups new to agriculture, and women, would be underrepresented in higher levels for a long time (since they are the last hired and have least seniority).
- Employers would tend to hire overskilled people at entry level, so they have the capacity for promotion.



### ADVANTAGES

- Employee job-related abilities can be better matched with jobs to be filled.
- Motivated and ambitious employees can be rewarded for outstanding performance.
- Performance is fostered.
- People can be hired for a specific job, rather than for ability to be promotable.

### DISADVANTAGES

- Merit and ability are difficult to measure in an objective, impartial way.
- Supervisors may reward their favorites, rather than the best employees, with high merit ratings.
- Disruptive conflict may result from worker competition for merit ratings.
- Unlawful discrimination may enter into merit evaluations.

*Seniority is an employee's length of service in a position, job grouping, or ranch. Merit, in contrast, refers to "worth" or "excellence." Employees may find it difficult to make a distinction between merit—because it is so hard to measure in an objective way—and favoritism.*

FIGURE 4-1

*Seniority-based promotions.*

FIGURE 4-2

*Merit-based promotions.*

someone has to make a judgment about an employee's relative merit. Employees may find it difficult to make a distinction between merit—because it is so hard to measure in an objective way—and favoritism.

Benefits and disadvantages of merit systems are outlined in Figure 4-2.

### Seniority and merit together in promotions

A farmer may combine seniority and merit in the promotion process to obtain a different mix of benefits. In doing so, there are many possible variations leading to different results. For example, you could promote the most senior person minimally qualified for a job, or you could choose the most senior of the three best-qualified workers.

Issues of seniority and merit are also pertinent in discussions of other policy areas such as pay (Chapter 7) and layoffs (discussed next). Leaving the possibility open of hiring the best qualified for the job, even from outside the farm, is discussed later in this chapter.



*Layoffs are normally considered terminations based on lack of work or capital, rather than on poor employee performance. Decisions involving the layoff of non-seasonal personnel may well be the hardest labor management decision managers have to make.*

### SENIORITY VS. MERIT IN LAYOFFS

Layoffs are normally considered terminations based on lack of work or capital, rather than on poor employee performance. Layoffs are often temporary. They occur with the expectation that workers will be hired back if and when they are needed.

When all workers are laid-off at the same time, there is little need to discuss seniority and merit considerations. But when partial or gradual layoffs take place, difficult decisions have to be made.

Layoffs of *year-round* employees may require a different approach than that of seasonal workers. Decisions involving the layoff of non-seasonal personnel may well be the hardest or most heart wrenching labor management decision you have to make. The expectation with year-round employment is that workers will hold on to their positions as long as they do a

good job and the enterprise is economically viable.

Farmers may opt for a mix between seniority and merit considerations in laying off employees. Certainly, in considering such a mix, greater weight is probably given to seniority considerations in layoff than in promotion decisions. Please note that I am not suggesting that seniority is more important than merit.

Arguments that favor making layoffs in reverse order of seniority, that is, the last hired, the first to go include:

(1) The longer employees have worked for a farm enterprise, the more loyalty they are due. Other employees will observe and be affected by how senior employees are treated.

(2) Senior employees who lose their jobs may have greater difficulty finding another job at the equivalent pay and benefit level than younger workers.

(3) Layoffs by merit may lead to age discrimination law suits if older workers are disproportionately terminated.

The principal argument favoring merit to determine layoff decisions is:

Management should retain the best people to do the job, especially when functioning with fewer employees.

Employers sometimes offer special retirement packages to entice more senior personnel to retire. This is often done in an effort to save money in situations where senior personnel earn disproportionately higher wages (Chapter 7). In terms of recall decisions farm employers can recall personnel in the inverse order of laying them off, or in some other order when it is time to rehire.

In agriculture it is more often *seasonal employees* who are involved in layoff and rehire decisions. On farms where few seasonal workers return from season to season, layoff and rehire policies are less important than on farms with more stable work forces. Although there is still a feeling of mutual obligation between employer and these seasonal workers, it is less intense. On the other hand, "If an employer is often faced with the layoff problem, it is important to select a policy that works best on a repeated basis. Changing

recently established policies would likely create doubt about fairness among the people adversely affected.”<sup>2</sup>

Some farmers encourage the return of seasonal workers by staying in touch with them during the off season. They may send cards to workers during down time or even offer returning employees added pay. In this way they can create stability in their work force and increase the number of experienced employees. The distinction between seasonal and regular work force becomes less meaningful in such operations.

*Bumping rights* is an issue usually associated with layoffs. When farmers establish a bumping right policy, an employee whose position is being eliminated may take another’s job. The other worker, in turn, may be able to “bump” the next employee in line. For the bumper, it is a type of voluntary demotion or transfer (depending on the organizational level she moves to) allowing her to retain a job. Bumping rights may apply within specific jobs or departments, or the whole operation. They can also be based on seniority, merit, or a mix.

## PROMOTION FROM WITHIN OR OUTSIDE HIRE?

Promotion policies may affect employees’ hopes for advancement and the productivity of your workforce. Often employers feel compelled to promote from within their workforce, fearing the loss of the loyalty and enthusiasm of present employees. Promotion from within encourages employees to view the organization as one offering them career growth. Unfortunately, a tradition of promoting from within may also mean forgoing the most vital management prerogative: filling positions with well-qualified personnel.

It is a mistake to assume that superior performance in one job will always translate into equivalent success after promotion to a new position. Personnel who move from technical jobs to supervisory ones, or from “doing” jobs to managing ones, may not always



be skilled in handling the added responsibility and power. The skills that make for an outstanding milker, for instance, may have little relation to the skills called for in a supervisor’s job. In a few cases poorly functioning workers may perform better after promotions because they were bored by the previous job, but their enthusiasm may be short-lived.

Policies that all but guarantee promotions to present employees may discourage worker development. When a farmer is under time constraints to get some work done, she may promote a worker on a temporary basis until a more careful hiring decision can be made. To avoid future disappointment of the promoted employee, however, the temporary nature of the position should be emphasized (Chapter 2).

Occasionally, you may have to consider the *demotion* of a worker who has not succeeded after being promoted. On one ranch, farm workers who were promoted to supervisory posts immediately lost their seniority or any right to return to their previous job. In

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*It is a mistake to assume that superior performance in one job will always translate into equivalent success after promotion to a new position. The skills that make for an outstanding milker, for instance, may have little relation to the skills called for in a supervisor’s job.*



## SIDEBAR 4-1

## Sample Promotion Policy

The policy of this agricultural enterprise is to select highly capable candidates for all job openings. Jobs will be open to outside recruitment and the ranch will hire the best available person for each position. As an employee you are encouraged to apply

for positions you feel qualified for. We will make job descriptions available, and encourage you to meet with incumbents or supervisors—even for jobs not currently open. We feel you will have a greater possibility of preparing for a job you are drawn to, while we will be able to continue hiring the best for each position through a thorough selection process.

this system a new supervisor could lose both his new and old positions. Both the farm enterprise and the employee can benefit by providing a safety net, such as giving newly promoted employees a time period to try out their new position.

Farmers who establish promotion policies in advance may have more options when vacancies occur. If you want to (1) motivate present employees to seek new skills; (2) staff positions with superior performers; and (3) avoid eliminating your options for outside recruitment, consider a policy such as the one in Sidebar 4-1. Such a policy places a burden on the farmer and the employee. The farmer has to communicate possible job openings to, and hold career development meetings with, interested staff. Employees are forced to take the initiative to refine their skills and enhance future chances for a promotion.

*Job enlargement consists of “horizontal” loading, or of giving an employee more to do with the types of skills he is currently using. An example would be asking an equipment operator to harvest safflower in addition to the wheat crop.*



## ALTERNATIVES TO PROMOTIONS

At times workers may want job growth when no promotions are available. What do you do when there is no suitable vacancy for her? Or, how do you keep an extremely capable dairy worker happy if you really won't need another herdsman unless a current one leaves? Workers sometimes fall into the trap of thinking the only evidence of career success is a promotion. Likewise, some employers feel the only way to reward good workers is to promote them.

Personnel who want a promotion will sometimes demand a change or threaten to leave for a different job. In such cases, if a promotion is not possible, employers may encourage the worker in a positive way to pursue other career possibilities with reactions such as, “Here, we don't try to keep people back,” “When the need arises, we help our workers find another job,” and even, “We feel we are a stepping stone to other jobs. We are pretty proud of the places our employees have gone to after working for us.”

At times such attitudes are the only practical solution. But, as we see below there are plenty of circumstances where qualified employees can grow within their present position.

In considering the best strategy to use, you may ask: (1) Does the employee want to advance? (2) Does he want more responsibility or more variety? In the latter case, the worker can be given different duties or assignments that constitute a *transfer* rather than a *promotion*.



### **Job enlargement and enrichment**

If the employee seeks it, more responsibility within the same job can be provided through (1) job enlargement or (2) job enrichment. In either case, added responsibility should normally be accompanied with added pay.

*Job enlargement* consists of “horizontal” loading, or of giving an employee more to do with the types of skills he is currently using. Adding twenty more cows to a string to be milked would be an example of job enlargement. So would asking an equipment operator to harvest the safflower in addition to the wheat crop.

*Job enrichment*, in contrast, involves a “vertical” loading, giving a worker more responsibility for making decisions related to the present job. A lab technician who is responsible for berry culture might be given the added responsibility of heading a customer education effort on the best stage to buy

plant material, or how to care for plants coming out of tissue culture. A cowboy may be given the added charge of selecting his own horses to work with, and a greater hand in animal health-care decisions.

### **Transfers and job rotation**

Transfers and job rotation are forms of enlargement entailing movement from one job to another of comparable responsibility. Transfers usually last for a longer term while job rotation may imply several short term job changes. In addition, some rotations are cyclical and involve going through the same set of jobs over and over.

In a dairy, for instance, workers may be part of a job rotation cycle from milking to cow feeding to calf feeding. Besides alleviating possible boredom, transfers and job rotations expose workers to more tasks. When an absence or turnover occurs, it helps to have other

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*Job enrichment, involves a “vertical” loading, giving a worker more responsibility for making decisions related to the present job. A cowboy may be given the added charge of selecting his own horses to work with, and a greater hand in animal health-care decisions.*

knowledgeable employees who can perform the vacated job.

Morale can suffer when transfers require employees to relocate. A raise in pay may help. Relocations, although not common in farming, can be particularly trying in homes where both husband and wife work. Some organizations requiring relocation may offer assistance to the other working spouse in finding a job in the new community. International assignments carry unique challenges and opportunities.

## SUMMARY

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Organizational movements, such as promotions, transfers, job rotations, demotions, and layoffs may alter workers' security, satisfaction and productivity.

Arguments favoring merit-based promotions focus around worker qualifications and performance, while those based on seniority stress greater job security and protection from arbitrary treatment. Seniority tends to reward loyalty while merit promotes excellence. An effective blend may combine good points from each.

Even workers who may favor promotions through merit often favor seniority-based layoffs that retain long-term employees. In contrast, arguments favoring merit layoffs stress the need to have qualified persons doing the work.

Employers who feel compelled to promote from within may be forgoing the management prerogative of filling positions with qualified personnel. A successful promotion policy should neither stifle present personnel nor eliminate management's option for outside recruitment.

Some employers and workers feel the only evidence of career success is promotion. Fortunately, there are several other ways to provide workers more challenges. This can be done through transfers, job rotation, job enlargement and job enrichment.

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## Helping Workers Acquire Skills



Hiring the right people can substantially reduce the total amount of required training time. Even so, farm supervisors are often likely to find themselves training, mentoring and coaching employees. Some of these tasks may be delegated to a third party. Most workers enjoy a job where they can continually expand their technical and interpersonal skills.

Training needs may become apparent through (1) employee selection data; (2) review of employee performance; (3) worker skill, ability, and knowledge inventories; (4) introduction of new work methods or machinery; (5) planning for future vacancies or promotions; and (6) laws and regulations requiring training. It helps to plan ahead and provide training opportunities to employees who may apply for future job openings. In

this chapter we will discuss two types of skill transfer. The first focuses on training and the second on coaching and mentoring.

### EMPLOYEE TRAINING

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The first step in designing training is to translate an apparent need (e.g., introduction of new piece of farm machinery) into clear, specific learning objectives (e.g., after training, equipment operators will know how to service and operate machinery safely). Some objectives may be more quantifiable, such as “95 percent of fruit picked will meet packing grade.” Provisions for evaluating how well training objectives are met should be established from the outset.

You will want to identify any gaps between employees' present competence and the training objectives. Lack of assessment up front may mean repeating information workers already understand. Even more likely, trainers may err by assuming employees know more than they do.

Simply asking employees if they have the skills needed to carry out a particular task may elicit a less than truthful response. Some may not want to admit ignorance in order to avoid embarrassment; others realize that the request entails a possible prospect for advancement. Assessment of worker competence needs to be conducted so workers perform independently, rather than lean on someone else's abilities. Opportunities for an employee to demonstrate practical skills should be provided without demeaning the worker or endangering his safety.

*While explanations and demonstrations are important in training, workers are more likely to retain information when they can put it to use. Unfortunately, this vital step is often eliminated because it takes time.*

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### **Transferring knowledge and skill**

The training process consists of (1) explaining and demonstrating correct task performance; (2) helping workers to perform under supervision; (3) allowing personnel to perform alone; (4) evaluating worker performance; and (5) coaching employees based on evaluation results. These steps may have to be repeated a number of times before an employee will sufficiently grasp what needs to be done. Once an employee has mastered the required performance, (6) he can further cement his skill by coaching another.

There is an important difference between telling workers how to do a task and successfully transferring skills, ability or knowledge. Ineffective training may lead employees to remove much of the fruiting wood in pruning or to destroy a dozen rows of young tomato plants with a cultivator. Some concepts



are difficult to learn; others require much practice.

When training personnel you may want to: 1) continually assess workers' level of understanding; 2) gear training to the participants; 3) present only a few concepts at a time; 4) where needed, divide tasks into simplified components; 5) involve all workers (do not assume other employees will catch on by watching one worker being trained); 6) use visual aids (e.g., samples of defective fruit); and 7) encourage questions. As in any teaching situation, workers will feel more comfortable if the trainer is friendly, patient, and positive.

### Employee participation in learning

While explanations and demonstrations are important in training, workers are more likely to retain information when they can put it to use. Unfortunately, this vital step is often eliminated because it requires time. It takes patience to watch a worker struggle with a task that comes easily to the trainer. Especially at the lower end of skills acquisition, teaching methods are more effective when they emphasize practice over theory.

Explanations should be limited in length and complexity. When showing a video (e.g., pesticide safety) you will want to encourage employees to ask questions—and be ready to ask questions of them, too. This way you can check for worker comprehension. As participants improve in their skill level, the introduction of theory becomes more vital.

Besides cementing the employee's own skills, having employees help each other can reduce total training time and free supervisors to do other work. Many employees appreciate and enjoy the added responsibility and status of helping with co-worker training. A caution is in order here: employees who act as trainers should be sufficiently advanced that indeed they will be positive role models.

### Using an outside trainer or coach

Farm employers may sometimes prefer to use an outside firm to conduct



training for their employees on the premises, or they may send their workers out for training. Those who often conduct training for farm employees may include pest control advisors, nutritionists, veterinarians, interpersonal communication specialists, product sales persons, farm safety trainers, insurance carriers, and equipment manufacturers, to name a few.

Farmers need to be intimately familiar with the material covered in training sessions conducted by outside parties. Even better, a member of management would do well to attend the meetings. By doing so, it shows employees the subject is important, and it also affords management the opportunity to discuss sensitive issues raised during the training. An employee who returns from training may

*Farmers should be intimately familiar with the material covered in training sessions conducted by outside parties. Even better, a member of management would do well to attend the meetings. By doing so, it shows employees the subject is important, and it also affords management the opportunity to discuss sensitive issues raised during the training.*

*One farmer had been skeptical about the public funded training at first. After its conclusion he had jokingly asked an employee to fix a farm implement and was so delighted at the quality of the welding job, he gave the worker a large raise on the spot and reduced his dependence on an outside shop.*

#### SIDEBAR 5-1

##### Publicly Funded Training<sup>1</sup>

A set of effective farm worker training programs was developed in California in the early 1980s. They were a component of the California Worksite Education and Training Act (CWETA).

Training was successful in the eyes of both farmers and workers because: (1) it served grower and worker needs; (2) workers “earned” the right to attend; (3) there was a good learning environment for participants; (4) there was a transition between classroom and work-site training; and (5) program outcomes went beyond better skill acquisition—interpersonal relations between growers and workers were also improved.

*Match between farmer and worker needs.* Instead of training people who may not be interested in farm work, this program set out to improve the skills of workers already employed in agriculture. Farmers selected one to three of their employees each year for training. Farm employers agreed to either increase the workers’ wages or lengthen their work year upon successful completion of the program. Many traditional training programs have had no such relationship to the real world of employment. Training was offered at “down-time,” a time of the year when these employees had been laid off in previous years.

*Workers “earned” the right to attend.* Employees were flattered when nominated by their employer to attend training. Participants had previously earned the stipend they collected during the training program. This came from unemployment insurance benefits—something they would have received whether or not they participated in the program.

In contrast, more traditional farm worker training programs may form part of the public assistance cycle. Often eligibility is based on a record of prolonged unemployment and may attract people who need temporary help rather than career training. Such approaches may subtly encourage participants to stay on public assistance or prolong unemployment.

*Good learning environment for participants.* Classes were offered in a language familiar to the participants or were translated by bilingual aides. Farmers had a hand in selecting topics and learning objectives. Courses included welding, mechanics, English, practical math, and farm safety.

Teachers used *individualized instruction*. Performance tests were designed for each learning segment. A high standard of proficiency was set and tests could be retaken (a minimum score of 8 on a scale of 1 to 10 was demanded). Some participants would opt to redo a test when they got passing test scores that were anything less than a ten. Participants gained self-



### SIDEBAR 5-1 (CONTINUED)

confidence through the positive reinforcement of tasks well done and an improved understanding of the material.

In contrast, when individuals do not have the opportunity to demonstrate skills and progress at their speed, training can be demoralizing. Giving away passing grades to students who don't deserve them only works to reduce their self-esteem.

*Transition between classroom and worksite training.* Workers knew where they would be using their new skills after the completion of classroom training. In addition, the program helped workers bridge the gap from classroom learning to specific farm applications and equipment.

*Program outcome.* Farmers and workers were pleased with the developed skills. One farmer had been skeptical about the training at first. After its conclusion, he had jokingly asked an employee to fix a farm implement while he took off for breakfast at the local diner. This grower was so delighted at the quality of the welding job, he gave the worker a large raise on the spot and thereafter substantially reduced his dependence on an outside shop.

Several farmers reported that participants showed increased initiative after completing the program, such as



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finding tasks to work on without being told. Farm employers and workers also reported better interpersonal relations when dealing with each other.

In contrast, workers in more traditional programs may have trouble finding or keeping jobs. In one traditional program a trainee quit his job when the farmer asked him to sweep the floor. This worker wanted to start out as a supervisor. Another abandoned his tractor in the middle of the night because "he got scared." Some of these graduates preferred to find another source of government help or work independently so they did not have to pay taxes.

*There is a fine balance between participant involvement and presentation of new material. Some of us may need to fight the tendency of trying to cover too much material for the time allotted. On the whole, presentation of materials without increased participant involvement often fails to stimulate.*

otherwise find she does not have the authority to implement concepts learned—or that the prescribed ideas may go counter to established company philosophy.

A publicly funded farm worker training program is described in Sidebar 5-1—you may have an opportunity for input into the design of such a program in your community.

#### A few words to instructors

In some way or another, we are all teachers. I have found that there is a fine balance between participant involvement and presentation of new material. Some

of us may need to fight the tendency of trying to cover too much material for the time allotted. On the whole, presentation of materials without increased participant involvement often fails to stimulate. Notable exceptions are very short presentations and extremely dynamic speakers. It is good to remember that people want to discover, not just be told. Equally unsatisfactory is engaging participant interest, increasing receptivity to learning, and then failing to deliver needed, useful information.

Many worthwhile books have been written on increasing participant involvement. We can continue to



*Mentors may act as counselors, coaches, personal trainers, or advisors and may also be responsible for passing on subject matter knowledge, skills, and abilities. Mentors also model desirable behaviors that employees can imitate.*

improve our skills by observing talented presenters, reading and thinking about our teaching. Although sometimes painful, it also helps to evaluate our workshops and classroom teaching by looking carefully at suggestions for improvement. It is more useful to focus on what worked well, as well as what we can do better next time, rather than on how we performed compared to other speakers.

The sooner workers in a workshop have the opportunity to participate, the more engaged they will be in the presentation. Perhaps, because it will then not be *your presentation* as each person will take ownership over the

learning process. There are a number of ways to involve workers in learning, such as through questions, cases, role plays and group activities.

Well-crafted probes are an effective way of promoting discussion. Asking a question to the whole group is not as effective, however, in promoting participation, as having employees discuss an issue in small groups of 3 to 5 individuals. Small groups get everyone talking and involved.

I like short cases where a story is told, rather than a written case where participants read it and finish at different times. Perhaps this is because I am a slow reader myself. In one of my courses, we were given a case with an amusing line. People laughed as they got to the humor. By the time I laughed, I was far behind. Everyone looked at me, and we all exploded in laughter together.

After an oral case is shared, participants can ask questions and all have the advantage of having the issues clarified. After questions have been answered, workers can then sit in groups to solve or discuss the problem that was presented. A written handout can be given to support rather than to supplant the oral explanation. Longer and more complicated group activities can be very effective in teaching important principles to participants, especially those for which no satisfactory substitute can make up for lack of practice.

It is good to stop the activity before people are through discussing the issues, and while they are still having fun with it. A fatal mistake is to ask each group to report their findings, as there is unnecessary repetition. Much better is to ask for a few comments from individuals after the groups have disbanded, and then move on. While many people are hesitant to be involved in role playing, I have found that if the role playing is pertinent to real life or has “face validity,” people will be much more likely to want to participate. In role playing, I prefer to explain the situation aloud and coach my actors, rather than provide written instructions.



## COACHING AND MENTORING EMPLOYEES

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In the literature, *mentors* are sometimes distinguished from *coaches*. While both may work one-on-one with individuals, mentors have a considerably greater time investment than coaches. Mentors<sup>2</sup> help others through the political process of recognition and career advancement by providing exposure to the organizational culture while offering protection and friendship.

Mentors may act as counselors, personal trainers or advisors and may also be responsible for passing on subject matter knowledge, skills and abilities. Mentors also model desirable behaviors that employees can imitate. In practice, the differences between mentors and coaches may be subtle or a little artificial, being just a question of degree.

For our purposes, we will define coaching as a shorter term mentoring type of behavior. *Mentoring behavior* can take place between people with a large gap in knowledge and understanding, or between coworkers who perform essentially the same work and have similar backgrounds and preparation.

People have different attitudes about helping others. Those who benefit from another person's help may carry a sense of gratitude or obligation towards that individual and toward society in general. For instance, a herd manager who obtained help from the veterinarian in improving her artificial insemination skills may not be able to return the favor. Later, however, she may be able to pass this skill on to someone else.

While some experts acquire their rewards by maintaining a feeling of distance and superiority, *mentors* receive enormous joy in passing on what they have learned. Mentors look for people they feel will be capable of matching or surpassing their own skills. In this way they (1) help others; (2) transmit knowledge and skills to those who will not only appreciate them, but also pass them on; and (3) enhance their own reputation along the way.

Many, if not most, mentor relationships form informally. In Chapter 2 we discussed the importance of assigning an official mentor or coach as part of the orientation period. We said that if the farm employer does not take proactive steps to show a new employee the "way we do things around here," then someone else may do so, thus failing to take advantage of the time when an employee is most pliable and easily influenced. There are other times when an employee may become especially pliable, such as during the process of performance appraisal or employee discipline.

The process of coaching or mentoring an employee is extremely powerful. A coach or mentor can discuss with an employee ways of looking at the world that can make a big difference in her life. An ideal coach or mentor (1) is *not easily threatened* by an employee who becomes successful, (2) has a high tolerance for the employee *trying different approaches*, and (3) encourages the employee to *take initiative* in terms of how much and at what rate to absorb new information.

Mentor-apprentice relationships are not free of difficulties. At times, the mentor continues to consider the *protégé* a beginner long after the student has started to make valid contributions of his own. Often, mentors dislike having their *protégés* surpass them. Competition may develop between the two, resulting in a disruption of the relationship while new roles are established.

Mentors may also become manipulative, giving an impression that a job is either done their way or it is wrong. At other times, mentors push the apprentice to do what they were not able to accomplish themselves, thus living somewhat vicariously through the successes of their pupil. Perhaps one of the most difficult mentoring relationships at the family farm is that of a parent of adult children interested in the business.

So, what types of specific advice might a mentor and coach give? Let me illustrate with a few examples. In one situation, an employee had a problem with anger and with weak interpersonal

skills. Much in this area of interpersonal skills, the coach pointed out, has to do with the ability to disagree without being disagreeable. Coming across a little more tentative and a little less self-righteous is an important part of effective interpersonal communications.

In another case, an individual had been hired because of a number of positive traits, yet these were not being manifested at work. The employee's supervisor thought that she had been very clear on what was expected of this individual and was now ready to terminate him. A cursory examination of the correspondence between the supervisor and this employee showed that a person would have had to do much *reading between the lines* to understand what the supervisor had really wanted. Nevertheless, the difficult situation that had developed was not all the supervisor's doing. The employee had demonstrated poor time management, lack of follow up in terms of dealing with people who brought in jobs, and insufficient initiative. Furthermore, the employee had shown a marked negative attitude toward work.

Some of these behaviors may well have been a result of frustration and lack of job satisfaction. The employee and his assigned coach met for a little over an hour. They discussed each of the specific performance-related behaviors mentioned above. The role of the coach was partly to help the employee see the challenges being faced in a different light; to become excited for the possibilities of what life and work could offer when viewed with the right degree of optimism.

The coach also discussed some practical matters. While in an *argument* it is not admirable to have the last word, in *business communication* it could be essential. The coach suggested that when a job was brought in, that the employee should (1) acknowledge that he had received the assignment; (2) let the appropriate person know by when he could have the job done if no due date was given; (3), let the pertinent individuals know immediately what challenges he was facing and give a new projected deadline if it became

increasingly evident that a deadline could not be kept; and (4) let people know when assignments had been completed.

Sometimes employees do not realize that in every job they have a *clientele*, even if those persons are all in-house. For instance, a shop mechanic can think of those who bring her broken-down equipment in need of repair as her clientele. Job satisfaction develops from keeping clientele pleased through high quality and timely work (i.e., the *service factor*) and the ability to learn on the job (i.e., the *growth factor*). If a mechanic succeeds in having people not bring work into the shop, this job soon becomes an easy one to eliminate.

The coach, when meeting with the employee, also spoke about having an *attitude of gratitude* about work, and about being cheerful and positive about work, rather than the sometimes prevalent attitude: "I can't wait for the weekend." Within six months, this young man became a valuable team player whose help was sought frequently in that organization.

In my farm supervisory training workshops I sometimes share a personal story about *being cheerful*: The year after I was married, I was having trouble making ends meet. It was important to me that I provide a living for my young family and that my wife not work outside the home. I had two jobs, one with Migrant Education for about 35 hours a week; and I taught dressage (equestrian sport) on Saturdays. One afternoon, I went looking for additional hours of work and had two potential job offers, but neither would start for a week. I continued to look, and stopped at a Mexican restaurant where I asked if they had a job. "What can you do?" they inquired. I let them know I was willing to do anything they wanted, to which they responded, "We need someone just like that," and they assigned me to do the dishes.

That was a great job! I love Mexican food, and the cook would make me a Mexican dish each night. A few months later, the owner, a Mexican-American attorney, came back to where I was washing the dishes and essentially said,




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*An ideal coach or mentor is one who (1) is not easily threatened by an employee who becomes successful, (2) has a high tolerance for the employee trying out different approaches, and (3) encourages the employee to take initiative in terms of how much and at what rate to absorb new information.*

“Gregorio, you are so cheerful back here doing the dishes. I have a job for you up front.”

I followed him, full of excitement, daydreaming in my mind, “Wow, I will get to wait tables!” When we got to the front we stopped by the cashier box. The owner took out the keys from his pocket and said, “You are the new manager!” He spoke for a few minutes after that, but I was so taken back I don’t know what he said. When I came home and told the story to my wife, she said, “Only in America!” The anecdote has many points, but two key ones are (1) you can make your job and life what you wish to make out of it, and (2) you never know who is watching.

Beside the sheer long-term and unselfish service, those who are good mentors (1) have paid the price over the years to hone their own skills, (2) are creative and independent thinkers, and above all, (3) are positive motivators, choosing encouragement over criticism; confidence over doubt.

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## SUMMARY

Part of an effective training program entails identification of training needs. Hands-on training is generally more effective than more passive methods. There is an important difference between telling workers how to do a task and successfully transferring skills. Coaching and mentoring are important tools that can be used in an organization, both formally and informally, to help individuals achieve their potential.

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## Performance Appraisal



Wes Asai collection

One Monday morning, Roger, the farm manager, was confronted by two irate tractor operators who accused Francisco, the foreman, of unfair behavior. During the weekend, Francisco had employed a young tractor driver, with little seniority, to apply pesticides. The more senior employees were furious because the foreman had assured them there would be no tractor work available. When questioned by Roger, Francisco admitted to lying to the tractor drivers about the availability of work. He defended the decision, however, by explaining that the more senior employees were uncooperative. The relatively new employee, Francisco had argued, could outperform both of the more senior men. Roger asked Francisco to communicate these feelings to the two senior tractor drivers. Francisco apologized to the men for lying. As he explained the performance issue, the two tractor operators became increasingly sullen. One of the men, red-eyed, asked why none of this had ever been shared with them before. Francisco agreed this would never happen again and that he would let his subordinates know how they were performing. While these two tractor drivers never became super achievers, they did improve their performance considerably.

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After employee selection, performance appraisal is arguably the most important management tool a farm employer has at her disposal. The performance appraisal, when properly

carried out, can help to fine tune and reward employee performance. In this chapter we (1) discuss the purpose for the performance appraisal, (2) introduce the *negotiated performance appraisal*

approach, and (3) talk about the steps to achieving a worthwhile *traditional performance appraisal*.

Strengths of the negotiated performance appraisal are its ability to promote candid two-way communication between the supervisor and the person being appraised and to help the latter take more responsibility for improving performance. In contrast, in the traditional performance appraisal, the supervisor acts more as a judge of employee performance than as a coach. By so doing, unfortunately, the focus is on blame rather than on helping the employee assume responsibility for improvement.

Does that mean that the traditional performance appraisal approach should be discarded? Not at all. Experts in the field have often suggested that the performance appraisal should not be tied to decisions about pay raises. When appraisals are tied to pay raises, they argue, employees are more defensive and less open to change. So how should pay raise decisions be made, then, if not through the performance appraisal? I would suggest that the traditional performance appraisal can still play a critical role in management and is ideal for making pay raise decisions. But it is in the negotiated approach where employees can truly come to grips with what it is that they need to do to maximize performance, potential career advancement and earnings.

For the employee to have enough time to respond and improve, the negotiated performance appraisal should take place at least 9 to 12 months before the traditional one. There are no such strict time requirements when the traditional approach (used to make decisions about pay) precedes the negotiated one (used as a coaching tool).

## WHY PERFORMANCE APPRAISAL?

Performance appraisal is a vehicle to (1) validate and refine organizational actions (e.g. selection, training); and (2) provide feedback to employees with an eye on improving future performance.

## Validating and refining organizational action

Employee selection, training and just about any cultural or management practice—such as the introduction of a new pruning method or an incentive pay program—may be evaluated in part by obtaining worker performance data.

The evaluation may provide ideas for refining established practices or instituting new ones. For instance, appraisal data may show that a farm supervisor has had a number of interpersonal conflicts with other managers and employees. Some options include (1) paying more attention to interpersonal skills when selecting new supervisors, (2) encouraging present supervisors to attend communication or conflict management classes at the local community college, or (3) providing the supervisor one-on-one counseling.

Data from performance appraisals can also help farmers (1) plan for long-term staffing and worker development, (2) give pay raises or other rewards, (3) set up an employee counseling session, or (4) institute discipline or discharge procedures.

For validation purposes (Chapter 3), it is easier to evaluate performance data when large numbers of workers are involved. Useful performance data may still be collected when workers are evaluated singly, but it may take years to obtain significant data trends.

## Employee need for feedback

Although employees vary in their desire for improvement, generally workers want to know how well they are performing. A successful farmer recalled with sadness how as a youth he had worked very hard, along with his immigrant family, for a farmer who never seemed to notice the effort. Years later he met the former employer and asked why he had never made any positive comments about their work. The response from the former boss was, “I feared you would stop working as hard.”<sup>1</sup>

People need positive feedback and validation on a regular basis. Once an employee has been selected, few



management actions can have as positive an effect on worker performance as encouraging affirmation. These are, in effect, good-will deposits, without which withdrawals cannot be made. This does not mean you should gloss over areas needing improvement. When presented in a constructive fashion, workers will often be grateful for information on how to improve shortcomings. Such constructive feedback, however, “can happen only within the context of listening to and caring about the person.”<sup>2</sup> In general,

supervisors who tend to look for worker’s positive behaviors—and do so in a sincere, non-manipulative way—will have less difficulty giving constructive feedback or suggestions. Furthermore, in the negotiated approach, the burden for performance analysis does not fall on the supervisor alone, but requires introspection on the part of the individual being evaluated.

Feedback may be *qualitative* or *quantitative*. Qualitative comments are descriptive, such as telling the shop mechanic you appreciate the timeliness

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*People need positive feedback and validation on a regular basis. Supervisors who tend to look for worker’s positive behaviors—and do so in a sincere, non-manipulative way—will have less difficulty giving constructive feedback or suggestions.*



## SIDEBAR 6-1

## Performance Feedback

Performance improved substantially (11 to 27 percent) in a number of settings when workers were given specific goals to achieve and received performance feedback. Two examples from the logging industry show how goal setting can work, one with the harvesting of timber and the other with truck drivers. In one study logger productivity increased 18 percent and absenteeism decreased with the setting of specific goals. Logger crews who had set their own goals tended to meet them more often than when goals were set by supervisors.

In a second study, management felt truck drivers were not loading their vehicles to capacity. Drivers—fearing a fine from the Highway Department, or even losing their jobs—seldom loaded their trucks more than 58 to 63 percent of capacity. After goals were set to load trucks to 94 percent of capacity, there

were some striking changes. Within the first month, truckers were on the average achieving 80 percent capacity. Within three months, they were frequently surpassing 90 percent. The company saved an excess of \$250,000 in a nine-month period.

In these studies, management provided a work environment where employees would not be reprimanded for failing to meet a goal. The truck drivers apparently tested management at one point by reducing their percentage of loading capacity. Only after being assured of management's support did drivers increase their efforts again. The researchers felt (1) goals had to be challenging but achievable; (2) the importance of worker participation in goal-setting varied; (3) employees had to be provided with needed resources; (4) competition may be permitted but not officially fostered by the organization; and (5) employees must be competent, as motivation without ability is of little value.<sup>3</sup>

*Traditional performance appraisals put the supervisor in a position of being the expert on the employee's performance. The worker often reacts with passive resistance or noticeable defensiveness.*

and quality of her repairs. In contrast, quantitative feedback is based on numerical figures, such as the percentage of plant grafts that have taken. Some researchers feel feedback is particularly useful when workers have an achievement objective (see Sidebar 6-1).

## NEGOTIATED PERFORMANCE APPRAISAL<sup>4</sup>

Next to employee discipline, performance appraisal interviews are probably the most dreaded management activity. Traditional performance appraisals put the supervisor in a position of being the expert on the employee's performance. The worker often reacts with passive resistance or noticeable defensiveness. No wonder supervisors are often hesitant to deliver bad news to workers. It is easier to ignore it and hope it goes away.

You can make the task easier by putting more responsibility on the worker for the performance appraisal. While there are many ways to achieve this, here is an approach that has worked well for me. It is based on effective negotiation techniques. A farm manager can ask the employee being appraised to bring three lists to the performance appraisal interview: (1) areas where the employee performs well (what he contributes to the farming operation);



(2) areas where the worker has shown recent improvement (perhaps over the last year); and (3) areas where the worker feels weak, or thinks his supervisor would like to see improvement. It is appropriate to give the employee time to think through these lists, and so you may want to give employees a couple of weeks to complete the assignment.

Because you as the supervisor will also fill out the three lists, employees are more likely to bring candid responses to the table. It is critical to *announce your intention*, to the employee, that you will also complete these lists. I like saying something like: “I will fill out these three lists also,” and then repeat the purpose of each list again. “That is, (1) areas where you perform well and what you contribute to the organization from my perspective; (2) areas where you have shown recent improvement; and (3) weak areas where you still need to improve.” The key point here is that employees will hear you say that there are performance areas you value in their work, and just as importantly, that the employee can still improve in other aspects of the job.

This latter point is particularly critical from a psychological perspective. It is human nature not to want to bring up our faults; but it is also human nature to prefer to point out our own shortcomings rather than having someone else do it. This process allows the subordinate to think in terms of both his own performance expectations and perceived supervisor expectations.

There is a fourth list, just as vital as the first three. While we will talk about this list later, it is important to include it as an assignment ahead of time so the employee has time to think about it and come prepared. The fourth list is the employee’s response to the question: “What can *I* do differently, as your supervisor, so *you* can be more effective in your job?” If a supervisor is not truly willing to listen to what the employee may have to say here, the negotiated performance appraisal will not work as it should, and a more traditional performance appraisal would work better.

Although the appraisal process can take place between supervisor and employee alone, the use of a third party can greatly facilitate the success of the approach. The message is thus clearly sent to all involved that this process is important to the farm organization. The third party is there mostly to listen to each individual in a separate meeting (or pre-caucus), and help them brainstorm and prepare for the joint meeting. During the joint meeting, the third party can, using the negotiation process outlined in Chapter 13, help the stakeholders improve their working relationships and focus on needed changes rather than defending positions. This third party role may be played by your veterinarian, agricultural advisor, or interpersonal relations consultant.

### **The performance appraisal joint meeting**

When the time has arrived to sit and discuss the employee’s performance, a relaxed, positive atmosphere should prevail before entering into the substance of the performance appraisal meeting. A location without distractions or interruptions is essential.

The worker is asked to read each list, beginning with the first. Managers should listen intently and take notes if needed, but should not interrupt the employee except to ask questions that help clarify an issue. Interrupting to clarify one’s understanding is almost always a good move. If the employee says something you find strange, troubling, or that we do not understand, it is good to ask the employee to amplify or explain a point. People seldom mind being interrupted when it means having the opportunity to offer clarification. Such questions should not put the employee on the defensive, nor should they be comments disguised as questions (see Chapters 12 and 13).

*First list.* The main purposes of the first list are to (1) recognize employees’ strong points and let them know these have not passed unobserved, (2) honestly build up employees so they can be more receptive to constructive criticism (an employee who is so

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*It is human nature not to want to bring up our faults; but it is also human nature to prefer to point out our own shortcomings, rather than having someone else do it.*

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*People's global self-esteem is affected by how they feel about specific areas of their life.*

concerned about his self-esteem, or about being attacked, will naturally become defensive and less receptive to suggestions for improvement), and (3) help avoid coloring all of an employee's behaviors with the same ink (e.g., thinking of her as a "difficult person" rather than as an employee who resorts to some "unproductive behaviors").

As the employee reads her first list out loud, do not hesitate to add anything you may have forgotten to include in yours. Acknowledge what is being said by careful listening. After the employee

finishes reading her first list, read your list to the employee. Make sure to praise the worker's good points—even if the employee has already mentioned them.

The first list is the vital foundation to the process of performance appraisal. Time spent developing and discussing what employees do well is never wasted. In the rush of everyday activities, supervisors often focus on what an employee is doing wrong. How often do we take time to stop and give carefully thought out compliments? Not infrequently, employees will visibly smile when honestly complimented by their supervisor. Employees who feel that they are performing well in at least one area of responsibility, and feel validated by their supervisors, are more likely to want to improve their performance in other areas, too. We also said that sincere compliments are goodwill deposits without which withdrawals cannot be made.

It is the positive force, or momentum, that gives an employee the strength and determination to try harder in areas of weakness. Employees can quickly sense, however, when a compliment is not sincere. Furthermore, when supervisors are negative and find little to compliment in an employee, their subordinates are less likely to have the desire to make needed changes. These general principles, of course, are tempered by individual differences, such as a person's self-esteem (Sidebar 6-2).

If the worker brings up, as one of his good points, a performance issue that you consider a weak point, attempt to understand the employee's perspective, and under no circumstance disagree with the employee at this point. While there may be disagreements between you and the person being appraised as to whether something is a positive trait, this is not the time to bring such issues up. The opportunity will present itself when discussing areas that the worker needs to improve. Nor should we cloud the positive issues by telling the employee now that this point belongs both under the positive employee contributions and the list of items that need improvement. Nevertheless, when discussing employees' weak points later on, it can

## SIDEBAR 6-2

## Our Fragile Self-Esteem

We know very little about self-esteem despite all that has been written about it. Self-esteem seems to be somewhat situational, specific and fragile. People affect each other positively or negatively. Employees with very high or very low self-esteems (either end of the bell curve) may be less affected by the quality of their supervisors than those in the middle (the largest portion of the bell curve). Even so, few people can boast of self-esteems that are so robust that they cannot be deflated. A positive supervisor who looks for good in others is more likely to find it—as well as more receptive employees. Some supervisors, by their positive natures, seem to bring out the best in others.

Global self-esteem is affected by how people feel about specific areas of their lives, such as in their multiple roles as a spouse, a parent, a child, an employee, a supervisor, member of a team, and so on. Each of these general areas may be further broken down. A person, for instance, may feel she is generally a good supervisor. This same individual may recognize that she is better at some aspects of supervision than others. Furthermore, she may realize that her interactions with different members of her work team vary. If one aspect of our life is particularly important to us, our self-esteem in that area will have a large effect on our overall feelings of self-worth. Over time, what is important to an individual may change drastically.

Some suggest we need to focus on discovering and developing our talents. In many ways this is sound advice. Certainly, we do not have to be good at everything, and no matter how hard we

try, this life is simply too short. To really excel in an area can bring much positive satisfaction. It can also give us the confidence to venture into the unknown, or try something we are not good at.

A constant need to compare ourselves to others is a telling sign that something is amiss and that our self-esteem is weak. It is quite easy to confuse self-esteem with vanity and pride. In the quest for higher self-esteem and recognition people may ignore the truly important areas of their life. Individuals may even attempt to convince themselves that they can neglect critical areas of their life. Deep down, if not quite consciously, people know when their lives are out of balance, and this affects their self-esteem. Ironically, overly focusing on self can also destroy feelings of self-worth. It is often through service and building up of others that our own self-esteem is strengthened.

To excel at a job—one we have an interest in and talent for—requires we know how to appropriately focus our efforts. Trying to do more than we are able dilutes our efforts and little good comes out of it. An effective supervisor can help those under her analyze their efforts and find a positive balance. A healthy self-esteem will lower an individual's fear of identifying weaknesses and trying something new. Sometimes people resist learning or improving on skills that are essential to their jobs, but when they finally do make the effort, a sense of exhilaration comes into their lives that makes them wonder why they had not done so earlier. Such positive feelings may permeate all that a person is involved in, just as much as a feeling of stagnation does the opposite. If we stop growing, we stop living.

be very beneficial to remind them of their positive traits.

*Second list.* The function of the second list is to permit employees to discuss weak areas they have been working on. Of course, when an

employee says he has improved in an area it does not mean he has totally conquered the problem. As before, the supervisor listens and asks for clarification, without interrupting the employee. The supervisor acknowledges



Marsha Campbell Mathews

*The negotiated approach to performance appraisal achieves, above all, a candid conversation between the supervisor and the person being evaluated. It is the employee who takes responsibility for improving future performance.*

the comments of the employee, and then reads his own list.

*Third list.* The rationale of the third list (as well as the others) is to help make good employees better and to help those who are performing poorly improve. Everyone has areas in which they can improve. Just as we may color employees with negative strokes and not recognize the good in them, we can also neglect to help outstanding employees reach their full potential. This may be done by failing to acknowledge strengths or by ignoring weak areas, as insignificant as they may appear. In the process of sharing lists, areas of misunderstanding can be cleared up. A calf feeder may have incorrectly assumed, for instance, that the herd manager was upset about his immunization procedure when, in fact, the supervisor was quite pleased with it.

Again, allow the employee to go first. Permit the employee to read his complete list uninterrupted, except to ask for clarification when needed. When an employee speaks of something as being a problem, challenge, or weak area, do not jump right up and say, "I agree, I also think this is a weak area for you." In fact, when it comes time to read your third list, there is no need to repeat what the employee has said. Instead, bring up any issues that have not been raised. A key point to remember is that when employees acknowledge something as a weak point, they have *taken ownership of that problem*.

Ideally, the worker's self-report will be complete and accurate. In some situations workers may overly criticize themselves in an effort to evoke a

compliment or to have you reduce the seriousness of the situation. If the employee's performance was truly deficient in some area—or you do not like feeling manipulated—ask, "what makes you think you did so badly?" Once the worker has acknowledged his need for improvement, the supervisor needs to be careful not to fall into a more traditional role of expert telling someone about his faults. Instead, the supervisor can now be an active listener, offering support and help to the worker in changing unwanted behavior.

When employees have discussed their third list in general terms, and if there are any new things to add from your list, these have likewise been mentioned in general terms, you can say something like, "Yukiori, you say that X, Y and Z are weak areas for you. Tell me what specific steps you would like to take during the next few months to strengthen each of these." You may want to begin with the area having the simpler or more straightforward solution. Or ask the employee to choose an area to begin the discussion.

When it comes to solutions, some workers may provide overly vague or simplistic ones, such as, "I'll try harder." Good intentions may not yield positive results, however, unless plans for *exactly what will be done differently* are evaluated. Nor does it help when an employee sets unrealistically high goals that have no reasonable chance of being carried out.

Despite what has been said about allowing the employee to solve his own problems, sometimes it helps to offer a few alternatives. What is most critical is

for the employee to feel empowered to accept, modify or reject the suggestions. For instance, in one performance appraisal an employee felt he was not always truthful and straightforward. The dairy farmer suggested, "I realize that when telling untruths has become somewhat ingrained, it won't be easy to change from one day to the next. Let's do this. If you ever tell me something that is less than the truth (and that will bother you, and you will know when that happens), let's agree that you will come back and tell me the rest of the story." The employee felt comfortable with the solution, and the proof is that within a week he took advantage of the dairyman's offer and, thus, took responsibility for what he had done.

The more concrete and specific the solutions, the greater the potential for success. An employee in charge of the shop came to an agreement with his supervisor on how to make tools accessible to others and at the same time reduce the unorganized way through which tools were leaving the shop and not returning. Another employee agreed to give colleagues a five-minute notice that he would need them rather than demand instant help, unless, of course, it involved the safety of the farm animals or the situation was critical.

By the time the employee and supervisor are reviewing the third list, both individuals may be emotionally drained. There is the temptation to solve a difficulty with haste and expediency. Also, the employee may begin to get defensive, negating all the good that was said in the beginning of the meeting. Periodically remind the employee of something discussed in the first list (what the employee does well).

Take, for instance, a situation where you have been discussing an employee's tendency to be a little self-righteous and discount other people's opinions. You sense the employee is beginning to feel somewhat discouraged and deflated. You want the discussion to be more positive in an effort to find a viable solution. "You know, Kenny, I realize that it is *because* you care so much about this operation, *because* you take pride in your work, *because* you want things

done just right, that you wish to express your opinions. And we certainly want to keep hearing them. The challenge, as I see it, is how do we encourage others to feel that their opinions are important? Especially those who are shy about giving their opinions to begin with?"

There comes a point, however, that more good can be done by continuing the appraisal at a different time. It is at these points when supervisor and employee may want to set a date to meet again (say, in two or four weeks) and brainstorm potential solutions. While the supervisor may give a couple of potential ideas to the employee to get him thinking, she needs to make it clear that it is the employee who has to buy into the solutions and bring as many potential ideas to the next meeting as possible.

Depending on the extensiveness and importance of the challenge involved, thinking through a particular work process and all the likely places where problems may be introduced may be helpful in better understanding the complete problem. The effectiveness of brainstorm sessions may depend on the willingness of participants to think outside traditional solutions.

If the process has functioned well, there will be fewer negative points that have to be brought up by the supervisor. Any issues on the supervisor's third list that have not been aired, need to be brought up now. However, there will be situations where this technique will not work, and the supervisor may be forced into a more traditional approach.

Sometime before ending this part of the performance appraisal meeting, it is good to review exactly what has been agreed to (a copy of these decisions may be printed out and given to each participant for further review and for a record of the meeting) as well as pending issues for future solution. Without specific goals and objectives with timetables for their execution, the performance appraisal most likely will do more harm than good. Following through on the timely achievement of these goals is just as vital.

In providing feedback on below-standard performance, it is unfortunately

easy to generalize. Instead, supervisors need to separate the specific area of performance needing improvement, or risk failing to communicate. For instance, a vineyard worker may be demoralized by hearing he is a bad pruner, especially if he puts much effort into it. Instead, he may be told he tends to leave overly long spurs. His foreman may want to provide additional instruction and watch the pruner until it is clear he has understood. Likewise, telling an employee she is lazy, stubborn, inconsiderate, or does not take initiative is likely to yield negative reactions. As an alternative, you may want to discuss the critical incidents that are behind these conclusions.

Before closing the performance appraisal meeting, it is important to refocus so the employee leaves with a positive note. Where multiple encounters are required, every effort needs to be made to start and end each meeting on a positive note.

*Fourth list.* The fourth list based on the question, “What can I do differently as your supervisor so *you* can be more effective in your job?” is just as crucial as the first three.

When sincerely asked and when workers are given time to prepare a thoughtful answer, especially after the employee is put on notice that his own performance is being evaluated in such detail, this question can improve the

performance appraisal process many-fold. Also, because this question is asked last, I feel that employees are more likely to speak up, especially now that they know how serious the process is. The wording is such that it elicits genuine worker input. When the employee speaks in response to such a question, the supervisor needs to *control the natural tendency to want to defend or explain* past behaviors. The supervisor needs first to make an effort to understand the employee and then ask the employee to understand her (see Chapters 12, 13 and 18).

One farm employer had a standard operating procedure where anyone ordering fertilizers or supplies had to check the prices with three different agricultural vendors within a given time period. As a result of this negotiated appraisal process, a top manager made a suggestion to his employer, “You keep the notebook with current data on costs for materials in your office. When you are not here, I have to make the three calls before I place an order. Instead, if I had access to that book, I could check to see if you had already made one or more of the required calls. When I do end up having to make calls, these can be annotated and dated with the new data right on your notebook. Then, that saves you time, also.”

As soon as the employee realizes that the purpose of the discussion is to *solve problems* rather than *assign blame*, difficulties are more likely to be raised and shared. This is an opportunity to fix challenges and make tasks run more effectively. The reason this approach works so well is that when a supervisor recognizes—and acts on—the need to make changes in her own behavior, she will make it easier for the evaluated worker to also make positive changes.

The most effective performance appraisals not only involve a discussion between an employee and corresponding supervisor, but also examine the relationships between the evaluated worker and others with whom he may come in contact. So, for instance, instead of asking for anonymous evaluations from a colleague with whom the employee works on a regular basis,

*We make it clear that the process is about improvement rather than about blame when we ask an employee: “What can I do differently, as your supervisor, so you can be more effective in your job?”*



Jack Kelly Clark

each can answer the question for the other of how to best provide mutual help. And they do so in a collaborative rather than competitive environment.

*Follow-up to negotiated approach.*

This negotiated approach to performance appraisal can, perhaps, make the most visible contributions where an employee's performance has been sub-standard. You may get the most benefit for the time spent on the appraisal from the employee who is giving you the biggest challenge. However, managers often have a tendency to forgive deficiencies, almost to a fault. But once a supervisor decides that enough is enough, he may have trouble seeing and recognizing positive employee progress. One farm operator spent considerable time and money in an effort to help an employee improve, including sending him for counseling on interpersonal relations. This effort came too late, however, because the farm operator terminated the employee without allowing enough time to see if counseling would work.

A follow-up meeting a month or two after the initial performance appraisal to discuss where the employee has improved, as well as areas that need special attention, can often be profitable. At one ranch, an employee had improved in a number of areas, but several key weak areas soon surfaced—including some that were not discussed in the original meeting. The farm operator was highly frustrated and wondered if this employee could be rescued. Fortunately, they met once again for a successful follow-up appraisal.

In many ways, the follow up is similar to the original meeting. The employee who was appraised should have the opportunity to come prepared to discuss what has worked and has not worked for him thus far. The farm supervisor likewise prepares the same way. Focusing first on the positive is as critical to the success of the follow-up meeting as it was to the original one. The idea is to prevent blaming and defensive behavior. While the negotiated approach to performance appraisal does not guarantee success, it does an

excellent job of making it clear what each party has to do to achieve that success. When introducing a sensitive topic, the farm supervisor may want to remind the employee of her good points and potential. The discussion, then, is about specific points that are standing in the way of the employee reaching her full potential.

## ACHIEVING A WORTHWHILE TRADITIONAL PERFORMANCE APPRAISAL

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Here are some key steps you can take toward achieving effective performance appraisals—ones that can be used to validate the selection process as well as to make decisions about pay or promotions:

- (1) Select what performance data to collect.
- (2) Determine who conducts the appraisal.
- (3) Decide on a rating philosophy.
- (4) Overcome rating deficiencies.
- (5) Create a rating instrument.
- (6) Deliver useful information to employees.

### Select what performance data to collect

One way to classify on-the-job worker behavior is by considering the three Ps—*productivity* (what was done), *personal traits* (how it was done, conduct) and *proficiency* (skill).

*Productivity* can be measured in terms of specific performance accomplishments. Examples include reducing calf mortality, increasing yield of the alfalfa crop, or diminishing bruises in the cherry harvest.

*Personal traits* such as motivation, willingness to take criticism, cooperation, initiative, dependability, and appearance (dress and grooming) may be considered. Personal trait ratings are useful, even though they sometimes say more about how supervisors get along with an employee than how well the employee performs on the job. Farmers are unlikely to want to reward performance—no matter how excellent



it is—if a worker only performs grudgingly and after repeated admonitions.

When personal traits are considered as part of a performance appraisal, specific characteristics should be related to the job. Often, a personal trait issue can be translated into an achievement. Instead of talking about worker dependability (personal trait), for instance, one may want to address how well an employee reports on assignment completions (productivity).

*Proficiency*—skill, knowledge, and ability—plays an important role in worker performance. When appraisals address worker proficiency factors (e.g., AI skills for a herdsman), they help assure worker interest in overcoming deficiencies that may be blocking future performance or growth. A farm personnel manager may be appraised in terms of understanding labor management principles, knowledge of applicable labor laws, skill in conducting interviews, or ability to counsel employees, for instance.

In evaluations, farmers need to strike the right balance between productivity and personal traits. Jobs vary in the importance that can be attached to such factors. An equipment operator who spends hours preparing land, furthermore, has less need for teamwork than two milkers who work side by side. Over-emphasis on personal traits may increase compliance at the expense of both creativity and performance. Stressing achievement over personal traits may lead to a philosophy where the end justifies the means—no matter how dysfunctional or unethical the behavior.

#### **Determine who conducts the appraisal**

Input into the appraisal of worker performance may come from many sources including the employee, co-workers, supervisors, subordinates, or even persons outside the organization. Ratings from multiple sources usually yield more reliable performance appraisals.

*Employee.* Usually, but not always, the employee has a good understanding

of his daily performance and how it can be improved. Employees can be the most important persons in the evaluation process, as we saw in the negotiated approach. Nevertheless, employees have a vested interest in making positive comments about their own performance, and can usually benefit from outside evaluation.

*Co-workers.* At times co-workers have a better grasp for a colleague's performance than the supervisor, but co-worker evaluations have a tendency to be lenient or overly harsh. Sometimes co-workers hope management will read between the lines and praise irrelevant or insignificant factors. Peer review is usually anonymous and several peers are involved in the evaluation. This anonymity, while often needed, can also lend itself to abuses.

*Supervisor.* Performance appraisal data obtained from the immediate supervisor is the most common rating source. Supervisors are often in the best position to give workers an honest evaluation. The danger in supervisory evaluations is the substantial amount of power and influence wielded, often by the hand of a single rater.

*Subordinate.* Formal evaluation by subordinates is unusual, although from time to time subordinates may be asked for input into the evaluation of their supervisor. When subordinates have an input into their supervisor's evaluation, supervisors have been known to improve their interpersonal relations and reduce management by intimidation. Issues of anonymity and adequate sampling of subordinates may be important in traditional appraisals.

*Outside the organization.* Evaluations by outside clientele may be useful in instances when there is much personal contact with outsiders or when the person being evaluated knows more about aspects of the job than the farmer or supervisor.

#### **Decide on a rating philosophy**

Performance appraisal data can also be classified according to whether employees are compared against others or are rated against a standard.

### *Comparison against others.*

Normally, when comparing employees against each other, a few employees end up at the top and a few at the bottom in what is known as a normal distribution curve (also known as “grading by the curve,” see Figure 6-1). The majority end up somewhere in the middle. Where the employee is ranked depends on how a person performs in comparison to others.

The principal advantage of the comparison method is preventing raters from placing all employees in one category (for example, all superior). Two disadvantages—especially when very few workers are involved—include assuming (1) employees fall in a normal distribution (there may be four excellent performers in a group of five, or none in a group of three), and (2) there are similar differences in performance between two adjacent employees, for instance, between those ranked 1 and 2 and those ranked 4 and 5.

*Rating against a standard* permits a supervisor to classify employee performance independently from that of other employees. Both supervisor and employee have a reference point for accurately looking at an employee’s long-term performance growth.

Ratings against a standard do not preclude comparisons. While employees may typically compare themselves to others, there is little to be gained by having the organization promote such comparisons. They are likely to create envy, vanity and dysfunctional competition. In a healthy organization, one employee’s success need not mean

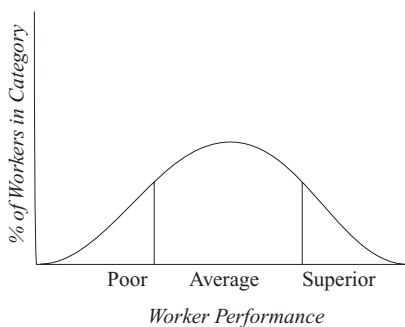


FIGURE 6-1

*“Grading by the curve” (normal distribution bell curve).*

another’s failure. If all can succeed, much the better.

Farmers who choose to use a standardized approach must next decide whether to judge all workers on an absolute standard or whether to consider an employee’s time on the job. Those who prefer an absolute standard tend to give lower scores to employees, as they fear new workers who receive high marks will not feel the need for further improvement. In contrast, raters who feel a worker has done superior work considering his time in the position, may rate him as such. An evaluation six months or a year later yielding a superior mark would require a corresponding

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*While employees may typically compare themselves to others, there is little to be gained by having the organization promote such comparisons. In a healthy organization one employee’s success need not mean another’s failure.*



*The critical incident technique involves noting instances where workers react particularly well or poorly. Such as when a milker noticed elevated milk tank temperatures even if not part of her job description.*

improvement on the part of the worker. I prefer the latter approach, because it seems more positive.

### **Overcome rating deficiencies**

Supervisory evaluations often suffer from numerous rating deficiencies:<sup>5</sup>

One particularly good or poor trait may contaminate other performance areas considered in the evaluation.

Once a worker is classified as a poor performer, it may take a long time for a supervisor to notice the worker has improved.

Supervisors tend to remember events more recent to the evaluation. Workers,

realizing this, may strive to improve performance as time for appraisals near.

Supervisors may tend to rate workers as average, especially when rating forms require a written justification for a high or low rating. Others may tend toward being either overly strict or lenient. Lenient raters may later appear to contradict themselves (e.g., when a worker is disciplined or does not get a raise):

“As with olives, where a small olive may be graded ‘large’ and the largest ‘super’ or ‘colossal,’ the worst rating many companies give their employees on appraisals is ‘good.’ Thus, the employer might be in the position of arguing that ‘good’ actually means ‘bad.’”<sup>6</sup>

Raters may also be influenced by an employee’s personal attributes such as national origin, level of education, union membership, philosophy, age, race, gender, or even attractiveness (Sidebar 6-3).

### **Create a rating instrument**

You can choose from several data collection and evaluation techniques, or rating scales. Whatever instrument is used, it should provide meaningful information to both employees and management.

There are a number of ways of classifying performance appraisal instruments. Data can be presented in terms of critical incidents, narratives, or predetermined anchors. A combination of approaches is often necessary to end up with a useful performance appraisal. Appraisal instruments require substantial rater training if results are to be meaningful.

*Critical incidents.* This technique involves noting instances where workers

#### **SIDEBAR 6-3**

##### **Physical Attractiveness**

Studies show attractive people are often judged to be more intelligent and have other positive qualities.<sup>7</sup> In one study, for instance, men gave attractive women higher scores on the quality of writing. Photographs of the supposed

authors were attached to the essays.<sup>8</sup> First impression attractiveness can have an even more serious impact on employee selection. This is particularly true where candidate impressions are formed solely on an interview and not moderated with data obtained from practical and written tests.

reacted particularly well or poorly. To be effective and accurate, critical incidents need to be jotted down as they take place and are still fresh in the supervisor's mind.

Examples of negative critical incidents include not observing elevated milk tank temperatures, or milking cows with antibiotics into the tank. Examples of noteworthy positive incidents are milkers who constantly provide accurate information on sick cows, or cows in heat; an employee who volunteers a money saving idea; or a worker who averted an upcoming disaster outside normal responsibility areas.

The strength of the process is in the concreteness of the examples provided. If care is not taken, though, the critical incident is susceptible to emphasizing negative worker behavior. When used alone, employees may have difficulty translating critical incident reports into improved day-to-day performance. Further, long periods of time may not yield any particularly good or poor behavior.

The critical incident approach can be used to come up with data and ideas to develop more complex rating scales.<sup>9</sup>

**Narratives.** As compared to the critical incident, narratives provide a broader outlook on worker performance. Narratives work best when raters have the skills and take the time to provide a thorough, analytical report while maintaining a positive tone.

**Predetermined anchors.** Appraisals where raters simply check or circle the most appropriate answer can potentially make for more standardized evaluations than either the narrative or critical incidents and are less time consuming for the supervisor (see Figure 6-2). Their ease in use may be deceiving, and raters may give the appraisal less thought than it deserves. Anchor-based appraisals include rating factors with a numerical scale (e.g., 0 to 3), or an adjective-descriptive scale (e.g., superior, good, below average).<sup>10</sup>

The most useful method is a combination approach that includes either a numerical or descriptive anchor, as well as critical incidents and a narrative performance description.

### Deliver useful information to employees

This brings us back to sharing information with the employee (see *Negotiated Performance Appraisal*). Evaluations work best when workers *know the evaluation criteria in advance*. Such areas of evaluation can form the basis for an intelligent conversation about performance between supervisor and employee. In one farm operation a manager was able to not only discuss a foreman's performance within his present job, but also the types of skills that were needed if the foreman was interested in a potential promotion to assistant manager.

Despite the importance of formal appraisals, an effective manager does not wait for formal performance appraisal interviews to communicate with employees. Sharing information about performance should be done frequently and in a positive manner. There should not be too many surprises for the employee when both discuss the evaluation. The negotiated performance appraisal, to a great extent, accomplishes the task of removing possible surprises at a much deeper level, as it encourages candid conversation between the individual being appraised and the supervisor.

Regardless of the approach taken, it helps to involve the worker in making plans and taking responsibility for improvement. Allowing the worker to take a major role in the performance appraisal interview does not guarantee the interview will be fun, but it can do much to reduce its unpleasantness.

## SUMMARY

Key objectives of performance appraisals include: (1) validating selection and other management or cultural practices; (2) helping employees understand and take responsibility for their performance; and (3) making decisions about pay or promotions.

Important steps to obtaining useful traditional appraisals include determining the type of data to be collected as well as who will conduct the ap-

Performance Area	0	1	2	3
Follows proper procedures to improve milk quality			☹	
Provides proper parlor environment for milking				☺
Recognizes and records cows in heat or sick			☹	
Keeps milk from fresh cows separate (colostrum milk)				☺
Makes efficient use of time as cows are milked or washed				☺
Takes safety precautions with cows that kick		☹		
Cleans milking parlor for next milking				☺
3 = superior      1 = below average 2 = good        0 = not performed				

FIGURE 6-2

Numerical rating scale for milkers.

praisal, establishing a rating philosophy, overcoming typical rating deficiencies, creating a rating instrument, and engaging the employee in making decisions on future performance changes.

An effective negotiated performance appraisal helps the employee take additional ownership for both continuing effective performance and improving weak areas. Employee goals set through performance appraisals should be difficult but achievable, as goals that are overly ambitious are doomed for failure. Some employees tend to boycott their own progress by setting impossible goals to achieve. Finally, employees *want to know* what you think of their work. Letting workers know that you have noticed their efforts goes a long way towards having a more motivated workforce. Perhaps the most important contribution of the negotiated approach to performance appraisal is improved communication between supervisor and subordinate, often permitting conversations in sensitive areas that may not have been discussed in the past.

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4. I refined this approach working with an agribusiness firm during a VOCA/US AID labor management mission to Uganda, East Africa, in 1996. While one of the top managers suggested that I was wasting my time with this approach, after she met with her boss for a performance appraisal using this list approach, she thanked me explaining that she had never had a more productive meeting with the owner / operator.
5. For instance, see Carroll, S. J., and Schneier, C. E. (1982). *Performance Appraisal and Review Systems: The Identification, Measurement, and Development of Performance in Organizations* (p. 40). Glenview, Illinois: Scott, Foresman, and Company; Strauss, G., and Sayles, L. R. (1980). *Personnel: The Human Problems of Management* (4th ed.) (pp. 522-23). New Jersey: Prentice-Hall; and Kujawski, C. J., and Young, D. M. (1979). Appraisals of 'People' Resources. In *ASPA Handbook of Personnel and Industrial Relations* (pp. 4-193, 4-193). Washington D. C.: The Bureau of National Affairs.
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7. For instance, see the work of Dion, K.; Berscheid, E., and Walster, E. (1986). What Is Beautiful Is Good, *Journal of Personality and Social Psychology*, (24: 285-290). ; and Bull, R. (1986). In Brown, Roger. *Social Psychology: The Second Edition* (p. 391-393). New York: The Free Press.
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9. Carroll, S. J., and Schneier, C. E. (1982). *Performance Appraisal and Review Systems: The Identification, Measurement, and Development of Performance in Organizations* (p. 121). Illinois: Scott, Foresman, and Company.
10. One popular performance appraisal approach of the "descriptive" type is the *behaviorally anchored rating scale* (or BARS). These scales are anchored with descriptive alternative behaviors. For every given category of behavior or performance, statements are ordered in an ascending or descending order of excellence. One challenge to BARS is the great number of descriptive category areas needed. Another difficulty is ordering observations so each statement of higher performance excellence subsumes the others.

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## Internal Wage Structure



Jack Kelly Clark

Jobs that call for creativity, autonomy, analysis, and personal growth may provide the best motivator of all: intrinsic rewards. Such satisfaction originates from *within* the worker. An intrinsically motivated worker does not obtain his motivation from external stimulation provided by the employer. An overemphasis on external rewards may be responsible for elimination of internally originated ones. There are personal and organizational objectives that simply cannot be realized through pay.

On the down side, intrinsic motivators, as wonderful as they may appear, are not equally found among all workers, nor do they always motivate the type of performance you may desire. Pay can be a powerful management tool and a compelling motivator. Employees

often consider pay as a measure of individual achievement and social status. The importance of pay, then, ought neither be over or underrated.

To be effective, pay must be tied to performance. While incentives (Chapter 8) can yield the clearest link between performance and pay, they are not suitable to all jobs. In this chapter we will look at wage structures, or time-based pay. Even though its relationship to performance may not be as salient as incentive pay, time-based pay can also motivate increased worker performance.

Pay issues covered in this chapter include (1) pay fairness; (2) what is behind pay differences; (3) job evaluations and market considerations; (4) elements of a wage structure; and (5) maintaining a pay structure.



## PAY FAIRNESS (PAY EQUITY)

In a casual survey I conducted, workers said that they expected wages to: (1) cover basic living expenses, (2) keep up with inflation, (3) leave some money for savings or recreation, and (4) increase over time.

Workers also become concerned later in their careers about supporting themselves during their retirement years. Personnel who have lived in farm-provided housing will find it especially difficult to afford payments on a new home after they retire.<sup>1</sup> Although beyond the scope of this work, farmers may want to look into retirement and tax deferred plans to cover some of these future needs.

Even if a farmer devises a wage structure to satisfy these expectations, worker dissatisfaction may arise if either *internal* or *external* equity principles are violated. Simply put, internal equity refers to the relative fairness of wages received by other employees in the same organization. External equity is fairness relative to wages outside the organization. Depending on the type of work and location, tests of external equity may involve comparisons with other farms or even nonfarm corporations.

Employees will act to restore equity if they perceive an imbalance. In

evaluating the fairness of their pay, employees balance *inputs* (e.g., work effort, skills) against *outcomes* (e.g., pay, privileges). Workers may experience guilt or anger if they feel over or undercompensated. The greater the perceived disparity, the greater the tension.<sup>2</sup> Employees may seek balance in the following six ways:

(1) modify input or output (e.g., if underpaid, a person may reduce his effort *or* try to obtain a raise; if overpaid, a person may increase efforts or work longer hours without additional compensation);

(2) adjust the notion of what is fair (e.g., if underpaid, a worker may think himself the recipient of other benefits—such as doing interesting work; if overpaid, an employee may come to believe he deserves it);

(3) change source of equity comparison (e.g., an employee who has compared himself with a promoted co-worker may begin to compare himself with another worker);

(4) attempt to change the input or output of others (e.g., asking others not to work so hard or to work harder);

(5) withdraw (e.g., through increased absenteeism, mental withdrawal or quitting);

(6) forcing others to withdraw (e.g., trying to obtain a transfer for a co-worker or force him to quit).<sup>3</sup>

The issue of fairness is critical to compensation administration and most every phase of labor management. Generally, workers and managers agree, in principle, that wages should take into account a job's (1) required preparation, responsibility, and even unpleasantness,<sup>4</sup> and (2) performance differences and/or seniority. Less agreement exists about the relative importance of each of these factors. Challenges in applying differential payment stem from subjectivity in the evaluations of both jobs and workers.<sup>5</sup>

Equity considerations influence the satisfaction of the workforce. Within a broader view, the stability of a nation may be affected when the contributions of any segment of society are either greatly exaggerated or undervalued.

*Workers expect wages to:*

*(1) cover basic living expenses, (2) keep up with inflation, (3) leave some money for savings or recreation, and (4) increase over time.*



## WHAT IS BEHIND PAY DIFFERENCES?<sup>6</sup>

Philosophical differences affect judgments employers make about their wage structures. Some think all members of a society should receive enough income to meet their necessities. Such employers may base pay more on the needs than on the contributions of the individual worker. To some, all jobs contribute equally to farm productivity and, therefore, all employees should be compensated equally. By this standard, pay differences are based on *how well* a job is performed rather than *what* job is performed. In a contrasting system the nature of the job—besides the quality of performance—is an important part of how pay differences are set at the ranch.

In making pay decisions at the farm, you have much flexibility within the constraints of the law, labor market, and local norms. The choices you make will affect employee recruitment, retention, satisfaction and performance.

Alan, a former Farm Bureau president, was asked by his workers why irrigators were paid less than tractor drivers. After considering the question, Alan concluded these wage differences among his workers were rather arbitrary. He decided to start paying everybody the same hourly rate. Another grower, Cecilia, increases wage rates as employees move up the job ladder from general laborer to irrigator, to supervisor, and so on.

What do Alan and Cecilia gain or lose from their respective approaches? The single rate Alan has settled on is fairly high. He has raised lower wage jobs to the level of better paying positions, rather than the reverse. His total wage bill is probably higher than it need be, but it is buying him a relatively content work force. Simplicity is one advantage of this approach. Alan does not have to adjust rates for employees when they work outside of their usual assignments—which is often.

Most farmers require flexibility in employee assignments. Individuals are called on to wear several hats and use a variety of tools in their jobs. On a



livestock ranch, a worker who is digging fence post holes and fixing corrals today, might be herding cattle tomorrow, pouring cement the next day, and entering herd data into a computer next winter.

Despite the practical advantages of paying everyone identical rates, more skilled workers may resent being paid the same as others. Cecilia forgoes the simplicity of Alan's method in hopes of using pay as a tool to attract, retain, and motivate qualified employees.

Paying different wages for different jobs, however, tends to make people more sensitive to job boundaries. Workers may resist taking on tasks outside their normal routine. On her ranch, Cecilia handles this by paying her workers their regular rates when they perform lower paid jobs. When employees perform more highly classified tasks—which is not often—she pays them extra.

When several positions receive a similar assessment, they can be combined to create a pay grade. To simplify, we will mostly speak of pay grades, but it is understood that pay grades may sometimes consist of a single position.

Of course, pay is not the only factor that affects workers' resistance to taking on tasks outside their normal duties. Employees quickly sense when lower



*Employees compare what they earn to what others within the organization (internal equity) and outside (external equity) make. External equity may involve comparisons with other farms or even non-farm corporations.*



## SIDEBAR 7-1

## Illegal Pay Differences

It is illegal to base pay differences on such protected personal characteristics as sex, race, color and marital status. The term “protected” is used because employees are safeguarded by law against discriminatory practices based on these personal characteristics. Federal law, established in the Equal Pay Act of 1963, explicitly requires men and women performing the same work to be paid the same—with four key exceptions:

. . . where payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex. . .<sup>7</sup>

Blatant cases of sex-based discrimination include instances where men and women hold the same jobs yet are paid differently with none of the defensible reasons applying. Somewhat veiled, but no less illegal, are cases where sex-segregated jobs are equal, except for their titles, and yet are paid differently.<sup>8</sup>

paying jobs are not as valued by management. An occasional chance for a manager to milk the cows may underscore the importance of the job, and also serves as a good reminder of what the employee does.

Once you decide whether persons holding *different* jobs should be paid different rates, the next question is whether pay rates should vary for workers performing the *same* job (e.g., tractor driver). If so, what factors could determine pay differences within a job?

Since abilities and actual performance vary remarkably among individuals, even in the same type of job, individual differences can be acknowledged if each job has a *rate range* (as in Figure 7-1). Higher rates or “upper steps” in the range could be given to employees with longer seniority, merit (i.e., better performance evaluations), or a combination of the two.

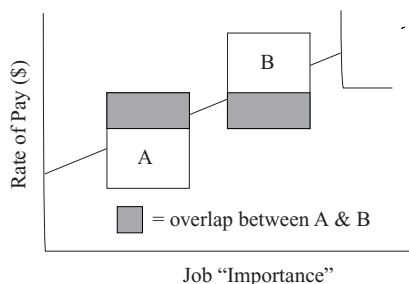


FIGURE 7-1

Pay grades can have rate ranges. Each pay grade is represented by a rectangle; rate ranges by the height of the rectangle.

Establishing rate ranges requires careful consideration. The relationships between grades and ranges have symbolic and practical consequences. A person at a top step within a pay grade, for example, may earn more than a person in a higher pay grade, but at a lower step (Figure 7-1). Whether and how much overlap to build into a pay structure is discussed later in this chapter.

While not recognizing differences in the importance of positions, Alan could also establish rate ranges (not pictured here) within his flat *wage line*. Like Cecilia, he would need to consider the basis for pay differences with a given job.

## JOB EVALUATIONS AND MARKET CONSIDERATIONS

You can arrive at appropriate wages for positions on your farm on the basis of two main management tools: (1) *job evaluations* (based on compensable factors such as education, skill, experience, and responsibility), and (2) the going rate (or *market value*) of a job.

### Job evaluation

A farmer such as Cecilia who pays different rates for different jobs usually first classifies the jobs on her ranch. Through a *job evaluation* she rates the jobs on the farm according to their relative “importance.” Each job might be given its own rate, or jobs of comparable

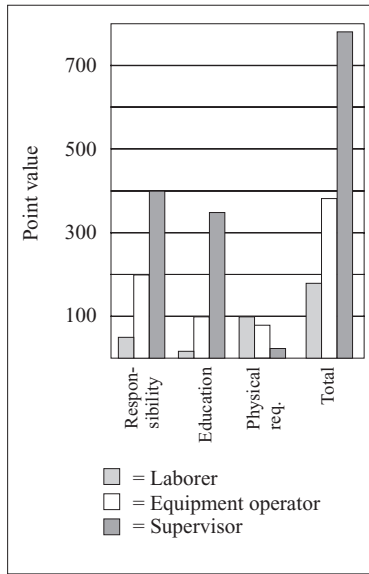


FIGURE 7-2

Compensable factors.

importance may be grouped or banded into a single wage classification, or *pay grade*.<sup>9</sup>

Job evaluations compare positions in an organization with respect to such factors as education, responsibility, experience and physical effort. Figure 7-2 shows a sample job evaluation. In it, for instance, much more value is given to responsibility and education than to physical requirements. The supervisor in this example would earn about twice what an equipment operator would.

Figure 7-2 uses education as a compensable factor. You may prefer to think in terms of what combination of experience and education would qualify a person for the job. This is an important step for determining the value of the position to be filled. However, when it comes time to hire someone, you may not care what combination of education or experience an applicant has as long as he can do the job.

If education is used as a compensable factor, a bachelor's degree might be worth 200 points, a junior college degree 150, a high school diploma 100, and an elementary diploma 50 points. Some of the jobs in the ranch might require a high school diploma, thus earning 100 points in this category, while others might have no education requirement (0 points

allotted)—regardless of the educational qualifications of the person who may actually apply. Similar ratings of jobs would be made for responsibility and other factors worth compensating.

You decide how much weight to allot various compensable factors and how to distribute points within each job. For the job evaluation to be useful, a detailed list of compensable factors needs to be articulated. (The *job analysis* created during the selection process can help.) You can test the job evaluation by comparing a few jobs you value differently. Does the tentative evaluation match your expectations? If not, are there any job factors missing or given too much or too little value?

Workers may also participate in the process of evaluating jobs and can add valuable insight into the essential job attributes for various positions.<sup>10</sup> Personnel involved in evaluating their own jobs, nevertheless, are likely to experience conflict of interest.

Although supervisors will normally make more than those they supervise, this is not always the case. A very skillful welder or veterinarian will probably make more than his farm supervisor. Some workers harvesting at a piece rate often make more than the crew leaders supervising them. Supervisors may be offered additional pay during labor-intensive periods.

Job evaluations, then, reflect the relative value or contribution of different

*A very skillful welder or veterinarian will probably make more than his farm supervisor. Piece-rate paid workers often make more than the crew leaders supervising them, as well.*





*Those who pay at or below the market may have difficulty attracting workers, and may find themselves frequently training people who leave for higher paid positions.*

jobs to an organization. Once a job evaluation has been completed, market comparisons for a few key jobs need to be used as *anchors for market reality*. In theory, other jobs in the job evaluation can be adjusted correspondingly.

#### **Market considerations**

In practice, results of job evaluations are often compromised—or even overshadowed—by market

considerations. Labor market supply and demand forces are strong influences in the setting of wages. No matter what your job evaluation results may indicate, it is unlikely you will be able to pay wages drastically lower or higher than the going rate.

Supply and demand factors often control wages. When there are many more pickers than available jobs, for instance, the going wage decreases. If few good livestock nutrition specialists are available for hire, they become more expensive in a free market. The market may also influence the migratory patterns of farm workers, for example, whether a worker stays in Mexico or travels to Texas, Florida or Oregon.

Of course, the market is not totally free. Legal constraints affect wages (e.g., equal pay, minimum wage). Labor groups, in the form of unions, can combine forces to protect their earnings. They may prevent employers from taking advantage of a large supply of workers. At times wages are driven so high that corporations cannot compete in a broader international market. Some professional groups can also impact the market. By limiting acceptance to universities, a limited supply of available professionals is set.

To establish external equity, employers need information about what other employers pay in the same labor market. While some employers are content to lean over the fence and simply ask their neighbors what they pay, others conduct systematic wage and salary surveys.<sup>11</sup>

Wage surveys need to describe jobs accurately as positions may vary widely even for jobs with the same title. Surveys should seek information about benefits given employees (e.g., farm products, housing). Of course, there are other “intangible benefits such as stability, the prestige of the position or the institution [and] the possibility of professional development.”<sup>12</sup> Surveys need to consider the number of workers per farm in a given classification. Wages on a farm employing many employees affect the going rate more than one with few. In some cases, farmers may compete for labor within a broader labor

market. When compensating mechanics or welders, for instance, you may have to check what those in industry are paid.

An important pay decision is whether one will pay the going market rate. Those who pay at or below the market may have difficulty attracting workers. Further, they may find themselves training people who leave for higher paid positions. Merely paying more than another farm enterprise, however, does not automatically result in higher performance and lower labor costs. Even when well paid, workers may not see the connection between wages and their performance. Farmers who pay too much may find it difficult to remain competitive. Furthermore, there are other factors valued by employees besides pay, such as working for an organization that values their ideas and allows them to grow on the job.

### Reconciling market & job evaluations

In wage setting, it is usually more beneficial to reconcile market information and job evaluation results than to singly rely on either. Unique jobs are more appropriately priced on the basis of job evaluations. You may depend more heavily on the job market for common jobs.

In most cases, farmers have freedom to satisfy both job evaluation and the market. Where the market pays a job substantially less than a job evaluation does, however, you can either pay the higher wage, reconsider job evaluation factors, or pay the reduced wage. The farmer has fewer viable options when the market would pay a higher wage than the job evaluation.

## ELEMENTS OF A WAGE STRUCTURE

Wage structures, we have said, help illustrate many of the decisions you can make about pay. We have already introduced most of the elements of a wage structure (review Figure 7-1) and will revisit them here.

Wage lines reflect *wage differentials* between jobs. The *steeper* the wage line

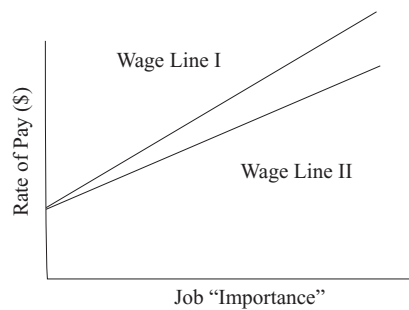


FIGURE 7-3

*Wages may begin at the same level but rise steeper at one farm.*

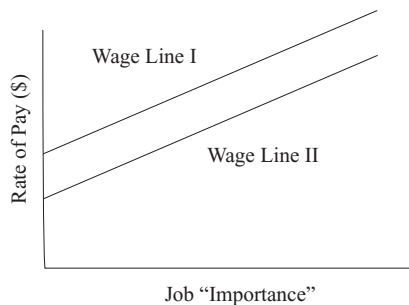


FIGURE 7-4

*Pay differential maintained.*

*slope*, the greater the differences in pay between jobs. In Figure 7-3, two farm enterprises pay their lowest level job the same. From this point on, wages for one farm rise at a steeper rate.

Wage lines also reflect the *overall pay level* of the organization. Figure 7-4 illustrates two farms whose differential between the highest and lowest paid job are the same despite the differences in the total wages paid.

The number of *pay grades* (job groupings sharing the same wage levels) and the scope of *rate ranges* may vary. Rate ranges are represented by the height of a pay grade, that is, the difference between the lowest and highest pay within the grade. For example, the minimum and maximum salaries for tractor drivers might be \$10 and \$14 per hour, with a potential \$4 pay range.

The more pay grades, the finer the distinctions between jobs. Alternatively, *broadbanding* is the use of fewer pay grades with larger rate ranges. Broadbanding allows employees to step out of very narrow or rigid job

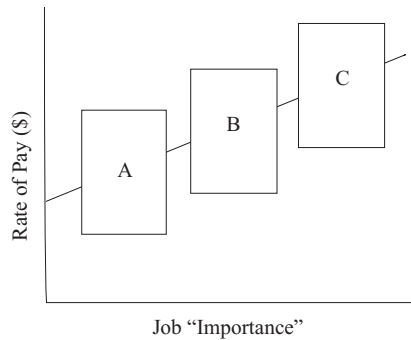


FIGURE 7-5

*Few pay grades (broadbanding), with taller rate ranges.*

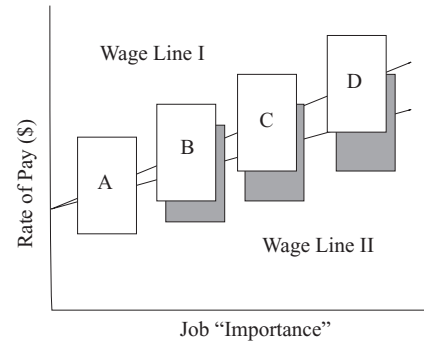


FIGURE 7-7

*Flatter slopes lead to increased overlap. Note: Wage Line II is flatter than Wage Line I, and thus contains more overlap.*

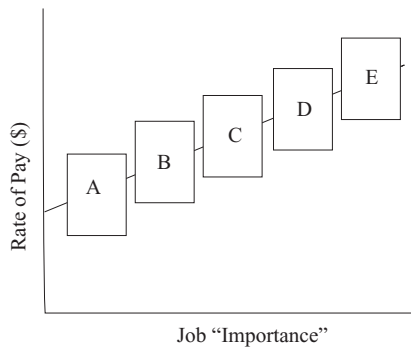


FIGURE 7-6

*Many pay grades with shorter rate ranges.*

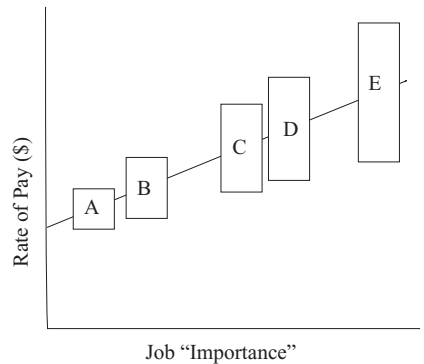


FIGURE 7-8

*A fan type structure.*

descriptions. Broadbanding may result in significant differences in jobs going unrecognized, and *pay equity* concerns may arise.<sup>13</sup> In organizations with few pay grades, it may be that there are taller rate ranges within each grade (Figure 7-5). This allows room for pay increases within a grade. Where many grades exist (Figure 7-6) workers may also obtain an increase by moving from one pay grade to another (i.e., being promoted) as they are by getting a raise within their grade. Some farms may have few grades and short rate ranges, also.

There tends to be more overlap where a pay grade slope is flatter (Figure 7-7), or with larger rate ranges. We shall return to overlapping rate ranges once more, as we discuss pay as a function of employee promotions.

Up to here—for simplicity—we have depicted wage structures containing equal rate ranges for all pay grades (i.e., the differential between the starting and top wages within each pay grade are the

same). A fan structure is closer to reality (Figure 7-8).<sup>14</sup> In this kind of structure the rate ranges are comparatively taller for jobs at higher pay grade classifications. To someone earning \$9 an hour, an increase of 50 cents an hour would be significant. To someone making \$40 an hour, the 50 cent raise would not be nearly as meaningful.

When asked how large pay raises should be, consistent with this principle, employees at the lower end of the pay scale often respond in terms of specific dollar amounts (for example, \$0.50 per hour), while those at middle and higher levels tend to speak in terms of percentage increases.

## MAINTAINING A PAY STRUCTURE

Maintaining pay equity within a compensation structure after it has been



developed is an ongoing challenge. Here we will look at:

- seniority-based raises
- merit-based raises
- promotion pay
- out-of-line or color rates
- cost of living adjustments (COLAs)
- flat vs. percentage COLAs
- wage compression and minimum wage

Employees traditionally progress within a grade on the basis of merit and/or seniority. Decisions about pay increases should be fair, sound, and well communicated to workers.

### Seniority-based raises

Systems providing periodic raises regardless of evaluated merit may be based on the *assumption that ability grows with time on the job*, which simply is not always true. Many companies use pay increases to reward workers for “belonging” and for their length of employment with the farm. As long as worker performance meets minimum standards, they continue to receive periodic raises.

Personnel value the certainty of seniority-based pay, and workers’ needs for increases in pay through time are served well. Seniority-based pay also promotes continuous service and may reduce turnover.

Employers who give raises on the basis of seniority value the maturity and experience of senior workers, but they are sometimes relieved when senior workers leave. In some instances, senior workers cost organizations disproportionately higher wages and benefits (e.g., longer vacations) than their contribution to the organization. This is not a reflection on the senior employee, but rather, on a system that undervalues the new employee with the promise that in due time, new personnel will be able to earn greater amounts.

In order to avoid having employees climb the pay scale too quickly, smaller but more frequent pay increases may be given early in an employee’s career. Increases later on are given at a slower pace. These increases, without being



overpaid, must be large enough to motivate employees to stay.

### Merit-based raises

Merit wage increases are designed to recognize improved worker performance and contribution to the organization. In theory, in a merit system workers earn wage increments proportional to their performance. As with the seniority system, however, once someone climbs to a given wage level his wages are rarely reduced. Incentive pay plans (Chapter 8) can solve the problem of giving “permanent” raises based on present and past performance.

Incentives, however, can have a disrupting effect on an internal wage structure. Employers who use incentive pay systems for some jobs and not others may find workers in some lower “value” jobs earn more than those in

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*A herdsman who has one cow and has earned a second one will be very pleased, while one who has many will hardly notice the addition of one more cow to the herd (Weber's Law). When it comes to pay increases, those at the lower end of the pay scale may ask for a specific dollar amount, while those at higher levels tend to speak in terms of percentage increases.*

higher level ones.<sup>15</sup> Companies sometimes abandon their incentive programs or expand them to cover more jobs.

Where pass/fail merit reviews are conducted at specified time-service intervals—and where employees tend to pass—the process may be viewed as a “glorified seniority system.” Length of employment and wages are closely correlated within each job category. In such a system workers would experience the same positive and negative benefits of a seniority system.

Managers may feel unduly constrained when given a choice between recommending a worker for a full step raise or nothing. To deserve no raise an employee must have performed quite poorly. If the choices were even slightly expanded to include half or quarter steps (e.g., half step, step and a quarter), managers may be more likely to reward workers commensurate with their performance.

Whenever performance reviews affecting raises are given at specified time intervals, merit systems automatically include a seniority factor. Alternatively, performance reviews for raises could be triggered by other events, such as specific performance accomplishments, or skill acquisition (skill-based pay).

Some workers may merit faster advances to the top of the pay scale than others. Unfortunately, employees who advance too quickly may not have any further economic increase to look forward to, and experience a feeling of stagnation. The only growth may mean trying for a promotion—or a job elsewhere.

In order to avoid having employees climb a merit scale too quickly, upper levels of the scale must be harder to achieve. Also, if the merit system incorporates seniority (i.e., performance reviews are triggered by time spent on a given pay step) reviews need to take place less frequently as people move up the pay scale.

It turns out, then, that there are fewer differences than expected between seniority and merit based pay systems. In order to fully take advantage of merit based pay, it is critical that employees

understand how they will be evaluated. That is where the negotiated approach to performance appraisal can play a key role along with the more traditional appraisal.

### **Promotion pay**

How much of a pay increase should accompany a promotion? If there is a pay structure policy, the boundaries of such a decision already exist. A tall rate range or steep wage structure may permit room for larger wage increases after raises or promotions. The wage differential will also depend on the height of rate range occupied by the employee within the present pay grade, as compared to the height in the grade promoted to. Obviously, a greater pay increase will accompany those promotions where the employee moves up more than one pay grade.

Any time there is an overlap between jobs, some workers in a lower grade may earn more than some workers on the adjacent higher grade. If workers are seldom promoted from one grade to another, this structural characteristic rarely creates a dilemma.

When workers move from one grade to another, difficulties may arise. There might be some pay overlap between the jobs of “assistant mechanic” and “mechanic.” Consider an assistant mechanic who, because of many years of work, has reached the top of his scale and makes more than a journeyman mechanic who has been working for a couple of years. The journeyman mechanic is likely to tolerate the wage discrepancy because even though the assistant is earning more temporarily, due to seniority, in time the wages of the journeyman are likely to surpass those of the assistant, due to the higher potential earnings in the journeyman’s pay grade.

The challenge arises when this assistant mechanic, who has topped out in his grade, decides to seek a promotion to mechanic. The assistant is unlikely to want to start at the bottom step of the mechanic scale where he would be making less than in his previous job.

One solution would be to start the assistant mechanic at a higher step level in the mechanic grade. But if the newly promoted mechanic ended up with higher pay than the more experienced journeymen, questions of internal equity may be raised. Both employees are now performing exactly the same job but the one with less experience (although more overall seniority) is earning the same as or more than the other. This pay equity situation may become even more pronounced when the accomplished mechanic has to help train the one who just obtained the promotion.

You may help employees manage career and development plans to avoid losing pay when obtaining a promotion. They will have to apply for promotions early enough in their careers as not to lose the potential economic advantage. Another possibility is to give the promoted employee a one-time lump sum, or *pay adder*, to make the transition into the temporarily lower paying job more palatable.

Another promotion pay consideration is the inherent risk of failure in the new position. In Chapter 4 we spoke of a farm where those promoted to supervisory positions immediately lost their seniority. The greater the risk of failure a promoted employee faces in a new position, the larger the wage increase should be.<sup>16</sup>

### Out-of-line or color rates

Sooner or later you will encounter situations where jobs are paid more or less than their actual worth in the labor market. Different “color rates” are commonly used by compensation specialists<sup>17</sup> to indicate particular out-of-line pay relationships (Figure 7-9): *red* and *green* illustrate either over or under compensated jobs—when compared to current worth.

Although the colors imply the farmer loses money with the first and gains with the latter, both situations can be quite costly. If out-of-line rates are not corrected speedily, both internal and external equity will be disturbed.

*Red rates* (so called because they represent overpaid jobs). If rates are

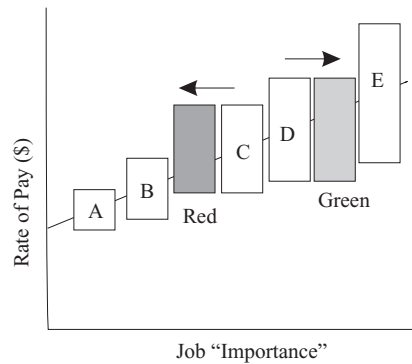


FIGURE 7-9

*Red and green rates.*

allowed to stay out of proportion to the rest of the farm jobs, other workers may feel mistreated. Also, the wage bill will likely be higher than it need be. When red-grade rates are cut abruptly, workers may experience difficulty meeting their financial obligations. Smoother alternatives include combinations of freezing raises until internal equity is reached; exerting efforts to transfer workers to higher paying jobs consistent

*A grower who does not keep wages competitive may feel forced to start inexperienced new workers up near the middle of a pay grade. If this is the case, there may remain no sound basis for pay differences among workers.*





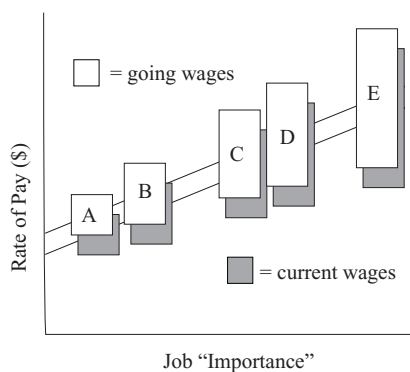


FIGURE 7-10

*Current wages have failed to keep up with market reality.*

with present wages; or even adjusting rates downward immediately while giving workers a lump sum (or several) to offset the downward adjustment.<sup>18</sup>

*Green rates* (underpaid jobs). Green-grade rates can be brought up into line immediately in one or two steps.<sup>19</sup> A grower may attempt to cut labor costs with green rates, but the benefits may be short term as it will be difficult to retain valuable workers.

Two likely green-grade indicators are (1) increases in turnover (with employees seeking better paying jobs); and (2) feeling forced to start inexperienced new workers up near the middle of a pay grade. If the latter approach is taken, no sound basis for pay differences among workers may remain.

Of course, it is possible an employer does not have a green-grade rate problem, but rather, her whole wage structure may have failed to keep up with the market (Figure 7-10).

### Cost of living adjustments (COLAs)

Inflation can have especially devastating effects on a worker's ability to make ends meet. We have seen how farmers whose pay structures fall below market values may have difficulty attracting and retaining personnel. Some corporations (and often union contracts) stipulate a COLA based on the Consumer Price Index (CPI).<sup>20</sup> The index is supposed to reflect cost-of-living changes. The prices of common

commodities purchased by most consumers are observed and compared.

While the CPI can be a useful tool, some observers feel the list of common articles used to come up with the index is not so common. The greatest challenge posed by the CPI is that it acts independently from labor market wages. In doing so, it may exaggerate and perpetuate inflation. Instead of using the CPI, farmers may prefer to monitor changes in the labor market through periodic wage surveys. Geographical transfers—especially international ones—may involve upward or downward COLAs to reflect substantial differences in cost-of-living requirements.

### Flat vs. percentage COLAs

COLAs may be given in terms of flat dollar amounts or percentage increases. Those who argue in favor of flat increases feel workers at the lower end of the earning scale need the COLA increases more than those at the higher end. Across-the-board percentage increases, they contend, have the effect of “further widening the gap in already disparate incomes” between the haves and have-nots. Some even feel it would be fair to give greater increases to those who make less.<sup>21</sup>

Those who favor percentage across-the-board increases allege flat increases cause wage compression. Wage compression means differentials between higher and lower paying jobs decrease. For instance, if workers making \$8 an hour and workers making \$18 an hour both get a \$2 an hour increase, the first group obtained a 25 percent increase while the second group only a 11 percent increase. If such a trend continues, proportional differentials between occupational wages can be all but eliminated. A conceivable compromise may mean alternating between giving straight and percentage increases.<sup>22</sup>

### Wage compression & minimum wage

Increases in the minimum wage can also cause pay compression in agricultural enterprises paying at, or

## SIDEBAR 7-2

Comparable Worth Doctrine<sup>24</sup>

We will first distinguish between *comparable worth* and *equal pay for equal work*, and then briefly review arguments in favor of and against comparable worth.

Some types of jobs are held mostly by women, such as sorting tomatoes and peaches. Others are filled mostly by men, such as picking peaches and grapes, and driving tractors. This is slowly changing with fewer jobs being categorized as “men’s work” or “women’s work.” But it is not changing fast enough for those who feel “women’s work” is underpaid in comparison with different but comparable “men’s work.” The move to correct such pay differences is based on the “comparable worth doctrine.” While the debate has dealt mostly with jobs segregated by sex, discussion can also focus on jobs held mostly by minority groups, as is so common in farm work.

**Earnings gap**

Both advocates and critics of the *comparable worth doctrine* agree some jobs are dominated by women and some by men, and that women often earn less than men. Solutions and reasons offered by advocates and critics are different.

The earnings gap between men and women has been cited by comparable worth advocates as clear evidence of sex discrimination.<sup>25</sup> When men and women who do the same type of work and bring similar experience and skill to the job are compared, their present wages<sup>26</sup> and future pay outlooks<sup>27</sup> appear more even.

Many reasons have been offered to explain why men earn more than women. The results of one study suggest gender-differentiated values and preferences are a factor. Males may choose higher paying occupations more frequently while women may place greater value on more stimulating jobs.<sup>28</sup>

Some believe women in the past did not invest as much time as men in higher education, resulting in higher wages for men. This argument does not hold up today, however, when a greater percentage of women are pursuing professional occupations. Another reason given for the higher earnings of males is their longer work experience in general as well as greater seniority with a given employer.<sup>29</sup> It is more common for women to leave the labor force to raise a family or to leave a job to follow a spouse who has been transferred.<sup>30</sup>

**Market vs. job evaluation**

Advocates of comparable worth feel market values used in wage settings perpetuate inequities: “We’re talking about fundamentally altering the marketplace because the marketplace is inherently discriminatory.”<sup>31</sup> Though advocates acknowledge the subjectivity of job evaluations, they favor basing wages on job evaluations rather than on market comparisons.

Critics of comparable worth feel that as long as women have a choice of jobs, there is no need for the comparable worth doctrine. Today, women are free to choose work in male-dominated jobs and obtain higher wages.<sup>32</sup> The law already requires that women holding the same jobs as men be paid the same wages. Assuring widespread education and opportunities to all who desire them can help reduce inequities between the sexes and races.

Instituting comparable worth would result in massive government intervention. This may mean either setting a national comparable worth policy or requiring the validation of job evaluations within organizations.<sup>33</sup> If government—rather than individual employers—would determine the value of compensable factors, the farmer’s prerogative to manage would be substantially curtailed. Finally, in a growing world-market economy, a nation that ignores market forces would certainly be at a competitive disadvantage.

near, the legal minimum. For instance, if starting hourly wages for irrigators and hoers are \$8.15 and \$7.20, respectively, a new minimum wage of \$8.00 would bring both to essentially the same starting wage (Figure 7-11).

In order to avoid raising the complete wage structure a farmer may, without raising the top wage, make minor adjustments all along the wage structure. Although one pay grade would not take the brunt of the wage compression, this approach may create pay compression throughout the organization.<sup>23</sup>

*Some believe women in the past did not invest as much time as men in higher education, resulting in higher wages for men. This argument does not hold up today, however, when a greater percentage of women are pursuing professional occupations.*

## SUMMARY

This chapter focused on internal wage structures, the framework for establishing and maintaining pay relationships in a farm organization. An

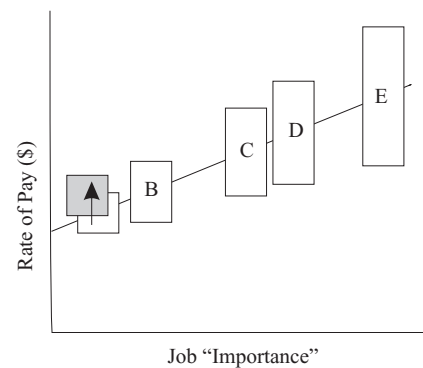


FIGURE 7-11

*Sample wage compression.*

important feature of a well-designed pay system is the provision for rewarding performance achievements with increased pay, either within the present job or through a promotion.

Pay is an important work reward for most people. Workers expect their wages will: (1) cover their basic living expenses, (2) keep up with inflation, (3) leave some money for savings or recreation, and (4) increase over time.

Farmers can set wages based on (1) job evaluations, and (2) market values. In practice, results of job evaluations must often defer to market considerations. Once wages are set, pay structures must be continually evaluated to assure competitiveness in attracting, retaining, and motivating personnel. In Chapter 8 we will consider pay based on worker output rather than time on the job.

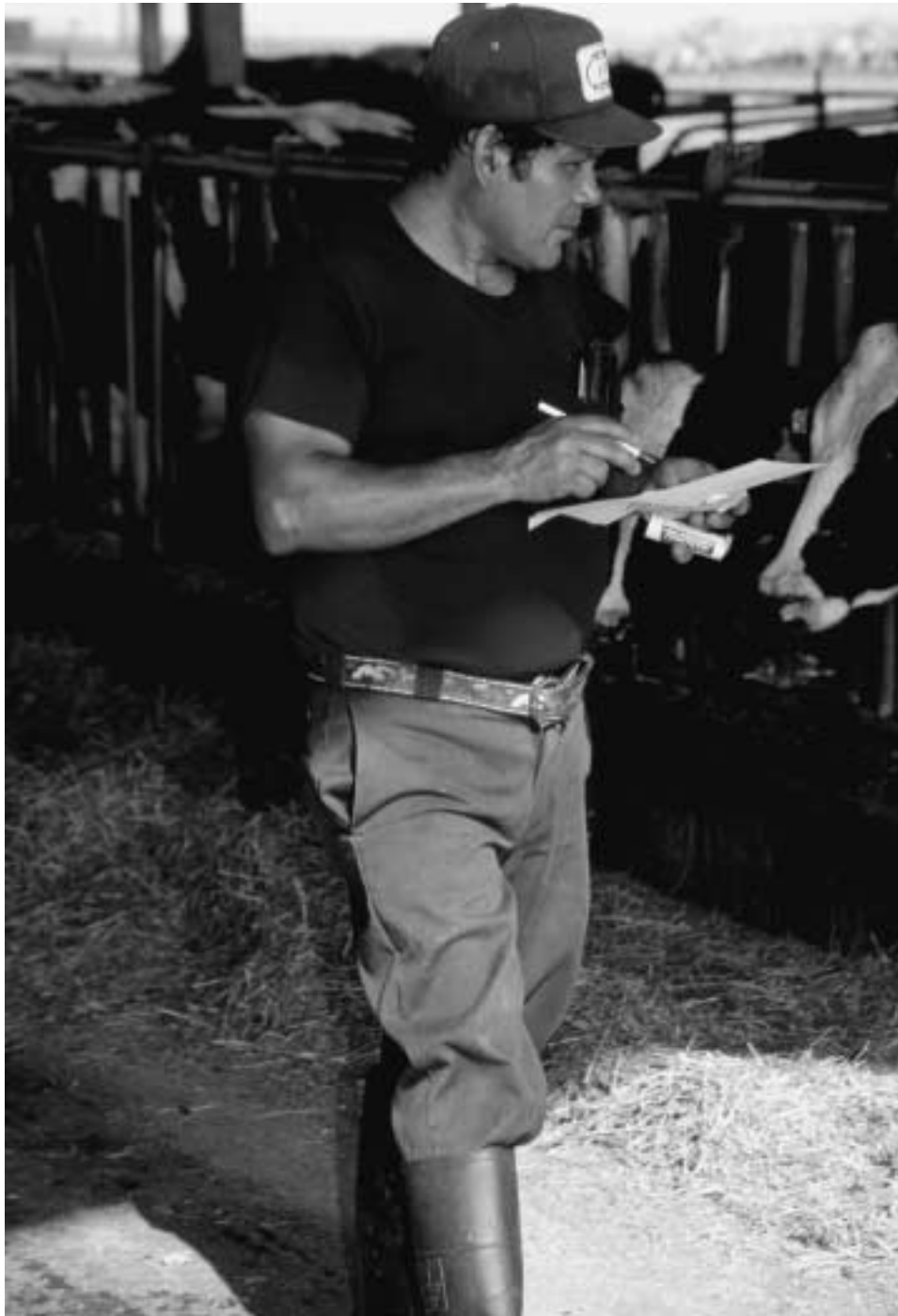
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*There is much that farmers do not have control over, and what they do control, they control through people. How these people are hired, managed and motivated makes a huge difference. Labor management is much more than forms and paperwork. It is more about finding creative new ways of increasing productivity and reducing loss.*

## Incentive Pay<sup>1</sup>



Ed Perry

**“My labor costs went down 50 percent for the same amount of production .... The hard-working person was making [twice, on a per hour average, than the slower ones]. I use incentive pay for other jobs as well [besides plants balled, dug, and burlapped], such as potting plants—I wish I could use it for everything!”<sup>2</sup>**

**Tennessee Nursery Grower**

Incentive pay is generally given for specific performance results rather than simply for time worked. While incentives are *not* the answer to all personnel challenges, they can do much to increase worker performance.

In this chapter we discuss casual and structured incentives. Although each rewards specific employee behaviors, they differ substantially. In structured incentives, workers understand ahead of time the precise relationship between performance and the incentive reward.

In a casual approach, workers never know when a reward will be given.

### CASUAL INCENTIVES

The simplicity inherent in the *casual incentive* approach attracts many farmers who would not consider a structured incentive. Casual rewards include a pat on the back, a sincere thank-you, a \$50 bill, a dinner for two at a local restaurant, or a pair of tickets to the rodeo (workers may have excellent



Jack Kelly Clark



Jack Kelly Clark

*Casual rewards include a pat on the back, a sincere thank-you, a \$50 bill, a dinner for two at a local restaurant, or a pair of tickets to the rodeo.*

suggestions along these lines). You may want to entitle workers to choose from a menu of several rewards.

Accompanied by a specific commendation, "This is for reducing our total harvest-time machinery break downs," the reward is more effective than "thanks for all you do." To be of use, these casual incentives must be given at *unexpected intervals*.

A bonus given routinely soon becomes part of the expected compensation package. Casual incentives communicate to employees that you have noticed their efforts. People thrive on positive feedback.

*Drawbacks.* Three possible drawbacks to the casual incentive approach may include (1) *envy* among employees, (2) feelings among workers that the supervisor may be acting out of *favoritism*, and (3) the use of rewards to maintain *social distance*.

While there are times when praising workers in public is appropriate, at other times it may do more harm than good. An example of the latter is when coworkers hear a direct or implied comparison between the rewarded employee and themselves.

Even though workers are likely to tell others about their rewards anyway, the force of the comparison is reduced when you give casual incentives privately. Perceptions among workers that rewards are given in a capricious or arbitrary manner, however, may still remain.

One way of overcoming both envy and favoritism challenges may be by having workers nominate others for these casual awards. The nominating

procedure should be kept simple. Recognition coming from fellow employees is unlikely to cause resentment and is one of the most sincere forms of praise. This type of recognition could even be given in public. Unfortunately, chances are that workers will be rewarded for their popularity.

Sometimes employees are reaching for a *positive stroke*: an acknowledgment that their superior performance has been noticed. While casual incentives can be very appreciated rewards, they can also be used to keep a social distance from the persons to whom they are given. This may happen, for instance, if an employee receives a monetary reward when he was reaching for psychological proximity instead. Only you can discern your employee's needs in a given situation. After all, both workers and situations vary.

*Suggestion Plans.* Suggestion plans may also be handled under a casual incentive system. You may want to recognize personnel for suggestions resulting in savings or increased productivity. In one instance, a farmer saved thousands of dollars after an employee suggested a more frequent adjustment to the scales. This farmer had been giving away carrots for some time.<sup>3</sup>

Employee suggestions that require small capital or labor outlays to implement, such as what was needed to keep the scale adjusted, should generally result in larger rewards. Expensive or difficult to implement suggestions may not yield any pay reward but a simple acknowledgment to the worker.

You must decide whether to reward all workers or only the authors of an accepted suggestion. There may be a balance that rewards teamwork and individual creativity.

Regardless of approach, a functional suggestion system needs management follow-through. Receipt of worker recommendations, as well as possible action to be taken, needs to be acknowledged promptly to those who make the proposals.





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*Public praising of an employee may cause jealousy between workers.*



Not every suggestion will be accepted, yet employees should be kept informed on the status of suggestions. A structured incentive plan, discussed next, helps both workers and management improve communications.

## STRUCTURED INCENTIVES

Structured incentives can help direct employee efforts. Other benefits include cost certainty and cost reductions for the farmer. Benefits to employees include higher pay and satisfaction.

Farmers' feelings about structured incentives generally fall into four groups:

1. *Incentives work well*—they have either helped motivate or maintain high worker performance. A Stanislaus dairy farmer spends \$5,000 to \$7,000 each year to implement his incentive program and gets \$55,000 to \$57,000 back. Many farmers experience a 40 percent cost-savings when moving from hourly to piece-rate paid wages.

2. *Challenges posed by incentives* — Top concerns about incentives from a farm survey<sup>4</sup> included: (a) poor quality work (or neglect of important goals not directly rewarded by the incentive); (b) no change in worker performance; (c) difficulty in setting standards; (d) change in work methods or technology; and (e) excessive record-keeping.

3. *Incentives do not apply to present needs.*

4. *Incentives are not used because of lack of information on how to establish them.*

Workers are also divided in their feelings about incentive pay. One dairy employee said incentives are what farmers pay when they do not want to pay workers a fair wage. Another milker, in contrast, was very enthusiastic about the incentive program the dairy farmer had instituted: it made him feel part of a team. Orchard, vineyard, and vegetable crop crew workers are also split on incentives.

Despite the benefits of piece-rate pay, crew workers in one study were evenly divided between those who favored hourly pay and those who liked piece-rate pay. The most common reason for preferring piece-rate pay was increased earning potential. Workers could acquire greater earnings in fewer hours of work, even though it took more effort to do so. Worker preference for hourly work fell into three general categories. Crew workers (1) felt that piece rate was unfair (they were mostly concerned about what they viewed as game playing in how piece rates were determined), (2) preferred the pace of hourly paid work, or (3) associated other benefits with hourly pay.<sup>5</sup>

Despite the potential perils, when properly designed and implemented to protect both farmer and farm personnel, structured incentives work well.

### Examples of structured incentives

A structured incentive (1) must be capable of *fluctuating* (variable pay) as performance changes, and (2) is based on a *specific accomplishment-reward connection understood* by both management and workers.

Examples of typical incentives:

- piece-rate pay for pruning or picking
- allowing workers to go home early, with full pay, when they finish a job
- end-of-season bonus for employees who stay to the end
- quality or production incentive

*Despite the benefits of piece-rate pay, crew workers often (1) feel it is unfair how piece-rates are determined; (2) prefer the pace of hourly paid work; or (3) associate other benefits with hourly pay.*



- bonus for reducing production costs
- profit sharing.

Examples of payments or benefits which are not incentives:

- most mandated benefits such as unemployment insurance, workers' compensation
- nonmandated benefits that do not fluctuate, such as housing
- wage increases, vacation, or rewards that, once earned, are seldom lost
- pay tied to time worked (except for bonuses for attendance, difficult shifts, and the like).

## STEPS IN ESTABLISHING STRUCTURED INCENTIVES

This section provides seven guidelines helpful in deciding whether to establish, and how to design and troubleshoot, structured incentive programs.

- (1) Analyze the challenge and determine if incentives are appropriate.
- (2) Link pay with performance.
- (3) Anticipate loopholes.
- (4) Establish standards and determine pay.

- (5) Protect workers from negative consequences.
- (6) Improve communications.
- (7) Periodically review the program.

### Step No. 1. Analyze the challenge and determine if incentives are appropriate

The purpose of an incentive program needs to be clear and specific. Slow cucumber picking, high levels of swine death loss in farrowing operations, and sick leave abuse are examples of specific, measurable problems.

Just because a goal can be measured in clear and specific terms, however, does not mean incentives are called for. Incentives may not be appropriate to motivate employees who lack the resources or skills to perform. No amount of incentive will help an unskilled egg production barn manager improve feed conversion. Because establishing incentives is not simple, employers sometimes opt for other solutions. A dairy farmer tried several ways to improve an employee's milk quality performance. A veterinarian was called in to demonstrate proper milking techniques, but the improvement was short lived. The worker knew how to do the job but was not doing it. The producer decided not to implement an

#### SIDEBAR 8-1

##### Safety Incentives

Safety incentives reward workers with good safety records (often measured in terms of reportable accidents) or for safety suggestions management considers worth implementing. Rewards for good suggestions can be positive in the area of farm safety as well as in reducing waste, improving productivity, or other areas. However, it seems peculiar to have to pay workers not to get hurt. After all, it is the worker who has the most to lose by an injury or illness. Instead, farmers may improve their safety record through (1) a policy encouraging a safe working climate, (2) worker training, (3) hazard evaluation

and correction measures, (4) safety committees, (5) discipline for violation of safety rules, and (6) careful employee selection, including the use of pre-employment physicals.

In some instances safety incentives that deal with reported accidents may be construed to be illegal, as workers seem to be punished for filing workers' compensation claims.

If you still want to recognize employees for a long accident-free spell at the ranch, you may want to tailor a casual incentive. The reward should be given to all and be a simple, low-key, non-monetary prize such as a company hat or picnic. Along with the recognition, emphasis should be on safety and on reporting job-related injuries and illnesses, even those appearing insignificant.



*Growers sometimes provide an incentive for employees to finish out the season, such as a per hour or per-unit incentive (e.g., for each box harvested) to be given employees who stay to the end of the season.*

incentive pay system. Instead, in a last ditch effort, he warned the milker: improve or be fired. The milker improved so much that the dairyman gave him a raise a few months later.

One three-way classification of employee performance is (1) poor, (2) standard, and (3) superior. *Standard* performance is what can be expected from a worker just because he has a job. Rewarding workers with incentives for bringing their *poor* work up to *standard* would be like paying twice for the same job: once for having the employee show up, the other for working. Instead, an incentive pay program can reward

workers who continue to produce *superior* work, or encourage those who already produce *good* work to excel.

Incentives designed to deal with farm safety seem inappropriate to me. Such incentives may do more to deter the filing of workers' compensation claims than to reduce accidents. Workers may hide incidents of injury or illness in order to earn a reward—or avoid the wrath of peers (see Sidebar 8-1).

A farmer who pays well, provides positive working conditions, and has a waiting list of employees who want to work for him, does not normally need to turn to incentives to improve punctuality or attendance, except for seasonal work.

Farmers have been successful in providing an incentive for employees to finish out the season and even to return the next one. The most typical approach has been to pay a per-hour or a per-unit incentive (e.g., for each box harvested) to be given to employees who stay to the end of the season, and to match this bonus if employees show up for the next season. Since finding a sufficient labor supply is becoming increasingly difficult in agriculture, this system can yield good results. Extra pay may also be provided to recognize particularly difficult conditions, such as staying through extra wet months in the dairy.

Tradition is not always the best indicator of what programs will work under incentive pay. Although hoeing and other forms of manual weed removal have customarily been paid by the hour, at least one farmer has been successful in converting from paying by the hour to paying by the row. This farmer went from having workers clean about three rows per day on an hourly basis to a range of nine to 16 rows per day under piece rate.

Incentives are often needed to counteract the effect that crew dynamics has on performance. Hourly paid workers tend to perform as fast as the slowest worker in the crew. Workers paid by the hour tend to cling together, while those paid by the vine tend to spread out, some working much faster than others.

For instance, piece-rate vineyard pruners are, on the average, 37 percent

faster than those paid by the hour. Hourly-paid crews require an average of 26 man-hours per acre pruned, in contrast to only 19 man-hours per acre for piece-rate paid crews.<sup>6</sup> Farmers who have successfully established piece-rate pay have been able to also control for quality (more under *loopholes*) of production.

## Step No. 2. Link pay with performance

Some farmers offer end-of-season profit sharing plans “because we did well this year.” Lamentably, there are too many factors that affect farm profits besides worker productivity. Weather and market are two external concerns, while farm accounting procedures can be an internal one. Personnel must trust that the farm enterprise will report profits in a fair and honest way.

Workers do not always see a link between their efforts and profits. Another danger is a streak of ever increasing profits followed by several years of deficits. While many workers will be very understanding at receiving a reduced profit-sharing paycheck for a year, few will tolerate a longer drought without experiencing considerable dissatisfaction. One manager shared with me his excitement about a substantial profit-sharing bonus. As a result, he worked much harder the next year and felt defrauded when that check ended up substantially reduced when compared to the first year. He soon left that enterprise.

In another instance, a worker at an equine and cattle facility explained, “I put the same effort each month, but in some I get the added bonus of getting a profit-sharing check.” The ranch employee was explaining that he did not do anything special to try and get a higher bonus, but that some months he would get one while in others he would not. Since he was not putting any effort into obtaining the bonus, the employee felt that it was a windfall in those months when he would get something.

Instead of being a motivator, profit sharing can discourage employees. Not only are profits dependent on the efforts

of the whole organization, but profits can be fickle. This is true for any organization, but it is especially true in farming where there may be a rash of good years followed by bad ones.

*Risk sharing* is related to profit sharing. Here employees are given higher profit-sharing bonuses in good years in exchange for getting a lower base pay than normal in unprofitable years. That is, in contrast with the normal system of profit sharing, in bad years the employees not only did not earn a bonus, but also lost part of their base salary; in good years, they earned bonuses much greater to what they would have earned normally. It is not surprising that companies favor risk sharing ventures more than employees do: “[The employee] gambles along with the company... Clearly, at-risk plans shift some of the risk of doing business from the company to the employee.”<sup>7</sup>

Any time employees are rewarded or punished for that which they cannot control, farm employers are asking for a cynical or disillusioned workforce. All this having been said, some farmers may wish to have a *very small* profit-sharing bonus as a teaching tool for top and middle management. Much better than profit sharing, however, is breaking down all elements under the control of employees or management that affect profits and rewarding personnel for achieving results.

A Fortune 500 executive, after explaining three of his most important goals—making an important contribution to society, developing excellent products, and making the

*Instead of being a motivator, profit sharing can discourage employees. Not only are profits dependent on the efforts of the whole organization, but profits can be fickle. This is especially true in farming where there may be a rash of good years followed by bad ones.*



organization a good place to work—made quite an impact as a guest speaker by pretending to momentarily forget his fourth goal: “The fourth goal . . . there must be a fourth goal. I mentioned it in a speech at [a nearby university]. Oh yes, the fourth goal is to make a profit.”<sup>8</sup> Sooner or later, then, when the profit potential is there, the farming enterprise will make money as employees improve their ability to make changes in areas they control.

Seasonal fluctuations and other factors may need to be considered when setting incentives. When attempting to control mastitis in the herd, for instance, a dairy manager has to consider variables beyond the control of her workers. Because mastitis is caused by several factors, it is desirable to consider them all. A milker would soon be discouraged if, no matter how diligently he used any specific prevention technique, the mastitis level was sensitive to improper machinery maintenance or seasonal fluctuations caused by environmental factors.

One way to categorize incentive pay is by whether individuals, small groups, or all farm personnel are covered. Individual incentive plans offer the clearest link between a worker’s effort and the reward. Probably the best-known individual or small group incentive pay plan in agriculture is *piece rate*. Piece rate is more suited to crew work (e.g., boysenberry picking,

vineyard pruning) than to precision planting, fertilizing, or irrigating. Outcomes from the former tasks are easier to measure—both in terms of quantity and quality—than the latter.

Small group and farmwide incentives work better when it is difficult to distinguish individual contributions, or where cooperation and team work are critical. Group incentives do not automatically foster team work, however. More productive workers may resent less motivated or less talented employees.

A foreman reported that when his crews were paid a group incentive, the fastest workers would slow down the most. This is not surprising, given what we have said in earlier chapters, that the fastest employees are four to eight times more effective than the slowest. Some of them may ask themselves, “Why rush when we will all get paid the same?” In another operation where workers are paid on a group incentive, it happens often that some of the faster crew workers will pick what they consider their fair share, such as ten boxes of produce, and then “sort of kick the tires, take a lot of trips to the bathroom” and slow down in other ways. “The faster workers put a lot of pressure on the slower ones,” explained one farm manager, “and we have even had those who felt so harassed they wanted to quit. The system has created tension and conflict among the workers.”

As the tie between individual work and results is diminished, so is the motivating effect of the incentive on the individual. If you use small group incentives, such as teams of pickers harvesting into one bin, it helps to have workers choose and control their own teams. When workers who have partial control over results are not included in the incentive pay program, conflicts may arise. For instance, tension may grow between a field melon packing crew paid on a piece rate, and the hourly-paid equipment operator.

### Step No. 3. Anticipate loopholes

Being so specific about a single result may cause workers to achieve it at the expense of all others. Examples

*Dairy workers rewarded for detecting cows in heat (as part of a breeding program) may find an unusual number of cows in heat. Instead, workers could be paid for detecting cows in heat who are later confirmed pregnant.*



include the herd manager who reduced the average number of breedings per conception, but did so by culling several of the best milk cows; and the field foreman who increased yields but spent more on production than what the extra yields meant in profits.

Allowing workers to “go home” (with a full day’s pay) when they finish a fixed amount of work has the same motivating effect as most output-based incentive pay systems—and similar problems. The incentive is to get done as quickly as possible and go home.

## SIDEBAR 8-2

### Approaches Toward Improved Quality while Paying Piece Rate

*Hourly base pay with piece-rate pay.* The greater the proportion of pay going toward hourly pay, the less importance given to speed of work. These farmers may not be getting their money’s worth, however. Hourly paid vineyard crews are substantially slower than piece-rate ones without obtaining sizable improvements in quality.<sup>9</sup>

*Speed limit* placed on workers. It is true employees who work faster than their skill level will do so by neglecting quality. Unfortunately, limiting worker speed, to be effective, would have to take place on a worker-by-worker basis. A maximum speed standard established for all crew members would likely result in expectations overly high for some and too easy for others.

*Discipline.* Minimum standards are set—or workers risk being disciplined. This tactic is perhaps the most commonly used and works relatively well (see Chapters 14 and 15).

*Quality incentive.* This method may take more time to set up but has the greatest potential. Set up *random quality-control* inspections or spot checks. Substandard scores can result in additional training or discipline. Superior scores earn a bonus. For instance, a cherry farmer may pay \$3 per box picked, with a potential multiplier of 1.084 for good quality or 1.25 for superior quality (about 25 or 75 cents per box, respectively). Three workers picking 24 boxes each in a day would earn \$72 (no bonus), \$78.05 for good work, and \$90 for superior work. The quality bonus has to be high enough as to provide greater rewards to the careful employee over the one who

picks more boxes.

*Earn the right to work in a piece-rate paid crew.* An effective management tool is to have employees work on an hourly paid crew until they can prove their complete understanding of quality considerations. Only when workers have shown a complete mastery of quality are they moved to a piece-rate paid crew. As a condition of working in the piece-rate crew, workers are expected to keep up high quality performance. This approach can be effectively combined with the discipline and quality incentive above.

When farm labor contractors, supervisors, or crew leaders are paid in proportion to worker earnings, farmers may inadvertently be encouraging less attention to quality. Unless worker earnings are also tied to quality, it does not benefit supervisors to emphasize quality, since workers would have to work slower and supervisors would earn less.

*When paying piece rate, quality incentives take more time to set up but have the greatest potential. Begin by identifying a range of acceptable individual performance. Then set up random quality-control inspections or spot checks. Sub-standard scores can result in additional training or discipline, while good marks earn employees an extra bonus per unit.*



Gregory Erdrina Billings collection

Dairy workers rewarded for detecting cows in heat (as part of a breeding program) may find an unusual number of cows in heat. Instead, workers could be paid for detecting cows in heat that are later confirmed pregnant.

The number one loophole for *quantity* production incentives is often *quality*. Growers who choose hourly pay over piece-rate pay often cite quality as the main reason for doing so. A number of approaches are either in use or have been suggested to motivate crew workers while maintaining quality (see Sidebar 8-2).

#### **Step No. 4. Establish standards and determine pay**

This process involves clarifying expected performance, considering agricultural variations, noting when it is fair to eliminate incentives, contemplating potential savings and gains, determining base wage versus incentive pay, anticipating effects of technological or biological change, and converting standards into pay.

##### *Clarifying expected performance.*

The first task is to establish and define standards.

- Does pruning a vine include removing suckers? Clearing cuttings from the bottom of the vines? Tying canes to the wire? Sawing off dead wood?
- Will mortality calculations include all calves—even those born dead or killed by lightning? Or, will a veterinarian conduct a calf autopsy and decide if it was a preventable loss?
- How full must picked boysenberry boxes be?
- How will the number of stemless, pitted, bruised, or low color cherries per sample affect quality grade?

*Agricultural variation.* Variations in crop load, vine vigor, or conditions that may affect worker performance need to be considered. Each commodity has its own idiosyncrasies. In grape pruning, there are multiple possible variations from variety to training method to

spacing that could affect worker speed. Yet vine vigor and vine age both contribute most of the differences in pruning difficulty.<sup>10</sup> There appears to be a reasonably good fit between required effort in vineyard pruning and brush weight (within a given training system). Piece-rate pay could be based on the pruning brush weight of a random sample of vines within a block. Deciding pruning costs for vines that are affected by eutypa or other disease, very young vines, or vines that are in their prime becomes much easier to deal with, so it is fair to all involved. Crop density can likewise be used to make decisions about harvest piece-rate pay. In one orchard operation,<sup>11</sup> crop density is also used to determine how to pay for thinning fruit load.

*Elimination of incentives.* The specific circumstances for eliminating incentives should be clearly related to the incentive and articulated ahead of time. Employees on a milk quality incentive could lose incentive earnings, for instance, if (1) the milk got hot because no one turned on the cooler, (2) cows with antibiotics were milked into the bulk tank, or (3) line filter changes were neglected.

It makes little sense to eliminate a berry picking quality incentive for employees who commit unrelated infractions (e.g., come in late, get into a fight). Any prolonged elimination of incentives risks surrendering any motivational effect the incentive program may have had. If the breach is so serious, perhaps the farmer should consider worker discipline or termination.

*Potential savings and gains.* A dairy farmer trying to reduce calf mortality may ask: how much does it cost me every time a calf dies?<sup>12</sup> Unfortunately, many employers think more in terms of how much they expect workers to earn in an hour—rather than what the incentive program does in reducing costs (e.g., costs per acre). In a well-designed incentive pay program, a farmer should feel that the more his employees earn, the better off he is.

There may be a point where improvements beyond a certain level

require a substantially greater effort, yet yield less significant results. Efforts may be better directed elsewhere. There is a substantial milk production increase when somatic cell counts reduce from log scores of 5 to 4 or 3, but a smaller proportional increase in milk quantities for further improvements. For the worker to achieve the first improvements, also, is much easier.

Two conflicting principles must be balanced here: (1) greater worker effort should result in greater pay; and (2) greater employee earnings should result in increased profits for the ranch. You may need to create a reward structure with a ceiling beyond which no additional pay increments are obtained.

*Base wage versus incentive pay.*

Some incentives constitute 100 percent of a worker's wages. Other incentives are combined with base wage earnings (Chapter 7). As a rule of thumb, the percentage of potential wages represented by incentives should consider the (1) amount of *control* a worker has over rewarded results, (2) *importance* of the rewarded results to the overall position, and (3) possible *loopholes* not covered by the rewarded results.

For instance, pickers and pruners often receive 100 percent of their wages through incentives. As long as quality of work is controlled in some way, this will work well. That is, (1) workers have full control over their performance, (2) the importance of speed is essential to the job, and (3) no important loopholes are neglected, since quality is also considered.

In contrast, a herd manager does not have full control over calf mortality, nor does calf mortality reduction represent his main job. This same manager may also be concerned with herd feed intake, improving milk quality, reducing days open, and supervision of milkers. If the loss of a calf is very costly, the importance of the incentive may increase. A calf mortality incentive in this case, then, could represent somewhere between five percent to 20 percent of potential wages.

*Anticipate effects of technological or biological change.* If new machinery,

technology, biological stock or methods are being contemplated, farmers would do well to postpone introduction of new incentive programs until after such changes have been made and their effectiveness evaluated. Otherwise, the farmer will not be sure whether it was the technological change or the incentive pay that brought about results. Workers may either be blamed or paid for something over which they had little control. For example, thousands of dollars can be spent on new equipment that would automatically improve workers' performance. If the incentive was established before the equipment was purchased, it would mean paying twice for the equipment: the direct cost of the equipment plus the cost of the higher remuneration to the workers. Any changes in technology or measurement have the potential for a change in standard and can lead to distrust if not handled properly.

*Converting standards into pay.* If no historical performance data exists for making sound pay decisions, you may want to do the work yourself—or ask others you trust to do it. An alternative is to hire a temporary crew at a highly elevated piece rate, with the express purpose of establishing standards. In no case should the people who will eventually do the work, or someone who has a vested interest in the results (e.g., foreman with relatives in the crew), perform the trial.

When farmers ask employees to work first on an hourly basis until the standard is set, workers may perform at a reduced level (while sometimes making it look as if they are struggling or working very hard). Employees realize high performance during the trial will result in lower wages once the piece rate is fixed.

Once standards are set, a farmer may lower the requirements but *never* make them harder. A vegetable grower underestimated worker performance. When the crew workers earned much more than the farmer expected, he lowered the piece rate. The farmer lost credibility, worker morale fell sharply, and many left for other jobs.



### Step No. 5. Protect workers from negative consequences

Employees have a number of reservations related to the use of incentives. These include such things as fear of job loss, unfair pay, and rate reductions. In the section on loopholes we considered how to protect the farmer when incentives are used. To protect employees:

- Provide a fair wage.
- Tell employees how much they are earning.
- Maintain fair standards.
- Hire fewer workers for longer periods.
- Protect senior workers.
- Provide timely performance feedback.
- Be sensitive to physical demands.
- Encourage workers to take rest breaks.
- Provide a safe environment.
- Avoid chance incentives.

*Provide a fair wage.* Workers are more likely to feel incentives are an excuse for low wages when they do not receive a fair base wage to begin with. They see incentives as either requiring unachievable goals in order to make a competitive wage, or only partially under their control. In contrast, when added to a generous base wage, incentives may be quite small and still be well received. Workers may look at

them more as *casual incentives*; they provide positive feedback and a feeling of belonging to a team. If incentives are not proportional to the amount of work involved, however, they are unlikely to provide the intended motivation.

*Tell employees how much they are earning.* Cucumber pickers at one California farm did not find out what the piece rate was until the end of each day when they got paid—which was strictly on a per bucket basis. A worker thinning peaches did not know how much he was earning per tree. In a third example, workers in Voronezh, Russia, who were putting boxes together for packing fruit, did not know how much they would get paid per box until the end of the month. In each of these cases, the farmer, the farm labor contractor, and the enterprise manager respectively explained, “Our workers trust us.” It became obvious, however, that the more buckets picked by the cucumber crew, the more trees thinned, or boxes built, the less they were going to get paid per unit. One of the workers in the thinning crew expressed frustration at not knowing what the piece rate was and pointing to the end of the long row said, “If I knew how much I was getting paid per tree, I would have already finished the row and would be on my way back.”

*Maintain fair standards.* Even after a piece rate or other incentive standard is fixed, workers may be hesitant to show

#### SIDEBAR 8-3

##### Do Piece-Rate Paid Crew Workers Leave after Making a Wage Goal?

Some farmers resist increasing incentive pay levels when compensating seasonal crew workers. They have hypothesized that workers have a certain earnings goal for each day and that once this goal is achieved, workers will go home. Economists would explain this phenomenon as the *income effect*: increases in income allow those in the work force to take more time for leisure activities.

But economists also speak of the *substitution effect*: the greater the

wages, the more a worker forfeits by engaging in leisure time. A study in numerous crops showed that fewer than three percent of crew workers out of more than 440 left work after reaching a wage goal for the day. About 11 percent of the respondents had at some time left earlier in the day, but the reasons given were (1) getting overly hot or tired or (2) not making a sufficient wage (i.e., low wages or not enough to pick). In either case, these workers were generally willing to stay longer if the earning opportunities were greater. Workers need to maximize earning opportunities when they can be fully employed. Leisure could come later, during “down time.”<sup>13</sup>

farmers their full performance potential. A call from a grower will best illustrate what I mean. He expressed the frustration that his employees were *earning too much*. “I have been thinking of reducing what I pay per grapevine from 32 cents per vine to 28,” he explained. I explained to the grower that the piece rate should not be diminished, that half his crew was apt to leave—the better half—and the other half would never trust him again. “I was just putting you to the test,” the grower retorted. “I reduced the piece rate last week, and half the crew already left ...”

Crew members sometimes exert pressure on overly productive coworkers to have them slow down. They fear standards will be increased (i.e., they will have to put in more effort to make the same amount) either now or in future years. A worker described how on a previous job he had been offered \$1 per box of apricots picked. When he picked 100 boxes for the day within a few hours the rate was suddenly changed to 50 cents per box. Another worker explained, “If we are making too much on piece rate we are told to also weed, and that reduces our earnings.”<sup>14</sup>

At a large orchard operation, top management was mistakenly focusing on average earnings per hour (by translating piece rate costs into hourly wages). Instead, they needed to focus on *cost per acre* or *cost per job*. When piece-rate paid workers made what to top management seemed like overly high wages, their pay rate was reduced with disastrous results: the best employees left, and trust was destroyed for those who remained.

In order to counteract management’s tendency to lower the piece rate, a clever production manager formed crews where high earning workers were balanced out with slow ones. This kept top management satisfied (because the average cost per hour was not too high) and yet allowed fast workers to earn more with less fear of having their wages cut.<sup>15</sup> This practice, of course, does not solve the real problem, nor does it entirely overcome the disincentive to faster, more effective work. For instance, this production

manager may not want to use a practical test to improve the number of superior crew workers because of the wrongful dependence on costs per hour as a productivity gauge. It just wouldn’t look good to his supervisors if workers started earning more.

The changes in standard may not be blatant. For instance, when hourly paid crews get a cost-of-living raise, farmers may reason piece-rate paid crews do not

*Growers will not derive the full benefits of piece-rate pay until crew workers are confident that high earnings today will not translate into reduced rates in the future.*



need one as they are already earning double the wages. Without the raise, the premium for *effort* given to piece-rate paid workers is thus reduced. Yet those on piece rate exert considerably more effort, as can be attested by anyone who has seen piece-rate paid pickers running through the field as they carry lugs or buckets of fruits or vegetables.

The design of the incentive may be poor, also. For instance, one nursery grower gave employees an incentive for achieving a percentage of improved productivity over previous performance, and noted that employees “reached an expected threshold and there was no further change” after that. The more workers improved, the harder it would be to surpass previous performance levels and gain an incentive reward. This employer dropped his incentive program. I wonder if performance reverted to a lower level, too.

To conclude this set of examples with a more positive one, a prominent California vineyard operator called in frustration: “We have an employee who is earning \$45 per hour by the piece! We must be doing something wrong!” Like the other farmer, they wanted to cut piece rates, but fortunately these growers called before making the change. I was able to explain that \$45 per hour for the best employee was not out of line to what the research indicated. The best farm worker in a crew was capable of four to eight times the performance of the worst. I *congratulated* this farm enterprise, they had achieved trust from the workers!

Sometimes farmers get paid less for their commodities. When producers are forced to cut incentive wages in order to stay in business, they are likely to lose workers’ trust. Part of an effective labor management policy is to carry over farm income to protect workers’ future earnings. This will help balance out some of the rough spots so inherent in agriculture.

Some jobs require extra *effort* while others mean extra *time* (e.g., time spent improving quality). Incentives should compensate employees for the extra amount of time required to accomplish a job. For instance, if employees spend

about half an hour more per milking shift to improve milk quality, the incentive should pay more than the half hour per shift the dairy farmer would have had to pay on an hourly basis.

*Hire fewer workers for longer periods.* Workers are less likely to slow down when they realize there is plenty of work to do. When time frames are not critical, it is often preferable to hire fewer, better-qualified people to do the job. You can manage to save money while providing a longer season and higher pay rates for employees.

In agriculture, there is often little continuity in crews from one year to the next. While normally this presents a training challenge for growers, here it is an advantage. The farmer introducing an incentive pay system is free to set a crew size small enough to have plenty of work for the season. Farmers will want to work toward reducing seasonal turnover, and keep some of these excellent employees. Producers who hire year-round workers, on the other hand, can have a policy of reducing their work force by attrition rather than by terminations.

*Protect senior workers.* Farm employers may, through a careful selection process, avoid hiring employees who cannot perform the job. Those who employ workers without first testing them may want to encourage the most productive workers to come back each season. Farmers who have poor performers in their staff may wish to deal with this issue before introducing an incentive pay program.

Sooner or later farmers need to deal with long time employees who are no longer in their prime. Many farmers rightfully feel a sense of responsibility for these workers and often find less strenuous tasks for them. For instance, some growers employ older workers on an hourly basis to sort or check for fruit missed during the harvest. It is not uncommon for senior workers to outdo younger ones, of course, and assumptions about worker capabilities based on age are often unfounded.

*Provide timely performance feedback.* Effective performance appraisal and communication is critical.

For a worker paid on a piece rate, being sent back to redo a job as a result of poor quality means reduced earnings. Supervisors need to provide effective training and appraise worker performance in a timely fashion. Farmers who have workers earn the right to work on an incentive pay crew (see Sidebar 8-2) by showing complete understanding of quality issues ahead of time, are likely to end up with fewer miscommunications with their employees.

The simple act of making a list of criteria that are important to you and sharing those with workers will go a long way towards improved quality. Taking the next step, of sharing with employees how well they are doing, can cement good habits. It also helps to provide samples of what is considered good quality work. For instance, one can provide a color-coded chart to illustrate minimum or maximum color requirements, or what a completed job should look like.

*Be sensitive to physical demands.*

The physical demands of piece-rate paid work are such that workers need to work fewer hours than when paid by the hour,<sup>16</sup> or risk health problems. This is especially so with more physically demanding jobs in the summer heat. Generally, the maximum workers can perform when paid by the piece is seven to eight hours. It is important to provide plenty of cold water and have it sufficiently close to the work being performed so workers will drink it. It may be necessary to provide worker training on the importance of drinking sufficient water. Encouraging workers to drink early (before they become thirsty) and at frequent intervals may reduce body fatigue.<sup>17</sup>

Sometimes farm employers are pressured to get crops in but need to resist pressuring workers into staying longer. Some farmers have been effective in getting employees to stay when rain threatens to destroy a crop. They have done so by raising the piece rate substantially (which works fine in this case, as the workers will get the next day off and can rest). In some cases, an alternative would be to use

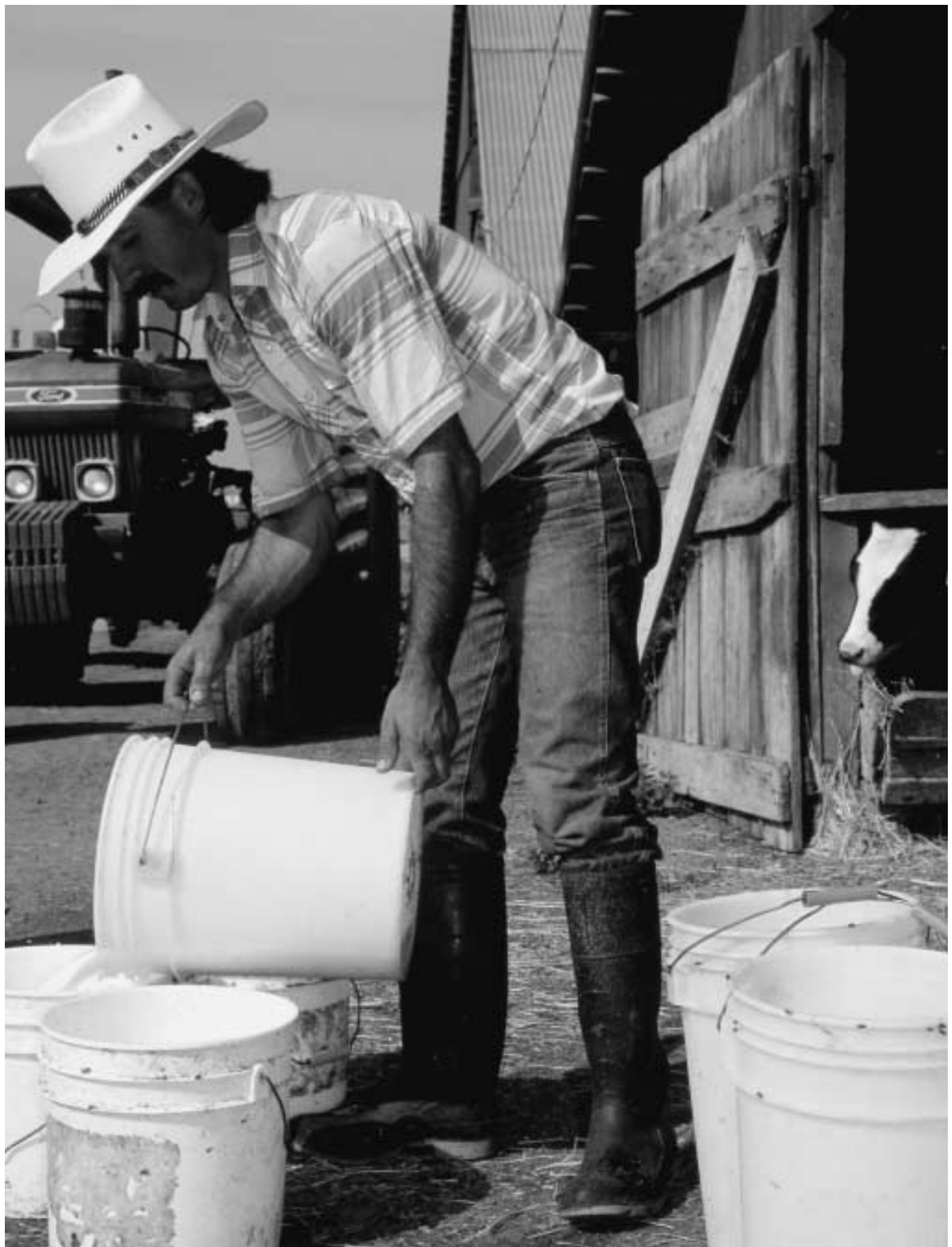
more than one shift or additional workers.

*Encourage workers to take rest breaks.* One disadvantage of piece-rate pay is that most employees forego their breaks.<sup>18</sup> Making sure employees take their breaks is likely to reduce injuries and mistakes as well as increase worker preference for piece-rate paid work. While those who perform hourly paid tasks take breaks on the farmer's time, those on piece rate would have to do so on their own time. One way to encourage employees to take breaks when paid by the piece is to bring warm bread or cold sodas out to the crews. Even more effective, is to insist that workers take a rest and pay them for the break time, either on an hourly basis or as a proportion of their piece-rate paid earnings.

*Provide a safe environment.* The hard pace of piece rate may increase back or other work-related injuries.<sup>19</sup> Farmers should consider ergonomic measures that facilitate, to the greatest extent possible, a work environment free of injury and illness. Some suggest worker pace should be limited to protect workers from injury. Unfortunately, as we said when discussing this issue as it related to quality, limiting the total performance of workers would only be effective on a worker-by-worker basis, as optimum pace varies among employees.

Injuries at the beginning of the season when workers may have had long periods of inactivity need to be guarded against, also. Employers may want to go to an occupational medicine facility to design an appropriate warmup or stretching exercise program for workers. Effective employee selection, training, and supervision can also do much to reduce injuries.

*Avoid chance incentives.* Chance incentives use luck (e.g., a chance at winning a TV or trip) to reward specific worker behaviors or results. Often those who are poor are especially attracted to gambling, hoping for things they are unlikely to achieve unless they get lucky. Employers who use chance incentives are gambling for the employee.



*If an expectation is set that employees can easily make the top incentive goal (e.g., for improving quality), the incentive may act as a demotivator. A herd manager, for instance, may start each month assuming he will earn the full possible award for reducing calf mortality. This herdsman will be discouraged when he sees his bonus vanishing as each month comes to an end. Farmers can encourage employees to try their best but set up more realistic expectations of what can be achieved.*

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In the *short run*, some chance incentive programs may produce the specific behaviors or results employers are looking for. But how appropriate—or to use a stronger word, how ethical—is the use of such chance incentives?

Key questions farmers might ask themselves before implementing a chance incentive are: Is it fair to each worker? Who benefits from the incentive? Is the incentive being offered because paying each worker would cost too much? Or because what each worker would get would seem too little? Are all workers rewarded for their work efforts?

#### **Step No. 6. Improve communications**

To improve communication with and between employees:

- Build positive interpersonal relations.
- Explain the program.
- Prepare a bargaining style.
- Provide feedback.
- Be open for suggestions.

*Build positive interpersonal relations.* Positive interpersonal relations between management and employees, as well as among employees, are a must before installing a successful incentive pay program. Incentives often add some tension and stress, especially at first,

before results showing success are clear. Added demands for positive two-way communication, feedback, and teamwork will increase. If interpersonal conflicts already exist, they should be worked out first (see Chapter 13), rather than hoping they will dissipate after the incentive program is established.

*Explain the program.* A simple program will help build trust. At minimum, all workers need to know what is expected of them and how their performance will translate into pay. It helps when the incentive plan is presented to workers for review and comments before implementation. Workers might spot not so obvious shortcomings or obstacles, and they are more likely to accept the performance challenge when they are involved (see Chapter 10). Better yet, is to involve workers in the design of the incentive pay program from the outset.

If an expectation is set that employees can easily make the top incentive goal (e.g., for improving quality), the incentive may act as a demotivator. Instead, farmers should encourage employees to try their best and begin by shooting for the lowest level. If the accomplishment exceeds the workers' expectations, all the better.

*Prepare a bargaining style.* Some negotiation on pay rates may be

traditional. In seasonal agriculture some growers begin with lower pay than what they feel is fair to the workers, knowing that tradition demands they raise wages throughout the season. Others prefer to let workers know they do not want to play rate-setting games. Still others set a fair wage along with a healthy end-of-season bonus that discourages employees from leaving or threatening to leave in mid season.

When a grape grower announced he was paying \$0.30 per vine, crew members protested. They could not afford to work for this small amount, they argued. It appeared workers would refuse to work. The farmer stood cool and firm, and soon the workers smiled and said the wage was just fine, in fact, a cent *better* than the previous year.

A grower offered pruners \$0.28 per grapevine. Workers adamantly refused to work for this wage. The farmer then labeled each row and offered the same crew \$22.40 per row instead. The pruners gladly accepted. This farmer had just multiplied the 80 vines in the row by \$0.28 to end up with the identical final price per vine. With this approach, however, a farmer may be gaining short-term success at the expense of future trust.

Another grower encountered stiff resistance from crew members after announcing the pay rate. They pointed out the neighbor's higher wages. The farmer aggressively told workers they could look for work elsewhere if they did not like the rates. This situation ended up in a labor dispute, as workers felt they had been *constructively discharged* (i.e., forced to quit) in order to save face.

Instead, this farmer could have calmly explained how he arrived at the pay level and told employees he hoped they would be able to work for him at this wage. Perhaps the neighbor pays more but keeps employees for a shorter season or does not provide as many benefits.

Not everyone can handle the high pressures of negotiating with a crew. I would prefer to post wages where they can be readily seen by all applicants. The farm employer avoids (1) surprising

workers, (2) haggling with the crew, or (3) taking a chance on a confrontation that may get ugly and out of hand. A farmer who expects not to have to haggle over wages needs to be sure that the wages she offers are fair to begin with.

*Provide feedback.* Producers need to provide frequent feedback to employees, regardless of the usual pay interval. For instance, crew workers may be paid on a weekly basis but receive daily performance feedback. Feedback may be given in person or posted to safeguard worker anonymity.

An effective method of providing meaningful feedback is through a separate paycheck, or "adder,"<sup>20</sup> for the incentive. For greatest effectiveness, adders should be given at a different date than the usual payday, or at the very least, in a separate check. This reminds the recipient that the extra compensation is for a specific purpose (e.g., such as a wet winter or harvest months involving long hours) and will last only as long as the condition merits.

*Be open for suggestions.* After the incentive is in place, workers may not be pleased with it. A dairy farmer who employed five workers was approached by two of them. They asked for a raise and the elimination of the incentive pay program set up a year earlier.

The producer, rather than ask the other workers if they also wanted to eliminate the incentive, asked everyone, "What can we do to improve the incentive pay system?" In the end, he ended up with a successful program, with workers earning \$300 a month in incentives.<sup>21</sup>

### **Step No. 7. Periodically review the program**

Record keeping and statistical analysis are critical to determine the success of the incentive pay program. Good controls are crucial so incentive pay results can be isolated and correctly attributed to the pay system. If a farmer introduces other changes simultaneously, she may never know the impact of the incentive program. There are a number of statistical tools that may

be used to analyze results. Your computer spreadsheet may already allow you easy access to these tools. You may want to consult with a statistician, labor specialist, farm advisor or county agent on what statistical tools to use.

Results may indicate directions for change or improvement. Once the program is in use, changes must involve workers in order to maintain the trust that is so essential to the success of an incentive pay program.

Farmers can benefit from keeping records even if they are not providing incentives. These records can help establish base lines essential for establishing standards for future performance.

In some cases, incentive programs are dropped too soon, without giving the systems sufficient time to work. Several farmers who have established successful incentive programs have mentioned the need for patience—sometimes having to wait several months for the program to function well.

## SUMMARY

Incentive pay has the potential to increase worker productivity if properly designed and maintained.

Even though employees know that attention to detail, increased productivity, or suggestions may bring about rewards, casual incentives are characterized by the inexact or unexpected timing and amount of the reward.

Farmers' structured incentives are most likely to succeed if they have (1) accurately established standards; (2) clearly linked superior performance with pay or a valued reward; and (3) carefully considered what type of performance the incentive stimulates. Effective incentives are designed so the more an employee earns, the more the farmer benefits.

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## Supervisory Power



**My ranch foreman was selling beer and sodas at a high profit margin. He would coerce workers into buying from him. I don't drink alcohol so I asked for a soda. "The sodas are for the women," he informed me. "You will have to buy a beer." I refused. When the farm owner took a week's vacation, the foreman retaliated and fired me.**

**Central Valley Farm Worker**

The term *supervisor* has two connotations: (1) a specific level in the management hierarchy, usually somewhere between the farm manager and the foreman; and (2) any person who has responsibility for directing and facilitating the performance of one or more persons—regardless of their management level. In this and the next few chapters, we will focus on the latter.

Organizational charts are useful in

illustrating working relationships in an organization. Organizational dynamics are seldom limited by official line boundaries, though. Some farming operations are small enough to be operated by a single person or by a partnership where both persons are equally accountable to each other. Figure 9-1 represents a simple organization with a farmer who supervises three workers with no

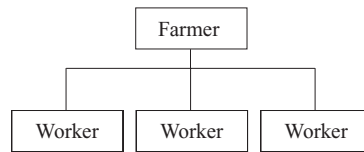


FIGURE 9-1  
*Simple organization.*

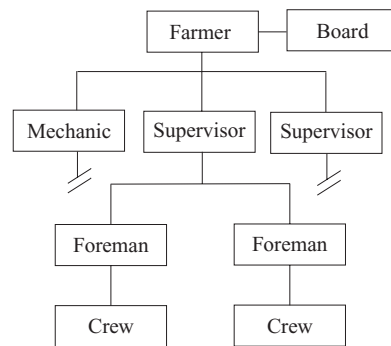


FIGURE 9-2  
*Multi-level organization.*

intermediate supervisory levels. Figure 9-2 shows a larger agricultural enterprise with three levels of supervision. Changes in complexity are most abrupt when an organization expands to one layer of supervision from none, and from one layer to two layers of supervision. Additional layers of supervision also add complexity.

*For supervisors to be effective, responsibility and power must be balanced.*



Jack Kelly Clark

How successfully supervisors facilitate the performance of others depends on their ability to influence subordinates. Regardless of the management responsibilities delegated to supervisors, the issue of matching responsibility with power is always relevant. We begin with a brief overview of the sources of supervisory power. Next, the power held by a supervisor as he acts as an interpreter, or communicator, between organizational levels is explored. We conclude by discussing abuse of power and measures to prevent abuse of authority.

## SOURCES OF POWER

Supervisors and workers alike bring a certain amount of power to the job. Powerful supervisors are more likely to be able to influence subordinates. But where does this power come from?

A supervisor's power is affected by the perceived value of a host of factors, contributions, or *inputs*,<sup>1</sup> such as a person's:

- leadership position
- education
- seniority
- skill, ability, and knowledge
- friendliness and interpersonal skills
- charisma
- gender
- race
- nationality
- attractiveness

Organizational scholars<sup>2</sup> often divide these factors into (1) *organizational* and (2) *personal* power bases.

**Organizational Power.** Supervisors have several tools available to facilitate and manage the performance of others. In theory, supervisors play a role in every aspect of labor management, including job design, employee selection, evaluation, pay, orientation, training and development, worker involvement and discipline. In practice, high-level managers may not take advantage of the full array of options to manage employees. At lower levels, supervisors may be more limited. For instance, a crew leader may be allowed to hire workers but not permitted to fire



Jesus Valencia

them without first checking with higher management.

For supervisors to be effective, responsibility and power must be balanced. It is difficult to hold a supervisor responsible if she does not have the authority to reward superior work or discipline poor performance. Many supervisors feel as if they have to act with one hand tied behind their backs. At the other extreme, unchecked organizational power can lead to a potentially more serious problem—abuse of power.

*Personal Influence.* Personal power is brought to the job by the incumbent rather than given to the supervisor by the organization. A supervisor's self-esteem and personal discipline may also play an important role on her ability to use power appropriately.

## THE SUPERVISOR AS AN INTERPRETER

With added layers of supervision, the role of the supervisor becomes more complex. Communication challenges may increase. Essential information passes through agricultural supervisors.

It may be directed up or down the organization toward the farmer or employees. The supervisor is placed in a powerful position as he acts as an interpreter between organizational levels. The proper handling of messages can make a difference between a smooth running operation and one full of conflict.

Messages sometimes get distorted in the process. A communication game you have probably played consists of quickly passing a message along from one person to the next. One person makes a statement and whispers it to her neighbor who, in turn, passes it on. The final message seldom bears any resemblance to the original. The greater the number of people a message must travel through, the greater the chances of distortion. While in the game the outcome is often comical, message distortions are seldom amusing in an organizational context.

Language barriers may be an additional source of possible distortions (see Sidebar 12-2 for suggestions on dealing with interpreters). Consider the sign at a national park warning backpackers of dangerously swift waters. A deadly waterfall lies meters

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*When the supervisor is angry at the grower, mistrusts him, or feels his main loyalty is to the workers, he is more likely to misrepresent the farmer. Supervisors also may misrepresent messages arising from an unpopular employee, or one that threatens the supervisor's sense of power or control.*

away. In English, the sign admonishes those with any doubts to throw a leaf into the water to check the velocity of the current. The same sign, translated into Spanish, says: “Danger: to see how fast the water is flowing, throw yourself as if you were a leaf into the water.”

When carefully crafted, written communication may help reduce distortions. Official bulletins or newsletters can often dispel unwanted rumors. Providing all communications to workers in writing is seldom a practical option, however. Also, upward flowing communication is less likely to be put in writing.

When the supervisor is angry at the grower, mistrusts him, or feels his main loyalty is to the workers, he is more likely to misrepresent the farmer. Supervisors also may misrepresent messages arising from an unpopular employee, or one that threatens the supervisor’s sense of power or control.

Supervisors often “take the heat” farmers and workers direct at each other. Some supervisors handle the job of “interpreter” between organizational levels better than others. Let us look at a few examples of how messages may get distorted as they pass from one level to another.

### Case # 1

Miyoko is the owner of a peach orchard. Last year she had to pay a premium piece rate because of the sparse fruit set. This year there is a bumper crop and workers can make substantially more per hour if they work at the same pace—even if the price per bucket is lower. Miyoko explained this situation to her foreman Pete who, in turn, must transmit the information to the crew.

“The boss says this year you guys get 50 cents less per bin,” Pete told crew members as they showed up to work. When the pickers did not move, he told them, “You heard me,” and then under his breath, but still audible, “I only work here.” Pete clearly did not communicate the message Miyoko had intended the workers to receive.

### Case # 2

Bárbara Gutiérrez was the only one in her family with a driver’s license. When her daughter had an upcoming doctor’s appointment, Bárbara approached Rojas, the foreman, and asked for permission to leave early on the day of the appointment. Rojas was less than enthusiastic in representing Bárbara’s need to the grower. Not surprisingly, the permission was not granted. On the day of the appointment, Bárbara worked harder than usual and finished the day’s assignment early, assuming permission had been approved. She found out her request was denied as she prepared to leave.

### Case # 3

Larry, a dairy farmer, went into the milking parlor. The milker, Arturo, was not post-dipping the cows’ teats. When Larry found the herd manager, his displeasure was clearly visible: “Arturo is worthless. I just won’t be able to keep him if he doesn’t shape up ... let him know I’m pretty upset with his work.”

There are multiple ways a supervisor could transmit the message from the dairy farmer to the milker:

1) *The way it happened*: “Arturo, the boss came in here quite upset and said he had had it with you because you were not teat dipping. The boss said you would be worthless to him if you don’t shape up.”

2) *Adding spice*: “Arturo, you should’ve seen the boss!” (The herdsman pauses for effect and grins.) “He came in here screaming that you were a no-good worthless milker ‘cause you don’t teat dip.’ Boy, you should’ve seen his face. It looked like his new [red] pickup.”

3) *Subtracting a little spice*: “Arturo. The boss came in to speak to me. He asked that I convey his displeasure because you are not teat dipping. If this happens again, he will probably have to suspend you or let you go.”

4) *Subtracting too much*: “Arturo. The boss was upset again because you weren’t teat dipping. You know how he is, though, he’ll probably forget about it by tomorrow.”

Which of these four approaches is the most accurate reflection of the farmer's message to the worker? Probably the third approach. The milker found out the dairy farmer was upset, yet the message was changed from a personal attack (Arturo is worthless) to a depersonalized issue—one addressing performance expectations and outcomes. Message #4 was not only watered down, it was almost an apology. Message #1 might have been accurate but was more descriptive than it needed to be. Message #2 was an outright exaggeration.

Farmers can take active steps to prevent communication problems by giving supervisors a thorough job orientation and regular guidance thereafter. Supervisors need to understand (1) they are part of management; yet (2) loyalty to management does not mean being unfair to workers. It is vital that supervisors feel comfortable representing both farm employer's and farm worker's perspectives to the other. When this is the case, foremen are less likely to either minimize the importance of, or apologize for, the messages transmitted. Along with this training, first-line supervisors need to be treated as part of management and exposed to upper management's integrity firsthand. Also, supervisors should not be put in a position of communicating to workers information they themselves do not totally understand, or of always communicating "the bad news."

## ABUSE OF POWER AND AUTHORITY

Society, as well as an organization, could not function without at least some level of obedience and compliance. There is, however, great variation in the levels of compliance—and levels of authoritarianism—shown by individuals.

No discussion about power is complete without a warning to those who hold it: When power is abused, sooner or later it is lost. This may happen gradually or be expedited by a sense of social justice. Ironically, the

best way of preserving power is by valuing those inputs held by others (also see Chapter 12). The supervisor who wants to preserve the benefits of both organizational power and personal influence must use his power for the common benefit of the workers and the organization.

In an organizational context, abuse of authority may be narrowly defined as the use of organizational or personal

*First-line supervisors need to be treated as part of management and exposed to upper management's integrity firsthand.*





*Workers value being treated with 'respeto' (respect) and good manners. Anything short of this can easily turn into an abusive incident or relationship.*

power to (1) belittle, abuse, or take advantage of another, or (2) influence people to do what they may later regret. A broader definition of abuse of power may encompass undue pressure or influence to obtain even admirable results through coercion. Thus, supervisors who have achieved excellent organizational results may not be respected if their methods are not sensitive to worker needs.

You will have little difficulty thinking of historical settings, as well as organizational ones, where individuals

have abused the power they held. Abuse of power by a supervisor may include abusive behavior, sexual or racial harassment, showing favoritism to friends or family members, and stealing from workers.

Workers value being treated with *respeto* (respect) and good manners. Anything short of this can easily turn into an abusive incident or relationship. It is so important to catch abuse of authority situations before they get out of hand, when farm employers have more choices to make. Possible measures may include offering training or counseling. Once these situations have progressed too far, the choices may narrow to the point that the only viable alternative calls for employee termination.

*Abusive behavior*<sup>3</sup> is a broad category that may include verbal abuse or physical violence. Some foremen try and build distance from the workers by humiliating or devaluing them, or by attempting to appear superior. The latter is sometimes accomplished through insults. For example, a female supervisor offended some of the men who worked for her by questioning their masculinity. Another supervisor told a woman, "You must be a really good cook!" "Not really, why do you say that?" she inquired. "Because you certainly are no good as an employee," he retorted. Yet another worker was told, "Why do you ask for a break, don't you know Cesar Chávez is dead?" One foreman would keep his people moving by waiting until they almost finished the row, and when they were close to the bathrooms and the water that were hooked up to the pickup, he would move the pickup to the opposite end of the row.

Often workers may not say anything to a supervisor who has offended them. A supervisor told an employee to shut up if he wanted the job. After four weeks the worker quit. Another worker quit, even after his supervisor apologized about how he corrected the employee. One supervisor explained that in her youthful inexperience she scolded one of the Mexican employees in front of the crew. This turned into a nasty

verbal exchange and eventually the worker would not talk to her anymore. The grower suggested a public apology, which worked out well. This case had a positive ending, as eventually they ended up being good friends. More importantly, this and other supervisors reported that they had learned not to be so verbally explosive.

Other workers are more direct in expressing their feelings. “I talked to [my foreman] right away without bad language but with a firm voice, and he did listen.” Sometimes it was tit-for-tat loudness. “I told him not to embarrass me in front of other workers. He asked me to follow him away from the crew and told me that people would not respect him otherwise. I told him this was his problem and that we should get the manager involved, to which he refused.” By offering this as a suggestion, the worker was telling the supervisor that he felt he had a source of power, if reason alone was not sufficient to put the problem to rest.

Workers prefer to be spoken to in a calm way (slower speed, low volume). They are offended by scolding, harsh words, shouting, angry, quick speech and finger snapping. They dislike foremen who come to work in a surly or bad mood, or use vulgar, profane or foul language. Workers are also hurt when they are corrected through put-downs, criticized about trivial details, or threatened. Criticism is especially painful when it is considered unfair, when workers feel they do not have control over results, or when action is taken against them without an explanation. Poor supervisors may be impatient or rush through explanations and do not like to be asked questions. Furthermore, workers are concerned about possible foreman reprisals. It has been suggested that farm employers exercise care in selecting foremen and that these foremen be trained to treat workers well, give orders properly, avoid acting superior, not shout at or scold workers, and know how to perform the job well themselves.

*Sexual harassment* involves unwanted sexual attention. It may be directed towards men or women by

someone of the opposite (or even the same) sex. Sexual harassment is often classified as either (1) *quid pro quo* harassment, or (2) hostile work environment.

*Quid pro quo* means to interchange something for something else, such as sexual favors in return for a job or for a raise. A *hostile work environment* may involve anything from a poster display of skimpily clad females, to jokes or physical contact of a sexual nature, to leering.

Kurt would not be guilty of sexual harassment for asking Tamara out to a dinner date or a movie, even if he is refused. It becomes sexual harassment if Kurt insists, despite the rejections. The term *unwanted* means, in theory, the person receiving sexual attention shares in the responsibility of letting others know what is offensive.

Sexually explicit jokes, obscenity, and revealing posters, however, are *always* in bad taste—even if no one seems to object. (Even though not categorized as sexual harassment, the same can be said of profane, sexist, or racist language.) Nor should anyone assume it okay to solicit, or sexually touch another, or to act in an immoral way—because they have not been told it is unwanted.

A good management policy is to ask employees to leave romantic interests for after work hours. A special danger exists where a supervisor dates a subordinate. It is almost impossible to avoid appearances of favoritism. If the relationship breaks up, it is too easy for supervisors to retaliate—or give the impression of doing so.

*Favoritism* involves giving preferential treatment to family members, friends or employees from the same region in Mexico, for example, in hiring, assigning jobs, payment, or handling other employment decisions.

*Dishonesty*. There are many forms of dishonesty, including directly or indirectly stealing from the farmer or workers. As an example, recall the foreman who made workers buy beer or soda from him (in the chapter introduction). Some foremen have been known to charge employees for the job,



either to be paid on a one-time or ongoing basis. Foremen can also be victims of abuse of authority that comes from higher up in the organization.

Why is it so many people, unlike the farm worker who refused to buy the beer, obey when they feel coerced? Social psychologist Stanley Milgram researched the effect of authority on obedience. He concluded people obey either out of fear or out of a desire to appear cooperative—even when acting against their own better judgment and desires. The classic yet controversial study showed that few subjects had the nerve to stand up to someone they viewed as having authority. Milgram found that more submission was elicited from subjects when (1) the authority figure was in close proximity; (2) subjects felt they could pass on responsibility to others; and (3) experiments took place under the auspices of a respected organization.<sup>4</sup>

Groups can also exert peer pressure on individuals and urge them into compliance. Under what circumstances have you felt vulnerable to peer pressure? You may think it is easier to challenge authority when several people stand together against injustice. Yet, in some instances, research shows each individual feels his responsibility to act is diluted, “Why doesn’t someone do something?” Thus, many may witness an abusive event while hoping someone else will put a stop to it. The larger the group, the more paralyzed people may feel.<sup>5</sup>

## PREVENTING ABUSE OF POWER

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A point worth repeating is that power is not static. A person’s authority is always in a state of flux. One who abuses either organizational or personal power will eventually lose it. Unfortunately, before losing power, a person may cause much damage to individuals and to the enterprise he works for. Managers who demonstrate they will not abuse their power often obtain a greater following.

Action against abuse of power can be taken from the perspective of the organization, the supervisor, or the individual. Policies put into action to minimize abuse of power infractions can do much to safeguard the morale of an organization. In the specific case of sexual harassment, farmers who have not developed a policy guarding against this type of abuse may end up sharing legal liability for wrongdoing committed by supervisors, or others, on the ranch.

### Organizational measures:

(1) Conduct *training* to sensitize supervisors and subordinates to issues of abuse of power. Relevant cases, articles, or materials, such as a review of Milgram’s experiment, can be used to stimulate conversation.

(2) Develop a *grievance procedure* to open channels of communication on abuse of authority. In a grievance procedure, an employee can take a complaint to her supervisor or, if the supervisor is the perpetrator, to a higher level. In effective grievance plans, workers know how to use the procedure, complaints are taken seriously, and charges are handled in confidence. Protests are expedited, letting the grievant know the status of her complaint. Grievances are mediated or arbitrated in a fair and impartial manner. It is difficult for an inexperienced in-house investigator, as well intentioned as he may be, to look at grievances impartially. This is why it often pays to hire an outsider who does not know the parties involved.

To show their good faith, some organizations provide for outside binding arbitration as a final step for grievances. This may be a critical step to the success of a grievance process, motivating managers to arbitrate grievances in an impartial manner.

(3) Establish a *disciplinary* process for clear violations (Chapter 14).

(4) *Rotate* the supervisory role where practical. Supervisors who know they will go back to “being one of the gang” are less likely to abuse power than those more permanently entrenched in their positions.

A Canadian human resource and training consultant had a client use a similar concept to deal with a rude supervisor. She suggested the bad-mannered supervisor exchange jobs with his own assistant, and as a result, when the supervisor in question returned to his position, he behaved and performed to the manager's utmost satisfaction, and employee morale rose to an all-time high. It seems that the supervisor himself caught a vision of the process and had people under his own supervision rotate jobs, too. This tactic can help awaken people before it is too late. There were further benefits from the rotation, such as an added respect for what others did, improved organizational communications, team work, and an increase in excitement associated with the challenge and learning.<sup>6</sup>

Although ideal, such rotations are not always practical. Another type of rotation, where several crew leaders are employed, may simply mean rotating crew leaders from one crew to another from time to time. Employees are less likely to be fearful of a crew leader when they get to know a number of supervisors to whom they can bring concerns, when they arise.

(5) Set up a *business ethics committee* composed of management and other personnel. Here, questionable actions may be reviewed, or brought up and discussed before they are implemented.

(6) Avoid *appearances of wrongdoing* by not having supervisors make decisions possibly representing a conflict of interest (e.g., hiring family members or friends).

### **Supervisor measures:**

(1) *Train* subordinates through word and example on the importance of being true to their own feelings. Advise employees they are not expected to carry out an order they feel is unethical. Supervisors can ask employees to speak up if they feel a course of action—even one they are not asked to participate in—appears unprincipled. Likewise, if a supervisor is asked to participate in a

questionable activity, he should not ask a subordinate to carry it out. On one occasion I had a subordinate who suggested I not take a direction I was planning because it did not match the high principles she knew I held. She saved me from having committed an error. In contrast, on another occasion I had a subordinate who lied to someone on my behalf, after a misunderstanding. In the process of straightening and correcting the misunderstanding, she had to suffer the shame of having it known that she had lied, and I had to suffer the sadness of having her think I *wanted* her to lie.

(2) Supervisors can *show sensitivity* to worker feelings and express appreciation for employees who display alternative views about how things ought to be done.

### **Individual measures:**

(1) *Listen carefully* to the request and ask questions to clarify any doubts about what is being asked. Decent, honorable people may have different opinions about the ethics of particular behavior.

(2) Ask for *time* to consider a request, rather than feel pressured to decide on the spot. This approach often leads others to reconsider the validity of their request, also.

(3) Build *positive coping skills* to deal with difficult situations. It is hard to say “no” to peers, supervisors, or others who may exert coercive pressure. Individuals can learn to stand up for what is right in a diplomatic way. For instance, saying, “I do not feel comfortable doing . . .,” is normally preferable to “that’s wrong.” Give the supervisor the benefit of the doubt—he may not have considered the implications of the request.

(4) Offer a *different alternative* if there is a viable one, or ask the supervisor to think of another approach. Supervisors are less likely to see individuals as obstinate, rigid, and stubborn when alternatives can be explored.

(5) *Stand firm* in your convictions if there are no real alternatives. Individuals




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*Power is not static. A person's authority is always in a state of flux. Managers who demonstrate they will not abuse their power often obtain a greater following.*

do not have to follow a questionable course of action they will regret later.

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#### STANDING FIRM<sup>7</sup>

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In one cherry orchard, the foremen regularly told crew bosses to lower the number of hours recorded in workers' time sheets. This was done so the farm enterprise did not have to pay the crew worker the *difference* when piece-rate earnings (translated into hourly wages) fell below the minimum wage, as mandated by California law.

The crew bosses at first were hesitant, but soon yielded to the pressure. They were told by management that if this was not done, the affected workers would have to be fired, as the computer in payroll would add "make-up" wages if the correct hours were reported. The crew bosses soon came to believe that there was nothing wrong, as workers never complained, thus, it must be acceptable and best for them.

Crew bosses were "trained" by their foremen to check time sheets before turning them in. When a crew boss would forget to make this "correction" on his own, the foreman handed the time sheet back to him and firmly declared, "*¡Están malos los números!*" (i.e., "The numbers are wrong!"). It was taken as a reprimand and, furthermore, the crew

boss had to stay after work to make the correction.

When Manuel, the production manager, first spotted this widespread questionable practice, he brought it to the attention of upper management. Manuel was eventually accused of not being a "team player." At first, the top manager, Jerry, made every pretense of appearing friendly, acting surprised at every new revelation. With much sincerity Jerry said there must be some misunderstanding. Later, Jerry pretended to get angry at the foremen who might be involved. After that, Manuel was invited to tell who was alleging such nonsense. When Manuel, instead, persisted on asking more questions about the pervasiveness of the dubious practice, he only succeeded in getting Jerry mad.

As he left the interview, Manuel suspected that he was really onto something. Jerry moved quickly to discredit Manuel behind his back to both people above and below in the organizational structure. This was done in the nastiest ways, through false accusations. For instance, the foremen were intimidated into abandoning any association with Manuel. But Manuel found out from friends what was taking place. Manuel decided to take the problem all the way to the owner, but discovered she was similarly unimpressed. She first tried to find flaw after flaw in Manuel's report, and unable to do so expressed some disappointment in Manuel's efforts, as questioning the integrity of people she knew. Manuel was then told the situation would be investigated, and was summarily dismissed from her presence, after first being told that he was not the company auditor.

This story has a semi-happy ending. Because Manuel took the principled road—he was unyieldingly able to stand up to mounting pressure, and I suspect he was affected by feelings of loneliness and at times self-doubt—in time, some positive organizational changes were made.

Manuel felt he would have been fired had they not feared repercussions about what he could divulge. The farm

enterprise took steps to document and correct the shady problems by conducting well-publicized meetings with all employees and announcing that correct payroll procedures must be observed. They also were more careful and courteous around Manuel, taking everyday requests more seriously and allowing him to do his job better. They also took a number of visible steps on their own to ensure that other improper abuses were stopped. Despite what at first appeared as an insincere effort on the part of management, the farm enterprise's behavior has become better over time, which will help the farm as well as the employees. Certainly, it has been my experience that in the long run top management is more likely to respect an individual who is willing to take a principled stand.

## SUMMARY

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Supervisory power stems from both organizational authority and personal influence. Supervisory responsibilities must be matched with corresponding power, such as the right to hire or discipline personnel.

In organizations with more than one level of management, supervisors may find themselves in the powerful position of acting as interpreters, filtering information and passing on the essentials. Supervisors need to be sensitized to the importance of not distorting information.

Unchecked organizational authority can lead to abuse of power. Stanley Milgram's study shows normal people may be coerced into doing something they will later regret. It is not necessary to have a threat expressed to feel coerced. The line between cooperation and coercion may be a thin one. Doing what is right takes increased inner strength. Employees may obey today, but resent tomorrow.

Organizations, supervisors and individuals can take steps to avoid abuse of power. Abuse of power is not always something that can be recognized immediately as some ghastly act. There are many shades of abuse. Farm workers suggest that lack of respect on the part



of a supervisor is a form of abuse of authority. This abuse may be manifested through impatience, lack of kindness, raised voices, or a number of other ways. Furthermore, while large differences in status between supervisor and employee may cause workers to accept discipline today, they are likely to resent the supervisor later. In the next chapter, we will look at empowering employees by involving them in decision making.

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*Rotate crew leaders from one crew to another from time to time.*

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*Individuals can learn to stand up for what is right in a diplomatic way.*

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Jack Kelly Clark

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## Empowerment and Delegation



Shared decision making can improve the quality and acceptance of decisions, bolster worker motivation and self-esteem, increase sense of ownership and improve interpersonal relations with employees. But it is not always easy to delegate. A farmer wondered why his workers came directly to him with their problems and questions, skipping right over the foreman. Upon further reflection, this grower realized that he was encouraging this behavior by answering questions and solving problems for the employees. Instead, he needed to support his foreman by having employees go to him with these matters.

There is a tricky balance, here, however. While workers should feel a need to work out day-to-day issues directly with the farm foreman, the door

should be left open for workers to sense that the farmer can listen to them, too. At one farm operation, the grower made it clear to the employees that his door was open to listen if they ever needed to talk. As soon as the farmer would leave the field, however, the foreman would close that door, by telling employees that they were *not to ever bother the grower*.

Delegation and empowerment work best when done in small increments. In an effort to get some of that *empowerment potion* into personnel, where employees will see things with managerial eyes, sometimes farm employers will over-delegate. And when the employee fails, much of this newly given responsibility is taken away. Instead, as the employee succeeds at



*While workers should feel a need to work out day to day issues directly with the farm foreman, the door should be left open for workers to sense that the farmer can listen to them, too.*

increasingly difficult tasks, more can be delegated. When delegating, it is a wonderful feeling to know the employee will do the job just as well, if not better, than you would. To accomplish this, the supervisor needs to test for employee understanding before delegating.

One dairy farmer wanted to delegate to a working herdsman some decisions based on cow body condition. They had been working together on this project for some time. This dairyman selected one hundred cows and evaluated their body condition. Then, after explaining what he was doing, gave the same list of cows to the herdsman and had him do his own evaluations from scratch. The two were then able to compare notes and discuss each cow individually.

When a farmer employs a new supervisor, rather than having this individual evaluate the employees directly, it is preferable that both go out together to look at the work. Once removed from the employees, they can talk. The grower should first ask the supervisor for his opinion and only then offer his own. After coming to an agreement, both can return to view the jobs being carried out, but this time, rather than keeping quiet about the quality of work being performed, the farmer allows the supervisor to be the one who gives the feedback. This way the farmer can make sure the supervisor

has understood him well, and at the same time the employees can see that the new foreman has the support of the grower.

## INVOLVING WORKERS IN DECISION MAKING<sup>1</sup>

Decision making is the crux of management in any enterprise. In most business organizations, responsibilities are divided between “those who think” and “those who do.” Though farmers typically engage in more “doing” than the average executive, often they also carry the whole thinking load.

A strict separation of manager and employee roles sends the message to workers that they are only responsible for what they are specifically told to do. But how much stock might be saved, damage avoided, and work improvement generated if the minds connected to all those hired hands were tapped? Involving people in decision making transfers power to subordinates.

Some supervisors think failing to maintain tight control may be seen as a sign of weakness. Others simply find their use of authority very satisfying. Finally, there are those who are concerned their subordinates would not make decisions or discharge responsibilities well.

### Levels of involvement

A supervisor may usefully include others in virtually every decision. *When* and *to what extent* to involve workers are key management choices. There are several approaches to decision making. At one extreme is the traditional use of managerial authority in decision making or the “boss-centered” style. At the opposite extreme is a management style with high worker involvement, an “employee-centered” style. Five approaches within such a continuum are discussed in this subsection to illustrate the differences in decision-making philosophy.<sup>2</sup> This categorization of decision-making approaches can be applied to any kind of management decision.



Marsha Campbell Matthews

*1. Tell them:* The supervisor makes the decision and announces it. He identifies a problem, considers alternative solutions, chooses one, and then reports it to subordinates as an order for implementation. He may or may not consider what employees will think about the decision. In any case, he provides no chance for them to participate in the decision-making process: "Please go ahead and start baling the alfalfa now."

*2. Sell them:* The supervisor makes the decision and explains her reasoning to employees in an effort to gain their acceptance. She takes responsibility for identifying the problem and generating the solution, but she recognizes the possibility of some resistance among those who will have to execute it. She may indicate to employees what they have to gain from her decision: "Start baling now. It has dried enough to keep from molding, and it may get too tricky to handle if we let it dry any more."

*3. Check with them:* The supervisor presents his decision as an idea and invites questions and comments. Here

the boss has arrived at a tentative decision but provides an explanation of his thinking and gives subordinates an opportunity to influence it. He retains the initiative for diagnosing the problem and the final decision for himself but solicits reactions from affected employees: "I'm thinking of buying that new XK tractor. It has plenty of power for the money and Katsuhiko says his has been very reliable. What do you think, given what we have to use it for?"

*4. Include them:* The boss presents a problem, asks employees for ideas and suggestions, and then makes her decision. Again, the supervisor ultimately decides, but the employees provide and analyze much of the information on which the decision is based. The boss benefits from their knowledge and experience: "Our records show we had twice as many back injuries during harvest this year as in any of the previous five. Why do you think it happened, and what can I do about it for the next year?"

*5. Involve them:* The supervisor passes to employees the decision-

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*A strict separation of manager and employee roles sends the message to workers that they are only responsible for what they are specifically told to do.*



*Bound for great difficulty is the supervisor who knows exactly what he wants and tries using a "democratic front" to get workers to think his idea is theirs. Most people can smell that act coming a mile away. Employees will lose their taste for involvement if no action results from the decision they help make.*



making responsibility. He points to a problem, outlines constraints on solutions, and essentially commits himself to accepting whatever the employees decide within prescribed boundaries. The employees diagnose the problem and consider alternative ways of handling it. If the boss participates in the decision-making process, he does so as an equal member of the group involved: "We've got to plant all 20 sections by Wednesday, and only six of our rigs are working. Let me know if you guys can possibly get it done, how, and what extra expenses we'll have to incur."

Regardless of approach, the supervisor needs to carefully communicate with subordinates about their role in the decision process. For example, a supervisor may only want to check out a decision he intends to make himself, but workers get the idea he is delegating the responsibility to them. Confusion and resentment are likely to follow.

Bound for even greater difficulty is the supervisor who knows exactly what he wants and tries using a "democratic front" to get workers to think his idea is theirs. Most people can smell that act coming a mile away.

Even if he wants to involve employees as much as possible, a supervisor cannot delegate any more responsibility than he has from his own boss. Clear limits need to be set. Of course, employees will lose their taste for involvement if no action results from the decision they help formulate.

Several factors bear on the desirability of the various alternatives. In general, they can be grouped as attributes of the supervisor, the employee(s), or the situation.

### **Attributes of the supervisor**

A supervisor's own beliefs and personality usually predispose her to favor more or less employee involvement.

*1. Value system.* Some supervisors strongly believe employees should participate in decisions affecting them. Others feel involving workers in

management work is passing the buck. Such views obviously influence the approach to decision making. Another key value question is the relative importance the supervisor attaches to short-term efficiency and long-term employee development. The latter is more consistently served by involvement.

### *2. Need for control and certainty.*

When a supervisor releases some control over decision making, he reduces the predictability of its outcome.

Supervisors with more tolerance for ambiguity and surprise are more comfortable delegating than their risk-averse counterparts.

*3. Leadership habits and inclinations.* Some supervisors function more naturally as highly directive leaders. Resolving problems and issuing orders come easily to them. Others are more comfortable and experienced in sharing their work with subordinates. Some supervisors perpetuate styles they learned earlier in their careers.

### *4. Confidence in subordinates.*

Supervisors who have more trust in other people generally, and in their subordinates specifically, are better able to solicit and effectively utilize employee participation in decision making.

### **Attributes of the employee**

A supervisor's confidence in his workers may depend partly on his general inclinations but certainly ought to also be based upon employee ability and interest. Most workers enjoy responsibility if they are given the training, materials, time, and freedom to act.

Some employees blame everyone but themselves when things go wrong. Others may only pretend to follow instructions. With their look or voice they may say, "See, it doesn't work." Some workers may try making the supervisor feel guilty for delegating a task. One employee, for instance, scared his supervisors into not assigning jobs to him with such comments as, "What, you want me to drop everything and do it right now?" Effective interpersonal

*Hispanics are often mis-categorized as coming from cultures not appreciating participation. When it comes to worker participation, Hispanic and minority workers are just as interested—or uninterested—as their majority colleagues.*

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skills are critical when dealing with employees, especially when difficulties arise.

Individuals respond differently to decision-making opportunities. It is crucial to remember, however, that most employees are capable of significantly expanding their skills. How they develop is partly influenced by their supervisor's expectations.

Hispanics and other minorities are often mis-categorized as coming from cultures not appreciating participation. Despite cultural differences, people of all cultures display a broad range of behavior. When it comes to worker participation, Hispanic and minority workers are just as interested—or uninterested—as their majority colleagues.

The foreman with enough confidence to delegate part of an important decision is likely to be rewarded with both an immediate contribution and a more experienced, confident employee to whom she can delegate even more tomorrow. You have probably heard about a “troublemaker” or “goof-off” from one ranch who moved on to become a highly valued performer at another. Though personal circumstances often play a role in such turnabouts, so do different management styles. Some workers give the job their best as long as the supervisor stays away.

Involving employees is usually more productive if workers possess:

- knowledge and experience relevant to the issue at hand,
- interest in the issue and appreciation of its importance,
- understanding of, and overall agreement with, goals of the business,
- desire for autonomy, responsibility and growth,
- tolerance for uncertainty and ambiguity, as opposed to need for firm structure, and
- previous involvement in decision making.

#### **Attributes of the situation**

Finally, the appropriate approach varies with the situation.

*1. The problem itself.* More involvement is called for when (a) information relevant to the problem is widely dispersed in the organization, and (b) employee acceptance is critical to the implementation of whatever decision is made. Identifying the cause of a rash of equipment breakdowns cannot be done alone in the comfort of one's own office.

Complex decisions require broader involvement, but simple ones may be delegated directly to those employees who have the necessary information. Who is better situated than the tractor driver to decide when to fill its gas tank?

Most decisions recurring routinely, such as tank filling, supply ordering, and stock culling, are permanently delegated through job descriptions. Managers can exert considerable control over delegated decisions by narrowing the decision maker's area of discretion.

An observant labor contractor once noted his workers took much better care of their own equipment than his. Similarly, people are more likely to accept and implement decisions they have participated in making.

*2. Time pressures.* In the short run shared decision making generally takes longer than unilateral action. It is not surprising to find crisis-ridden ranches that often operate with a highly authoritarian management style. The pattern perpetuates itself since boss-centered responses to crises do little to develop staff capacity.

*3. Organizational traditions and values.* Organizations tend to select, promote, and retain people who fit in with their prevailing management philosophy. “The way we've always done it here,” has a profound impact on how it will be done in the future.

Research has found that participatory approaches are, in general, associated with higher levels of employee motivation, acceptance of and adaptability to change, managerial decision quality, teamwork and morale, and individual employee development. When decision-making responsibilities are shared, slumbering organizations often “wake up.” Workers will increase

their expectations of both themselves and the organization. Once employees feel involved, and part of the farming enterprise, their appetite for shared decision making is likely to grow.

DELEGATION FOLLOW  
THROUGH

The previous discussion dealt with the who, what, and why of delegating decisions. Following through is just as important but much simpler. Despite such simplicity, however, projects often fail because of lack of follow through. It helps to get into the habit of noting in your agenda or calendar those situations that may require a possible follow up call or reminder from you.

Whether delegating menial jobs or high-powered decision-making assignments, there are some basic requirements. At the very least, employees need to understand clearly what is expected of them and when their assignments are due to be completed.

Do you find yourself delegating work but sometimes wondering when or if it got done? Do you ever feel uneasy about checking up on the employee, fearing you may convey a feeling of mistrust? If you answered yes to either of these questions, you may want to try a work order form (see Figure 10-1). You can design a form to fit your needs. A separate form can be used per job, or a single one can serve for many positions.

The form is not a substitute for clear communication. With new employees or tasks, you will want to provide training and close supervision. Employees who do not understand what is expected of them need to feel comfortable asking for clarification.

The form provides a place to tell employees what you want them to do, how important this task is in comparison to other tasks assigned to them, when the request was given, and how soon you expect it to be completed. The priority code along with the “date wanted” helps employees prioritize their efforts in accord to what is most important to you.

Workers can be trained to communicate with you when given unrealistic assignments. For instance, they may want to negotiate for a later completion date. In time, employees will grasp what is most important to you, and you can skip the “date wanted” section.

In some cases you may want to go over assignments with employees and ask for their input on a reasonable completion date—or a timetable with a series of sub-goals. If it is a job that will require a progress report at specific intervals, you may indicate this on the form, too. If several unrelated tasks are delegated, it helps to use different forms to track each one.

The middle part of the form consists of typical tasks you delegate to the employee, as well as space to provide specific instructions. The list of delegated tasks may be refined with time, so you may not want to print too many forms the first time.

The bottom left of the form has a space for you to initial your request. The employee will, upon completion of the assignment, also initial and date the form. Finally, to complete the feedback process, you will initial the form (bottom right) thanking the employee. From time to time, you may want to add an extra word of positive feedback and encouragement to express your gratitude, such as, “well done!”

To: \_\_\_\_\_ Priority: ☐ High ☐ Med ☐ Low

Date submitted:    \_/\_/\_

Date wanted:       \_/\_/\_

Date completed:   \_/\_/\_

Re: \_\_\_\_\_ Please:

☐ Breed   ☐ Call Veterinarian   ☐ Purchase

☐ Fix / Treat   ☐ Trim hoofs   ☐ Check

☐ See me   ☐ \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Thanks, Andrea \_\_\_\_\_ TNX \_\_\_\_\_

FIGURE 10-1  
Work Order form.

Employees experience the satisfaction of completing, and being thanked for, specific assignments.



Jack Kelly Clark

Employees experience the satisfaction of completing, and being thanked for, specific assignments. Feelings of gratitude directed to employees are of great importance. A worker lamented the fact that the farmer would tell everyone else what a great job he was doing but had never told him directly.

With such forms, employees do not have to guess what is important to their boss. Forms also serve as a performance history. Records may also provide useful data for job analyses, job evaluations, or performance appraisals (as well as ongoing feedback). Planning worker training or conducting a disciplinary procedure may also be facilitated.

You may want to keep extra blank forms handy in your pickup or at home. Employees need to keep blank forms, too, as an easy way of letting you know about tasks they have carried out on their own initiative, or when completing assignments for which you did not provide a form.

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## SUMMARY

Shared decision making can lead to better decisions, increase communication with employees, bolster worker motivation, and increase

acceptance of difficult decisions. While delegation may save time in the long run, it takes more time in the short term. Circumstances are critical, as are both the supervisor's and the subordinate's skills and perspectives. Whether delegating routine jobs or important decision-making assignments, supervisors also need to assure instructions are clear, communicate the limits of the shared decision-making power, and see that tasks are carried out in a timely fashion.

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## Conducting Effective Meetings



**“I can still remember arriving early to staff meetings at one ranch I worked for. I wanted to make sure to sit where I could look out the window and ‘escape’ from the meeting. I can also recall a job where the meetings were effectively planned and carried out. Unfortunately, most of the meetings I have attended have fallen into the unbearably unproductive category.”**

**Cattle Ranch Employee  
Napa, California**

A group of friends carries on a conversation for a couple of hours. No one remembers how they ended up talking about the lives of penguins in the Antarctic when they had started out discussing home computers. Unless the friends were trying to accomplish something more than interesting conversation, they did no harm. When business meetings resemble this gathering of friends, however, few decisions are made and much time is

wasted. It takes skill and follow-through to conduct effective meetings.

Meetings can be useful. Workers can learn directly rather than through the grapevine about new personnel policies or participate in decisions affecting them. Subordinates can keep supervisors and coworkers informed of new developments or conditions encountered on the job. Often workers come in contact with potential problems first, and early detection can save time and

expense. Meetings, then, are held to inform people about policies or operations, gather information, conduct training, resolve problems, or make decisions.

What makes for an effective meeting? Having a purpose, preparing ahead of time, setting goals during the meeting, and making provisions for follow-through and assessment afterwards are critical. A successful meeting is like a team that carefully cuts, trims and prepares a portion of meat to be hung by a hook. A hook is added, the meat is lifted and placed on a rail, and sent on its way. Oftentimes, however, much work takes place in meetings but challenges are not really solved. The participants may have cut, cleaned and even lifted the heavy carcass, but they have failed to put it on the rail. Next time, they will have to clean and lift it again. That is, much time and effort is spent in meetings but this time is often wasted because specific assignments were not made and follow through is seldom carried out. Despite the potential solutions that may arise during the meeting, it is likely that the same problem will continue to raise its head over and over in the future. An important question to ask after a

meeting may be, "What are we going to do differently because we met?"

### Planning

All too often meetings take place without an express purpose, are too long, and little is accomplished. A clear understanding of objectives to be accomplished is essential to an effective meeting. Once the purpose is apparent, questions as to who will attend, and where (and when) the meeting will take place can be dealt with.

Agendas may include time for (1) review of notes from past business; (2) discussion of new issues; and (3) evaluation of progress toward goal achievement. Supervisors are cautioned not to be overly optimistic about what can be accomplished in a single meeting.

Several short meetings may work best for some objectives. Participants are more likely to absorb training material, for instance, when they can apply it between one meeting and the next. This flexibility may not exist when a decision has to be made before adjourning. Also, a single yet longer meeting may be preferable when participants have to travel distances to attend or need to

*If people know that a subject that is important to them will be raised, they are less likely to interrupt and derail the meeting. This is perhaps the most important contribution of the agenda.*



make arrangements to have their normal duties covered during their absence.

Most employees do not mind attending a meeting if it is productive. Meeting length can be shortened by assigning reading or information gathering activities ahead of time.<sup>1</sup> Holding meetings close to quitting time or outside on a cold or windy day are more conducive to brevity but discourage worker participation. Other factors influencing group interaction include seating, refreshments, temperature, lighting, and ventilation (increasingly, employees expect a nonsmoking policy). Regardless of apparent formality, to be effective, meetings need to be well planned.

### Conducting the meeting

The role of the individual conducting the meeting is to (1) keep the discussion on target (*task* function) while at the same time (2) making sure everyone gets heard and people's needs are met (*maintenance* function). Most often, the supervisor takes on the task of conducting a meeting, but this role may be delegated. A meeting with an ineffective leader will often resemble our friends talking about penguins. Starting on time is a good practice; so is ending on time. Punctuality, or lack of it, can become a tradition.

**Meeting agenda.** If the agenda has not been given out in advance, it can be distributed at the beginning of the meeting. Employees may be encouraged to contribute topics for discussion before the meeting starts. The individual conducting the meeting can also ask for agenda additions before any agenda items are discussed. Agendas are critical, yet many managers operate without their benefit, or have an agenda but do not follow it. If people know that a subject that is important to them will be raised, they are less likely to interrupt and make attempts to introduce it at inopportune times. Meeting participants also tend to bring up interesting yet often irrelevant information. While contributors need a certain measure of self-discipline in this respect, having an accurate agenda does much towards a



smooth and efficiently running meeting. Agreements on how the meeting time will be spent can also be established at the beginning.

Discussion guidelines can help keep meetings orderly. Examples of rules you may want to use include:

- Only one person speaks at a time. Often people naturally take turns without having to be formally acknowledged. While this is ideal, in those situations where the meeting gets out of order, a more formal acknowledgment procedure may be necessary. For instance, those who want to contribute may be asked to raise their hand.
- Attempt to understand the needs behind positions.
- Try to understand both the positive and negative aspects of suggestions. Getting to the best solution is more important than who made the suggestion.
- Comments will be asked for, at times, beginning with the least and ending with the most senior person (explain that new people often can see issues with more clarity, and also explain that when a more senior person makes a comment, that this comment may sometimes sound so final others do not feel they can contradict it).
- If someone shows a lot of emotion in a comment, it is because the

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*If someone shows a lot of emotion in a comment, it is because there is an important need or fear they have relating to the issue. This should be looked upon as an opportunity to better understand each other.*





*Participants should not feel they have to yield their opinions to promote consensus. In effective decision making, a good team player is not the person who yields in the face of opposition, but rather, the person who is willing to make the important, yet sometimes unpopular, points.*

individual has an important need or fear relating to an issue. This should be looked upon as an opportunity to better understand each other.

- Remind participants that this is the time to speak up if they have something to say. It will do little good for them to express their dissatisfaction with what was said or agreed upon after the meeting is over.
- Private conversations are not to be conducted during the meeting.
- People need to speak on the subject being discussed.
- Comments and discussions need to address *issues*, not *personalities*.

The group leader's role—when promoting participation—is that of a facilitator. Rather than take sides or show favoritism, she can help participants clarify their views without judging the merit of their ideas. A supervisor who wants to be very involved in a discussion may ask someone else to conduct the meeting.

Other than keeping the meeting on target, facilitating decision making is one of the group leader's major responsibilities. Meeting participants need to know how much decision-making power is being delegated to them (Chapter 10). To develop understanding of a problem and move toward a solution:

- Pick one challenge at a time.
- Rather than begin with solutions, first focus on a detailed analysis of where things can or do go wrong.
- The emphasis of all discussion should be on understanding the problem, not on assigning blame.
- Once the challenge seems clear,

brainstorm potential proposals and solutions (these should not be evaluated at this point).

- Encourage participants to be tentative in their comments, so creativity is not stifled.
- Discuss pros and cons of the different approaches.
- Ask for new approaches that may include the best contributions of the various suggestions.
- Seek consensus. Avoid premature use of voting to arrive at decisions. Nevertheless, voting can be used to focus on the top possible solutions.
- During the process, barometric voting can take place. This is not a vote to make a decision, but to measure public opinion and see how people are feeling after new light has been shed on the challenges being discussed.
- Participants should not feel they have to yield their opinions to promote consensus. In effective decision making, a good team player is not the person who yields in the face of opposition, but rather, the person who is willing to make the important, yet sometimes unpopular, points.
- Sometimes the greatest danger of a premature resolution exists when a solution seems imminent.
- Rather than coming to quick solutions, ask participants to help think of situations where the tentative solution may not work out. Make the necessary adjustments to account for potential difficulties.
- Resolve issues whenever possible before moving on. If an impasse is reached:
  - a) Help others find out where they agree and disagree (see conflict resolution and negotiation skills in Chapters 13 and 18).
  - b) Assign further study, if appropriate.
  - c) If disagreements persist and accommodations or compromises cannot be made, announce how and when decisions will be made.
- Ask participants: "How will we know, say a year from now, if this problem has been solved?"

- Document decisions reached and who was present. If there were disagreements, document minority opinions, if this is desired.

Listening skills are essential for a supervisor conducting a meeting. Often, much of what is said in a meeting is not heard because participants are more eager to express their own points than to listen. Workers may be encouraged to jot down ideas while the other person is talking, rather than interrupting.

A participant can be assigned to “spot” ideas or suggestions. It can be an effective practice to record ideas coming out of a meeting. Clearly, the supervisor does not have to agree with all the ideas, but if they are documented, he can follow through and decide whether the ideas will be implemented now, delayed, or tabled indefinitely. Workers are more likely to participate if they feel their ideas are given serious consideration.

Individuals in a power position are more likely to be successful in introducing a topic. An idea may be well-received when brought up by a highly respected group member, although it was ignored a few minutes earlier when brought up by someone in a less dominant position. In one study, for instance, women only succeeded in 36 percent of their attempts to establish a topic of conversation while men did so 96 percent of the time.<sup>2</sup> It often helps to write ideas where all can see them, without the name of the contributor, in order to help separate ideas from who suggested them.

Often, meetings degenerate into a point and counterpoint argument between participants where nothing gets resolved. This difficulty is due, in part, to people feeling their ideas are not properly understood or acknowledged (Chapter 12).

Acknowledging alternatives and minority opinions is a way of encouraging creative thinking. Group participants can quickly discern when their own alternatives are not wanted and often learn to keep their feelings to themselves. The extreme of this behavior can lead to “group-think,” where supervisors or more influential

workers have their ideas rubber-stamped in the absence of discussion or consideration of creative alternatives.

In the farm workers’ culture, it is common that when a worker gives a public opinion, no one will contradict it. That is why it is important to promote, from the beginning, a culture where workers will have the confidence to give opinions that challenge those of their co-workers and those of their supervisors as well. Once a decision is made, of course, all should work to help make its realization a success.

Additional challenges you may encounter when conducting meetings, include:

- meeting extenders (those who want to prolong meetings to avoid work);
- showoffs, as well as participants who have their favorite subject or personal agenda;
- signs showing participants have lost interest, do not understand what is being said, or may disagree, though they do not express it;
- shooting down someone’s idea, since this can extinguish creativity;
- stating that one has the solution, which can also shut down creativity.

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*Farm workers may be hesitant to contradict each other in public. It is vital to promote a culture where workers will have the confidence to give opinions that challenge those of their co-workers and those of their supervisors as well.*

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*An individual is beginning to think like an effective manager when he can point out the good in a solution that is not his preferred; and the shortcomings of one that is.*

All too often people take ownership of a suggestion and allow their self-esteem to be affected by the results. They take acceptance or rejection of their solution personally. Instead, team members need to take joy in coming up with a solution that works.

You know you are on the way to success when individual team members are able to see both the pros and the cons of a proposed solution. That is, when a participant can point out the *good* in a solution that is *not* his preferred and the *shortcomings* of one that *is*. This, in fact, shows individuals are growing and beginning to think like effective managers.

### Setting goals and following through

Solving problems, setting goals, and making concrete plans to follow through are the purposes of decision-making and problem-solving meetings. A decision is worthless if no plans are made to assure its implementation. Responsibility for follow-through can be delegated to accountable individuals.

Throughout the meeting, participants need to be vigilant in recognizing *action* items—those matters that call for specific steps toward a solution. These action items generally are the most important reasons for the meetings. Otherwise, it is just too easy to always hope for better days, complain about challenges, but do nothing to solve difficulties. In such cases, it would have been better not to have had a meeting.

*Participants need to be vigilant in recognizing action items—those matters that call for specific steps towards a solution. Otherwise, it is just too easy to always hope for better days, complain about challenges, but do nothing to solve difficulties.*

Any business that is not fully dealt with will tend to appear again and again until a concrete decision is made. The key, then, is to manage meetings so specific issues are discussed and solved. These should be quality solutions that have a positive effect on the future.

Finally, asking participants what worked well and what could be improved next time—in terms of how the meeting was conducted—can help meetings become more productive and useful.

## SUMMARY

Meetings can be a positive communication tool. Planning will help a meeting accomplish more in less time. Everyone will not always agree on the best way difficulties should be solved, but friendly disagreements about solutions can be beneficial. A meeting will be a waste of time, however, unless concrete action plans are made to solve problems. Specific dates for goal accomplishments can be set and followed up later.

## CHAPTER 11 REFERENCES

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## Interacting with Employees



Jack Kelly Clark

For the fruit picking crew the day began like many others. There was the usual joking and laughing as laborers picked. It fell on me, as the foreman, to gather up the courage to tell the picker that his mother had died. But how? “Your mother has died, I’m so sorry,” I finally blurted it out. The worker began violently weeping and then embraced the tree he had been working on. Another crew member, unaware of the situation, mocked the grieving employee.

**Rafael M. Montes, Foreman  
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Interpersonal relations at work (and away, too) serve a critical role in the development and maintenance of trust and positive feelings in a farm organization. Although the quality of interpersonal relationships alone is not enough to produce worker productivity, it can significantly contribute to it.

An effective supervisor needs to abstain from showing favoritism; make difficult, sometimes unpopular, decisions; show concern for

subordinates without appearing to pry; and avoid misusing supervisory power.

In fulfilling responsibilities, supervisors need to strike the right note in their interpersonal relations with workers. New supervisors, especially those who have moved up through the ranks, are often counseled to keep a healthy distance from workers. Supervisors must be approachable and friendly, yet fair and firm. A good sense of humor also helps.

*Body language and tone of voice play an important role in the intensity of stroke exchanges.*

In this chapter we look at basic concepts of human interaction as they affect workers in general and supervisors in particular. At times individual and cultural differences may complicate working relations. Supervisors may be called on to listen to employees and give advice. (Although much of the discussion here is in the

context of farm supervision, farm family members are also called on to listen to each other.)

## BASIC HUMAN INTERACTION

The most basic unit of wholesome human interaction is the *stroke*—a verbal or physical way to acknowledge another person's value. A *ritual* is a mutual exchange of strokes: a sort of reciprocal validation of each person's worth promoting a sense of trust between people. The term "stroke" connotes intimate contact, such as what is received by an infant who is caressed, pinched, or patted.<sup>1</sup>

As adults, people generally do not go around patting, caressing or pinching other adults (except in the sports arena), but they may shake hands, wave, or say hello. At work most stroking takes place in the way of verbal communication and body language. Examples may include waving, smiling, a glance of understanding, shaking hands, saying hello, or even sending a card or flowers.

Physical strokes may include placing a hand on another person's shoulder, elbow, or back. While some persons do not mind, others feel these gestures, unlike the handshake, may be inappropriate. In one orchard operation, the owner's daughter reported that a worker mistook her friendly pats on the back—intended to convey thanks for a job well done—as a romantic interest on her part. Similarly, a milker confused the horseplay on the part of a young woman (in the way of throwing water at him and grabbing him by his shirt) as a show of sexual interest. As a result, both of these cases gave rise to unfortunate behaviors on the part of the men involved.

People may resent these physical strokes, not necessarily because they are sexual in nature, but because they often represent a show of superiority. Dexter, a supervisor, tended to frequently put his arm around Laurie's shoulder. Dexter was visibly uncomfortable when Laurie put her arm around his shoulder. In terms of physical strokes, we may have widely differing feelings about them depending on the situation and persons



Jack Kelly Clark

involved. From one individual we may find these gestures comforting, yet resent the same coming from another.

The need for personal validation is great. People may prefer negative attention to being totally ignored. Try to imagine how awkward it would be to meet a fellow farmer or supervisor and not greet him in any way, through either gesture or word. The opposite of a stroke is the “cold shoulder” treatment. A farmer was so uncomfortable when his otherwise excellent mechanics stopped talking to each other, that he was ready to fire them both.

Before job-related information is communicated, an exchange of strokes normally takes place. At the same organizational level either person can initiate or terminate a stroking exchange. In contrast, most workers understand it is the supervisor who often controls the length of exchange.

Even so, workers expect some sort of greeting from their supervisor. For example, a manager began to give orders to a foreman but after his long explanation, the foreman simply responded, “¡Buenos días (good morning)!” In essence, the worker was saying, “You forgot the ritual: I am not your horse, nor your tractor; I am a person.”

Some strokes may be quite neutral or uncommitted, such as “I see.” Others show more care or interest: “I heard your daughter is getting married, that’s exciting!” Body language and tone of voice also play an important role in the intensity of stroke exchanges. Generally, when individuals know each other well, have not seen each other for a while, or when there has been a catastrophe or other special circumstances, a more forceful stroke is expected.

At times, the intensity of a stroke may make up for its brevity. For instance, a herd manager may realize special circumstances call for a longer stroke exchange, yet he may not be able to deliver at the moment. The herd manager may enthusiastically welcome the employee returning from a vacation, “Hey, I’m so glad you’re back, you’ll have to tell me everything about your trip at lunch! I’ve got to be running now

to get ready for the veterinarian who is coming today.” This stroking still validates the employee’s existence while simultaneously acknowledging more is owed. A drastic change in ritual length or intensity, for no apparent reason, may affect a person’s self-esteem or make them wonder what is wrong with the other.<sup>2</sup>

## CULTURAL BARRIERS

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In 1993, I had my first opportunity to visit Russia as a representative of the University of California. I was there to provide some technical assistance in the area of agricultural labor management. “Russians are a very polite people,” I had been tutored before my arrival. One of my interpreters, once I was there, explained that a gentleman will pour the *limonad* (type of juice) for the ladies and show other courtesies.

Toward the end of my three week trip I was invited by my young Russian host and friend Nicolai Vasilevich and his lovely wife Yulya out to dinner. At the end of a wonderful meal Yulya asked if I would like a banana. I politely declined and thanked her, and explained I was most *satisfied* with the meal. But the whole while my mind was racing: “What do I do? Do I offer her a banana even though they are as close to her as they are to me? What is the *polite* thing to do?”

“Would *you* like a banana?” I asked Yulya.

“Yes,” she smiled, but made no attempt to take any of the three bananas in the fruit basket. “What now?” I thought.

“Which one would you like?” I fumbled.

“That one,” she pointed at one of the bananas. So all the while thinking about Russian politeness I picked the banana Yulya had pointed at and peeled it half way and handed it to her. Smiles in Yulya and Nicolai’s faces told me I had done the right thing. After this experience I spent much time letting the world know that in Russia, the polite thing is to peel the bananas for the ladies. Sometime during my third trip I was politely disabused of my notion.

*In México it is customary for the arriving person to greet the others. For instance, someone who walks into a group of persons eating would say provecho (enjoy your meal).*



“Oh no, Grigorii Davidovich,” a Russian graciously corrected me. “In Russia, when a man peels a banana for a lady it means he has a *romantic* interest in her.” How embarrassed I felt. And here I had been proudly telling everyone about this tidbit of cultural understanding.

Certain lessons have to be learned the hard way. Some well meaning articles and presentations on cultural differences have a potential to do more harm than good and may not be as amusing. They present, like my bananas, too many generalizations or quite a distorted view.

### Commonality of humankind

Differences between individuals within any given nation or culture are much greater than differences between groups. While at the San Francisco airport, a man caught my attention. He was conversing on the phone a distance from where I was sitting. There was something about him that made me wonder if he was Russian. Little pockets of words could be heard more distinctly at times. When I heard the word “*chilaviec*,” or *person*, my senses were confirmed. I wanted to try out my three words of Russian with him, and the opportunity presented itself about twenty minutes later when he passed next to me.



“Dobrie utra” (*good morning*), I said. This stopped him on his tracks.

“How did you know?” he asked incredulously as he turned to face me. We struck up a wonderful conversation about Russia. We had a number of common interests. Some time later, he pointed in the general direction of those boarding and indicated that there was another Russian that would be flying this leg.

When it was time for me to board, I reluctantly excused myself. As things turned out, after I sat down a quick glance at my neighbor’s reading materials indicated that he must have been the other Russian in the plane.

“Dobrie utra” (*good morning*), I said once again. Without ever looking up from his book, he simply and unenthusiastically answered “Dobrie utra” (*good morning*). End of conversation.

Education, social standing, religion, personality, belief structure, past experience, affection shown in the home, and a myriad of other factors will affect human behavior and culture.

Sure there are differences in approach as to what is considered polite and appropriate behavior both on and off the job. In some cultures “yes” means, “I hear you” more than “I agree.” Length of pleasantries and greetings before getting down to business; level of tolerance for being around someone speaking a foreign (not-understood) language; politeness measured in terms of gallantry or etiquette (e.g., a man standing up for a woman who approaches a table, yielding a seat on the bus to an older person, etc.); and manner of expected dress are all examples of possible cultural differences and traditions.

In México it is customary for the arriving person to greet the others. For instance, someone who walks into a group of persons eating would say *provecho* (enjoy your meal). In Chile, women often greet both women and men with a kiss on the cheek. In Russia women sometimes walk arm in arm with their female friends. Paying attention to customs and cultural differences can give someone outside that culture a

better chance of assimilation or acceptance. Ignoring these can get an unsuspecting person into trouble.

When I attended the University of California, Davis (not long after arriving to the U.S.), I was going up the stairways of my dormitory when a fellow student came down the stairs and said: “How’re you doing?” By the time I turned around to tell him, he was out the door. I discovered that “How’re you doing?” really means “Hello!” For the most part, the right response to the question, regardless of how one is doing or feeling, is something like, “Fine.”

This phenomenon is quite international, of course. Latinos, for instance, are famous for their open-ended invitations. You will typically hear, “you’ll have to come over for a swim [a ride, dinner, etc.] one of these days,” and is equivalent to the American businessman’s “we’ll do lunch sometime.” A true invitation is normally more specific. When nothing ever comes of these invitations, then the strength value of these strokes diminishes.

Language barriers can cause misunderstandings. Words may sound the same, yet have unlike meanings in different languages. Thus when a young woman, who was a non-native speaker, was prodded by her supervisor to say a few words in Spanish, she exclaimed, “Estoy muy embarazada.” And turning to point to her supervisor, added, “¡Y la culpa es de él!” (She thought she was saying, “I am very *embarrassed* and it is all *his* fault!” Instead, she had exclaimed, “I am very *pregnant*, and it is all *his* fault!”)

Punctuality can also have cultural connotations. Sometimes it is a matter of communication, however. During a visit to Brazil a multicultural diversity scholar developed a clever way of determining how punctual he had to be on a given engagement, by asking: “Hora brasileira? (Brazilian time?)” If the answer was yes, he knew the event would not be expected to start on time. This did not mean Brazilians did not know how to be prompt. When meeting time was more critical, they would specify either “Hora inglesa (British time),” meaning, *on time*, or “Hora

alemã (German time),” calling for strict punctuality. In Japan time may take on an even stricter meaning: a group of international visitors was asked to attend a reception honoring a Japanese dignitary. At the precise appointed time, the Japanese hosts closed the doors, locking out all the non-punctual guests.<sup>3</sup>

Food preparation can be quite different in various cultures. One farmer could not understand why his workers did not attend a specially prepared end-of-harvest meal. The lunch was cooked by the farm owners. Instead, farmers may find that workers are more likely to participate when the owners provide the beef, pork or other meat and delegate the food preparation to the workers, who can then season it their own way. A dairy farmer found out that his Mexican employees were not too excited about getting ground beef as a perk. Instead, they would have preferred the cow’s head, tongue, brains, as well as other cuts of meat that were not ground up.

At times it may appear that some workers, especially when there are social or ethnic differences, do not *participate* as easily. This is not because they do not have ideas to contribute, but rather, because these employees may need a little convincing that their ideas would be valued. Once this floodgate of ideas is opened, it will be difficult to stop them. In some sub-cultures, once a person has given an opinion, others are unlikely to contradict it. That is why some organizations ask their least senior employees to give an opinion first, as few will want to contradict the more seasoned employees. Setting up the discussion from the beginning as one where all ideas are welcome and valued, can be very fruitful. It is worth building an organizational culture where ideas are examined for their value, rather than for who offered them. Such a culture requires individuals to look for the good in ideas they do not espouse, as well as the potential pitfalls in those they advocate.

There *are* cultural and ideological differences and *it is good* to have an understanding about a culture’s customs and ways. But the danger comes when we act on some of these generalizations,





Jack Kelly Clark

*Breaking through status barriers can take time and effort. As we interact with others of different cultures, there is no good substitute for receptiveness to interpersonal feedback, good observation skills, effective questions, and some horse sense.*

especially when they are based on faulty observation. Acting on generalizations about such matters as eye contact, personal space, touch, and interest in participation can have serious negative consequences.

#### **Cross-cultural and status barriers**

Often, observations on cultural differences *are based on our own weakness and reflect our inability to connect with that culture.* Cross-cultural observations can easily be tainted and contaminated by other factors. Perceived status differences can create barriers between cultures and even within organizations. Only through equality of respect between races and nations can we reach positive international relations in this global economy (as well as peace at home). Cultural and ethnic stereotypes do little to foster this type of equality.

Breaking through status barriers can take time and effort. As we interact with others of different cultures, there is no good substitute for receptiveness to

interpersonal feedback, good observation skills, effective questions, and some horse sense. There is much to be gained by seeing how people of the same culture interact with each other. Do not be afraid to ask questions. Most people respond very positively to inquiries about their culture. Ask a variety of people so you can get a balanced view.

Making a genuine effort to find the positive historical, literary, and cultural contributions of a society; learning a few polite expressions in another person's language (see Sidebar 12-1); and showing appreciation for the food and music of another culture can have especially positive effects.

My contention, then, is not that there are no cultural differences. These differences between cultures and peoples are real and can add richness (and humor) to the fabric of life. My assertion is that people everywhere have much in common, such as a need for affiliation and love, participation, and contribution. When the exterior is peeled off, there are not so many differences after all.

## SIDEBAR 12-1

## Learning Another Language

Although it is not an easy task, surely there are benefits from learning another language. Many agricultural workers speak languages other than English. Spanish is by far the first language of farm workers in much of western United States. Spanish-speaking workers have also migrated into other parts of the United States and into Canada. Beside Spanish, an increasing number of agricultural employees speak such languages as Mixtec, Trique, Zapotec, Lao, Hmong, Punjabi, and Tagalog, to name a few. In many countries agricultural workers are migrants who bring their own culture and language.

Some of the benefits of being bilingual on the farm include improved communication with the farm workers. Certainly it is difficult to delegate, provide simple feedback, give instruction, impart correction, listen to worker concerns, or hold a performance appraisal when one speaks a different language from the employee.

*What can I do to encourage my workers to learn English?* When workers see you trying a little of their language, willing to make a mistake, and notice that you do not take yourself so seriously, they are more likely to attempt a little English. Often, fear keeps employees from trying out their English. One farmer has been successful by paying a monthly bonus to those with whom he can communicate. Paying the tuition for workers who want to take a conversational or English as a second language (ESL) class may also be effective.

*How difficult is it to learn another language?* Learning another language, for most people, is extremely difficult and takes much commitment. My wife, for instance, took years of Spanish in high school and at the university and yet would refuse to speak it with me (Ok, so I laughed once.) Only after her

fourth trip to South America did she venture out on her own. Setting a goal of learning polite expressions and basic farm vocabulary is not so hard, and it can be a lot of fun.

*Language differences.* Not only are there different languages, but even regional differences in vocabulary. Differences between Spanish-speaking nations are accentuated when slang is used and minimized with more formal Spanish.

*What is the best way to learn another language?* Assuming you want to speak more than you want to read that language, perhaps the best way is the way children learn: first by listening, then by repeating or speaking. Little by little children learn vocabulary and only much later do they learn reading and grammar. Learning another language needs to be fun, otherwise, it is hard to stay committed. We need to celebrate small achievements. The ideal is to travel to the country where the language you wish to learn is spoken. Since this is not a practical option for most farmers, the next best approach is to check out language tapes at your local library.

I recommend starting with audio tape sets that have either one or two tapes only, as these are more likely to keep the vocabulary simple and expressions short. Listening to these tapes fifteen minutes a day, five or six times a week, is much more effective than listening for a long time once a week. In order to improve your accent, avoid manuals that provide English-based phonetic pronunciations.

Other ideas include immersion classes, computer programs, listening to foreign radio or television programs, and getting an employee to tutor you.

Learning another language, then, takes commitment. Getting started with farm vocabulary and polite expressions is a reasonable goal and can be a lot of fun. After initial success, more difficult goals may be attained. At some point you will be ready to tackle those longer cassette tape series and enjoy reading.

*Assuming you want to speak more than you want to read a new language, perhaps the best way is the way children learn: first by listening, then by repeating or speaking.*

When one adds language barriers to cultural differences, as we have said, additional challenges are posed. Sometimes farm employers wonder if they should use an employee as an interpreter to train others or deal with sensitive issues such as performance appraisal and employee discipline. It is best to use an outside interpreter, unless the employee who is bilingual also happens to be the supervisor of the other employees.

The convenience and short-term savings of using a present employee as an interpreter are outweighed by the negative consequences of doing so.

Employees are very sensitive about having their weaknesses discussed in front of others, such as co-workers, even if the co-worker is acting as an interpreter. There may be some competitive feelings among employees, also, that can be exacerbated by placing one of them, the interpreter, in a power position.

Below are suggestions (Sidebar 12-2) for working with interpreters when dealing one-on-one with another individual. Some of these suggestions can be adapted for working with multiple participants. The objective is for those holding the conversation to be able to forget they are working through an interpreter.

## CONVERSATIONAL SKILLS

Longer speaking exchanges may take place as required by job-related assignments or by social interaction (e.g., at a company picnic, during a long cattle drive). Poor conversational skills may hinder interpersonal as well as working relations.

*What makes a person difficult to talk to?* People are apt to be dull conversational partners when they are interested in only one topic, tend to be negative, are overly competitive (that is, anything you say they want to outdo), talk excessively about themselves, resort to monosyllabic answers, or talk too much. Certainly, any of the traits above make it difficult to carry on an interesting conversation.

Some conversations are much more animated than others, involving some interruption, exchange of stories, and experiences. "Talking and listening is a unique relationship in which speaker and listener are constantly switching roles, both jockeying for position, one's needs competing with the other's. If you doubt it, try telling someone about a problem you're having and see how long it takes before he interrupts to tell you about a problem of his own, to describe a similar experience of his own, or to offer advice—advice that may suit him more than it does you (and is more responsive to his own anxiety than to what you're trying to say)."<sup>4</sup> While this



competition for sharing ideas and feelings can be invigorating at times, all too often both parties may feel discounted and dissatisfied.

Having an interest in what others have to say is a key to being a good conversationalist. Not only *having* an interest, but *showing* it, by *attending* to what the other individual is saying. In the words of Alfred Benjamin, “Genuine listening is hard work; there is little about it that is mechanical .... We hear with our ears, but we listen with our eyes and mind and heart and skin and guts as well.”<sup>5</sup> In the process of attending or empathic listening, it is not enough to be able to repeat back what another has said, but it is just as important to show such an individual that she is important enough to give her our undivided attention. To “suspend our own needs”<sup>6</sup> for a moment, while we truly absorb what the other person is telling us.

An effective conversationalist is also able to take and pass along talking turns.<sup>7</sup> Keeping comments short and checking to make sure the other person is still interested are two essential conversational skills. In a mutually productive discussion, individuals will normally share equally in speaking and listening.

Difficulty arises when people take more than their share of the talking time. This may happen when individuals feel others are not listening or when they suffer from lack of self-esteem.<sup>8</sup> If they let someone else speak, they fear they may not get another turn. Of course, there are also times when people have a need to be listened to, rather than for conversation.

Whatever the reason, regularly monopolizing a conversation is likely to alienate others. To combat this vicious cycle, it is more effective to fully listen for a few minutes than to half listen for a longer period.<sup>9</sup>

At the opposite extreme, it also reflects negatively on a person when she is given a turn to speak but pouts or refuses it. A person who has nothing to say or is not sure she can express her feelings at the moment, can instead say something like, “That is an interesting

issue,” and then indicate who the turn will go to next,<sup>10</sup> “Inesa, what do you think of that?”

Social conversation may include discussion of a matter of interest to the individuals involved such as talking shop, sports, health, weather, family, recreational activities, food, travel, or discussion about a mutual acquaintance or experience.

Almost any topic can be of interest as long as people realize they do not have to stay on that subject forever. People do tire quickly of the dark clouds of negativity, though. Often people talk about a subject of interest to all participants. If not, there is an unspoken agreement, “we will talk about what interests you now, and later we will talk about what interests me.”

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## VALUING EMPLOYEES

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In Chapter 9 we said supervisors and employees place a value on each other’s *inputs* (or “contributions,” such as a person’s job, education, skills, or efforts). We also said the best way of preserving the value of our own inputs is by valuing the inputs of others.

A farm manager may be considered charismatic by most, hold a position of leadership, represent the establishment, and be highly skilled and knowledgeable in agriculture: those are her inputs. Even though she may not spend much time with the workers, what time she does spend is greatly valued by them. The value placed on a person’s time is a good proxy for power, and this helps explain why quality time spent with employees by the supervisor, manager, or farmer is so meaningful to employees.

Careful selection, training, and appraisal of employees are ways for management to show it values its human resources. So is paying good wages, providing safe and sanitary working conditions, and communicating company policies. Equally critical are factors affecting interpersonal relations such as involving workers in decision making, effective communication styles, listening to employees, and avoiding one-way communication.

### Increasing employees' value

A personal visit to a worker's home by the farmer may be positively remembered for years to come and result in an increased sense of loyalty toward the farmer. A farmer who attempts to speak in a foreign worker's native tongue will likewise be held in high esteem by the employee.

Significant contrasts in perceived inputs may lead a farm worker to avoid addressing the manager in a personal exchange, unless addressed first. Sometimes workers who can hardly afford to feed their families will bring a gift to the farm owner. This gift—their generous reciprocation for the job held or for a small attention on the part of the farm owner—may be homemade tamales, empanadas, a basket of eggs, or even the chicken that produced the eggs.

Depending on individual and cultural differences, a number of rites of passage observances, such as birthdays, *quinceañeras* (15th birthday and coming of age celebration for young women), weddings, and funerals can be quite significant to employees. Farmers and supervisors may often be expected to show support in some way. Workers are likely to remember who sent flowers, a card, and especially, who attended the event. The absence of a supervisor, manager or farm owner may be just as conspicuous.

The death of an employee's family member may be particularly trying (see Sidebar 12-3). Sending flowers, plants, cards, and personal notes of condolence are good ways to show concern without being intrusive. Notes are most effective when they are personal. "I'm sorry

#### SIDEBAR 12-2

##### Working Through Interpreters

Here are a few suggestions to remember when you need to work through an interpreter:

(1) Individuals communicate directly with each other—not with the interpreter. It is preferable for a participant to say, for instance, "Tell me what you think ...," rather than addressing the interpreter and saying, "Ask him to tell me what he thinks of ...." The interpreter, in turn, needs to communicate as if she was the speaker. So, instead of "he is asking what experience you have driving tractors," the effective interpreter will say: "What is your experience driving tractors?" Not, "it is his opinion that ...," but rather, "It is my opinion that ..."

(2) Speakers maintain eye contact with each other—not with the interpreter. The interpreter may want to suggest a seating arrangement that promotes eye contact between the stakeholders. One effective arrangement is to have both participants relatively close, and facing each other, while the interpreter sits further away facing both. The interpreter may at first have to remind the stakeholders

to focus on each other. If all else fails, the interpreter may try avoiding eye contact with the participants, except at times when she is asking for clarification (*see #5 below*).

(3) Express yourself through brief comments, pausing to allow for translation. Otherwise, the interpreter may abridge or misinterpret your remarks. The fewer the pauses allowing for translation, the greater the chances for interpretation errors. An effective interpreter will interrupt speakers as needed, and will often begin to translate longer sentences long before it is clear how the stakeholder will finish them.

(4) Avoid any possibly demeaning language that could be offensive to the interpreter, if not to the recipient.

(5) Encourage your interpreter to ask for any needed clarification.

(6) Ask your interpreter to translate questions back to you even when she feels they can be answered directly. This approach reduces misunderstandings and promotes a more natural interaction.

(7) When your interpreter is functioning correctly, you will soon forget she is present. (Interpreters need to avoid taking part in the conversation unless invited to do so.)



about the loss of your father,” for instance, is better than “I’m sorry about your loss.” It is preferable to do something concrete for someone than just offering to help. At the very initial stages of grieving, when it is hard to know what to say, sometimes a hug says it all.

Another way to value employees (besides treating them as human beings with needs, desires, aspirations, heartaches, and successes) is to find ways of putting aside traditional sets of inputs or contributions (such as positions of organizational power). You may want to take advantage of the opportunity to participate next time workers invite you to join them in a soccer game, or challenge you to a race on foot or horseback, or to a game of chess. In these instances traditional assets related to societal position may lose importance.

### Reducing another’s value

Conflict may arise when other people’s assets are not valued. One supervisor, a college graduate, may look

at his formal education as an asset. A second supervisor may view his seniority, or having worked up through the company, as his asset. Neither may value the other’s assets. Both may fight for resources on the basis of their perceived contributions. Instead, both would be better off by acknowledging each other’s strengths.

Reducing another’s value may also come from a misunderstanding of cultural values. A Mexican cowboy in a cattle ranch cooked up a special native meal and took it to the American ranch foreman. Unfortunately, the foreman did not accept the gift. The worker was acknowledging the value of the ranch foreman’s organizational position and, perhaps, his membership in the predominant racial group. The feelings of the Mexican cowboy were hurt. Now he has little loyalty for the foreman and is less concerned with being helpful.

### ASKING FOR ADVICE

When asking for help, employees do not always ask the most knowledgeable person. They also consider factors such

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*Having an interest in what others have to say is a key to being a good conversationalist. Equally important is to show, through body language, close attention to what the other individual is saying.*

*Depending on individual and cultural differences a number of rites of passage observances, such as birthdays, quinceañeras (15th birthday and coming of age celebration for young women), weddings and funerals can be quite significant to employees.*



as who offers help cheerfully and without condescension. Asking for help includes possible disclosure of sensitive personal matters.

There is an additional cost when competitive behaviors are involved. Competitive conduct seeks to establish predominance in a given field and many see asking for help as a sign of weakness, or as a way of recognizing the other person's superiority.

Those who are asked for help also weigh the advantages and disadvantages of fully helping, offering a brief suggestion or two, or withholding help. Rewards an expert may gain from helping include increased self-esteem and a good feeling from being of service. Costs may include time and encouraging overly dependent behavior. Experts with poor self-esteem may fear they may reduce the knowledge gap between themselves and the person being helped.

Those who ask for help often rotate requests among several people. The degree of reward experienced by experts normally decreases with each subsequent helping episode—unless these are sufficiently well spaced<sup>13</sup> or there is a mentor relationship.

## EMPLOYEE NEEDS

A few workers seldom ask for help, unwilling to admit they do not know how to approach a work challenge. Even though it is not their intention to do so, these employees sometimes ruin equipment, animals, or crops through their attempts at self-sufficiency. Other workers often exasperate their supervisors by their apparent lack of confidence. They need to be constantly reassured that what they are doing is right.

Often supervisors feel uncomfortable about even listening to an employee's personal difficulties. In one agricultural packing company, a first-line supervisor adamantly felt workers should keep their home-related problems at home, and work-related challenges at work. As ideal as it sounds, this goal may be difficult to attain. Have you ever been so devastated by a personal challenge or by a tragedy that it left you numb? One

where you could not concentrate on work?

There are plenty of personal difficulties, as well as events in the community and elsewhere, that may act as distracters. These may trouble workers and affect their ability to perform on a given day. Some workers may not have anyone to turn to outside of work. Many people lack social networks of family and friends with whom to share difficulties. Trends show the numbers of divorced and single-parent families are increasing.

Accepting an occasional request for a sympathetic, listening ear, or for advice, is simply part of a supervisor's job. A supervisor who can help workers cope with their difficulties may deflect industrial accidents or serious errors. The sooner workers cope with their problems, the sooner they can concentrate on their jobs. This is not a suggestion to set up a counseling practice, nor should supervisors routinely snoop into the personal lives of workers.

Some difficulties may be quite serious, such as feelings of employee depression or family related challenges. Workers may also turn to their supervisor for help in dealing with an alcohol or chemical dependency. Sudden performance deterioration or unusual behavior may also demand attention. At other times, performance may worsen over a long period of time. A supervisor may inquire about the drop in performance, but it is up to the employee to choose to talk about personal problems. Although supervisors may not have the background to be able to fully help in many of these situations, much good can be done by someone who is willing to listen. A referral to a professional counselor may be required. Yet supervisors, especially at the farm, do wear some interesting hats—everything from delivering children to providing psychological first aid. If performance does not improve, supervisors may need to resort to the disciplinary process (Chapter 14).

Supervisors vary in their approaches to answering requests for advice or help. Some prefer to have employees take as

much responsibility as possible for finding solutions and feel uncomfortable being directive. Unfortunately, most people have little trouble telling others what they should do, even when not asked. On the way home from a father-daughter date, I asked one of my daughters if I could give her some *free advice*. “I certainly don’t plan to pay for it,” she smiled.<sup>14</sup>

Some employees ask for help before carefully thinking through the problem on their own. Giving employees advice—work-related or personal—may also be looked at as the other side of the delegation coin. If supervisors are not careful, employees will delegate their problems to them (see Sidebar 12-4).

To avoid such a situation, one hog operation supervisor has found it helpful to ask overly dependent employees to suggest alternative solutions to a difficulty. The workers often discover the best solution in the process.

## SHARPENING LISTENING SKILLS

When helping employees, often the key is not so much in trying to solve their problems but in being a good listener. By being listened to, employees are often empowered to solve challenges on their own. A supervisor who is asked for help, either on a personal or work-related problem, can provide it by giving advice as an “expert” or by being a good listener. Regardless of the approach taken, a critical first step is to clearly understand the nature of the difficulty. Often, the *presenting* problem (i.e., what the difficulty appears to be on the surface) is not the issue that is really vexing the employee.

In trying to understand the employee you may use the *reflective* approach. In essence, it requires restating what the other is saying to make sure you have properly grasped the meaning. For

### SIDEBAR 12-3

#### Helping Employees Deal With Grief<sup>11</sup>

A study was conducted in an attempt to find answers to difficult questions surrounding how we treat the death of an employee’s family member. For the most part, employees did find support in the workplace. People attended funerals, provided food, sent flowers or cards, offered time off and a good listening ear, reduced workloads, and helped in many other ways. Support tended to wane, however, after the initial mourning period. Employees who found little support in the workplace were deeply hurt, even several years later. In a number of instances, the lack of backing ended up with the employee quitting or being fired. Some had difficulty concentrating or needed more time off. “[Those I worked with] let me grieve for about two weeks, and then I was expected to give 100 percent and act like nothing happened ... I resigned my position three months later.”

Some felt they had been given a

time limit to be over their grief, “Odd you haven’t got over it yet; it’s been six months.” Or, “Go see a movie. Take your mind off yourself.” Co-workers and supervisors need to be sensitive to the emotional needs of the survivor. A person who lost a child was told, “You can have another child.” She wrote in response, “I could have ten more but there will only ever be one Jonni.” I suspect that those employees who were allowed to fully grieve were more likely to return to work sooner and concentrate better than those who lacked support.

Those who are grieving, when ready, may want to talk to you about the loved person rather than be sheltered from the pain. One person wrote, “Virtually nobody initiates conversation about our daughter... I think they just don’t want us to hurt, but by doing that, we’re being robbed of the only thing we have tangible, and that’s to talk about memories of her.” Finally, employees going through divorce<sup>12</sup> or other personal challenges also need to feel care and understanding at work.






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*When asking for help, employees do not always ask the most knowledgeable person. They also consider factors such as who offers help cheerfully and without condescension.*

instance, an individual using such an approach may say: “If I understand you correctly, you find it difficult to work with Guillermo.” The reflective approach can be overdone, though. Workers will become impatient or irritated if you mirror everything they say. Mirroring is especially crucial in highly emotional situations or where possible misunderstandings exist.

Perhaps you have asked someone you are trying to help *why* something is happening. Often, he will tell you he does not know. A related question tends to yield better results, “Have you *tried to imagine* what may have led to such and such happening?” The answer may be more instructive and increase the listener’s understanding.

Other approaches to help workers express themselves or clarify their feelings include allowing for longer periods of silence or expressing confusion, “I’m not sure I understand.” In the process of listening for

understanding, asking for clarification, and examining possible solutions, a supervisor’s understanding of the worker’s difficulty evolves.

### **Expert approach**

The expert or “medical” approach is directive. The supervisor listens to problems presented by the employee, makes a diagnosis, then recommends the best solution. A skillful advice giver will try to diagnose the situation through a series of questions. A rough rule of thumb is that technical problems may be best solved through the expert approach. Also, the expert approach can be quite effective when (1) there are great differences in knowledge, (2) there is one right answer, or (3) there is an emergency (e.g., a rancher calls the veterinarian to handle a colt with colic).

Often the person asking for help knows little about the subject or even what questions to ask. A worker may ask his supervisor what fertilizer to use,

how to properly mix it, and how to calibrate the nozzles for spraying. The supervisor might answer these questions and provide other useful advice. An important part of the process is ascertaining how much the person knows before starting to give advice. It often happens that people asking for help may have already given the matter much thought.

Supervisors may hold very definite opinions. At times they may be sure of what approach they would take while realizing others may benefit from a different approach. Counselors should not suggest their clients violate their own principles or beliefs. Nor should advisors be expected to be amoral. Sometimes, as a helper, supervisors may find alternative solutions reprehensible or unethical. Supervisors will want to let employees know when this is the case. The employee can then choose to seek help from someone else if he so desires. Often, however, people will seek a supervisor's opinion because they respect her values.

Supervisors who are asked for advice in the workplace have the advantage of knowing more about the situation—compared to outsiders. This can also be an obstacle. Someone who is too close to the situation may already be part of the problem, have preconceived ideas, or may have trouble listening carefully.

The expert method does not always work well. It can be frustrating to the employee who has “her problems solved” in a manner incompatible with her philosophy or style. Diagnostic skills vary, and experts may also fail to properly detect “where it hurts.” As we have alluded to earlier, the expert approach may contribute to over-dependence on the advice giver. Increasingly, people want multiple expert opinions and do not want to rely on a single outlook. Supervisors who are asked for advice should not be so invested in their own recommendations that they take offense when these are not followed. Those who seek advice would do well to explain that they are seeking guidance from several people and will make a decision after weighing the different options.

Often, people appear to be asking for help but only want someone to listen. They may even tell the person who tries to help to be quiet and listen. Likewise, employees may be more interested in impressing you with the impossibility of solving the problem than in finding a solution. Such a person may respond with a “Yes, but,” to every suggestion you make, as if to say, “I dare you to find a solution to this problem.”<sup>16</sup> If you sense this trap, it is a good indicator that you may be trying to answer as an expert when a listener is needed instead.

### Listener approach

The listener approach is one where the supervisor is more focused on attending to the needs and feelings of the employee than in trying to solve a problem. Most often, it is about celebrating one person's success or sharing in another's sadness. If the situation does involve a challenge that needs solving, the supervisor should realize that the challenge is owned by the employee. The rule of thumb here is that *relationship issues*, as well as challenges that have existed for a *long time*, may require a listening approach. The listening or counseling approach can be frustrating to the employee who wants an expert. In the listener approach, the assumption is that the solution lies within the person with the problem—this may not be the case.

We spoke earlier about empathic listening, which requires that we *suspend our own needs* and preoccupations for a moment, while we truly absorb what the other person is telling us. Empathic skills are critical to the listener. There are no shortcuts here. People can tell when they have been put off.

There are those who assure us that they can listen and do something else at the same time, such as work on the computer, read a newspaper, train a horse, or attend to other business. While it is true that some individuals are better at multi-tasking than others, nevertheless, the message that is given to the speaker is discomfiting: “You are not important enough at this moment

## SIDEBAR 12-4

Your Monkeys<sup>15</sup>

One clever analogy compares problems to monkeys. Everyone carries a few on their back. One day four employees came to see the farm manager who agreed to look into each of their difficulties. The employees left each of their monkeys in the manager's care. A manager who in one day accumulated four monkeys must, over time, have a jungle's worth of them. The manager had less time for her family and was not really helping the workers either. Employees were

irritated when problems did not get resolved as quickly as they wished. One weekend while at work taking care of *their* monkeys, she saw four very familiar faces playing soccer. After some serious thinking she devised ground rules for employees: "At no time will your problem become my problem," she told them. While she agreed to discuss the challenges that employees faced, she was less quick to take the monkeys off their backs. Since then, she learned the important difference between listening to employees and agreeing to take their monkeys.

for me to attend exclusively to your needs."

There is yet another way we discount the needs of others. And that is by sharing our own story of loss, disappointment, or of success, before the individual has had the opportunity to be heard in his story. We may feel that sharing our own story is proof that we are listening, but instead, the other person feels we have stolen the show.<sup>17</sup> This is not to say that there is no room to share our story with others, but rather, to make sure that they have actually finished sharing theirs first. We encourage others by empathic listening, by showing the person with body language, or by a "hmm," "go on," or "tell me more," that we are still listening and interested.

When a person is not listening we can often see it in his body language: "The automatic smile, the hit-and-run question, the restless look in their eyes when we start to talk."<sup>18</sup> Some advice givers may come across as experts even though they have used no direct statements. For example, they may use questions such as, "Don't you think ...?" or, "Have you tried ...?" Advice givers will want to avoid being direct while trying to come across as an open-minded listener.

I observed a speaker, a therapist by training, who freely used the line, "I can see you are hurting," with those who were asking questions at a conference. I

was the conference interpreter and was in a position to observe the audience. One older man told his sad story, and the speaker used his line at the right moment, it seemed. The participant leaned back and stopped talking. I could see in his eyes and body posture that he had felt empathy from the therapist. The man had been touched and now felt understood. I was impressed. It seemed to me, however, that with each subsequent use of "I can see you are hurting," the catchy phrase became increasingly artificial. Fewer people were convinced of its sincerity and the line soon meant "be quiet, I want to move on." If we do not have time to listen at the moment, it is better to say so.

Often people begin with the intention of listening, but get derailed along the way, but not necessarily because they do not have time. There is a natural but unfortunate tendency to switch from a listening to a directive approach in the course of a counseling session. The listener may want closure, or forget that individuals tend to have their own problem-solving styles. People often say things like, "If I were in your position, I would have ...." Maybe so. Perhaps *we would have* solved the problem had we been in her place. Different personality types may approach specific challenges in predictable ways, with likewise foreseeable results. For instance, some people would not dream of complaining

to a co-worker that something the other is doing was bothering them, but instead would let it fester inside. Others might have trouble keeping their opinions to themselves. At times people may assume they are different from another, yet in the same situation would feel just as conflicted about how to proceed.

Often people listen and ask questions with the idea of confirming their own observations. A much more effective approach is to be moved by a *spirit of curiosity*. Such an approach has been called a stance of “deliberate ignorance,” or “not-knowing.” Through the curiosity stance people move away from “diagnostic matching” towards “naive inquiry.” Inquisitive listeners “never assume that they understand the meaning of an action, and event, or a word.”<sup>19</sup> Our effectiveness as a listener is often lost if we solve the problem before the person we are attempting to help does. The good listener has enough confidence in himself to be able to listen to others without fear.

In empathic listening, we need to give the person a chance to tell us how she really feels. Avoid the desire to come to the rescue and “make it all better” with such platitudes as “next time you will do great,” “you need to worry less,” “you can get another one,” or “don’t be silly, you have nothing to worry about.” Telling an employee that with time a certain disappointment will hurt less is not very comforting at the moment. An important part of listening is allowing people to get some weight off their chest or to make their burden a shared one, even if it is only for a moment. There is great therapeutic value in being able to think aloud and share a problem or a challenge with someone who will strictly listen. The process of trying to explain a problem to another person helps us to better understand ourselves and our challenge.

Listening is not the same as being quiet. The right question or reflective comment may help the employee or colleague know that we are listening. It may well help them better explain themselves. But even good questions can be ineffective at the wrong time. Just as sharing similar experiences can



be a way to derail or take over a conversation, so can the asking of inopportune questions.”<sup>20</sup>

After the initial period of listening, there may be a need to help the employee move forward. Diagnostic questions may well be appropriate at this time. The focus of these questions is to understand the challenge the worker is facing. The supervisor avoids giving direct suggestions on how to solve a problem.

Questions may include: “What approaches have you tried?” “What alternative are you leaning toward?” “What do you plan to do about it?” “How would you feel if you followed

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*When dealing with technical questions, an important part of listening is ascertaining how much the person knows before starting to give advice. It often happens that people asking for help may have already given the matter much thought.*

## SIDEBAR 12-5

## Let the Phone Ring!

The next time a worker comes in to talk to you give him your full attention if you can or reschedule a meeting for a time you can. Show the employee you are concerned about his time, too. Turn off your cellular phone if you are in the field, and if you are in the office, ask your secretary to take messages rather than allow interruptions. If the telephone rings, well, let it ring! If you

are expecting an important call, you may want to let the worker know right away: "I can't talk very long right now, I'm expecting a call." This can be followed by an offer to reschedule the visit for a more appropriate time. If the employee decides to speak to you now, he knows the importance of being brief and the risk of interruption. Of course, there are exceptions, but letting the phone ring often makes good sense. If you are always too busy for employees, something else may be wrong.

*The listener approach is one where the supervisor is more focused on attending to the needs and feelings of the employee, than in trying to solve a problem. Often people begin with the intention of listening, but get derailed along the way, but not necessarily because they do not have time.*

his advice?" "What are you trying to accomplish?" "What will happen if you take a month before acting?" "Have you ever told him you felt this way?" "What are you planning to do if that does not work?" "How is this challenge affecting you?"

After listening for a while, if you are looking for a positive closure, an effective question to ask the employee is, "So, what do you *plan* to do now?" This question allows the employee to have the last word, summarize what he is feeling, and take back ownership of the challenge. This is especially important if we have fallen into the easy trap of giving unwanted advice and thus stolen the problem from the employee.

If, as a listener, you have more time and feel comfortable with the helping process, you may take the process further by brainstorming with the person

with the difficulty in an attempt to come up with multiple and creative solutions. Each solution's positive and negative contributions are only examined after brainstorming. It is best if the person who owns the challenge offers the most brainstorming ideas. At the onset, none of these ideas are either defended or criticized. Then, the supervisor asks the worker to evaluate each alternative by listing its pros and cons. Perhaps a solution that is a combination of strategies will be chosen. The supervisor may help in this process, but at the end the worker is left to weigh the various solutions himself. Although it takes more tact and skill, an excellent helper encourages people to go past simply speaking about their difficulties, to making specific plans to reduce or eliminate them.

Those we are attempting to help may have developed *blind spots*. Blind spots prevent us from seeing our own faults. For instance, we do not always see how our actions may be contributing to our difficulties. As long as blind spots exist, we tend to blame everyone but ourselves for our predicaments. Not everyone can *challenge* these blind spots. A helper must earn the right to do so,<sup>21</sup> by showing empathy and true concern. Nor can the challenge appear judgmental.

A final point is the need for strict confidentiality. There may be a few exceptions where information may need to be shared with other individuals on a need-to-know basis. Specifics often need not be mentioned. Permission may be



solicited from the affected worker if appropriate. A supervisor may also want to seek advice from a qualified professional on how to handle sensitive or troublesome topics.

Part of being a good listener may require consciously fighting to keep an open mind and avoid preconceived conclusions. A supervisor may want to continually assess her advice-giving style in a given situation. For instance, she may ask herself: Am I ...

- allowing the person with the problem to do most of the talking?
- avoiding premature conclusions based on what the employee is telling me or on information I have obtained from other sources?
- assisting the employee in solving his own problem, or am I being overly directive?
- permitting the employee to retain ownership of the problem?

## SUMMARY

Interpersonal relationships, on and off the job, have an important place in labor management. In this chapter we tried to understand interpersonal relationships on the job. We also looked at personal and cultural differences affecting interpersonal relations.

Strokes tend to validate a person's sense of worth. Most employees expect some stroking exchange, or ritual, before getting down to business. Being able to hold a conversation—a key workplace and interpersonal skill—is based on the participant's ability to give and take.

Everyone brings a set of “inputs” or “assets” to the job. Little trouble may occur as long as there is agreement about the value of these assets. Individuals who want to preserve the benefits of their assets, whether personal or organizational, need to value the assets held by others.

Among the many activities in which supervisors are involved, employee counseling is one of the most difficult. It is often too natural and easy to use an expert or directive mode, even when an

active listening approach would be more effective. A good listener helps by letting people get problems off their chest, rather than by solving specific challenges for others.

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*Blind spots prevent us from seeing our own faults. For instance, we do not always see how our actions may be contributing to our difficulties.*

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## Conflict Management Skills



**You tell me that when you get angry and lose control you may say some things you don't mean, and that by tomorrow you will have forgotten all about it. But the workers tell me they hurt for a long time.**

**Richard Bruce, Consultant  
Northern California**

Beth just got turned down by Carlos, the mechanic. She had asked Carlos to plan on working a couple of overtime hours this coming Thursday and Friday evenings. Beth's nose was a bit bent out of joint. She wondered if Carlos did not yield to her because she was too kind when she asked. Or, because she was a woman. Or, because Carlos was envious that she got the supervisory position for which both had competed. Carlos was uncomfortable with the interaction, too.

If Carlos had no clue that Beth was upset, would this scene still constitute

interpersonal conflict? Perhaps. The seeds of conflict are planted when disharmony is *felt within* any one of the participants. Next time Beth approaches Carlos she may change her approach. She may be more abrupt, leading Carlos to wonder if Beth got up on the wrong side of the bed. Carlos may then, in turn, react negatively to Beth, thus escalating the conflict. Individuals sometimes encounter stress and negative emotion out of an interaction—whether or not they ever confront each other about their feelings.





*Wherever choices exist there is potential for disagreement. Such differences, when handled properly, can result in richer, more effective, creative solutions and interaction. But alas, it is difficult to consistently turn differences into opportunities. When disagreement is poorly dealt with, the outcome can be contention.*

Wherever choices exist there is potential for disagreement. Such differences, when handled properly, can result in richer, more effective, creative solutions and interaction. But alas, it is difficult to consistently turn differences into opportunities. When disagreement is poorly dealt with, the outcome can be *contention*. Contention creates a sense of psychological distance between people, such as feelings of dislike, bitter antagonism, competition, alienation, and disregard.

Whether dealing with family members or hired personnel, sooner or later challenges will arise. It is unlikely that we find ourselves at a loss of words when dealing with family members. Communication patterns with those closest to us are not always positive, however, often falling into a predictable and ineffective exchange.

With hired personnel and strangers, we may often try and put forth our best behavior. Out of concern for how we are perceived, we may err in saying too little when things go wrong. We may

suffer for a long time before bringing issues up. This is especially so during what could be called a “courting period.” Instead of saying things directly, we often try to hint.

But the honeymoon is likely to end sooner or later. At some point this “courting behavior” often gets pushed aside out of necessity. We may find it easier to sweep problems under the psychological rug until the mound of dirt is so large we cannot help but trip over it. Sometime after the transition is made, it may become all too easy to start telling the employee or co-worker exactly what has to be done differently. An isolated episode such as the one between Beth and Carlos may or may not affect their future working relationship.

Persons differ in their sensitivity to comments or actions of others, as well as their ability to deal with the stress created by a conflict situation. While it is important that we are sensitive to how we affect others, there is much virtue in not taking offense easily ourselves. Or by finding constructive outlets to dissipate stressful feelings (e.g., exercise, music, reading, an act of service to another, or even a good night’s sleep). It does little good, however, to appear unaffected while steam builds up within and eventually explodes.

When disagreements emerge it is easy to hear without listening. People involved in conflict often enlist others to support their perspective and thus avoid trying to work matters out directly with the affected person.

Our self-esteem is more fragile than most of us would like to admit (see Chapter 6, Sidebar 3). Unresolved conflict often threatens whatever self-esteem we may possess. By finding someone who agrees with us, we falsely elevate that self-esteem. But we only build on sand. Our self-esteem will be constructed over a firmer foundation when we learn to deal effectively with the conflict. In Spanish there are two related words, self-esteem is called *autoestima*, while false self-esteem is called *amor propio* (literally, “self-love”).

It takes more *skill, effort and commitment*—although in the short run, *more stress*—to face a challenge together with a contender. It seems as if it would be easier to fight, withdraw, or give in. Yet in the long run, working through difficulties together will help us live a less stressful and more fulfilling life. Some alternatives include:

1. *Fighting it out.* A man sat in his train compartment looking out into the serene Russian countryside. Two women entered to join him. One held a lap dog. The women looked at this man with contempt, for he was smoking. In desperation, one of the women got up, lifted up the window, took the cigar off the man's lips, and threw it out. The man sat there for a while, and then proceeded to re-open the window, grab the woman's dog from off her lap, and throw it out the window. No, this is not a story from today's Russian newspaper, instead it is from Fyodor Dostoevsky's 19th century novel, *The Idiot*. The number and seriousness of workplace violence cases in agriculture seems to be on the rise, and farm employers can respond with effective policies and increased education.

2. *Yielding.* While most can readily see the negative consequences and ugliness of escalating contention, we often do not consider how unproductive and harmful withdrawing or giving in can be. Naturally, there are occasions when doing so is not only wise, but honorable (as there are times to stand firm). If a person feels obligated to continually give in and let another have his way, such yielding individual may stop caring and withdraw psychologically from the situation.

3. *Avoidance.* When we engage in avoidance, it only weakens already fragile relationships. These "others" (e.g., sympathetic co-workers) usually tend to agree with us. They do so not just because they are our friends, but mostly because they see the conflict and possible solutions from our perspective. *After all, they heard the story from us.* Once a person has the support of a friend, he may feel justified in his behavior and not try to put as much energy into solving the conflict.

One particularly damaging form of conflict avoidance is to send someone else to deliver a message or confront another on our behalf. At best, the individual not spoken to directly will be hurt that such a tactic was taken. At worst, the go-between person cherishes the power trip involved, allowing himself to become a sort of arbiter in the conflict.

We often are too quick to assume that a disagreement has no possible mutually acceptable solution. Talking about disagreements may result in opportunities to strengthen relationships and improve productivity. Obviously, talking problems through is not so easy. Confronting an issue may require (1) exposing oneself to ridicule or rejection, (2) recognizing we may have contributed to the problem, and (3) willingness to change.

We can reduce stress, resolve challenges and increase productivity through effective dialogue. Such a conversation entails as much *listening* as talking. While effective two-way exchanges will happen naturally some of the time, for the most part they need to be carefully planned. There may be some pain—or at least moving us out of our comfort zones—involved in discussing challenging issues, but the rewards are satisfaction and improved long-term relationships.

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*Once a person has the support of a friend he may feel justified in his behavior and not try to put as much energy into solving the conflict.*

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Jack Kelly Clark

When faced with challenges, we tend to review possible alternatives and come up with the best solution given the data at hand. Unwanted options are discarded. While some decisions may take careful consideration, and even agony, we solve others almost instinctively. Our best solution becomes our *position* or *stance* in the matter. Our *needs*, *concerns* and *fears* play a part in coming up with such a position. Misunderstanding and dissent can grow their ugly heads when our solution is not the same as those of others. Several foes often combine to create contention:

Our first enemy is the natural need to want to explain our side first. After all, we reason, if they understand our perspective, they will come to the same conclusions we did.

Our second enemy is our ineffectiveness as listeners. Listening is much more than being quiet so we can have our turn. It involves a real effort to understand another person's perspective.

Our third enemy is fear. Fear that we will not get our way. Fear of losing something we cherish. Fear we will be made to look foolish or lose face. Fear of the truth ... that we may be wrong.

Our fourth enemy is the assumption that one of us has to lose if the other is going to win: that differences can only be solved competitively.

The good news is that there are simple and effective tools to spin positive solutions and strengthen relationships out of disagreements. But let not the simplicity of the concepts obscure the challenge of carrying them out consistently. Certainly life gives us plenty of opportunities to practice and attempt to improve. However, the foes outlined above take effort to overcome.

### Tools for Improved Communication

Two principles have contributed greatly to the productive handling of disagreements. The first, "Seek first to understand, then to be understood," was introduced by Steven Covey, in *Seven Habits of Highly Effective People*.<sup>1</sup> If we encourage others to explain their side first, they will be more apt to listen to ours.

For instance, I sometimes need to interview farm personnel about their feelings on various subjects. One day I came across a farm owner who was less than enthusiastic about my project.

It was clear from his words and tone that I would *not* be interviewing anyone on his farm, so I switched my focus to listening. The farmer shared concerns on a number of troublesome issues and we parted amiably. When I was on my way to my vehicle the farmer yelled, "Go ahead!"

"Go ahead and what?" I turned around and inquired. To my surprise he responded, "Go ahead and interview my workers." The Covey principle was at work.

The second principle, introduced by Roger Fisher and William Ury in their seminal work, *Getting to Yes*,<sup>2</sup> is that people in disagreement should *focus on their needs* rather than on their positions. By concentrating on positions, we tend to underscore our disagreements. When we concentrate on needs, we find we have more in common than what we had assumed. Ury and Fisher suggest we attempt to *satisfy the sum of both their needs and our needs*.

When the light goes on we realize that it is not a *zero sum game* (where one person has to lose for the other to win). Nor is it necessary to solve disagreements with a lame compromise. Instead, often both parties can be winners. Individuals can learn how to keep communication lines open and solve challenges when things go wrong. Learning to disagree amicably and work through problems is perhaps one of the most important interpersonal skills we can develop.

### Putting it all together

If we come right out and tell someone, "I disagree," we are apt to alienate that person. Successful negotiators are more likely to label their intentions, such as a desire to ask a difficult question or provide a suggestion, and are less prone to label disagreement.<sup>3</sup> Problems are likely, however, to increase if we put all our

needs aside to focus on another person's perspective. The other party may think we have no needs and be quite taken back when we introduce them all of a sudden, almost as an afterthought.

In order to avoid such unproductive shock, I like the idea of briefly saying something along these lines. "I see that we look at this issue from different perspectives. While I want to share my needs and views with you later, *let me first focus on your thoughts, needs, and observations.*" At this point, we can put our needs aside, attempt to truly listen, and say: "So, help me understand what your concerns are regarding ...."

That is the easy part. The difficulty comes in fulfilling such a resolution to really listen—to resist the tendency to interrupt with objections no matter how unfounded some of the comments may be. Instead of telling someone that we *understand* (just so they can finish and give us a turn to present our perspective), we can be much more effective by revealing exactly *what it is that we understand*. All along we must resist, as we listen, the temptation to bring up our viewpoints and concerns. In trying to comprehend, we may need to put our understanding in terms of a question, or a tentative statement. This way we show true awareness.

We may have to refine our statement until the other stakeholder approves it as a correct understanding of his position or need. It is necessary not only to understand, but for the other person to *feel understood*. Only now can we begin to explain our perspective and expect to be fully listened to. Once we have laid out our concerns, we can focus on a creative solution. If we have had no history with someone, or a negative one, we need to use more caution when disagreeing. The potential for a disagreement to be side-railed into contention is always there. It helps if we have made goodwill deposits over time.

### INVOLVING A THIRD PARTY

Sometimes differences in organizational level, personality or self-esteem among the participants in a



disagreement require the participation of a third party. For instance, one supervisor had resorted to bullying and implied threats to get his way. "I would have gladly tried to find a way to help my supervisor achieve his goals," the subordinate explained through her tears. "But now I am so sensitized, I am afraid of talking to him."

Telling employees to work out their troubles on their own, grow up, or shake hands and get along may work occasionally, but most of the time the conflict will only be sent underground to resurface later in more destructive ways.

A better approach is to allow employees to meet with a third party, or *mediator* (which, in some cases, may be a manager or the farm owner), to assist them in their own resolution of the conflict.

All things being equal, an outside mediator has a greater chance of succeeding. An insider may be part of the problem, may be perceived as

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*When we disagree with someone it helps to focus on what they have to say first, and say something along these lines: "I see that we look at this issue from different perspectives. While I want to share my needs and views with you later, let me first focus on your thoughts and observations." At this point, we can now put our needs aside, attempt to truly listen, and say: "So, help me understand what your concerns are regarding...."*

favoring one of the stakeholders, and the stakeholders may be hesitant to share confidential information with an insider.

If the insider is a supervisor, the mediator role becomes more difficult, as supervisors tend to become overly directive, taking more of an arbiter's role and forcing a decision upon the parties.

The conflict management process is more apt to succeed if stakeholders have respect for the mediator's integrity, impartiality, and ability. Respect for the mediator is important, so stakeholders will be on their best behavior, an important element in successful negotiation. Although not always the case, over-familiarity with an inside mediator may negate this "best behavior" effect.

An outside mediator should treat issues with confidentiality. Exceptions are such instances as where illegal activities have taken place (e.g., sexual harassment).

All parties should be informed of exceptions to the confidentiality rule ahead of time. Any sharing of information based on the exceptions needs to be done on a need-to-know basis to minimize giving out information that could hurt one or both of the parties. Employees may be less hesitant to speak out when assured of confidentiality. Sometimes conflicts involve personal issues.

A much more sensitive situation involves the role of the mediator when stakeholders are not able to come to a negotiated resolution. Researchers have found that, in some instances, mediation works best when the third party is able to change roles, and in the event that mediation fails, become an arbiter. On the plus side, stakeholders may put their best foot forward and try hard to resolve issues. Unfortunately, while some mediators may be able to play both roles without manipulating the situation, the road is left wide open for abuse of power. Furthermore, individuals may feel coerced and not trust a mediator when what is said in confidence may be taken against them later.

## MEDIATION

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Mediation helps stakeholders discuss issues, repair past injuries, and develop the tools needed to face disagreements effectively. Mediators may help participants glimpse at their blind spots, broaden their perspectives, and even muddle through the problem-solving process. Yet, successful mediators remember that the challenges are owned by the stakeholders and do not attempt to short-circuit the process by solving challenges for them.

Mediators facilitate the process by:

- understanding each participant's perspective through a pre-caucus;
- increasing and evaluating participant interest in solving the challenge through mediation;
- setting ground rules for improved communication;
- coaching participants through the joint session;
- equalizing power (e.g., between persons in different organizational levels);
- helping participants plan for future interaction.

### **Understanding each participant's perspective through a pre-caucus**

The pre-caucus is a separate meeting between the mediator and each stakeholder before the stakeholders are brought together in a joint session. During the pre-caucus the mediator will briefly explain the issue of confidentiality and the mechanics of the mediation process so stakeholders will not be surprised or have a sense of being lost.

The mediator also should offer stakeholders the opportunity for regular caucusing (a meeting away from the other stakeholder) any time they feel a need for it. It is important that stakeholder control is emphasized throughout the process. Participants should not agree on something just for the sake of agreement. If there are yet unmet needs, these should be brought up. Sometimes, a few changes in a



potential solution can make the difference between an agreement that will fail or succeed.

While there are hundreds of factors that can affect the successful resolution of a conflict, the pre-caucus is one of *the pillars of conflict management*.<sup>4</sup>

Although *any* talking between the mediator and one of the stakeholders alone can be perceived as suspect and potentially influence the neutrality of the mediator, such fears assume a mediator-directive approach where the third party wields much power and often acts as a quasi-arbitrator. When the mediation process is understood—from the beginning—as one where each of the stakeholders retains control over the outcome, less importance is given to mediator neutrality.

The pre-caucus provides each stakeholder an opportunity to be heard and understood. One of the reasons why conflict situations are so challenging, is the natural tendency of stakeholders to each want to express their respective perspectives first which to some degree

takes place in the pre-caucus. The more deep-seated and emotional the conflict, the greater this need.

At a dairy operation, I had just been introduced to one of the stakeholders by the farm owner. As soon as the farmer left us alone to begin our pre-caucus, the stakeholder broke into tears. A similar situation took place at a row crop farm enterprise where one of the farm managers began to cry, ostensibly because of other issues pressing heavily upon him. Had these men come immediately into a joint meeting with their respective contenders, their feelings of vulnerability might just as easily have turned into anger and defensiveness.

One manager told me that the pre-caucus would be very short with a milker who was not a man of many words. The milker spoke for almost two hours. By the time we finished, he felt understood and had gained confidence, and by the time we were into the middle of the joint session with the other stakeholder, this same employee was

*The pre-caucus consists of a separate meeting between the mediator and each of the stakeholders, before the stakeholders are ever brought together into a joint session. Because people, especially those who are involved in conflict, have such a high need to be understood before they can focus on the needs of others, this session is fundamental to an eventual positive outcome.*

even laughing when it was appropriate. I have found that these “silent types” will often open up during a pre-caucus.

When a stakeholder feels understood, an enormous emotional burden is lifted; stress and defensiveness are reduced. This makes people more confident and receptive to listen to the other party.

*Separating the people from the conflict.* Winslade and Monk in *Narrative Mediation* argue that while people are theoretically free in terms of what they say in a conversation, most often stakeholders feel their responses are influenced by the remarks of the other. They often see themselves entrapped within the conflict cycle.

Winslade and Monk ask individuals how they might have felt *forced by the conflict* to do or say things that they wish they had not. Or, how the conflict has affected them negatively in other ways. By placing the *blame* on the *conflict itself*, the mediator allows the stakeholders to save face and slowly distance themselves from the conflict-saturated story. Such a situation can help stakeholders detach themselves from the conflict long enough to see that each has a choice as to whether he wants to continue feeding the conflict. The authors further suggest that if the mediator listens with an *ethic of curiosity*, unexpected benefits are likely to arise. Instead of merely listening to

confirm hunches and reconcile facts, the third party realizes that stakeholders often bring to mediation an olive branch along with their anger and despair. Thus, stakeholders often hold the very keys to the reconstruction of broken relationships and to the solving of challenges. But the mediator has to have enough confidence in people and in the process to allow these issues to surface and to be on the lookout for them so they do not go unnoticed.<sup>5</sup>

During the pre-caucus, the mediator notes as many issues as possible from each stakeholder (they often overlap considerably) and later introduces them in a systematic fashion for the stakeholders to discuss in the joint session. The more issues raised, the greater the opportunity for discussion and the less likelihood that important issues will be left out.

### **Increasing and evaluating participant interest in solving challenge through mediation**

There seems to be a pattern in deep-seated organizational interpersonal conflict: each stakeholder is overly distracted with the stress of the conflict, has difficulty sleeping at night, and is generally thinking of quitting. Sometimes individuals may be in denial about the negative effect that contention has in their lives. One manager claimed that he just got angry and exploded, but that his anger did not last long. He explained that he did not hold grudges, that by the next day he had put aside any bad feelings for the other person. During a mediation session this same manager admitted that a recent confrontation with the other stakeholder had made him so angry it left him sick for a couple of days. Part of the role of the mediator in meeting individually with each stakeholder is to help individuals visualize a life without that stress.

In the process of meeting with the stakeholders, the mediator can make a more informed determination as to whether to proceed with mediation or recommend arbitration or another approach. As effective as mediation can be, under certain circumstances more

*As effective as mediation can be, under certain circumstances more harm than good can result from bringing parties together. The purpose of mediation is not to simply provide a safe place for stakeholders to exchange insults!*



harm than good can result from bringing parties together. The purpose of mediation is *not* to simply provide a safe place for stakeholders to exchange insults!

*Transformative opportunities.* In *The Promise of Mediation*, Bush and Folger suggest that mediators watch for and recognize transformative opportunities in terms of *recognition* that can be offered between participants. Such recognition may involve compliments or showing understanding, empathy, or other forms of mutual validation.<sup>6</sup> A fruit grower, almost as an aside, had something positive to say about the other party, “One thing I really value about the farm manager is that he shows pride in his work—something I really admired in my father.” The grower reacted negatively to the idea of sharing this with the farm manager, yet decided to do so on his own during the joint session.

*Looking for the positive.* While a number of issues can affect the likely success of a joint mediation session, perhaps none is as telling as asking each stakeholder what they value in the other contender. This question should be asked *after the participant has had a chance to vent*, and the mediator has shown understanding for the challenges from the stakeholder’s perspective.

There is a human tendency not to find anything of value in a person with whom there has been deep-seated contention. After a person feels understood by the mediator, there is a greater likelihood that the stakeholder will see a little light of good in his contender.

Without this tiny light of hope, without this little olive branch, there is no point in proceeding. If there is nothing of significance that one person can value about the other, more harm than good can come out of the mediation. And it is not enough to say that the other person “is always on time,” “drives a nice pick up,” “is attractive,” or “does not smell.”

Sometimes one of the stakeholders will be more noble than the other, a little more prone to see good in the other. On one occasion, I had already met with

such an individual in a pre-caucus and asked the second stakeholder, during his pre-caucus, for the positive characteristics of the first. When the answer was “none,” I shared the positive things that were said about him by the first employee and asked again. Because stakeholders want to seem reasonable, especially after hearing something positive about themselves, I was surprised by a second refusal by the more reticent stakeholder to find anything of value about the other.

“Well, if there is *nothing* positive you can say about the other employee, there is no purpose in attempting a conflict management session together,” I explained. I suggested a short break. When we returned, the taciturn stakeholder had prepared a long list of positive attributes about the other employee.

#### *Repairing past injuries.*

Occasionally, it helps to role play to identify potential pitfalls ahead of time. For instance, at one farm operation, a manager’s angry outbursts were well known. Martin, the manager, had minimized the seriousness of his problem. A co-mediator role-played the other party in the contention. “Martin,” she began. “When you get angry at me, shout at me and use profanity, I feel very badly.”

“Well, I am so sorry I have used bad language with you and been angry at you,” Martin began nicely. “But ....” And then Martin began to excuse himself and to place conditions on controlling his anger. At this moment I had to interrupt. An apology with a *comma* or a *but* is not a true apology, but merely a statement of justification, I explained. In total frustration Martin turned to me and said, “Look, everyone has their style. Some people deal with disagreement this way or that. I am an expert in *intimidation*. If I can’t use intimidation, what can I do so I don’t get run over? Am I supposed to just sit here and tell him how nice he is and not bring up any of the areas of disagreement?”

When mediators have done their homework during the pre-caucus, the joint session can be very positive. This case involving Martin was one of the





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*An apology with a comma or a but is not a true apology, but merely a statement of justification. Opportunities for mutual recognition exist when participants take the time to apologize for past affronts or misunderstandings.*

most difficult I had ever dealt with, yet once the joint session began, both managers did most of the talking. They were extremely cordial, attentive, and amicable, showing understanding for each other. Although the problems were not solved from one day to the next, a year later there had been much positive progress.

#### **Setting ground rules for improved communication**

Individuals attempt to cultivate an identity or projection of who they are. For instance, a person may see herself as an intellectual, another may see himself as an outdoors person, a cowboy, or an artist. Such identity labels are just a small part of a much deeper and complex set of traits that any individual would value.

An important part of mindful interpersonal communication is the mutual validation of such identities, through a process of identity negotiation. People tend to build bonds with those who seem supportive of the identity they attempt to project.<sup>7</sup> Such mutual validation is one of the keys to effective interpersonal relations. Lack of validation normally plays a vital role in interpersonal conflict, as well. Some of the most hurtful things another

individual can say to us, are an attack on our self image or valued identity.

People do not just project identities of who they are, but also the personal qualities of who they wish to become. When a person's weaknesses are exposed, he may reason that it is not worth trying to pretend anymore. Because those who are closest to us are more likely to have seen our weaknesses, we may first stop *pretending* with family, close friends, and people at work. This attitude also plays an important part in interpersonal conflict.

One of the important roles of a mediator is to help stakeholders who have crossed the line and stopped pretending, to cross back, and thus get a second chance at a relationship. If we have decided to thus change our behavior, it helps to clearly state our intentions ahead of time, so that our new and corrected behavior is not misunderstood.

Coaching and modeling effective interaction styles is an ongoing task for the mediator. The objective is for stakeholders to increase their understanding of effective interpersonal relations. Before conflicting parties meet, it helps to set ground rules that will help parties avoid hurtful comments, and even increase positive validating ones. Ground rules will help the conflict from escalating and save time once mediation is under way. It is not the role of the mediator to simply allow the contenders to exchange cynical remarks, insults, name calling, and threats in a psychologically safer environment. Nor should the mediator allow contenders to drag her into the controversy. Instead, the mediator may have to remind employees to direct their comments to (and keep visual contact with) the other person involved in the disagreement.

Overly vague or broad statements such as, "You are inconsiderate," or, "You are overbearing," do little to facilitate mutual understanding. Specific issues, or events, and what motivated each to act in certain ways, may be more useful. In the pre-caucus, ask the stakeholder using such sweeping

statements for examples of times when the other individual acted in inconsiderate, overbearing, untrustworthy or selfish ways. These behaviors can later be discussed in the joint session.

Name-calling can have a very negative effect. For instance, a Mexican dairy employee called another employee a *racist*. That is a pretty big word, with very strong connotations. The other stakeholder, a Portuguese milker, was very hurt by the use of such a word. The mediator stopped the conversation to make sure all were defining the word in the same way. “Are you saying that this milker treats you different because you are Mexican and he is Portuguese?” After the term was well explained and a few more questions asked, the Mexican milker ended up apologizing, and the Portuguese employee had the opportunity to tell a story that illustrated he was not racist. It is not the role of the mediator to reject such an accusation without allowing stakeholders to speak what is in their mind.

Beside name-calling, the use of other *labels* can increase contention. Calling someone by a label, even when the person identifies with such (e.g., a person’s nationality), can be offensive depending on the tone and context. A more subtle use of labeling, one that can have the same negative effect, is describing our own perspective as belonging to a desirable label (e.g., a particularly cherished philosophy, principle or belief), while assigning that of another to an undesirable one.

Stakeholders also look for ways to enlist even theoretical others into supporting their views. They may attempt to inflate the importance of their opinions with such statements as, “everyone else agrees with me when I say that ....” Or, attribute a *higher source of authority* to their words: “According to such and such (an author, or respected person)...” A stakeholder may wish to discount the opinion of others by speaking of their experience: “In my twenty years of experience ...” Once again, the tone and context of the conversation may make some of these statements appropriate in one

circumstance and not in another. People may resort to dysfunctional tactics when the force of their argument does not stand on its own merits.

Along with labeling, *threats*—both direct and veiled—can reduce a stakeholder’s negotiating power. When these intimidation tactics are bluffs, then the loss of negotiation power is further magnified.

The mediator may also coach employees into owning up to their feelings by using “I” statements.<sup>8</sup> “I feel upset when you change my radio station while I am milking,” is preferable to “You make me angry when ....”

Only one person should speak at a time, while the other makes every possible effort to understand what is being said. One defensive tactic is to change the topic. While sometimes two topics are so closely related that they cannot be separated, generally new topics can be placed on a “list of other matters” to be brought up later.

Workers involved in highly charged conflict situations frequently try to ridicule their contenders by distorting or exaggerating what has been said. I call this *distorted mirroring*. For instance, an employee may inaccurately mirror a comment, such as: “So you are telling me that you *never* want me to...,” or, “I get it, you think you are the *only* one who ...,” “You used to be [something positive] but now [negative statement],” “It seems that you are *always* ... these days.”

Participants may sometimes seek shelter from a true give-and-take with such statements as, “That’s just the way I am,”<sup>9</sup> or, “Can’t you take a joke?” While a mediator cannot force someone out of his shell, he may help participants understand the detracting effects these statements may have. The earlier the mediator disallows distortions or manipulative tactics, the sooner employees will realize that this is not a verbal battle.

A mediator may also need to coach employees on how to formulate questions and comments. Participants need to talk without putting each other on the defensive or coming across as accusatory. Especially when under the

*It is good to talk about the past. A discussion of past behaviors is essential to analyze patterns of conflict and help participants find constructive ways of handling future disagreements. Without understanding the past, it is hard to prepare for the future. At some point, however, the focus of discussion turns to that of future behaviors, rather than past injuries.*

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stress of a conflict, people will be quite sensitive to intended and non-intended statements of double meaning. A critical role for the mediator may be to ask for clarification or coach stakeholders in properly reflecting statements.

### **Coaching participants during the joint session.**

The time has come to bring both stakeholders together into a joint session. A mechanical aspect to mediation that is extremely powerful is the *seating arrangement*. Have the two parties sit facing each other such that they are in a position to have good eye contact, yet making sure there is enough space between them so their personal space is not violated. This arrangement underscores the message that they are there *to talk to each other*. Because people who are in conflict often discount the other person, having to

exchange eye contact can be powerful medicine toward reconciliation. A table may be appropriate in some circumstances.

The mediator sits far enough away that stakeholders would have to turn their heads if they wished to make eye contact with him. It is not easy for the stakeholders to check if they have “scored a point,” or to enlist the mediator to their side. If the stakeholders make such an attempt, the mediator reminds them that the person they need to convince is the other party.

The seating arrangement described above is such a powerful tool, that I have seen people apologize to each other, be more considerate, call each other by name, and use many positive behaviors even when the complete mediation approach outlined in this chapter was not used. The seating arrangement is another basic mediation pillar.



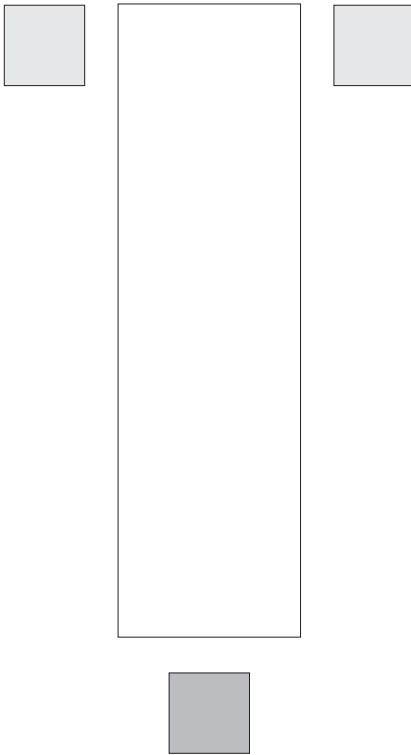


FIGURE 13-1

Seating arrangement for mediation.

The mediator can also encourage participants to call each other by name. This can be a difficult thing at first. People who have been contending tend to discount the other person and instead refer to the person as “he,” “she,” “the boss,” or something other than the person’s name. Addressing someone by name acknowledges and validates the other person’s humanness.

Successfully dealing with any issue under contention (e.g., the offering and accepting of an apology, or having participants agree on how they will deal with a future challenge) can be very energizing and give the participants the confidence they need to face the next difficulty that comes up.

It is good to talk about the past. A discussion of past behaviors is *essential* to analyze patterns of conflict and help participants find constructive ways of handling future disagreements. Without understanding the past, it is hard to prepare for the future. At some point, however, the focus of discussion turns to that of *future behaviors, rather than past*

*injuries*. The sooner the participants can focus on the future, the greater the chances of successful resolution.<sup>10</sup>

One of the roles of the mediator is to encourage participants to be more specific in their agreements, to help question potential landmines, and to encourage stakeholders to recapitulate what seems to have been agreed upon. When dealing with more difficult challenges, part of the role of the mediator is to keep the parties from becoming discouraged by showing them how far they have progressed.

Stakeholders can be taught to utilize the concepts introduced earlier, in terms of participant *positions* versus *needs*. Recall the case of Beth and Carlos at the beginning of the chapter, where each of their stances appeared incompatible with that of the other (i.e., whether Carlos should yield to the prescribed overtime request).

Mediators help dissipate contentious feelings by teaching stakeholders how to find creative ways to achieve the sum<sup>11</sup> of the needs (theirs and the opposing ones). By going past an obvious stance and looking into needs, we may find that (1) Beth wanted the tomato harvester repairs completed before harvest—which is scheduled to begin early next week, while (2) Carlos wanted to be home to celebrate his daughter’s *quinceañera* (coming of age party) Friday evening.

Once the manager and mechanic understand each other’s needs, they can agree on a solution—perhaps the mechanic can work the overtime on Wednesday and Thursday. This case may seem simple and the solution obvious—except, perhaps, to Beth and Carlos before they explored each other’s needs. The approach works well for more complex issues, too.

Separating position from needs, in such a way that parties attempt to understand each others needs is yet another mediation pillar.

Mediators should not be in too big of a hurry to move participants from their position statement and explanation of their fears and needs, to problem resolution. It is vital to first truly understand the nature of the challenges

that seem to divide individuals.

Allowing stakeholders to hold an initial position allows each to feel understood and to retain a sense of control and ownership over the process. A great tool is to have stakeholders explain, to the best of their ability, the position of the other.

Stakeholders tend to discount each other by refusing to even acknowledge that the other has a position. For instance, a cook was asked to recognize that the field foreman needed meals to arrive on time to the crews. Yet the cook could not focus away from the fact that there were meals being wasted each day.

“You see, it is his fault because ...”

“We are not talking about faults at this time, we just want you to state the perspective of the field foreman,” the mediator interrupted.

“Well, you see, he thinks that he can get away with ....”

The cook had to be stopped over a dozen times. It was difficult for him to even state (and thus validate) the other’s position. Once he stopped evading the process and gave the position of the field foreman, and the field foreman did the same for the cook, they quickly came to a solution that benefited everyone. A missing step here, one that may have helped smooth the transition between an internal focus and stating the other stakeholder’s position, would have been to first encourage the stakeholders to ask fact finding and non-judgmental questions of each other.<sup>12</sup> An agreement was made that the field foreman would radio the cook with an exact meal count for the day. Because the cook had an exact count, he had fewer meals to cook and thus could produce them faster. A structured way to clarify positions and needs for a two-person negotiation is outlined in Sidebar 13-1.

#### SIDEBAR 13-1

##### Positions vs. Needs<sup>13</sup> in Conflict Management

Position A	Position B
* Need A-1	* Need B-1
* Need A-2	* Need B-2
	* Need B-3

Participants divide a paper, chalkboard, or wipe board into four sections (as shown above).

Participants seek to understand and record each other’s *position* (i.e., stance).

Participants are free to restate, modify, or further clarify their position at any time.

Participants now seek to understand and record each other’s *needs*. Taking the time to ask effective questions of each other (see Chapter 12) is an important part of reaching such understanding.

Participants brainstorm ways of fulfilling all the needs (in some cases solutions may not be obvious at once and stakeholders may want to sleep on it). For brainstorming to be effective, possible solutions should not be evaluated at the time, and even outlandish and extreme possible solutions should be entertained. Only later, are these solutions examined for the positive and negative factors that they contribute.

Participants should resist solutions where they no longer have to interact with each other. To avoid each other takes little creativity and is seldom the best solution. Instead, participants need to seek creative, synergetic solutions.

Tentative co-authored agreements are evaluated and refined in light of potentially difficult obstacles that such solutions may yet need to endure.

Agreements—including a possible co-authored new position—are recorded.

Participants consent to evaluate results at pre-determined time periods.

Fine tune agreements as needed and work on other challenges together.



Stakeholders should not come to the table ready to expose or impose their solution. In negotiation it is critical for stakeholders to first focus on defining and understanding the nature of the challenge. It is often when stakeholders are not able to move past their positions or stances that negotiations break down. Also, stakeholders want to feel that they have some control over the decision-making process. This is hard to do when decisions are made by others before the problems are fully explored (Chapter 18).

Each stakeholder needs to be vigilant that a solution will meet the other person's needs, as well as their own. Stakeholders need to remember, that for the most part, the only good solutions are those that will work for all the individuals involved.

Furthermore, sometimes people will yield to another as a test. These individuals want to see if the other stakeholder has the minimum amount of

care for anyone other than himself. As a tactic, setting a trap to see if someone will get caught, is hardly a good idea, of course. The more emotion involved, the less likely that the other stakeholder will step back. Another manipulative approach is for a stakeholder to "give in" just to be able to hold it against the other later on.

Negotiation will not be satisfactory when a person is more intent in:

- punishing another rather than coming to an agreement or modifying future behavior
- winning rather than solving the challenge

Sometimes negotiation is attempted but people's basic needs are incompatible. This may be especially so when no distinction can be made between a person's need and her position.

When negotiation has failed—for whatever reasons—a clear need for resolving the dispute through arbitration

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*Each stakeholder needs to be vigilant in making sure that a solution will meet the other person's needs, as well as his own. It is a mistake, for instance, to be quick to accept the defeat from another individual who yields his wishes to ours.*



*The supervisor as an arbiter may listen to complaints but, at the end, will make a judgment that the employees are expected to follow. It helps for a supervisor to be slow in taking on the role of an arbiter.*

may develop. Bush and Folger suggest, however, that if a door is left open for continued conversation, and if individual empowerment and mutual recognition have taken place, then mediation was not a failure. Much more of a failure, they argue, is for a mediator to be so focused on having stakeholders come to an agreement that the agreement is forced, reducing the chances that it will be long lasting.<sup>14</sup>

### **Equalizing power**

Participants may bring different amounts of power into a situation. As long as both are interested in negotiating a solution, power is essentially equalized. The effective mediator helps

parties listen and communicate with each other. She may also need to draw out an employee who is having difficulty expressing himself.

A stance from either party indicating a lack of interest in (1) talking about the problem, or (2) the other person's needs, would indicate unwillingness to be involved in the negotiation process. Mediators can suggest that the joint session take place in a location that is neutral and private—without telephone or any other sort of interruptions.

### **Helping participants plan for future interaction**

It is easier for employees to improve communication when aided by a competent mediator. Part of the responsibility of the mediator is to help employees anticipate some of the challenges they will face in the future. One difficulty is to take the time to listen and communicate. Principal among the needed skills, is for sensitive listening. It is difficult to always be on the alert for such sensitive listening and interaction as has been discussed throughout this and the last chapter.

It sometimes takes years for employees to get into a pattern of negative interaction. It is unlikely that one session will cure this no matter how outstanding the mediator or the participants involved. One or more follow-up sessions with the mediator may help participants refine skills and evaluate progress made.

## **ARBITRATION**

The supervisor as an *arbiter* may listen to complaints but, at the end, will make a judgment that the employees are expected to follow. It may be clear from the outset that employees expect the supervisor to take the role of an arbiter. Or, it may become increasingly evident as mediation is taking place, that an arbiter will be needed. The supervisor needs to clearly communicate his role. If the role changes, workers need to understand that, too.

Because it is normally preferable for all parties involved to have a conflict



solved at the mediation rather than arbitration stage, it helps for a supervisor to be *slow in taking on the role of an arbiter*, especially when these two individuals will have to continue to work together. During the process of listening to the various perspectives, and before making a decision, an arbiter may wish to offer employees the opportunity to work out their own problem, or to work out difficulties through mediation.

At times, a *judge* and a *judgment* are needed. Supervisors who have to arbitrate should avoid trying to make both parties happy with the decision. Most of the time it is simply not possible. It may be an admirable goal for mediation, but not for arbitration. Instead, the arbitrator is required to be *impartial* (there is no room for favoritism) and *fair* (even if this seems one sided).

The well-loved story of wise Solomon of old is an early example of arbitration: Two harlots had given birth. Some time after that, one of the women, while she was sleeping, rolled over her child and suffocated him. When she woke up that night and found the dead infant, she traded him for that of the other. When the second woman woke up, she found the dead child by her. But when morning came, she could clearly behold that this was not her child. Each woman claimed to be the true mother of the baby that was still alive, and took their conflict before King Solomon. The king simply asked for a sword, and then ordered: "Divide the living child in two, and give half to the one, and half to the other." While the false mother thought this was a fine idea, the true mother asked the king to save the child—even if this meant giving the infant to the other woman. Solomon thus determined who the real mother was, and returned the child to her.<sup>15</sup> Unfortunately, Solomon's pretended initial solution to the contending mothers (to divide the baby in half) is often carried out by supervisors in their modern day arbitrator role. In their effort to try and please both workers, they create a compromise that is often unfair, and frequently unworkable.

It takes little skill, and even less strength of character, to arbitrate in this manner. Instead, a supervisor who arbitrates with fairness is more apt to be respected by employees in the long run. After difficulties are worked out, employees often find that their relationships have been strengthened.

## SUMMARY

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Wherever there are choices to be made, differences may provide challenges or opportunities. One difficulty is the possibility that differences will result in increased contention. Supervisors may have to act as mediators and arbitrators from time to time. The advantage of mediation is maintaining responsibility for problem solving and conflict resolution at the level of those who own the challenge. Selecting an outside mediator often makes sense.

Several roles taken on by the mediator include understanding each participant's perspective; setting ground rules for improved communication; coaching participants on effective interaction styles; equalizing power; and helping participants plan for future interaction.

When the supervisor acts in the role of an arbitrator, it is more important to make a fair judgment than to try to please all workers involved.

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  12. Bodine, N. (2001, July). Founder and member of Board of Directors of *The Workplace Institute* (now *Center for Collaborative Solutions*) personal communication.
  13. No distinction is intended between the concept of *need* and that of *interest*. In chapter 18, where we further discuss some of these issues, the terms are used interchangeably.
  14. Bush, R. A. Baruch and Folger, J. P. (1994). *The Promise of Mediation*. San Francisco: Jossey-Bass Publishers.
  15. 1 Kings 3:16-28.

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## Discipline



**The employee must have been very bored. He took the ear notcher and notched our family dog's ears. I fired the worker. Moments later the herd manager asked me to let the worker stay until the end of the day. Not long after that, my son argued the worker was too valuable to let go. My decision was thus reversed and the employee stayed.**

**Central Valley Hog Producer**

A great deal has been said in previous chapters about cultivating superior worker performance. A systematic employee selection process can do much to help us hire effective employees who are capable of doing an outstanding job. Likewise, regular performance appraisal meetings, open communications, well designed pay systems and good supervision all contribute to promoting good work. But at times, workers simply do not seem to meet expectations.

As a first step, a supervisor will want to honestly consider if his own behavior is causing problems. When an employee has a supportive supervisor, he has the potential to stretch far, to feel greatly valued, and to continually grow on the job, making this a positive reinforcing cycle.

Unfortunately, the opposite can be just as true. The first instinct of most supervisors is to "tighten the reins" and increase control over those who are perceived as having failed to meet their

expectations. These apparent under-performers are quick to sense a lack of confidence in their work and in their decisions and often (1) become more *defensive*, refusing to make decisions they feel their bosses may overturn anyway, and (2) *withdraw* mentally or physically.

In discussing this defensive phenomenon, two French organizational behaviorists have called it *the-set-up-to-fail syndrome*. Jean-François Manzoni and Jean-Louis Barsoux<sup>1</sup> explain that employees are categorized by their supervisors as being either in or out: “Members of the in-group are considered the trusted collaborators and therefore receive more autonomy, feedback, and expressions of confidence from their bosses. The boss-subordinate relationship for this group is one of mutual trust and reciprocal influence. Members of the out-group, on the other hand, are regarded more as hired hands and are managed in a more formal, less personal way, with more emphasis on rules, policies, and authority.”

Manzoni and Barsoux explain that when employees sense they are members of the out-group they tend to shut down and simply stop giving their best. They grow tired of being overruled, and they lose the will to fight for their ideas ... [they] start devoting more energy to self-justification. Anticipating that they will be personally blamed for failures, they seek to find excuses early. Furthermore, such employees often over supervise those who report to them.

How often do employees come to organizations having inherited this *over-defensive-can't-do behavior* from somewhere in their past, and how often do we provoke it anew? Regardless of the source, keeping an open communication line between the supervisor and the employee is the only hope for dealing with such defensive traits.

Other common reasons for poor worker performance are lack of skill, knowledge, or ability. Lack of motivation or even purposeful misconduct may also be involved. Regardless of where the problems

originated, a well carried out disciplinary process is yet another avenue to deal with performance challenges. Overdependence on this tool is a likely indicator of weaknesses in other management areas. Alluding to employee discipline, a Russian farm manager astutely observed, “The cow that is beaten very often will not give very good milk.”<sup>2</sup>

Effective discipline can protect the organization, the supervisor who enforces the rules, and the subordinates subject to the same. Everyone suffers when there are mixed messages concerning misconduct and discipline.

When discipline is properly carried out, challenges are often resolved before they get out of hand. Much of the burden for improvement is placed, as it should be, back on the subordinate. Most farm employers experience discomfort when disciplining or dismissing personnel (Chapter 15).

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## MISCONDUCT

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Misconduct can be classified according to specific behaviors, for instance:

- effort (e.g., working at a reduced speed, poor quality, tardiness, sleeping on the job, wasting time);
- co-worker relations (e.g., fighting on the job, lack of cooperation);
- subordinate-supervisor relations (e.g., insubordination, lack of follow-through);
- supervisor-subordinate relations (e.g., favoritism, withholding of key information, mistreatment, abuse of power);
- handling of tools or company property (e.g., misuse of tools, neglect);
- harassment or workplace violence (e.g., verbal or physical abuse, threats, bullying);
- dishonesty; and
- safety and other practices (e.g., not wearing safety equipment, horseplay, carrying weapons on the job, working under the influence of alcohol or drugs).

Our discussion on effective discipline is based on the principles of *just cause*. Just cause “sums up the test used by employees in judging whether management acted fairly in enforcing company rules.”<sup>3</sup> Co-workers, judges, juries, and arbitrators may also be evaluating how fairly an employer acted. Arbitrators’ rules of fairness can be distilled into the following:

1. Develop fair rules and consequences.
2. Clearly communicate policies.
3. Conduct a fair investigation.
4. Balance consistency and flexibility.
5. Use corrective—not punitive—action.<sup>4</sup>

### Develop fair rules and consequences

As a farmer you get to make the rules and determine the consequences for their violation, as long as these rules are fair and defensible. For almost any misbehavior, there are many shades of wrongdoing. Consider, for instance, sleeping on the job. One might assign different degrees of seriousness, for instance, in the case of a sick person

who fell asleep on the job; a tractor driver who pulled over in the middle of the night because he could not stay awake; and the person who hid in a far corner of the ranch, made himself a comfortable bed, removed his shoes, and even set an alarm clock to wake himself up before quitting time.<sup>5</sup>

Just as there are different degrees of fault, there are different degrees of “punishment” to deal with offenses. Tools to respond to infractions include (1) communication of the standard, (2) disapproval, (3) verbal warning, (4) written warning, (5) suspension, and (6) termination.

If a rule is particularly important to you, the consequences for its violation may be more severe than those at the neighboring ranch. A useful guide in determining the fairness of consequences for disciplinary violations is to ask, for every rule and consequence: What would I do if my *best* employee ... did not call in when he was sick? ... came to work late? ... got into a quarrel? One may then be confident the rule will not do more harm than good.

*A useful guide in determining the fairness of consequences for rule violations is to ask: “What would I do if my best employee was involved?” One may then be confident the rule will not do more harm than good.*





*A supervisor who truly gives the accused worker an opportunity to explain first, will often find that there is no need for discipline. In the initial interview with the subordinate, the supervisor's objective is to try to see things from the worker's perspective.*

A *progressive disciplinary* approach combines the concept of stiffer penalties for more serious violations with that of increasingly more severe penalties for repeat offenses. A farmer is forced to deal with less serious offenses before they become a major irritation. There will be no surprise terminations. When an employee's behavior is hideous enough to require prompt action, even then the impending termination will not be a surprise.

With time, employees may be able to clear their record. For instance, an employee who was to be terminated the next time he was involved in horseplay most likely should receive a lesser penalty after several years of a perfect record.

To be *defensible*, rules must balance business necessity against worker rights. For instance, arbitrators recognize the employer's need to set dressing and grooming standards for safety, health, and public image considerations. In relation to public image, arbitrators are more apt to accept management's right to regulate dress standards when employees deal with the public—most agricultural workers do not.

Arbitrators feel employees have a right to make personal choices regarding dress and grooming: "Unwarranted

interference by management with an employee's preference for a particular mode of dress or hair length is prohibited." Arbitrators acknowledge the need to "keep employees from being distracted by outlandish or overly revealing attire," but also feel that: "As styles change, [a] standard may have to change."<sup>6</sup>

### Clearly communicate policies

Communication is the key link to a successful disciplinary process. Rules and consequences must be known by both those who apply them and those who are subject to them. It is not possible to conceive of every case of worker misbehavior, however. How many hog operators do you know who have had an employee notch their dog's ears?

A useful model for communicating the concept of progressive discipline (i.e., stiffer penalties for more serious violations and increasingly more serious penalties for repeat offenses), is found in Figure 14-1.

For instance, poor fruit picking quality may be considered a minor infraction at first. An example of a moderate infraction may be horseplay that almost resulted in damage to equipment. A serious offense would be dishonesty (like the milker who was

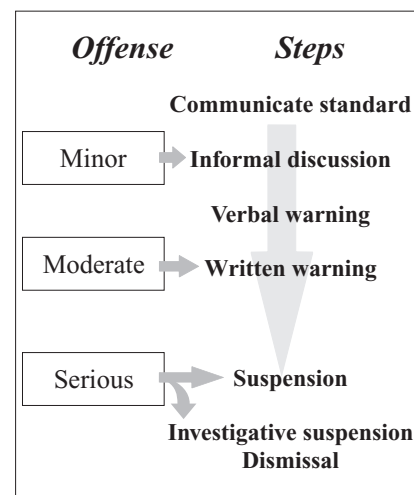


FIGURE 14-1

*Discipline policy guide.* Adapted from Rosenberg, H. R. *et al.* (2002) *Ag Help Wanted: Guidelines for Managing Agricultural Labor* (p. 202).

discarding the new in-line filters while trying to give the appearance that he was changing them on a regular basis) or threats of workplace violence. In the model each of these infractions would call for a different response. Minor violations would begin with an informal discussion. Moderate and serious violations would receive more serious consequences, such as a written warning or suspension.

When any infraction is repeated, the severity of the reprimand can progressively increase until a repeat offender is eventually terminated. I prefer to adapt the model, however, so *no specific infraction*—no matter how hideous—will result in immediate termination before an investigative suspension takes place (see section on corrective action).

### Conduct a fair investigation

*Listen to the accused employee's story first.* A preliminary interview should be conducted with the employee before assigning penalties—from the least to the most serious infractions. This interview may be part of a more in-depth investigation. It is not uncommon to see a supervisor begin to lecture, nag, accuse, or scold an employee first, and then, almost as an afterthought, ask for the employee's perspective. By then, the damage has been done. The employee may have had a very good reason for her behavior. While some supervisors may now apologize (which, while nice, will not totally remove bad feelings nor prevent the erosion of trust and good morale), others are just as likely to continue to chastise the worker in an effort not to lose face before her.

A supervisor who truly gives the accused worker an opportunity to explain first, will often find that there is no need for discipline. The worker never has to know, indeed, some of the possibly unkind or judgmental thoughts and concerns passing through the supervisor's mind. *Permitting employees to explain their perspective first* is the most important principle in employee discipline, and more than any other, one that will save the supervisor from

destroying employee trust and prevent the supervisor from looking foolish in the eyes of employees. Permitting the employee to speak first also helps reduce tension and emotions.

If emotions are running high, it may be necessary to set up a later time to meet. It may be better to delegate the interview to another member of management who can keep calm, however, than to postpone it. If too much time goes by after the incident, the facts of the case may change in everyone's mind.

The purpose of the investigation is, in part, to determine if there were any mitigating circumstances that could reduce, but not necessarily eliminate, disciplinary action. Could the employee's action have some justification? Take a farmer who adheres to the correct process when a worker repeatedly comes to work late. Explanations are followed by oral and written warnings and, eventually, by suspension. The employee understands the next time he comes late he will be terminated. An interview with the worker could show that this time the employee was justified in being tardy, as he stopped to provide first aid to children in an overturned school bus.

In the initial interview with the subordinate, the supervisor's objective is to try to see things from the worker's perspective. Privacy, and a respectful, professional climate are essential. The supervisor can control the environment by asking the worker to meet in either more neutral territory (e.g., walk out into the orchard) or in the supervisor's territory (e.g., at the supervisor's pickup).

The call for privacy needs to be balanced with the requirement to protect the supervisor's safety and reputation. For instance, when as a supervisor you seek privacy in a situation that involves someone of the opposite sex, it is not a bad idea to move away enough from other workers so that they cannot hear the conversation, yet not so far away that they cannot see both of you. Good judgment will necessitate asking a second person to be present under some circumstances.

During the investigative interview, the employee may want to ask that a co-worker be present to give him moral support. If the grower has followed the approach outlined in this chapter, there would be few reasons not to welcome such a request. However employees generally prefer *not* to be disciplined in front of a co-worker, even one that they could invite for moral support.

Employees should invite a co-worker when (1) they feel they are being falsely accused or singled out; (2) the supervisor is acting unethically; or (3) the supervisor has a tendency to be verbally abusive. An individual who had been a frequent victim of intimidation in the past confided, "I would prefer to go in alone to meet with my supervisor unless I thought I would come out like chopped liver."

In the U.S. the opportunity to request the presence of a co-worker is based on the *Weingarten* case. The National Labor Relations Board (NLRB) has determined that an employee's request for a co-worker to be present involves *protected concerted activity*, and thus should be extended to all employees, even those not covered by a collective bargaining agreement.<sup>7</sup> While some management consultants feel it is unwise to let the employees know of this right, most managers have little to fear. It is better that employees hear about this employee entitlement directly from management, preferably before it ever becomes an issue.

This initial investigation should not be drawn out, nor involve physical or emotional imprisonment. A tape recorder may be used with the employee's consent.<sup>8</sup> Encourage a silent employee to open up, but never force a response. Disciplinary interviews may bring out feelings in the form of hostility, distress, depression, or tears—allow time for the person to gain self-control. Do not attempt to reduce the seriousness of the violation. Probe into the subordinate's understanding of the rules. Act as an impartial judge rather than as the prosecuting attorney. At times you may have to confront the employee while trying not to put him on the defensive with such questions as,

"Could you be mistaken?" or, "I heard it somewhat differently." Maintain objectivity at all times. Be a good listener and avoid jumping to conclusions, arguing, or talking too much. When the time comes to assign a consequence, temper justice with mercy.<sup>9</sup>

The closer a person is to a situation, the more difficult it is to conduct an investigation and stay unbiased. Knowing the people involved can color our thought-process and behavior so we cannot be effective.

False accusations should be avoided at all levels. The more serious the accusation, though, the greater the proof needed.<sup>10</sup> Very serious cases may involve potential criminal activity and pose additional challenges. Consult your attorney, and if applicable, involve the police. If someone will be disciplined or terminated for dishonesty, theft, sexual harassment, assault, threats of violence, or working under the influence of drugs or alcohol, management needs to be certain of the employee's guilt. For instance, it initially seemed that a farm equipment operator accused of sexual harassment was completely at fault and needed to be terminated. Upon further investigation, it was shown that the victim had been sending conflicting messages. The disciplinary consequence had to be appropriately adjusted.

*Protecting the accused?* Teresa, a new milker, accused Floyd, a long-time employee, of general harassment. She had described Floyd as a perfect gentleman while he was on the job. Despite this, and although she had no proof, Teresa had reason to believe that Floyd had been playing some mean, practical jokes on her. This wrongdoing had taken place at Teresa's home, away from the dairy. The dairy management had solid reasons to believe that Floyd had not been involved. Should Floyd be informed that he had been blamed? Or should he be protected and spared the pain of such an accusation? This is *not* a simple question. Once a person is accused, the psychological damage has been done.

Attorney John McLachlan commented, "An employer has a duty to

promptly and thoroughly investigate allegations of harassment and to take appropriate corrective action where it concludes after a reasonable investigation that illegal harassment did occur. A careful investigation generally supposes that the investigator speaks to all involved parties.” That means Floyd, also. Such an interview could further serve to exonerate Floyd.<sup>11</sup>

Indeed it is a mistake to try and “protect” the accused employee. To begin with, there is no such thing as *truly shielding an employee*. At least three different ways that the accused can find out, include: (1) being confronted directly, or through a lawsuit, by the person who felt harassed, (2) gossip, and (3) through the changed interpersonal dynamics between the individuals. In this case, Floyd went to the herd manager and asked what was going on that Teresa had stopped returning his greetings.

Document facts, discussions, and decisions made. Who was involved? What rules were violated? When did the problem occur (dates and times)? Were there any witnesses?<sup>12</sup> John Steines,<sup>13</sup> a security consultant, likes to have each individual who was interviewed write up a summary of the discussion. If any important elements are left out, then the interviewee can be reminded of this, and asked to complete the missing information. The interviewee is also asked to initial the investigator’s notes for correctness and completeness.

Steines also suggests that it is important to keep the details of the case obscure, so that the identity of the individuals can be kept confidential. “Witnesses have more credibility if they’ve noticed sexual harassment independent of being told that a complaint has been filed by a specific person.” The interviewer could ask something like, “Have you seen any untoward or inappropriate behavior that could possibly constitute sexual harassment between workers during any of your shifts?”

*Is there such a thing as a confidential sexual harassment complaint?* “The manager has an obligation to the organization and its

employees to investigate such claims, whether that’s the desire of the reporting employee or not,” says Dan Thompson of Edge Training Systems. “Never make promises of confidentiality that cannot be kept. When employees ask ‘Can I tell you something and you promise it won’t go any farther?’ you must tell them, ‘That depends on what you tell me. You have to trust that I will do what is necessary and appropriate with the information you give me.’”<sup>14</sup> Steines reminds us that the accused will need to know what the charges are.<sup>15</sup>

*Confidentiality* is absolutely critical and was paramount in any of my investigations,” says Howie Wright, former ombudsman specializing in

*“Make [employees] feel that you are there to serve them. When you start to demand that people make appointments, when you start giving them copies of rules, and telling them what the grievance procedures are, you’ve already blown it.”*  
—Peter Mlynek



Jack Kelly Clark



resolution of human rights complaints. “I used to start out my interviews during an investigation by telling the interviewee that what we discussed was to be kept in confidence. They were not told who else was being interviewed or details that they did not need to know. I also coached them to say, if they were asked by others, that the situation was being looked after and there was no need to discuss it. In most cases, my manager was not aware of who I was working with and would only be

informed of the most severe complaints. All files were confidential. Others were informed on a need-to-know basis only, and not with details.”<sup>16</sup>

Sometimes it is not enough to tell employees not to talk about a situation, or to assume they will keep the conversation confidential. At one dairy, a milker had the opportunity to discuss his investigative interview with a co-worker who was also being investigated. Unfortunately, this allowed the milkers to come to an agreement on some of the

#### SIDEBAR 14-1

##### The Mlynek<sup>17</sup> Approach: Put People Above Procedure

Often, people will come in and want to talk about something (such as racial or sexual harassment), test the waters a bit, and look for a listening ear, such as when a woman comes in and says something to the effect, ‘I kinda felt uncomfortable being around this guy; I guess it could be considered harassment, or maybe it isn’t, I just don’t know...’

What we’ve done in such cases is to talk to her, get her to tell us what happened as much as she is comfortable with, but don’t really pry into it. We don’t make judgments whether she is right, or wrong, if she is too sensitive or not. Then we ask what she wants us to do about it, and 90 percent of the time she just wants us to talk to the guy(s), and have them knock it off. And we basically do just that.

After [following through] we just inform her that it has been taken care of as we promised her, and ask her if that was OK, and tell her to keep in touch. And we keep in touch with her even if she doesn’t initiate it, as she still may [harbor] some anger towards him—or us—in which case we’ll again do what we can to help her.

What we’ve found is this:

Take care of these problems when they are still little. Do not pull out your big guns (have hearings, keep notes, etc.) with these small but potentially devastating problems. Do not alienate either side by blowing this out of

proportion. When you start having meetings, demanding that things get put into writing (either file a complaint or shut up), this turns people into angry monsters, and someone is bound to lose, and the organization will definitely be worse off.

We view others in the organization as our customers, and it is our duty to take care of such problems. It is essential that both parties be happy, that this was just a misunderstanding, and that neither has to go through a big painful procedure of having hearings, filing paperwork, etc.

Communication with all workers is very essential. Make sure that you are open at all times to others. Make them feel that you are there to serve them. When you start to demand that people make appointments (a friend always has time for a friend), when you start giving them copies of rules, and telling them what the grievance procedures are, you’ve already blown it. Give them your home phone number to have them call you at 3:00 am if they wish to talk. You are there to serve the company by making sure that these kind of things get taken care of.

We are very well prepared to take care of the really big problems when we actually have to use the big guns, and have used them in the past, and we tell both parties that these big guns are available if they wish (however, this approach is very expensive financially, timewise, and especially morale-wise). Very few people ever want to do this; they just want to have the problems taken care of.

facts being investigated. With just a little effort, this could have been avoided. For instance, one member of management could have stayed with the first milker until the interview with the second had begun.

Peter Mlynek suggests investigators are sometimes in too much of a rush to focus on the mechanics of investigation, such as documentation, to do what is really important—focusing on listening and caring. Mlynek argues that where minor cases have not gotten out of hand, all individuals should be helped to save face. Peter Mlynek's approach to problem solving is one that puts *people above procedures* (Sidebar 14-1), which is something we need to do much more frequently. All too often there is very little *humanity* in human resource (HR) departments and the attorneys they employ. In an effort to protect the employer, HR is too quick to resort to discipline, rules and decrees. Instead, a lot of listening and a little talking often does more good.

If one reads Mlynek's suggestions literally, it might seem that employers should not bother documenting disciplinary issues. I suspect that this is not what he intended. Documenting does not have to be mutually exclusive to caring and showing empathy. Most individuals expect us to take notes on what they are saying. Not taking notes may actually come across as if we are dismissing an individual's concerns. And yes, we may well need those notes down the road.

When we can listen with empathy, the documentation process will fall into place naturally. If we come across as only trying to protect the organization from a future lawsuit, but do not care for the people involved, we are likely to fail at all levels.

*Should mediation be offered in cases of sexual or racial harassment?* This is another challenging question. Most people would probably say it is not such a good idea to have the accuser and victim meet face-to-face. Why submit a victim of harassment to feel doubly victimized? Yet, there may be situations where such a meeting would be mutually beneficial. The very act of

offering, even if it is not accepted, helps the person who has been victimized to feel a return of some degree of control over her life.

"I have been the victim of sexual harassment," explains Rebecca Lopez, a training manager. "Had an attempt to mediate been made in the very beginning—at the first sign of trouble—I think that there *may* have been a chance that it could have worked and the department could have been salvaged. Many women do not like that I did not want the guy to have to 'pay' for what he did. My personal opinion is that we as a society have become way too willing to let the legal system handle things that we can sometimes handle on our own. All I wanted was for it to stop, and I think, at least on my behalf, successful mediation would have done the trick."<sup>18</sup>

"Dependent upon the length of time, the severity of the harassment and what the complainant wants as resolution, mediation will work," says Howie

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*Unlike a regular suspension, the purpose of a cooling-off or investigative suspension is to prepare for a possible termination rather than to give the employee yet another chance to improve. During this suspension time, you can conduct needed follow-up interviews and touch bases with your attorney and labor management specialist.*

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Wright. "I had great success in mediating complaints that had not traumatized the complainant. If the complainant agrees with mediation that was always my first choice. I would coach the complainant on what to say (e.g. how they felt when the incident(s) occurred), what they are looking for (e.g., probably wanting the behavior to stop). We would frequently role play so the individual would gain a comfort level.

"I would also coach the accused and conduct a role play so that they would have some idea of what was going to take place," Wright explained. "At this point I would bring the two parties together. I would sometimes start the discussion but usually the complainant would lead off the conversation. I have found that the accused did not always realize that what had happened was upsetting to the complainant. If I believed that was true I would coach them to say that to the complainant. Helping someone gain the courage to have a face-to-face discussion is very rewarding for all involved as it usually always reduces the tensions and brings back more control to the complainant."<sup>19</sup>

At times, sexual or racial harassment can be complicated and not so straight forward, as in the case we already mentioned where the victim had been unknowingly flirting with the harasser. Furthermore, intercultural issues complicated the situation. It is possible, then, that there is more to the mediation process than a one-way apology.

Mediation could potentially be very therapeutic for all the individuals involved, if handled properly. I would add a caution, however. Do not place the burden on the harassment victim to decide what the organizational response should be to the perpetrator, if found guilty. In one case the victim may simply desire an apology and a stop to the negative behavior. While the perpetrator may be given the opportunity to apologize, the organization may take additional steps such as a written warning, suspension, or even employee termination if the situation was serious enough.

In a different case, the victim may strongly call for termination of the

offending employee. If the nature of the harassment was serious enough, and if the organizational options are limited (such that both individuals would be forced into frequent interaction), I would strongly weigh the victim's desires in this case. In a case of similar magnitude, but in an organization with multiple locations, serious consideration to transferring the perpetrator along with an appropriate disciplinary response (e.g., suspension, written notice) may be a better option. Certainly, vengeance should not play a role.

My inclination would be to offer the opportunity for mediation *before* making a disciplinary disposition regarding the guilty party(ies). Obviously, early intervention is the key, in terms of preventive workshops and catching problems before they fester.

### **Balance consistency and flexibility**

A disciplinary program seeks to treat workers in a consistent manner. Few infractions are exactly the same, however. Factors to consider include the severity of the incident, the employee's attitude and his previous history, and mitigating circumstances. An excessive number of exceptions, though, can diminish efforts to achieve fairness and improve morale. Exceptions should be clearly defensible. Once again, it helps to make rules with the best employee in mind.

If you find yourself having to apologize for applying a rule, the rule should not be applied in this instance. A few years ago I learned this lesson the hard way. I was refereeing a soccer match between two young women's teams. There was a new FIFA rule requiring the expulsion (red card) of a player who fouled another when the fouled player had a clear chance at scoring a goal. One girl tripped another, more out of clumsiness than meanness. Instead of awarding a direct kick to the opposite team or giving the offending player a yellow card (which would have been the appropriate consequence under the circumstances), I found myself apologizing to the young woman while I gave her a red card. I felt so bad about it that I later asked her back into the game

(no rule in soccer allows for such a thing, however, and I took deserved flack for my poor refereeing).

Consistency of application may be improved when supervisors discuss among each other critical incidents representing worker misconduct. When possible, incidents should be modified to preserve the anonymity of those involved. Incidents may be presented to supervisors who can discuss possible ways of handling them. After evaluation, rules may need to be added, clarified, changed or dropped.

### **Use corrective—not punitive—action**

After the investigation, *if the incident is worth documenting*, it is serious enough to take official disciplinary action. A consequence must be formulated keeping in mind the purpose of the disciplinary process. To obtain both maximum management and legal benefits from discipline, the response ought not be punitive in nature. The supervisor must act as if truly interested in helping the worker with the problem. To do so effectively, a friendly tone ought to be maintained throughout. It is a good idea, *after* listening to the employee and determining that the employee *will be receiving formal discipline* (see below), to point out some of the qualities of the employee *before* getting into the disciplinary formalities. This will help set the right tone for a positive, non-confrontational discussion. Just as important, after the process is completed, is to once again focus on some positive aspects of the employee.

The employee needs to feel the supervisor's concern for her. These positive comments may be needed over the next few days, also. Large differences in status between supervisor and employee may cause workers to accept chastisement now, but resent the supervisor later. Most important, the supervisor who makes it clear that this is not something personal against the employee, but just against a specific behavior, is more likely to succeed as a coach and mentor. While the supervisor will want to be firm, there is no need to create an enemy in the process.

One of the most valuable lessons I have learned in this respect is to trust my feelings. If I feel uncomfortable jumping in to point out a fault, or discipline an employee, it is for a reason. It is critical to communicate and connect with the employee as a person before talking about behaviors that need correcting. If we skip this step now, we are likely to pay the price later in terms of increased stress and reduced interpersonal effectiveness and trust.

Clear communication that leaves little room for misunderstanding is vital, and even more so when dealing with a faltering worker. People can, and regularly do, give wholly different meanings to vague statements. At one ranch, an employee told her co-workers she had no idea why she had been terminated, despite an earlier two page letter from management detailing her poor performance record. In an effort not to offend, supervisors tone down their messages to a point where workers would have to read between the lines to get the point. For instance, telling an employee what needs to be done does not mean that the worker has done it incorrectly. Nor does telling a person that something needs to be done at his "earliest convenience" signify that you mean for the task to be done by tomorrow, today, or before lunch break. Instead, if timeliness is important, let someone know exactly by when it is needed, and ask him to contact you ahead of time if at any time it seems that your assignment will not be completed on time. Explaining why something is urgent also helps.

A related communication issue is that of maintaining control throughout the process. The supervisor needs to remember who is in charge of making management decisions. One dairy manager explained that after he had disciplined an employee, that this employee tried to push him into a corner. The employee had tried to get the manager to fire him. The dairyman was well prepared and kept an even temper throughout the conversation, and pointed out that this discussion revolved around helping the employee improve his performance rather than on dismissal.

A formal disciplinary episode needs to include the following four elements (it helps if the employee can be involved in explaining what went wrong and contributing ideas towards improvement<sup>20</sup>):

- Be specific about what the employee did wrong—without getting bogged down in minutiae. Explaining the reasons for the needed change may be appropriate at this time.
- Be clear about what the employee must do to improve (this is not always obvious).
- Advise the employee of the official nature of the discipline (that it will be documented and a copy will go to the employee and the other in his file).
- Inform the employee about future consequence(s) if there is no improvement. (Option: *after* telling the employee about the next consequence for non-improvement, explain that if the problem continues, eventually it may lead to termination.)

If this is an oral warning, summarize the four elements and place them in the employee's personnel file, and share a copy of the documentation with the employee. Specific dates and times, as well as other important information (e.g. witnesses), should be included *if pertinent*. Do not include other matters not discussed in the interview.

Just a side note, personnel files can sometimes be a source of *unnecessary stress* to employees. Both favorable and unfavorable critical incident reports, as well as disciplinary notices should be given to employees before being added to their files. Farm employers should regularly purge outdated materials in such folders. Employees should be encouraged to review their personnel files any time they wish, without fear of retaliation. Perhaps a certain time of the year should be one where employees are invited to go through their files, as most will probably never ask, even if they wish to do so.

Although written warnings or suspensions are more serious, you need to include essentially the same four basic elements discussed. The tone of what you say is just as essential as in the oral warning. A written document should be clear to someone who knows nothing about the situation. Do not finalize a written expression until someone you trust can read it over and give you constructive suggestions. This person should check for the following:

- Does the tone and substance of the warning show that you care about the worker?
- Are positive, sincere comments made about the employee? (These comments should be sincere and specific: “we really value your excellent welding skills” is better than “you are such a great worker.”)
- Is the language so clear that anyone would understand it?
- Are all four of the basic disciplinary warning elements included?

Have the employee sign or initial in acknowledgment that he has *received* (not necessarily agreed with) the notice.

<b><i>Official Disciplinary Notice</i></b>	
To: _____	Date ____/____/____
Re: _____	
_____	
<b>Incident:</b> ( <i>Less serious</i> ) 1 - 2 - 3 - 4 - 5 ( <i>Extremely serious</i> )	
<b>Expected improvement:</b> _____	
_____	
<b>Oral warning</b>   <b>Written warning</b>   <b>Suspension:</b> report back ____ <b>Investigative suspension:</b> report back ____   <b>Termination</b>	
<i>If this conduct persists it may lead to termination.</i> Next incident of this sort is likely to result in: <input type="checkbox"/> Written warning <input type="checkbox"/> Suspension <input type="checkbox"/> Termination	
Management initials: _____	Employee initials: (or <i>Witness</i> _____)
	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree

FIGURE 14-2

*Official Disciplinary Notice.*

Alternatively, you may want to send a certified letter, or ask for others to witness its delivery. If the employee does not want to sign the disciplinary note, it is best not to force the issue.

Because all of this can be overwhelming to remember, Figure 14-2 will remind you of most of the elements we have discussed. This form does not make up, however, for the importance of communicating with the employee. We still need to listen and talk. The form is simply a record and reminder of that conversation. Thus, the supervisor should not initially approach the employee with the form in hand or, worse, already filled out. After the discussion is mostly finished, the form can be filled out and used as a review of the key points. At this point, the employee can be asked to initial it. The employee keeps a copy and the other goes to the employee's personnel file.

Supervisors may find that employees seem more cooperative after receiving an initial disciplinary note. An important caution, however, is not to use these as a way to obtain employee compliance. When overused, disciplinary notices lose their power. Employers should not wait for employees to make a mistake so a disciplinary notice can be given to them. Instead, whenever possible, such difficulties are best discussed informally before they become a problem.

Management action may be considered punitive if it is intimidating, aggressive, provocative, unprofessional, applied hastily, or seems out of line with the offense. An injustice may also be done when guilty employees are permitted to get away without any consequences. If rules have not been enforced, credibility may be an issue. One manager repeatedly warned an employee of the need to either improve or else be fired. The worker was eventually terminated but sued because he did not really believe the employer would carry out the threat.

Abrupt increases in rule enforcement often take place after (1) a serious or costly problem occurs; (2) increased commitment towards enforcement; or (3) the selection of a new supervisor. If discipline has been lax in the past,

personnel need to be alerted to the intended change in enforcement. Rules that no longer make sense need to be dropped.

*Investigative suspension.* If an incident appears to call for termination, first suspend the employee for a few days. If the worker's safety is involved, have someone drive him home. To repeat, no matter how hideous a specific infraction may be, a worker ought not be terminated on the spot. However, when the termination is not triggered by a specific event or incident, but rather, over time it has become clear that the employee is not a match for the job (e.g., simply does not seem to have the motivation, job skills, or ability to work without constant supervision), then an investigative suspension may just add unnecessary dramatics to the situation.

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*If you find yourself having to apologize for applying a rule, the rule should not be applied in this instance. Discipline should never be a surprise.*

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Jack Kelly Clark

Termination without the suspension is preferable under these circumstances, but this in no way reduces the obligation of the employer to carefully investigate, document, and coach the employee.

Unlike a regular suspension, the purpose of this cooling-off or investigative suspension is to prepare for a possible termination rather than to give the employee yet another chance to improve. The employee must understand that when he returns to work he will be informed as to whether or not he has a job—a sobering thought in either case.

The suspension can be for a few days, but is rarely justifiable if it is longer than a week, unless it is a suspension with pay. Workers usually know when they deserve to be terminated. During this suspension time, you can conduct needed follow-up interviews, touch bases with your attorney and labor management specialist, make a careful decision, and if needed, prepare for the termination interview (Chapter 15).

### EXAMPLE OF A DISCIPLINARY INTERVIEW

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Perhaps an illustration of a positive handling of a tardy crew worker, Rogelio, by his crew boss, Eduardo, would be instructive.

Eduardo: Rogelio, good morning!

Rogelio: Good morning. I am sorry I am late.

Eduardo: What happened?

Rogelio: I just came from the hospital. My son has been there most of the night.

Eduardo: Oh, I am so sorry to hear about that! How is your son now? What happened?

Rogelio: Well, actually I am really relieved. He is doing much better right now. [They continue to talk about Rogelio's son for a while.]

Eduardo: It sounds as if you did not get any sleep last night!

Rogelio: Well, I didn't get much.

Eduardo: Why don't you take some time off and get some rest.

Rogelio: Right now I feel really fine, don't worry.

Eduardo: That may be so, but I think it would make a lot of sense for you to get some sleep. You will probably have another long night at the hospital, too. Will you take the time off?

Rogelio: You are right. I had not thought about that. And I am really tired.

Had Eduardo jumped right in on Rogelio when he arrived late, he would have missed a wonderful opportunity to show consideration for the employee, and would have also made a fool of himself when he would eventually find out about Rogelio's tragedy.

Now, let us assume, for the sake of this example, that a few weeks later Rogelio has come in late again a couple of times, for several unrelated issues. Any one of them on their own would have been a good excuse, but when put together within such a short period of time, Rogelio's tardiness has begun to disturb some of the farm operations. In talking to Rogelio it is clear that there has not been a major issue involved here, but nevertheless, the problem has increased. Today, Rogelio arrived in late again.

Eduardo: Good morning Rogelio.

Rogelio: Good morning!

Eduardo: Hey, did you watch the game between México and Uruguay?

Rogelio: I did, that was some goal in the last five minutes of the game!

Eduardo: It sure was. Hey, is everything OK? I noticed you were late.

Rogelio: I am sorry I came in late, I had another problem with the alarm clock. I don't think I heard it go off.

Eduardo: Sorry to hear about that. We talked last time about the importance of punctuality, Rogelio. Do you have any ideas of what you might do to deal with this problem?

Rogelio: I think I am just going to have to be more careful.

Eduardo: Any specific ideas?

Rogelio: Well, I tried putting the alarm closer so I would hear it better, but I don't remember it going off.

Eduardo: So what do you plan to do?

Rogelio: Maybe I'll just have to go to bed earlier.

Eduardo: Sounds like a good idea. Let me tell you what I do. I set two

alarms when I have something really important. I put one right close to me and try to get up with that one. And then I put a back up alarm in the bathroom. That forces me to get out of bed.

Rogelio: Sounds like a good plan. I'll try that. I really don't like letting you down and coming in late.

Eduardo: Rogelio, I wanted to let you know how much I appreciate your work. You are one of our best pruners—and not just because you are fast, but also because of your care for quality. I also appreciate your willingness to help others who don't have as much experience. Thanks.

Rogelio: Thank you. I'll really try and make sure I don't come in late again.

Eduardo: Thanks, Rogelio. It is important for you to be on time because once I give everyone their pruning assignments, I have several other matters to attend to. It also makes it more difficult to calculate your pruning speed per hour for our daily records. I will write down that we had this conversation and that we discussed the importance of being on time and have you initial it, if you would. This will serve as an oral warning, and next time, if you come in late, I will need to give you a written warning.

Rogelio: I understand, it won't happen again.

Eduardo: I know. And thanks again for the effort you put into your work. It is always a pleasure to look at the quality of your pruning. See you a little later, Rogelio.

Eduardo has managed to cover each of the key points in a formal disciplinary process and do it without getting angry or using any harsh language or negative tone of voice. Eduardo had rightly forgiven previous tardiness where Rogelio had an excuse, and did not take these against him as they talked. He was firm and fair. First he talked to Rogelio until he felt that Rogelio would be ready to discuss the problem, rather than come right to the point. He then gave Rogelio a chance to explain, once again, the reason for the tardiness. Only after Eduardo found the excuse unacceptable did he go on to a disciplinary

consequence. But before doing that Eduardo gave Rogelio the opportunity to offer his own suggestions rather than jumping to give possibly unwanted advice. Also, before assigning a consequence, Eduardo lifted Rogelio up and made it clear that he was not acting against the person of Rogelio, but acting against the unacceptable behavior. Eduardo made it clear that the incident was documented, and what the consequence would be if Rogelio comes in late again. When parting with Rogelio, Eduardo makes sure once again, to do so in a positive note.

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## SUMMARY

Effective discipline can protect the agricultural enterprise, the supervisor who enforces the rules, and the subordinates subject to the regulations. Everyone benefits when rules and consequences for violations are carefully formulated, clearly communicated, and consistently carried out. Many potential challenges are often resolved before they get out of hand.

Confronting employees during a disciplinary (or termination, Chapter 15) interview takes much interpersonal skill and preparation. Throughout, it is important to distinguish between the employee as a person and any unwanted behavior to avoid building artificial walls between the supervisor and worker. If the employee needs to be disciplined or terminated, this is best done while permitting the employee to preserve as much dignity as possible.

Management can help coach and mentor an employee into improving his performance or behavior, but at the end it is the worker who must decide if the job is worth the effort. The responsibility to improve must remain with the employee.

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7. The extension of this privilege has quite an interesting story, beginning with the U.S. Supreme Court decision in *NLRB v. J. Weingarten*, 420 U.S. 251, 88 LRRM 2689 (1975), giving union employees the right to have a representative in attendance when subjected to a disciplinary interview. In *Materials Research Corp.*, 262 NLRB 1010, 110 LRRM 1401 (1982), this privilege was extended to non-union settings, only to be reversed a few years later in *E.I. Du Pont & Co.*, 289 NLRB 627, 128 LRRM 1233 (1988). Most recently, the privilege was re-extended by the NLRB in *Epilepsy Foundation of Northeast Ohio* (331 N.L.R.B. No. 92, 164 LRRM 1233; 134 DLR AA-1, E-1, 7/12/2000). The question now remains as to whether the ruling will be upheld. The Weingarten privilege is limited. For instance, in non-union settings employees are limited to a co-worker. Such a co-worker is allowed to likewise play a limited role, unless the employer allows a more extended one. Because laws change frequently, and are affected by current cases, farm employers who have concerns about their rights, as well as the rights of their employees, should contact a qualified labor attorney.
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## Termination



Employee termination is often the last step in an unsuccessful attempt to help a worker meet work standards. Clear management implications include the cost associated with the selection and training of a new employee; the effect the termination may have on the morale of the discharged employee as well as those who remain; and the consequences on unemployment insurance costs.

Terminating personnel has been called the “death penalty of employment.” Employees readily accept an employer’s right to choose who to hire (as long as no illegal discrimination takes place). Once hired, however, most workers feel an employer’s right to fire should be limited: the longer a person is permitted to stay on the job (even if not

a capable employee), the greater are her rights to the job.

Perhaps a better analogy is that of *workplace divorce*. Like in divorce, the parties involved can choose to be combative or cordial. While it is a mistake to take any analogy too far, there are other aspects of marriage that merit comparison: both parties share some responsibility for having chosen each other, and for making the relationship grow and succeed afterward.

From a legal perspective, firing an employee may lead to *wrongful termination* charges. In the past, the “at-will doctrine” controlled most terminations in the United States. For instance, the California Labor Code states, “an employment, having no

specified term, may be terminated at the will of either party ...”<sup>1</sup> Employers had the right to fire an employee at any time or for almost any reason. Likewise, the employee could quit “at will.” At-will termination rights have eroded substantially, however, as a result of both statutory provisions and court cases.

There are both management and legal implications of terminating an employee. Even when taking such drastic action, a farmer who has followed the process outlined here and in Chapter 14 can sleep better at night. Such a farmer knows the worker was fully aware of the unwanted behavior and its consequences—yet still decided to engage in it.

### Erosion of the “at-will” doctrine

Both public policy and litigation have combined to erode the “at-will” doctrine. The law prohibits the discipline and termination of employees (just as it does in other aspects of the employment relationship) based on protected factors, such as sex, race, age. Nor can employers retaliate against workers who have turned them in (whistle blowing) for violations of public policy.

In states where agricultural labor can unionize, both union and non-union workers alike are normally protected by the exercise of their rights to “protected concerted activity.” Any time employees act on behalf of two or more persons to request better working conditions or pay, they are protected from recrimination. The farmer is under no obligation to comply with the request, however.

Promises or statements made to workers when they are hired, in conversations with supervisors, and in employee handbooks have also given rise to much litigation. If farmers use the term “permanent employee,” instead of “regular” or “non-seasonal,” for instance, they may end up with the worker as a permanent fixture.

Likewise, a farm manager may also have to defend the right to fire an employee if he tells him: “as long as you do a good job we will have work for

you.” Some have taken the extreme position that even the term “probationary period” may imply a hurdle giving employees rights to permanence once it is passed. With time, however, even those employers who do not have a formal probationary period eventually come to “own” their employees. The longer an employee works for a farmer, the more the farmer has implied that this employee has “passed the test” and is able to do the required work.

Even though personnel policies were “not expressly bargained for by the employees at the time they took their jobs,” courts have reasoned “they are enforceable because they give the employer a benefit. What is the benefit? A stable, loyal work force.”<sup>2</sup>

Having a probationary period is a fine idea *if* there is a structure set up to carefully appraise the performance of the new employee before the period expires. An employer ought not feel forced to make a pass/fail decision at the time. Just as viable is to *extend* the probationary period when such a measure is warranted. Only then is a probationary period meaningful to the employee and a positive tool for management.

### “At-will” vs. “just cause” policies

Most labor attorneys and consultants are advising growers on how to guard their “at-will” rights. They suggest farm employers include “at-will” statements in job applications and employee handbooks and eliminate any reference to job security.

Typical at-will statements include: “We reserve the right to fire a worker at any time, with or without cause,” and “We reserve the right to terminate an employee at any time and for any reason, just as the employee has the right to quit at any time and for any reason.” These right-to-fire affirmations are intended to make clear to arbitrators and judges that the farmer has not given away any legal rights to terminate at-will.

To successfully defend an “at-will” policy, farmers cannot simply hide the

policy in the fine print of an application or handbook. Nor can they have it both ways by maintaining a written “at-will” policy while they contradict it verbally or in practice. The courts may construe the oral promises to be a waiver of the written policies.

Plastering “we-can-fire-you-when-we-want” statements on applications and handbooks can have a negative effect. In their zeal to protect farmers from wrongful discharge suits, attorneys may be inadvertently encouraging employers to violate management principles with serious consequences. Workers may feel subjected to arbitrary treatment and a lack of job security, the very reasons often leading workers to unionize despite good wages.<sup>3</sup> Furthermore, “union organizers sometimes say that employers’ personnel practices are the unions’ greatest organizing weapon.”<sup>4</sup>

I have for years spoken against “at-will” policies. In 1985, I predicted that these policies would have a negative effect on employee morale, and that the almost hidden one-liner would just simply not be enough.<sup>5</sup> My fears have not been without foundation. Beginning in the late 1990s many attorneys began to suggest that the one line become a paragraph. More recently, one manager explained that her lawyer had tacked on a lengthy notice (over a page) to the at-will policy, and required employees to acknowledge these changes. The

manager reported that “several employees grumbled and complained to the [owner] about being told that they could be dismissed for no reason [and that] one employee went so far as to hand out fliers which are printed from the ACLU website calling for legislation requiring for employers to have cause for all dismissals.” Soon thereafter, the owner decided to retract the policy, but much of the damage had already been done.<sup>6</sup>

In contrast, a *just-cause* approach is likely to increase fairness and thus reduce the number of wrongful termination suits. Employees do not have to be distracted by a climate of uncertainty and fear. A just-cause philosophy does not mean workers cannot be terminated. It does, however, force the grower to better manage his human resources by informing employees of sub-standard performance and, when appropriate, by giving them a chance to improve before being ousted.

A recent trend has been to establish *binding arbitration* to work out cases of worker termination. The remedies imposed by an arbiter are binding on both parties. Advantages of arbitration over judge and jury rulings include (1) faster decisions;<sup>7</sup> and (2) costs may be limited to *back pay* and *reinstatement*, while avoiding *punitive damages*.<sup>8</sup> Another very popular movement, one with a great possibility of success, is the increase in the use of *alternate dispute*

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*Once the decision to terminate has been made, it is best to proceed fairly quickly rather than putting it off until after the busy season when it will be more convenient.*

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Jesús Valencia




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*The words firing and dignity hardly belong together. Nevertheless, there are a few principles we can keep in mind that will help preserve a certain amount of dignity to that employee we are ready to let go.*

*resolution*, where elements and strategies of mediation are used rather than those of arbitration or litigation.

One dairy farmer confided that half an hour after he had hired a milker, it was obvious this employee was the slowest one he had ever hired. This worker had sold his home elsewhere and moved to this town. The dairyman felt understandably guilty about letting the employee go. When I heard the case, the worker had already been at his dairy for three months. A simple job sample test would have shown this worker should not have been employed for the position. The dairyman shared the responsibility for having hired such an employee.

To recap, the longer an employee is permitted to stay, the greater the responsibility of the farm operator for that employee. In cases where farmers hire employees without testing them, and these workers turn out to be incapable of doing the job, it is good practice to provide such employees severance pay. This may range from a token amount for seasonal workers who have worked for less than a couple of days, to a more substantial amount for year-round employees who have been with the farm for a long time. (We are talking about employees who have never

been very effective, rather than those who used to be excellent but have slowed down for reasons other than age or sickness. The farm employer, in the latter case, would do well to find such workers jobs around the farm that they can still do.)

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## FIRING WITH DIGNITY

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The first time he fired someone, one manager<sup>9</sup> explained, it took him two hours and the process was excruciatingly painful for both himself and the affected employee. Over time, he got “so good” at dismissing employees that “somewhere between the time they entered his office and walked across to take a chair,” they were fired: “We brought you in to discuss some difficult matters. We know you are not happy here, that you are not happy with your performance ... We are not happy with it either, and feel you can do better elsewhere. So today we are going to part company and we are going to wish you good luck. Here is a severance check and a letter of recommendation we want you to have, along with what we owe you. We want you to take the rest of the day off on us, and here are twenty bucks so you can treat yourself to a nice lunch.”

What goes around comes around, and this same manager reports that when it was his time to be fired he found “the box” on his desk. Everyone knew the dreaded box was given to soon-to-be dismissed employees to fill with their personal belongings. Moments after entering his office and contemplating “the box,” he received a phone call from his supervisor: “See that box on your desk? Get your belongings, report to payroll ... We’ll give you a ride home.”

The words *firing* and *dignity* hardly belong together. Nevertheless, there are a few principles we can keep in mind that will help preserve a certain amount of dignity to that employee we are ready to let go.

Persons who suffer job loss may go through predictable emotional stages that may include lowered self-esteem, despair, shame, anger, and feelings of rejection. The greater the positive

feelings the employee held towards the supervisor, farm enterprise or job and the longer the period of employment, the more poignant these feelings may be.

Before discussing the details of the termination interview, we need to assume that the decision has already been made with much care; that it will not be a surprise to the worker (it is vital that the employee has previously received an explicit written notice that his termination is being considered); that appropriate and well documented disciplinary, counseling and coaching measures have already taken place; and that you are working with the help of a qualified labor attorney (there are legal questions to be answered at every step) and labor management specialist.

If it has become clear that the employee ought to be terminated, how and when does one best face the employee to deliver the bad news? A few decisions need to be made before actually meeting with the employee. This is one of those situations where there is no substitute for total preparation.

### **Pre-meeting decisions and preparation**

*Talking about termination after it happens.* A major concern of people who are terminated is the fear of what will be said about them behind their backs. It is a good policy to reassure workers that except for the management team involved in the termination, or others on a need-to-know basis, that the issue will not be discussed with employees. Once the decision is made to terminate an employee, those who supervise her need to be informed on a need-to-know basis. All individuals have to understand the importance of not talking about the situation with others, as well as coming across in a consistent manner (i.e., not giving mixed messages). Individual supervisors need to fight the temptation of saying things to the to-be-terminated employee that will only be understood later, in the context of the dismissal.

Telling prospective employers the reason for an employee's termination

can land a farmer in court. So can giving negative references. Workers who lose their jobs and cannot find other employment are the ones most likely to file charges. Because of this, a farmer may prefer not to disclose the reasons for the termination to others—for maximum benefit, workers need to be notified of this policy.<sup>10</sup> The terminated worker can likewise be asked not to discuss the issue with others in the community or workplace, but reassured that it is his decision to make.

After the termination, management must encourage personnel who have questions to speak directly with the employee. It is sometimes hard to resist the temptation of broadcasting management's side of the story. Employees who remain with the firm will reason that the confidentiality and dignity afforded to a co-worker is but a reflection of how they themselves may be treated in the future. The principle that "your good name is safe in my lips" needs to be followed.

One employee who could not find a new job hired a detective to determine why he had been terminated. In the interview the former boss did not spare his negative feelings toward the employee. Equipped with the tape-recorded conversation, the ex-employee took the employer to court, and the jury awarded him \$1.9 million.<sup>31</sup>

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*The decision to terminate an employee should be made with much care.*



*Recommendations.* While there is a temptation to provide letters of recommendation to terminated employees, these could be used against the employer at a later date if they contradict the reasons for termination. Farmers are particularly vulnerable when they discharge an employee after making positive comments to the worker during performance appraisals or by letters of recommendation at the time of discharge. In the event an employer ends up in court, he may be asked, “Well, Mr. Grower, are you lying to us now or were you lying then?”

A letter explaining reasons for termination and problem areas that led to the dismissal may be given to the employee. The tone and content of this letter, which may serve as the employee’s termination notice, needs to be expressed with care, much like the disciplinary notice mentioned earlier. It is a good idea to mention the worker’s positive traits, and wish the worker success. Have several persons proofread the letter. A separate letter that sticks to the facts, such as the employee’s job duties and length of employment, may be of use to dismissed employees without compromising the farmer. One area of exception is that of employees who have been terminated for issues related to violence in the workplace. A former employer may be liable for not discussing such issues if the employee is hired elsewhere partly based on a reference, and later commits an act of workplace violence.

It is easy to see why in seasonal agriculture a farmer may prefer to protect a worker’s feelings and tell him he is being laid-off for lack of work. This is especially true toward the end of the season. Employers who keep the true reason for the discharge from employees may face serious problems, however. Some have suggested that workers may sue for wrongful discharge, in part, to have a chance to find out why they were terminated, and in part to get a chance to tell the employer their side of the story.<sup>12</sup> Employers who used layoffs as an excuse may be forced to explain why they did not rehire the next season; or in flagrant cases where a person was told it

was a layoff rather than a termination, why the employer hired someone else after dismissing an employee for lack of work. In contrast, employers who use the “kitchen sink approach” and mention every instance of misconduct may not fare any better. At some point they may have to prove each accusation.<sup>13</sup>

*Resignation or termination.* Some enterprises under specific conditions permit employees to resign rather than be fired. It can make it difficult for terminated employees to find employment when they have to put “fired” in job applications under “reason for leaving the last job.” When an employee is given the choice to resign or be terminated, this is considered as a case of “constructive discharge” and is no different than a termination unless accompanied by a termination agreement (see below). Employers also need to make decisions about when they will or will not contest former employees’ decisions to apply for unemployment insurance. Employees may think that the only reason the employer is suggesting their resignation is to save on unemployment insurance. Farmers who opt not to contest unemployment insurance payments should make that clear to the terminated employee. This may be done in writing when using a termination agreement.

*Termination agreement.* An excellent tool to avoid wrongful termination charges is the *termination agreement* with a *severance package*. Employers pay workers separation pay (e.g., 3 to 12 month’s wages, depending on length of employment and reasons for the termination) in exchange for the worker’s agreement to resign and not sue. These arrangements may require very specific rules to be followed, and in some circumstances may not be considered valid, so you will want to consult your attorney. Termination agreements can be an excellent device, especially for those cases related to general worker performance and productivity. If the employer did not conduct a systematic selection process when hiring this individual (including the use of validated job sample tests), then the employer shares, as we said, the

responsibility for the poor performance. The same can be true if an employee has been permitted to perform at a lower than acceptable level for some time without documented efforts to help the individual improve. Termination agreements are most likely to succeed when the employee is aware that the organization is not pleased with her past performance, and the realization does not come as a surprise. Employees may welcome the opportunity to resign now with a few months of extra pay and their self-esteem bruised but not as deeply

wounded, rather than get involved in a protracted disciplinary process.

*Separation bonus.* Employers expect workers who quit to give two-weeks notice or more. The same courtesy is owed to the worker, except that it is better to simply pay that time as a separation bonus and give the employee the time to look for another job. It is best to “relieve the employee of any further responsibility but to themselves.”<sup>14</sup> When explaining this policy to the employee, the stress needs to be placed on helping the employee

*A potential tool to avoid wrongful termination charges are termination agreements with a severance package. Employers pay workers separation pay in exchange for the worker's agreement to resign and not sue.*



Jack Kelly Clark





Jack Kelly Clark

*Thanking employees for the good they have done is in good taste always, as well as bringing up the employee's positive contributions and qualities. A supervisor has to find the right moment to make these positive comments, however. This should not be done when it could appear that the employee is being appeased.*

concentrate on his future needs rather than on shuffling the person out of sight.

When giving the employee a separation bonus (or a more formal severance package mentioned above), it should be given after all appropriate papers are signed and all ranch property such as pickups, keys, two-way radios, computers, bank cards, and any pertinent passwords are returned. Having a detailed checklist ahead of time of what these items are is important.<sup>15</sup> The check, however, should be ready as the employee may be able to fulfill these requirements without delay. In some cases there may be mandated delays to the separation pay related to the termination agreement.

*Choice of meeting place.* A place of privacy where others cannot hear or observe the conversation works well. There should be absolutely no telephone or other interruptions. Although choosing a more neutral place than your

own office has some advantages in terms of getting the employee to open up, public places like restaurants should be avoided. Some employees will not be able to hold back their tears or emotions and this puts them in a very awkward position.

*Timing.* Although timing is not always within the prerogative of management, conventional wisdom suggests that employees should be fired early in the week and early in the day, and that the worst time to terminate an employee is the day before a weekend or holiday. When these principles are violated, the worker can only sit and stew and often cannot do anything proactive in terms of checking for possible unemployment benefits or looking for another job.

Termination early in the day has the additional advantage that all the parties involved are fresher and less stressed, and thus can better deal with the

emotional issues and challenging interpersonal communication.<sup>16</sup> In an informal survey, I found most workers prefer to be let go at a time they can collect personal belongings from their worksite in private, without having to face co-workers. Being able to dismiss employees earlier in the day, and privately, is generally easier to do with field rather than office personnel. With office personnel, the only practical approach is often to wait until near closing time. If this is not possible, rather than forcing employees to face their colleagues, you may give them the option of having their personal belongings mailed to them. If the employee chooses such an option, two people should be present when personal belongings are collected<sup>17</sup> to avoid charges of dishonesty.

At the time of dismissal, depending on the situation, employees who want to say good-bye to co-workers can be encouraged, within reason, to call or even arrange to visit the worksite at a later date. While few employees will take advantage of this offer, this policy can help alleviate feelings of rejection and loss to terminated personnel. Of course, there are circumstances where former workers would not be welcome (e.g., those terminated for sexual harassment, workplace threats, theft), but for most employees there is no need to create further artificial barriers by labeling them as *persona non grata*.

Once the decision to terminate has been made, it is best to proceed fairly quickly. Some employers try to justify putting the termination off until after the busy season when it will be more convenient. Yet, the longer the employee is allowed to stay on the job, the greater the implication that performance challenges have been overcome. Further, the poor performer is likely to be distracted and be involved in a costly mistake or serious workplace injury. Significant legal issues may surface when a worker is fired shortly after filing a workers' compensation claim.

#### *Who should terminate the employee?*

Terminating an employee is stressful and takes effective interpersonal skills. There is a temptation to delegate this

task to someone other than the direct supervisor. The ideal, however, is for the direct supervisor to speak with the employee. Having a second member of management present can serve several important purposes: (1) there is an implication of unity in the decision, (2) the second person can act as a witness, (3) in some cases a second person may possess interpersonal skills that may help in the situation, and (4) having two persons may reduce the likelihood of a violent outbreak.

After the main termination meeting, paperwork issues can be delegated if there are questions that can be best answered by someone else. Management may wish to offer counseling or placement services to some employees, depending on the situation and length of employment with the firm.

*Pay and Papers.* Pay, including any benefits and unused vacation, needs to be delivered on the spot. This is good business practice and frequently is the law. Likewise, if an employee has earned part of a bonus, this should also be paid. It is better to err on the generous side. If papers need to be signed related to any continuing benefits or other like matters, they should be available right away. Any unfinished paperwork can be taken care of by mail rather than inconveniencing the employee by requiring her presence at the job site. In the case of an investigative suspension that results in termination, the employee also needs to be paid for "reporting time"<sup>18</sup> when she comes back to work for the final termination meeting.

*Escorting the employee.* When it is time for the employee to turn in ranch property, some employers escort the worker to his workplace. When sensitive matters are involved, or the possibility of sabotage exists, such a policy not only protects the enterprise but also the employee. It is human nature to blame others, especially the terminated employee, of having caused anything that goes wrong around the period of his termination. Of course, this needs to be explained to the employee. In cases where termination decisions are being considered during an investigative

suspension, employees may also be requested to turn in sensitive company property. It can always be returned later if the decision is made not to terminate.

*Is the decision to fire final?* Be prepared for some employees who may try to convince you that they can do their jobs—that you need to give them another chance. A decision to terminate an employee is not a light one. It is important to make the decision with care and then stand by it.

*Role-play.* It is difficult to know what to say and how to react in a termination interview. The supervisor may wish to role-play and get coaching and feedback on the process. Notes may be prepared in terms of bullets and key thoughts, rather than something to be read verbatim to the employee.

*A just-cause approach (in contrast to at-will) means employees do not have to be distracted by a climate of uncertainty and fear.*



Agrogestión, Fundación Chile

## THE TERMINATION MEETING

The meeting tone established by management should be one of cordiality and empathy. In some cases, the best way to start the meeting is to say something like, “You will probably not be surprised to find out that things are just not working out.”

The bad news can be given next. If there is *any* chance that the employee does not understand why he is being terminated, the reasons should be explained now. Speaking to an employee about the reason for termination needs to be done calmly and with empathy, without gloating. This is not a time to go into great detail, nor should there be blaming, guilt trips, recounting everything the worker ever did wrong, or to overly dwell on the reasons for termination. Here, less is better than more. The supervisor who has followed a proper disciplinary process will have little to add at this time—but should encourage questions. If there is no one specific reason why the employee is being terminated, but rather a combination of factors, then a brief statement to that effect would be appropriate.

Two common mistakes at this stage are when the supervisor (1) is so vague that the employee does not know he has been terminated; and (2) talks too much. Silence can make interpersonal situations uncomfortable, and in an effort to fill this silence, the supervisor is likely to say more than he should.

No matter how prepared the employee is for the termination, the moment will, nevertheless, be disconcerting. The employee is likely to be torn with feelings of incredulity, numbness and various other emotions. A person is likely to tune everything else out as numerous thoughts crash against her mind. How will I tell my family, friends and acquaintances? How will I make ends meet? What will be said behind my back?

The focus of the supervisor should be to encourage the employee to verbalize any feelings, up to a point. The supervisor may encourage the employee to speak by asking questions, such as, “I

am sure you have a lot on your mind. Are there any feelings or questions you want to share or discuss with me at this time?" If the employee does not immediately answer, the supervisor should resist the temptation to jump to another subject. Even a couple of seconds will seem like an eternity to the supervisor, let alone a sufficiently long pause, yet it is important to give the employee time to formulate an answer.

If the employee does speak, the supervisor needs to fight the even greater temptation to interrupt, defend or contradict (even when the supervisor may think the perspective is twisted). While stoic silence is not what is generally called for and could easily be counter-productive, the supervisor should remember that this is the employee's chance to do most of the talking and venting. The employee should be listened to in an empathic manner and thanked for sharing her perspective.

Thanking employees for the good they have done is *always* in good taste, as well as bringing up the employee's positive contributions and qualities. The sincerity, or lack of sincerity, of these comments will be easily felt by the terminated employee. A supervisor has to find the right moment to make these positive comments, however. This should not be done when it could appear that the employee is being appeased, or while the employee is crying. Furthermore, if these things are brought up too early in the meeting, there is a danger that either the employee may misunderstand the nature of the meeting—and somehow think he is being called into the office to be commended—or think that you may be talked into giving him another chance. One supervisor reported, for instance, that the right moment for the positive comments came as he walked the employee to his pickup. Perhaps a good way to start is, "Before you leave, I did want to thank you for ... and compliment you for ...."

Some words to the effect that the terminated employee is likely to be successful elsewhere, despite the lack of match here, should be offered if it can

be done sincerely. When it is time to indicate the interview is over, the supervisor can stand and extend her hand,<sup>19</sup> and escort the employee to empty his belongings.

Anything that reduces the totality of the separation is likely to be appreciated by the terminated employee. Depending on the degree of friendship developed over time, a follow-up card or note, or a phone call from time to time may help the former employee through this difficult transition.

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## SUMMARY

Employee termination is often the last step in an unsuccessful attempt to help a worker meet work standards. There are both legal and management implications to employee termination. Two opposite approaches to terminations are "just cause" and "at will." *Just cause* requires more management preparation and control but normally has a greater potential to reduce cases of arbitrary treatment, eliminating some wrongful discharge cases before they happen.

Where the employer shares some of the fault for the employee's poor performance, a termination agreement can be a very powerful tool. Such an agreement may meet some of the needs of the employer and the terminated employee.

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## Employee Turnover



**“I employ one person at a time, and I’ve had as many as eleven persons in one year ... maybe I’m not paying them enough.”**

**San Joaquín Valley Dairy Farmer**

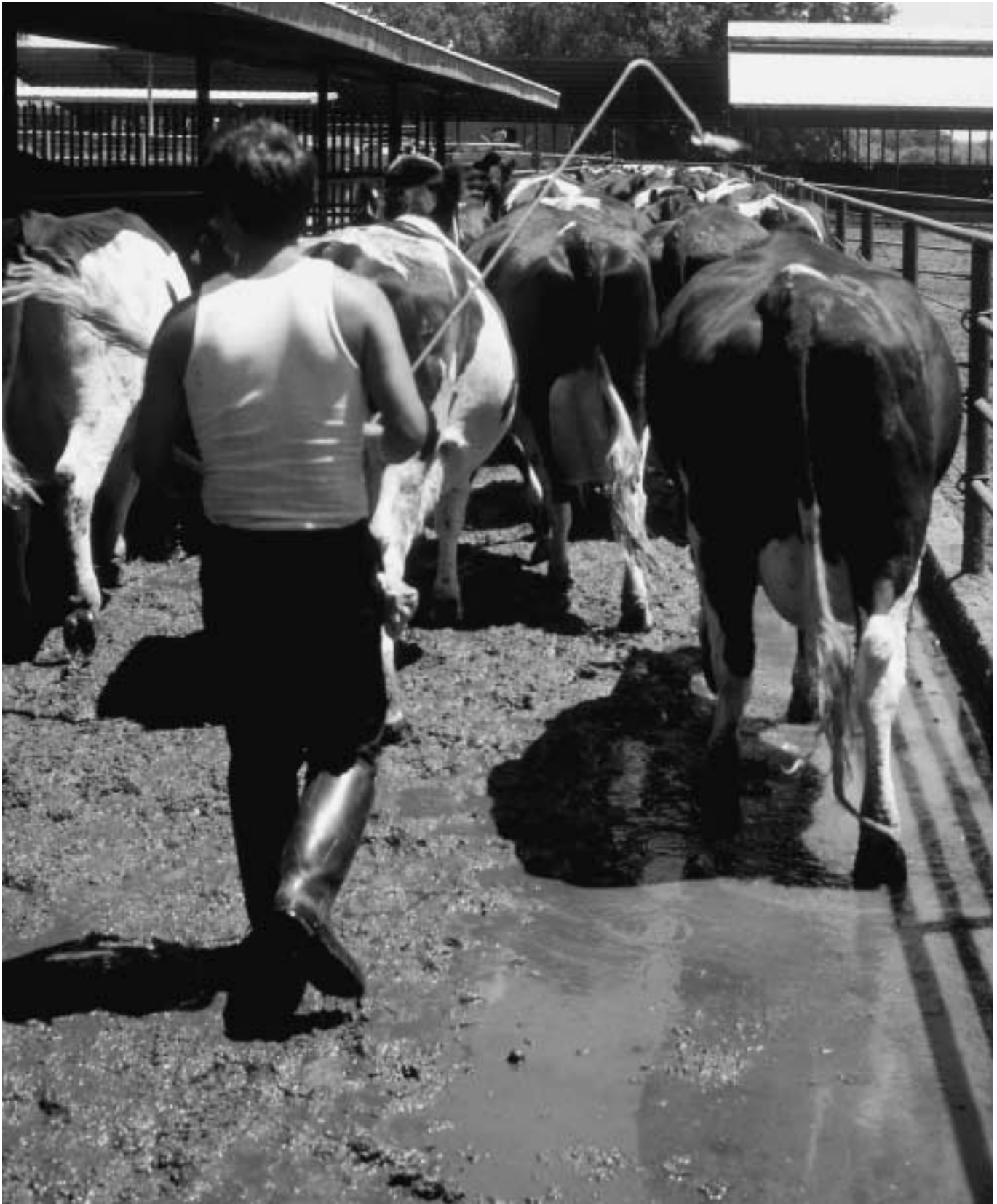
Employee turnover can hurt the overall productivity of a farm and is often a symptom of other difficulties. One dairy manager put it this way: “Every time a milker leaves, I lose about one cow.” Turnover in livestock operations upsets routines, makes animals uncomfortable, and affects the health and safety of the herd.

Other costs of turnover are associated with the processes of selecting, orienting, and training new workers. While an employee is being replaced, a substitute (sometimes you, the farmer or manager) has to be found

to do the work. Many farm employers feel it takes about two years to train a year-round employee.

Some employment separations come quickly and as a surprise to both the worker and employer (e.g., the employee may be offered a job at another farm). Other separations are known long in advance by the worker, farmer, or both.

Many employees experience reluctance, ambivalence, and stress about leaving a job in pursuit of another. Some workers would rather retain a disliked job than venture into the



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*Knowing the reasons why workers leave can give farmers an edge in improving working relationships.*

unknown. Often employees leave mentally, even though they show up to work regularly. Knowing the reasons why workers leave can give farmers an edge in improving working relationships.

One way of classifying turnover is by the degree of control the farm employer has over the separation. As a farmer you may have little influence over the worker's family problems, moderate influence over scheduling, and relatively high control over the relationship between management and workers.

Turnover is not always bad. Sometimes positions are no longer essential. Those who leave are not replaced. Many farmers are uncomfortable either disciplining or terminating poor performers and are relieved when they leave on their own accord. Some employers make a worker's life difficult so she will leave on her own. In the language of the courts, this may be regarded as *constructive discharge* and be treated in a similar fashion as a regular firing.

Although the data and reasons for turnover may vary with time, region, and type of agricultural commodity, the following dairy turnover study may provide useful insights.

## DAIRY TURNOVER STUDY

In a 1983 study<sup>1</sup> I interviewed dairy workers in an effort to (1) determine whether single or multiple reasons are involved in turnover; (2) establish what these reasons are; and (3) estimate turnover rates.

The study involved more than one hundred dairy employees, including milkers, outside men, and herdsman. Workers had little trouble recalling the reasons for their departure from previous positions. Most cited a single reason rather than a combination of motives. When there were multiple causes for leaving, one was predominant.

### *Why do workers leave dairies?*<sup>2</sup>

Figure 16-1 gives the principal and secondary reasons for workers leaving dairies. It shows the results of two studies, one in 1953 and the other in 1983. Both studies found compensation was a leading cause of turnover. It accounted for 35 percent of turnovers in 1983. The 1953 study differentiated between "left to get higher pay (21%)," and "too much work required (14%)." Another similarity is the frequency of turnover due to relations with other employees.

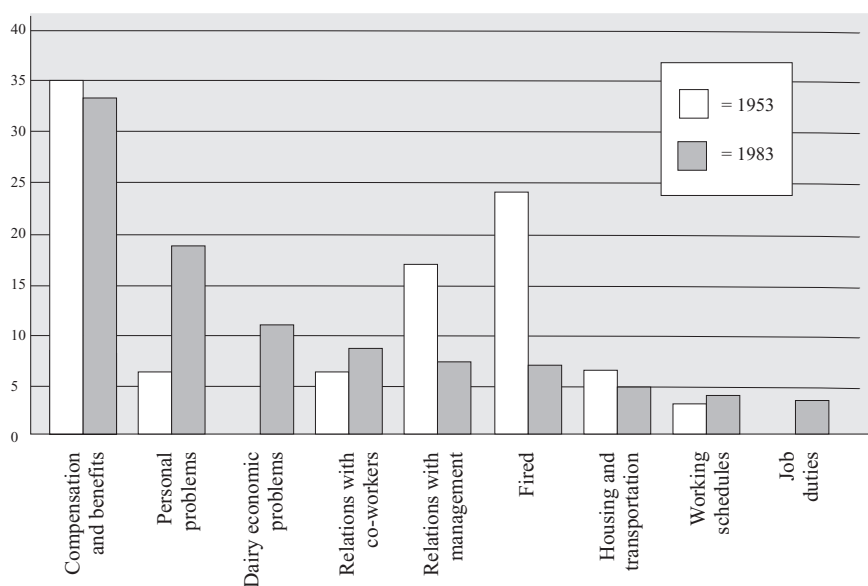


FIGURE 16-1

*Why do workers leave dairies?*

Source: Fuller and Viles<sup>3</sup> for 1953 data; and Billikopf<sup>4</sup> for 1983 data.



The major differences in findings of the 1953 and 1983 studies are: (1) personal problems involved 7 percent of workers in 1953 and 19 percent in 1983; (2) economic problems of dairies, not mentioned in the earlier study, accounted for 11 percent of responses in 1983; (3) relations between workers and management accounted for 17 percent of the turnover in 1953 and 8 percent in 1983; and (4) employer-initiated terminations were the cause of 24 percent of the turnover in the earlier study compared to 7 percent in the 1983 study.

### **Examples of responses in each category—1983 responses**

*Compensation and benefits.* Some workers left because (1) of a poor match between pay and work expected; or (2) the farmer did not come through with pre-employment promises. Others left their jobs because they did not receive health insurance.

*Personal and family problems.* Several workers took vacations to visit the country of their birth, especially to get married. Some workers left their jobs because of marital problems, including divorce. Other workers moved (1) to be closer to their families, (2) because a family member needed a change in climate for health reasons, and (3) so a family member could get a job at another dairy. Less common were departures for reasons of pregnancy and to join a family business.

*Economic problems of dairy.* Economic problems included (1) the dairyman selling out, (2) change of ownership, and (3) change in location of dairy.

*Relations with other workers.* Several employees did not get along with coworkers. They felt coworkers were lazy, got drunk during off hours, or gave conflicting orders. Some workers got along so well with a coworker that when the dairyman fired their friend (or relative), they also left. One worker quit because he got lonely working by himself in the milk parlor. Another worker left because there were others in the parlor, and he liked working alone.

### *Relations with management.*

Turnover associated with worker-management relations included: (1) not getting along with the herd manager or farmer; (2) feeling supervisors did not know how to give orders; (3) having to do work of a personal nature for a herd manager, in addition to assigned milker duties; (4) dairy farmer was never satisfied with the amount of work (the harder a milker worked, the more that was expected of him); (5) language difference presenting too large a communication barrier; (6) experiencing sexual harassment; and (7) receiving orders from too many bosses, including the dairyman's wife and children.

*Fired.* A couple of workers had no idea why they were fired. Those who did know the farmer's reason mentioned: (1) not getting along with the herd manager or dairy farmer; (2) worker insisting on receiving promised benefits; (3) losing eligibility to work in a school dairy after graduation; (4) increased dairy automation; and (5) excessive absenteeism.

*Housing and transportation.* Few workers quit because of the quality of housing. One worker who got married, however, did report leaving to find more adequate space. Most of the comments centered on the distance between housing and the dairy or the nearest town. This problem was mentioned mainly by workers who did not have a car.

*Working schedules and time off.* Reasons associated with schedules and time off included intolerance for night shift, split shift, and little time off.

*Job duties.* One worker wanted outside work rather than milking. Another wanted milking rather than outside work. A herdsman disagreed about the management of the dairy. One milker was asked to do some tasks by hand when he felt there was a faster method. One worker was offered a job with more desirable duties. A worker got tired of the dairy business.<sup>5</sup>

*Dairy design.* No one mentioned dairy design as a principal cause for leaving a job. Two mentioned it as a secondary reason.

The average turnover frequency for workers was once per year in the 1953 study. In contrast, the 1983 study found average stays at previous jobs was two and a half years. The average length of employment in the present job, however, was more than four years. The average length of employment seems to have greatly increased during this 30-year period.

There were major differences among individual worker statistics. Two employees who had worked in dairies for the same amount of time (14 years each) contrasted widely: one had worked for two dairies for seven years each, while the other had average lengths of employment of about two years each. In another comparison of two workers who had each held four jobs, one lasted an average of half a year per dairy compared to the other who lasted an average of four and a half years per dairy.

## REDUCING UNWANTED TURNOVER

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Throughout this book we have discussed how farmers can hire more qualified employees, train them, and pay and treat them as professionals. It is important to place employees in jobs they like; follow through on promised pay, benefits, or responsibilities, and to give employees an opportunity for time off. Several dairy farmers, for instance, could share one or more relief milkers. A farmer could also hire a longer-term relief milker while milkers take their vacations end-to-end.

A useful tool for understanding and managing turnover is the *exit interview*. You can check the reasons why workers leave the farm and ask for suggestions on how to improve the way you do business. If properly conducted, exit interviews can give you candid answers that can help prevent problems in the future.

*Many foreign born employees desire to return to their native lands from time to time. Several dairy farmers could share one or more relief milkers in order to give employees extended time off.*

---



Another tool farmers can use, before it is too late to change the employee's mind, is a periodic *worker satisfaction* survey. It would be better not to conduct the survey at all, however, if its only purpose is to measure satisfaction. It is essential to implement changes in areas where the survey shows improvement is needed.

A well-constructed survey should yield plenty of worker suggestions for management changes. Reducing discontent helps to prevent a multitude of problems besides turnover, including slowdowns and sabotage. While satisfaction with work does not necessarily increase productivity, dissatisfaction will probably decrease it.

A *grievance procedure* allows employees to express their dissatisfaction with management action. The existence of a binding arbitration agreement may increase resolution of differences at a lower level of a grievance procedure (Chapter 9). When stakeholders are involved in interest-based negotiations (Chapters 13, 18) challenges should seldom escalate to the point where arbitration is required.

Depending on the reason for leaving, there may be a danger in rehiring employees who have quit. This is especially true if they left because of dissatisfaction or poor personal relationships with coworkers or others. It is easy for workers to forget the reasons why they left—until they come back. Leaving the second time is just easier, regardless of the motive they left the first time. Some who leave, of course, may come back to perform very productively.

## SUMMARY

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Turnover can be a symptom of other problems, especially dissatisfaction with work or working conditions. Measures taken to prevent turnover are bound to improve other operating results as well. Turnover is costly in terms of time and effort required to recruit, select and train new personnel.

Farmers have many tools at their disposal to combat unwanted turnover. Holding exit interviews with workers who leave the farm can help determine if there are specific problem areas to watch and improve. So does conducting worker satisfaction surveys.

## CHAPTER 16 REFERENCES

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4. Billikopf, G. E. (1984, September). Why Workers Leave Dairies (pp. 26-28). *California Agriculture*.
5. This worker eventually returned to a dairy job, but obviously there could be others who left dairy jobs and we would not know because of the design of this study.

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## Policies and Handbooks



**“Sierra Gold Nurseries takes accident prevention and safety enforcement very seriously. We have a strong and comprehensive Injury and Illness Prevention Program (IIPP), and consider it an important Nursery objective to prevent employee accidents wherever possible. We firmly believe that all nursery jobs can be performed safely and efficiently. Unfortunately, accidents may still happen. Should you have an accident, even a minor one, or become ill at work, notify your supervisor immediately.”**

**Sierra Gold Nursery Personnel Handbook  
Yuba City, California**

While every chapter in this book can be used as a reference for policy formulation, in this chapter we provide a conceptual framework for thinking about policies. An outline of possible topics to include in a personnel handbook is provided. Not everything that goes in a handbook is a policy, such as the inclusion of a “Historical Statement.” Farm employers are urged to be cautious in the creation of policies.

Often, even simple problems have many alternative solutions. One such policy area, sick leave benefits, is discussed for illustration purposes.

### DEVELOPING POLICIES<sup>1</sup>

In general, policies are guidelines to decision making—once in place, each decision does not have to be made anew



Jack Kelly Clark

*The active participation of key managers, supervisors, and workers, and a final review by an attorney and a labor management specialist will generally make personnel policies better and more effective.*

from scratch. Policies reflect a company's value system. The tone and language of policy statements will be taken as reflections of management attitudes toward employees. Personnel policies also outline expected worker conduct.

Most personnel decisions can be guided by policy determinations. Should all workers be given a practical test before being selected? Should employees be paid at the going rate, a cut above, or a cut below?

Supervisors may vary in their management approach. While distinct styles can serve different managers well, at some point inconsistency may have a negative effect on worker morale. Policies establish uniformity. Well designed policies help reduce the incidence of inequities and give employees the reasoning behind what may otherwise look like favoritism.

With some notable exceptions, my preference would be to develop policies as a guide to supervisory action. Accordingly, I feel most policies can be included in a *supervisors' handbook*. Despite this preference, there are some policies that need to be provided up-front to employees as a potential legal defense. Consult with your attorney on

such a list of "required" policies. For example, farmers who have not developed a policy against sexual harassment may share liability for wrongdoing committed by their employees. Other policies that need to be distributed to the employees may include those related to workplace violence, housing (if it is provided), and the establishment of a drug-free workplace. Having policies consistent with government regulations helps to ensure farm employers operate legitimately and avoid the penalties associated with violations.

Written policies in an employee handbook may also promote good public relations in representing the farm enterprise to local residents, banks, courts, and prospective employees. Statements made in a handbook, however, are often equivalent to an employee contract and deserve thorough analysis before implementation. Farmers who construct policies without sufficient deliberation may later regret their guidelines.

The formulation of personnel policies is influenced by past and prevailing practices, present challenges, management styles, and employee needs

**SIDEBAR 17-1****Lindemann Farms History**

We welcome you to Lindemann Farms and want to tell you about our company. Rudolf H. Lindemann was one of the original “Westside” farming pioneers who began farming and developing the ranch in the 1920s. He was succeeded by his son, Rudy Lindemann, who continued his successful farming practices. Presently, George and Tom Lindemann, grandsons of the founder and third generation California farmers, are managing the family farm. Over the

years the land has evolved from native pasture to a highly productive irrigated ranch. For over 50 years Lindemann Farms has provided the people of California, the United States, and the world with high quality products. These products include fruits, vegetables, fiber, meat and milk. We are one of the foremost producers with a reputation of growing and marketing high quality products. This success is principally due to the interest, enthusiasm and efforts of our employees. We welcome you to this dedicated team.

George & Tom Lindemann

and preferences. The active participation of key managers, supervisors, and workers, and a final review by an attorney and a labor management specialist will generally make personnel policies better and more effective. Sample policies from other employers and commercial computer software packages can be useful references.

To be effective, policies need to be well-communicated. Written policies, in employee handbooks, are a strong defense against complaints of ignorance. Handbooks should be well-organized and readable, and when length justifies it, contain a good index. Even so, when used alone, an employee handbook is impersonal and unlikely to be read. Meetings provide management a chance to encourage and answer questions. The orientation period is a natural time to tell new employees about policies.

Once communicated, policies may do more harm than good if ignored. Policies are reinforced when the employer follows them herself. Reasonable exceptions need not subvert policy if they are kept to a minimum and explained when they occur. Frequent exceptions may reflect a need for explicit policy change. It is much easier to review and update policies periodically than to operate either in violation or without them entirely. To be effective, policies need to be adjusted to meet the changing needs of the organization.

**HISTORICAL STATEMENT**

If you have a history you are proud of, why not share it with your employees and, indirectly, with the community? Knowing about the ranch they work for helps workers identify with the operation and gives them an early sense of belonging. A historical statement in an employee handbook is also a good place to tell workers more about the commodities you grow or produce (see Sidebar 17-1).

The image your farm projects can affect employees even when they are home or with friends outside of work. When making new acquaintances, most people mention their job and place of employment. The information in a handbook’s historical section reaches employee family members and friends.

**PAID SICK LEAVE**

In developing policies in any area of human resource management, farm managers have a number of choices to make. Here, we will consider paid sick leave as an example of the many options available to farmers, even in areas that appear straight forward. In regard to sick leave, let us consider (1) what it is and why it is provided; (2) how it is accrued; (3) how it may be used; (4) what unintended effects it may have; and (5) how to control abuses of it.




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*An effectively designed sick leave policy does not reward employees for being absent.*

*Purpose of sick leave.* Sick leave is an optional benefit provided by employers. Employees are paid for days not worked due to illness or injury of a nonindustrial nature. (Workers' Compensation insurance procedures normally dictate the compensation and treatment of industrial injuries and illness.) Farmers provide paid sick leave to protect workers from losing pay. In a study of more than fifteen hundred workers,<sup>2</sup> sick leave was the second most important fringe benefit received by employees. Only health insurance was more important.

*Accrual.* You determine how many hours of sick leave workers can accrue per month. Some employers use the "use-it-or-lose-it" approach. They do this by either limiting the number of earned sick leave days employees can carry over from year to year, or by eliminating pay for days not taken before job termination.

*Allowable use of benefit.* Farmers need to determine the legitimate use of

sick leave. Will it be used only for the illness of the worker or will it include family sick leave, bereavement, or participation in "wellness-oriented" fitness or sport programs?<sup>3</sup> In some cases, it is even provided for "mental health days" taken whenever an employee feels overly stressed by work or life's pressures.

Employers who allow for paid mental health days or time off to participate in a fitness program are thinking of the long-term health of their work force. Others feel vacation rather than sick leave should be used for such purposes, and in some cases call it "personal time off" to underscore its purpose. Employers who allow workers to use sick leave for family sickness, bereavement, or other alternate uses may limit the number of days that can be so charged.

*Misuse.* If workers take sick leave only when they are truly ill, the "use-it-or-lose-it" method works relatively well. It may, however, tend to reward workers

who are sick over those who do not miss work. Some healthy workers may take days off simply not to lose them. While the original intent for sick leave was to provide increased pay security for employees, in practice it has often turned into extra days of personal time off.

When misused, sick leave can translate into company-sponsored absenteeism. There are costs of finding and training a replacement who may function at a less productive level for a time. Workers who know fellow employees are abusing the system often become resentful, or decide to join them.

*Diminishing misuse.* An employer may attempt to thwart the use of sick leave for an occasional “day off” by disallowing pay for any sick leave of less than two or three consecutive days. This may force employees into staying home to more fully recover when they have been ill. Others may require a doctor’s note verifying the worker’s illness, even for one-day absences. Many physicians, however, will readily approve absences.

For longer absences (a week or longer), it may be a good idea for a policy requiring a medical excuse. Medical opinions will be particularly crucial when a worker’s disability may jeopardize her return to work.

Some of the traditional approaches used in preventing sick leave abuse become less necessary when incentives are given to be on the job. Farm employers may prefer to provide “well pay” rather than “sick leave.” Farmers concerned mainly with covering workers for short-term illness may prefer to provide added vacation days in lieu of paid sick leave. Some workers are more likely to be sick on the employer’s time than on their own.<sup>4</sup>

Along with the idea of paying employees for being well, rather than sick, employers can establish a system whereby they pay workers for unused sick leave days upon their quitting, retiring or being terminated. This will benefit everyone, as employees will then accumulate a large number of days over the years, which can come in handy if

there is a catastrophic illness or injury that keeps an employee away for a long period of time.

A variation of the alternative above, is to require workers to accumulate and maintain a minimum balance of unused sick leave days (e.g., four to eight weeks). After this period an employee could opt to either receive the added benefit immediately in terms of cash or personal time off, or when he separates from the job.

The idea is to underscore that these days are given to *reward good attendance*. One possibility would be to attach an additional day of sick leave within an employee’s account, for every ten days of regularly accumulated sick leave. One caution, however, would be not to make the incentive to come to work so high, that employees would come when everyone’s needs would be better served had they stayed home.

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## SUMMARY

Policies help guide decisions. While individual supervisorial style should not be stifled, inconsistency in approach in some areas may have negative effects on worker morale. Policies can be a fine tool in reducing perceptions of arbitrary treatment of employees. To obtain maximum value, policies need to be understood by both supervisors and workers. Policies can be shared with employees during the orientation period, through meetings, and through handbooks.

To be effective, policies need to be adjusted to meet the changing needs of the organization. Policies constructed without sufficient deliberation may be regretted later. Sick leave is one policy area discussed in this chapter to provide an example of the numerous alternatives that can affect employees and the organization. Sick leave policies can be designed to protect workers from losing income when sick while also rewarding individuals who do not misuse the privilege. Carefully crafted policies, then, can help farmers act based on a concern for both production and personnel.



## SIDEBAR 17-2

Employee Handbook Outline<sup>5</sup>

## I. Introduction

## A. Welcome

1. Purpose of handbook
2. Mutual expectations

## B. History of Firm

1. Founding: when and who
2. Historical development
3. Present structure: size, commodities, reputation
4. Future outlook and goals

## C. Philosophy and Company Values/Goals in Relation to:

1. Employees
2. Customers
3. Community
4. Environment
5. Operations

## D. Organizational Structure

1. Organizational chart, including major divisions/units
2. Names and telephone numbers of key contacts
3. Regular communication vehicles/channels

## II. Staffing

## A. Objectives, Opportunities, and Responsibilities

1. Criteria/principles of staffing
2. Statement on non-discrimination and equal opportunity

## B. Hiring Procedures

1. How to apply for work in the company
2. Recruitment and announcement of job openings
3. The employee selection process
  - a. General qualifications for consideration
  - b. Information obtained from or about applicant
    - (1). Drug testing
  - c. Basis of and responsibility for the selection decision

## C. Employee Classifications

1. Job classification or types
2. Employment continuity status (regular, seasonal, temporary)
3. Employment intensity (part-time, full-time)

## D. Orientation and Probation Period

1. Duration
2. Introduction to the work and co-workers
3. Proficiency requirements for progress
4. Consequences for failure to meet standards
5. Other terms

## E. Advancement, Promotion and Transfers

1. Advancement opportunities available
2. Expected job progressions (career ladders, etc. )
3. Basis for progression and demotion (seniority, merit, or combination)
  - a. Seniority: units (company, location, department, classification) and measurement
  - b. Merit: means and frequency of measurement

## F. Layoffs, Reassignments, and Recalls (see Termination of Employment under III-K)

1. Typical swings in employment level
2. Individual rights and priorities

## III. Employment and Work Conditions

## A. Supervision

1. Major policies guiding supervisors
2. Relationship of supervisor to employee
3. Responsibilities of the supervisor

## B. Training and Development

1. General policy on employee training
2. Access to company-supported training, formal or on-the-job
3. Content of training provided
4. Other training opportunities available

## C. Performance Review

1. Nature and purpose
2. Responsibility for making appraisal
3. Timing or frequency of reviews
4. Basis for review; performance dimensions rated
5. Communication of appraisal to employee, others

## D. Hours and Location of Work

1. Responsibility for reporting to work
2. Time records (clocks, cards, sheets)
3. Normal workweek, workday, and break times
4. Seasonal and daily fluctuations
5. Overtime opportunities, requirements, and authorization

## E. Leaves of Absence

1. How to get one
2. Conditions and constraints: justification, duration, status and seniority implications

## F. Tools and Equipment

1. Tools supplied by employer and employee
2. Issuance and accounting of company tools
3. Maintenance and replacement responsibilities
4. Internet, E-mail privileges

## G. Safety and Health, Emergency and First Aid Procedures

1. General policy on employee safety and health
2. Accident prevention: minimizing unsafe conditions, unsafe acts, and stress
3. Procedures for dealing with an accident
  - a. Reporting and investigation obligations
  - b. Injury to people: first aid and obtaining further help
  - c. Damage to equipment or stock: immediate response and obtaining further help
4. Employee Assistance Programs (i.e., to deal with problems associated with work stress, alcoholism, substance abuse, wellness, etc.)<sup>6</sup>
  - a. Purpose
  - b. Eligibility
  - c. Costs
  - d. Confidentiality
  - e. In-house or outside vendor

## H. Work Ethics, Rules of Conduct, and Discipline

1. General statement about discipline system and its purpose
2. Obligation of employee to follow directions, except if in violation of safety, morals, or religion
3. Triggers for disciplinary action (e.g., sexual harassment, workplace violence, abuse of power, unsatisfactory work)
4. Progression of action for successive

**SIDEBAR 17-2 (CONTINUED)**

incidents (e.g., penalties, counseling, transfers)

5. Appeals process

**I. Suggestion Procedures**

1. Statement on value of employee ideas and internal communications

2. Suggestion feedback, follow up, and results

**J. Complaint and Grievance Procedures**

1. How and with whom to raise an issue

2. Subsequent steps if needed

3. Final step (advisory or binding arbitration, other)

**K. Termination of Employment**

1. Reasons (quit, fired, job elimination)

2. Exit procedures (interview, pay)

3. Rehire considerations

**IV. Wages**

**A. Method of Pay**

1. Payroll period

2. Pay delivery (time, place, and person)

3. Lag time between payroll period and delivery (including terminations)

4. Form of pay (cash, check, product, other)

**B. Pay Rate Determination**

1. General relationship of overall scale to external factors (minimum wage, union contracts, prevailing wage in labor market, cost of living)

2. Internal factors affecting general wage level (philosophy, ability to pay)

3. Factors affecting individual pay rate (job type, continuity status, appraised performance, results, etc.)

4. Relationships between pay ranges for different jobs

a. Width within classification

b. Overlap of adjacent range

5. Units (hour, week, month) for time-based rates

6. Definition of results (quantity, quality, cost control, etc.) and formula for output-based pay (e.g., piece rate)

7. Performance-based bonuses

**C. Overtime pay**

1. Definition of overtime

2. Overtime pay calculations and differentials

**D. Deductions**

1. Specification, by type:

a. Mandatory-statutory (e.g., disability, social security, insurance)

b. Mandatory-company (e.g., required pension plan)

c. Optional (e.g., savings, voluntary retirement)

2. Determination of amounts deducted

3. Check and stub examples

**E. Garnishments**

1. Procedures; when and how it happens; notification of employee

2. Company attitude and response (philosophy, discipline)

**F. Advances, Loans**

1. Provisions for and conditions of advances

2. Procedures and terms (requests, amount limits, and payback methods)

**G. Privacy and Disclosure**

1. Information about individual that is (a) always, (b) sometimes, and (c) never disclosed to self, to other company employees, or to outsiders

2. Procedures for outsiders to obtain information about individual employees

**V. Benefits**

**A. (For) Government required pay or leaves:** (1) nature and purpose; (2) who pays for it; (3) procedures for obtaining benefits

1. Workers' Compensation Insurance

2. Disability Insurance

3. Unemployment Insurance

4. Social Security (FICA)

5. Other required pay

6. Military leave

7. Jury duty leave

8. Maternity leave

9. Other required leaves

**B. Non-Government required pay, leaves, benefits**

1. Health and Life Insurance

a. Types and limits of coverage; options

b. Costs (per employee) to company and employee

c. Eligibility conditions

d. Extension after employment termination

2. Bonuses (rewards for employment itself, not contingent on performance)

a. Eligibility

b. Computation

3. Holidays

a. Holidays observed by company

b. Obligations to work on holidays; pay differentials

c. Eligibility for and computation of holiday pay

4. Vacation

a. Eligibility for and computation of credits

b. Scheduling procedures and restrictions

c. Disposition of unused credits

5. Sick Leave

a. Eligibility for and computation of credits

b. Valid uses

c. Notification requirements on day of leave

d. Verification requirements

e. Disposition of unused credits

6. Other Leave: Provisions and eligibility

7. Housing

a. Form of benefit (allowance or company facilities); if specified facility, location

b. Eligibility; move-in and out procedures

c. Charges to employee; employer cost contributions

d. Inclusions, mandatory or optional

8. Pension, Retirement, and Savings Plans

a. Eligibility for participation

b. Vesting schedule

c. Options

9. Other

a. Facilities for employee use

b. Use of company equipment

c. Product or discounts available

## SIDEBAR 17-2 (CONTINUED)

## VI. Miscellaneous

- A. Solicitation on company property: permission and prohibitions (persons, times, locations, purposes)
- B. Bulletin Boards
  - 1. Locations
  - 2. Materials regularly posted by company
  - 3. Space available to employees, others
- C. Parking
  - 1. Provision and limitations
  - 2. Reserved spaces and priorities

## D. Visitors

- 1. Conditions for admission
- 2. Permitted times and places

## E. Social and Recreation

- 1. Clubs and activities sponsored
- 2. Welfare funds

## VII. Conclusion

## A. Closing Statement

## B. Policy Changes

- 1. How, when, and by whom
- 2. Method of notifying employees

## VIII. Index

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## Creative Negotiation



The very thought of negotiating sounds intimidating, yet we are all experienced negotiators. Any time we come to an agreement on anything, we are negotiating. Some of it we may do somewhat subconsciously, such as deciding who says hello first, or holding a cattle gate open for another rider to pass through. Determining where to go out for dinner with your spouse, or asking your daughter for help in training a colt also involves negotiation. More traditional issues we associate with negotiation may include agreeing on (1) a pruning price with your vineyard crew, (2) how much you are going to pay to have your postharvest cooling shed constructed, or (3) what you will get for your export cherries.

One thing that these examples have in common, is that they involve people.

Many of us developed a love for agriculture based on our love for farm animals and plants. We may at first be surprised to see instead, what a large portion of our day involves interacting with people. We can take specific steps to become more effective negotiators.

Negotiation skills include being well prepared, showing patience, maintaining integrity, avoiding the presumption of evil, controlling our emotions, understanding the role of time pressures, breaking down bigger issues into smaller ones, avoiding threats and manipulative tactics, focusing first on the problem rather than on the solution, seeking interest-based decisions, and rejecting weak solutions. We shall visit these later in this chapter.

Much of this book incorporates negotiation principles in one way or

another. This chapter is presented as a way to help us think through challenging day-to-day situations, especially those for which we may not find direct answers in the book. I find that it helps to keep a mental or written notebook on how we react to difficult situations. Certainly, we have lots of opportunities to practice.

While still focusing on agricultural labor management, it is my hope in this chapter to expand to other *people issues* that affect us. Whatever improvements we make in one area of our lives tend to spill over to other areas, such as the home, ranch, business dealings, or sports. For those of you who operate a family farm, many such distinctions are already blurry.

Scenarios interspersed throughout this chapter allow you to practice negotiation skills. Set aside your reading after each scenario, and think through all the issues that may be involved. How do you think you would react? Put yourself in the place of each of the players. Only after considering each scenario separately should you move on to find out how they were resolved.

While resolutions are provided for most of the scenarios, they may *not* reflect the best or worst possible outcome. Furthermore, what is *best* for one stakeholder may not be for the other. You may want to ask yourself how

these individuals could have arrived at a better solution. Finally, the scenarios are not necessarily intended to reflect the topic discussed in that section.

*Interest-based (or integrative) negotiation* is built upon the principle of meeting the needs of all the individuals or “stakeholders.” This frequently calls for creative thinking that goes beyond the poorly thought out compromise—such as those arrived at when there is a rush to solve before we have made an effort to comprehend. A deep understanding of the underlying challenge is required for a long-term solution. Many conflicts that on the surface seem to be purely about resources often have significant components related to issues of participation, face saving, relationships, and identity. For interest-based negotiation to work, people have to be able to share their needs and fears. Otherwise, how can individual needs be met if they are closely guarded. Stakeholders, furthermore, must be able to retain a sense of ownership over framing such needs and fears. All of this is not always possible or easy to accomplish. Interest-based negotiation, then, is contrasted against either competing (win/lose) or compromising approaches.

“Deep conflict requires a tremendous exertion of psychological and physical energy. ... Such conflict may be creatively transformed when adversaries come to learn, ironically perhaps, that they may fulfill their deepest needs and aspirations only with the cooperation of those who most vigorously oppose them.”<sup>1</sup> As we saw in Chapter 13, while discussing deep-seated interpersonal conflict, people are more willing to listen when they feel that they have been heard and have a sense of control over the outcome.

In more traditional (or competitive) negotiations, people often attempt to convince the other side of the merit or justice of their proposal. “If the other side understands our ideas,” we reason, “surely they will agree with us.” Merit and justice still play a role in interest-based negotiation, but so does exploring for solutions that meet mutual needs.

*Many conflicts that on the surface seem to be purely about resources, often have significant components related to issues of participation, face saving, relationships, and identity.*



**SCENARIO 18-1****We Want A Raise**

Seven tractor drivers walked into a farm manager's office. These men had worked for the farm enterprise for several years. "We are all here," one of them began, slowly gathering confidence as he spoke, "because we want a raise." The farm manager, somewhat stunned, turned around to look at each of them in disbelief. "How dare these guys come here, all together, and try and intimidate me into giving them a raise," he thought, but no words came out of his mouth. Two of the tractor drivers did most of the talking and insisted that the manager either give them a raise or they would quit.

**So, what happened?**

The manager called the tractor drivers on their bravado or bluff, or so he thought. Soon he found himself without a single equipment operator, as they had all quit in masse. When the farm foreman in that operation went to town to purchase some parts a few hours later, he saw one of the tractor drivers walking aimlessly through town. The tractor driver explained that he had no idea how he would face his wife. How he would tell her he had lost a job he had held for over five years. The foreman acted quickly, and the situation was somewhat salvaged, as the farm manager was able to convince four of the tractor drivers to come back and work for him.

Not everyone finds the interest-based concept easy to swallow, however. "Traditional negotiation techniques suggest you hide your true business needs and goals....," explains a grape grower who looks at the idea of interest-based negotiation with a certain amount of distrust. "Once the other side gets a hold of your real needs, they will strangle you with that knowledge."

A little caution, if not cynicism, may well be necessary to survive. While we can attempt to model effective negotiation strategies when dealing with others, at times we may have to resort to a more traditional approach. Research has demonstrated, for instance, that those who are willing to "play to win," if so forced, yet prefer a mutually productive approach, may be more credible negotiators.

Daniela, a young employee in one corporation, had heard of the difficult reputation developed by John, one of the agricultural technicians, but she had never had any difficulties with this individual. Daniela approached John one day and found him sitting with his feet up on a table, reading a magazine. She apologized for disturbing him, assuming that perhaps this might have been his break period.

"John, when you can, could you please pick up some parts for me in town?" Daniela asked politely. John

answered rather curtly, "Right now?" She was not going to be intimidated, and responded, "That will work great for me, thanks!" John continued to show difficult behaviors with other individuals, but from then on never showed Daniela any discourtesy. I am not suggesting that Daniela took the very best approach available, but it served her well on that occasion.

The catch is that once people get caught up in competitive negotiation, it is often hard to step back and see clearly enough to work through difficulties in a collegial manner. A third person to help mediate may be needed (see Chapter 13). Traditional negotiation approaches have sometimes been described as including competition, yielding, withdrawal, or compromise. No one approach is always right or wrong.

Competing means one person gets his way. Or at least it seems so at first. In the long run both parties often end up losing. It does little good, for instance, to get a wonderful contract for your new swine facility, if the contractor is left with such a small profit margin that she goes out of business before completing it.

At one dairy, the incentive was to get done quickly. Employees were paid for the full shift even if they got done early. As one milker was washing his boots and preparing to go home, his



*In some situations yielding can be a virtue, but not always. When we stop caring, we often withdraw physically or emotionally.*

supervisor asked if he could work into the next shift. When the milker got his paycheck, he was not given credit for the free time he had accumulated (as a result of quickly finishing his first shift). No amount of arguing helped convince his supervisor of how unfair this seemed. The milker refused any overtime work in the future. This is a perfect example of a win-lose outcome turning into a lose-lose scenario.

Competition tends to focus on a particular episode, rather than on long-term viability; on the present goal, rather than on the long-term relationship. I know a retired manager who brags that his subordinates soon learned “he was not always right—but always *the boss*.” Although this manager may have obtained worker compliance from his winning tactics, I doubt he got much in terms of employee

commitment. Losers often hold grudges and find ways of getting even.

Should not a farmer try to obtain a good price for her apricot crop? Or get the best possible deal when buying that new piece of farm machinery? What about one-time situations, where you will never see another again in your life?

Hidden in these questions are deeper issues. Surely, there *are* times when we bargain with the idea of getting the best possible results. In some cultures, people are offended if you pay the asking price without bargaining. However, many times in life we think we are dealing with a one-time situation only to find that we have to negotiate or interact with that individual again.

*Yielding* (unilateral concessions at the expense of the person doing the giving in). We are most likely to yield if we feel there is little chance of winning,

## SCENARIO 18-2

## Leading by Example

A foreman forced his will on the crew, but did it for a good cause. “No harm,” he thought, “I am just trying to maximize all of our efforts.” One day the crew workers were hungry and wanted to stop for lunch. The foreman wanted to get just a little more work done before lunch and kept them going for another hour before breaking to eat. He could tell that a few workers were mumbling a bit, but he thought, “I am hungry too, I can wait for another hour, and so can they.”

**So, what happened?**

“We were all very upset about this,” one of the crew workers explained, speaking of the resentment felt at not being able to stop for lunch at the appointed hour. “The next time the foreman tried to make us work past lunch time we all walked off and left him fuming. The foreman told us to never do that to him again, but from

then on he respected our need to stop at noon.”

*Looking back* at scenarios 18-1 and 18-2, how have these farm operations been affected? What challenges do you think they may face in the future? How did the idea of “saving face” enter each of these situations? Even though some of the tractor drivers came back to work for the grower, do you think they will stay with him, or will they be looking for other work? Is there anything the farm manager could do now to improve the situation with the tractor drivers? How about the foreman, what can he do to recover the respect that has been lost?

Some of the remaining scenarios will be broken down into multiple parts before the final resolution is given. Consider each of these parts fully in terms of what you would do, before reading what happened next. Some scenarios do not have a follow up and leave you to reflect upon the issue.

or if the outcome is more important to the other person than to us. “An angry co-worker began to shout and push me trying to pick a fight, and I left,” a dairy worker explained. “For some reason I let it go and just backed away and left.” The milker reflected that in his more youthful times he was a hothead and probably would have fought back. Instead, when the dairy farmer returned, the worker reported the abusive incident to the dairyman, who fired the co-worker.

In some situations yielding can be a virtue, but not always. A person who continues to yield sometimes stops caring. I do not see any harm in the occasional business yielding, or a balanced yielding among spouses, or even the frequent yielding obedience of a child to a parent or teacher. There are two specific types of yielding that concern me: (1) if saying yes today means living with frustration or resentment tomorrow, yielding is not a virtue; and related to that, (2) when we

repeatedly agree to go along with a weak solution, this is not appropriate yielding, either (e.g., because we want to avoid disagreement at all costs, or feel coerced). When we stop caring, we often withdraw physically or emotionally.

*Compromise* (mutual concessions where both parties yield some). Some compromises involve an arrangement somewhere between two positions; others may mean alternating the beneficiary. An example of the former is paying 20 cents per vine pruned when management wanted to pay 18 cents and crew workers asked for a quarter. An instance of the latter may involve alternating who gets to use the computer when there is limited computer time. While some issues lend themselves well to compromise, many others do not.

Compromise takes a measure of goodwill, trust and maturity, but not much creativity. Why is it that finding a middle ground can provide so little long-term satisfaction? Compromise



## SCENARIO 18-3

*Housing Arrangements*

*Part I.* A horse breeder was facing some stress related to an employee living in a ranch-provided home. Actually, *not living* in the home would be a better description. The employee's wife had kicked him out a few weeks ago, and he was now sleeping in his pickup. It was important for the horse breeder to get his employee back in the house. They would soon be leaving for an important equestrian competition, and he just did not want to leave the issue up in the air.

**So, what happened?**

*Part II.* The first step the horse breeder took was to find out if there was anything he could do to help repair the marriage difficulties. He offered to pay for marriage counseling. The wife was surprised and grateful that the farmer cared enough and agreed to let him know the next day. When the next day arrived, she informed the horse breeder that she had opted against counseling and had made up her mind that she was leaving her husband. While the horse breeder did not want to sound crass, he did want to know when she would vacate the home.

**So, what happened?**

*Part III.* The breeder knew that if the worker's wife pushed the issue, she

could stay in the housing for quite a while. After talking a bit, the opportunity was right and he asked, trying not to seem overly anxious, "What are your plans?" She explained that she would need to stay in this home for at least one month, "We need to get together some money for a rental, including one month's deposit."

**So, what happened?**

*Resolution.* The horse breeder first researched the cost of rental housing. When he approached the woman again, he was well prepared. "I realize it will be hard, but if you can manage to leave in two weeks, I will pay for one month's rental up to \$X," he explained. "I realize it will be even harder, but if you manage to vacate the home in only one week, I will pay for two month's rental for you, or up to \$2X." She was out in three days, after the horse breeder agreed to give her the cash instead of the rental payment.

How may this horse breeding farm scenario have changed if the farmer would have made the same bottom line offer to help with the rental, but would have inverted the sentences so that the offer for leaving in one week would have been brought up first? "I realize it will be hard, but if you manage to vacate the home in one week, I will pay for two month's rental for you, up to \$2X. If you leave in two weeks, however, I will pay for one month's rental up to \$X."

often involves lazy communication and problem solving. For many of us, the term compromise certainly has come to have a negative connotation. While mutual concessions may take place at any time in the negotiation process, all too often such compromising occurs before the challenge has been sufficiently understood, or more creative solutions considered.

Our human brain is incredibly capable when it comes to taking a huge amount of data, quickly digesting it, and coming up with the one best solution. This is good when it comes to making

quick decisions in emergencies and under time pressures. Unfortunately, making quick decisions can often deprive us of arriving at more effective, long lasting determinations. We are often too ready to accept a solution that seems to work, rather than the truly creative solution. The latter provides a sort of exhilaration. It is contagious. Once employees are involved to this degree, it is hard to turn back.

You may have heard the classic tale of two siblings who argued over who would get an orange. They compromised and split it in half. One ate half and

threw away the peel; the other, who was involved in a cooking project, grated the peel and discarded the rest.<sup>2</sup>

Compromise is good, especially when one considers the alternative, but creative or interest-based negotiation can provide much greater satisfaction.

What makes for an effective negotiator? Trustworthiness, for one, plays a huge role in successful negotiation. Dependability, honesty, and consistency are all part of trustworthiness. I often hear individuals involved in negotiations say, “I don’t trust that person.” It has also been said, “It is more important to be trusted than to be loved.”

As we break down negotiation talent into more specific skills, we can see that trust plays a large role in many, if not all, of them. When we lose trust for a person, we begin to discount them. In our mind they begin to become undependable and dishonest.

## PREPARE

To prepare effectively, one needs to know as much as possible about the situation and the personalities involved. Cost comparisons are essential when dealing with economic issues. Much has been written about being a smart shopper. Sometimes the most unexpected issues may come up. You may, for instance, have to face a worker who has come asking for a loan to bury a family member. One worker was struck by the tragedy of his young wife’s untimely death. He was going to have to pay \$4,700 for the funeral (not including the graveside plot). With a little calling around, the farmer’s wife discovered that the same service could be had for \$1,024. Sure, the second funeral home was not providing caskets that were as fancy, nor flowers. She figured that for those savings, they could purchase their own flowers.

Being prepared, may also mean understanding the style of the person you will be dealing with. For instance, if you are exporting your fruit to Asia and are meeting with prospective buyers, you may want to know as much as possible about the proper etiquette and



preferences of your guests. Should you plan to get right to the point, for instance, or take more time talking about other pre-negotiation issues? Is there a right or a wrong way to handle greetings? Even details such as how to accept a business card may play an important role in showing the potential buyers the proper respect. In some Asian cultures, for instance, the proper etiquette is to hold the card with both hands and take time to study it carefully. You keep the card before you throughout the meeting, rather than putting it away in your wallet. An effective way to prepare for very difficult or emotionally charged situations is to role-play ahead of time. Role-playing the opposite perspective can be particularly enlightening.

## SEARCH FOR CLARITY

As negotiators, it helps to learn about other people’s preferences and also make our own clear. One grower explained that it was hard enough to understand our own needs and preferences, let alone be able to concentrate on someone else’s. And perhaps that is one of the reasons why we do not see as frequent a use of interest-based negotiation. It does take a certain amount of effort, especially at first. With time, it can begin to feel more natural.

In the 1980s, when the non-smoking movement had not yet reached Chile, I

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*It is hard enough to understand our own needs and preferences, let alone be able to concentrate on someone else’s. With time, it can begin to feel more natural.*

taught a graduate course on labor management. Perhaps as many as 80 percent of my students smoked. I was clearly in the minority. I did not want to be rude, but I also knew that tobacco smoke would give me a headache. "I want to encourage everyone who wishes to smoke to do so whenever they wish," I began. "Nevertheless, I would ask that you just step outside the classroom to do so." This was taken positively, and several in the class even nodded their approval.

Part of effective preparation is considering the worst possible scenario, or "best alternative to a negotiated agreement" (BATNA).<sup>3</sup> I suppose that even not agreeing to negotiate is a form of negotiation. If we cannot come to an agreement, what is the worst possible outcome to this situation? If your neighbor has a dispute with you over water rights? If the only welding shop in town substantially raises their prices? If your son threatens to leave the dairy if you do not meet certain conditions?

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## SHOW PATIENCE

Effective negotiation frequently calls for a great amount of patience. Logic is not the only thing that prevails in bargaining efforts. There is a lot that comes into play in the form of interpersonal relations. Allowing other people, as well as ourselves, the time to work out problems is essential. When dealing with someone of a dissimilar culture, we may also need to allot additional time to work out an agreement.

Not coming across as *wanting something too much* is related to patience. When we become overly narrow as to the result we will accept, we put ourselves at a negotiation disadvantage. So it was when my wife and I bought our first home. We were so openly delighted with it, that we lost an opportunity to bargain much over price. Of course, there is a balance between being *desperate* and playing *hard to get*, neither of which is very positive.

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## MAINTAIN INTEGRITY

At a time when many decisions were made on a handshake, my parents invited all the children to a family conference. "Earlier this year," they explained, "we came to an agreement with the winery for a price. Since then, many vineyards were affected by a terrible freeze, one that has meant a huge decline in supply. Had we waited a few more months before coming to an agreement on the price for our wine, we could have gotten a much better deal." My parents asked each of their five children for their opinions. The answer was a unanimous agreement to honor the oral agreement. At the time, I felt impressed that my parents would ask for our input. Since then I have come to the conclusion that they knew the answer all along, but wanted to teach us an important lesson about integrity.

It is really impossible to have a discussion about trust and neglect the issue of integrity. Integrity in business and in every part of our lives is completely tied to our ability to be effective negotiators and be considered trustworthy.

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## AVOID THE PRESUMPTION OF EVIL

"And she didn't even sign the e-mail!" the farmer complained. He had a bitter taste as a result of some dealings with a local government agency. In a world of increasing electronic correspondence, the possibilities for misunderstanding are ever increasing. When using e-mail, there is much we can do to become better communicators. Nevertheless, it is dangerous to assume that someone did not sign so she could offend us. This is especially so when the person's name already appears as part of the e-mail address.

E-mail etiquette is no different than any other type of good manners. There is a great variation in what people consider polite. For instance, in some cultures it is considered good manners

## SCENARIO 18-4

## I Won't Work for That Foreman

*Part I.* A peach grower hired a foreman who was very effective. The grower noticed that jobs that used to take much longer to accomplish were being completed in a more timely fashion. The foreman was kind, but firm. However, some of the equipment operators, accustomed to work without supervision, highly resented having a foreman.

**So, what happened?**

*Part II.* The grower wanted to make sure the foreman was respectful of the employees, was giving them their proper breaks, providing them with cold water, and doing all the things a thoughtful foreman should do. This seemed to be the case. One of the most outspoken workers came to speak to him. Most of the other workers had adjusted to having a foreman, especially after the grower went out of his way to explain the foreman's duties, and how this would lighten the grower's load. The worker seemed agitated, and soon set out the ultimatum, "I will not work here with *this* foreman," he blurted out his feelings.

**So, what happened?**

*Part III.* Fifteen years ago this peach grower would have fired the crew worker for insubordination. Now, as he was getting older, the grower had mellowed out considerably. He knew the importance of listening to others. "What's the matter?" he inquired solicitously. "Well, its just not right," the crew worker responded, still upset. "The man does not have a foreman's license!"

**So, what happened?**

*Part IV.* The grower wanted to laugh at this response. He had heard almost every story in the book during his years in farming, ever since he

started working alongside his dad as a youngster. But this one was a new one. While the grower knew that there was much about the law he did not know, he was clear on this point. There was no law that required foremen to have a supervisor's license. But then, he looked at it from the worker's perspective, and realized that there really was not anything funny about the employee's concerns. "Did you know that here in California a foreman does not need a license?" he began. As far as the grower knew, there was no state that required a license, but he wanted to make sure that the employee did not lose face or feel foolish. "What you say is important, maybe foremen *should* be required to have a license, just like farm labor contractors," he added in an effort to further validate the employee. "Tell me," the grower eventually asked, "are you willing to work for me now?" "I just don't know," the worker spoke now much more calmly, but was shaking his head somewhat.

**So, what happened?**

*Part V.* The grower felt his own options narrowing, and was about to tell the crew worker that he was fired. The grower was amazed when he heard himself asking, "Would you like some time to think about it? You had asked for time off during the Thanksgiving weekend." The crew worker agreed to think about it and seemed satisfied.

**So, what happened?**

*Resolution.* The grower knew that despite his own calm, there was still something wrong. When the employee returned a few days later, the employee once again seemed agitated, and blurted out: "You do not have work for me!" The grower once again assured the employee that there was work for him. Finally, the worker clarified, "You see, now I cannot collect Unemployment Insurance!" The worker had wanted to be fired, so he could collect Unemployment Insurance.

to leave the toilet seat down. In others, the polite thing is to leave it up so it can stay clean. In some Hispanic subcultures it is rude for a man to greet the wife of a friend with a kiss on the cheek; in others, it is rude not to.

While we want to make every effort to be polite, it is best to avoid being judgmental about other people's behavior. At one ranch, one of the partners tended to assume that the other two partners were talking about him when he saw them conversing. This is called negative attribution. It is all too easy to incorrectly interpret another person's innocent behavior and assume the worst. Contention breeds mistrust. It is good *not to be easily provoked*, especially when no offense was intended.

Some years ago I was asked to talk to a group of young adults. I noticed that as I spoke, a young man would lean toward the young lady beside him and whisper. I found this to be very distracting. I feel very strongly that only one person should speak at a time, and so it was that every time he began to talk, I stopped. When I stopped, he stopped, and so it went. I later found out he was interpreting for a foreign visitor. On another occasion, I attended a meeting where my supervisor was pointing out some problems. I began to defend myself. "We were not talking about you," the supervisor said calmly. It is embarrassing to run at "the sound of a shaken leaf" when no one pursues. It is good to avoid assumptions or becoming defensive.

An effective tool, instead of assuming the worst when we do not know how to interpret something, is to describe what happened and let the other person explain. Such a description should avoid inferences as to why someone did something. We will often find out there was a good reason for what took place, or at least give each party the opportunity to explain her perspective.

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## CONTROL EMOTIONS

Our emotions get in the way of effective negotiations regularly. Nothing

kills creativity quicker than anger, pride, embarrassment, envy, greed, or other strong negative emotion. Anger is often an expression of fear, or lack of confidence in our ability to get what we think we want. Emotional outbursts tend to escalate rather than solve a conflict. If we can improve our ability to manage our emotions and respond without getting defensive, we have gone a long way toward creative negotiation. A friend once said, "When we permit negative emotions, such as anger, to take control of us, this is a sure sign we are about to step into a trap."<sup>4</sup>

It is extremely difficult to hide our emotions, especially when we feel there is much in the balance. Our body language, particularly our facial gestures and voice tonal qualities, often give us away. We are not emotionless robots, nor is it advantageous to completely hide our emotions. However, it is better to *describe* our negative emotions (e.g., a feeling of disappointment) rather than to *show* them.

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## UNDERSTAND TIME PRESSURES

Deadlines are often self-imposed. How often do we feel obligated to respond right away when facing a difficult situation? People can ask for a little more time to study out a matter, or to accomplish a task. Do not be afraid to ask, "This is a tough one, can you give me until 3 p.m. tomorrow to get back to you?" Or, "It is now 7:15 a.m., and I am tied up for the next two hours. If I call you between 10 and 10:30 a.m., will that work for you?" This type of detail only takes a few minutes longer to negotiate.

"I will call you back as soon as I can," on the other hand, leaves much to be desired. As a recipient of that message we may wonder, does that mean I will receive a call in the next half hour, two hours, or week? Although not intended as such, this may well come across as an avoidance tactic. To be credible, then, it is important to agree on a specific time wherein we will get back to a person. We also need to be

specific about exactly what it is that we have agreed to accomplish.

If we can build a little cushion for the unexpected, that is helpful. Most people do not mind having to wait a little longer if they know what the real situation is. Armed with such knowledge, each individual can plan her own time more effectively, rather than wait for another person who may or may not come through.

If a deadline seems hard to meet, ask to re-negotiate an extension before the due date. An effective negotiator will ask the other party to suggest or take a role in establishing a deadline, rather than arbitrarily impose one. Furthermore, it is good to give others the time they need to make a decision with which they are comfortable. To do what we say we will do, and do so in a timely fashion, builds trust. People who can be counted to follow through with what they say they will do are invaluable.

## BREAK DOWN BIGGER ISSUES INTO SMALLER ONES

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An effective negotiator is constantly looking for ways to break down challenges into smaller, more easily solvable issues. For instance, if a farm foreman is resisting the introduction of an electronic gadget to help keep track of each crew member's performance, it helps to talk it over, and find out specific concerns. There may be some apprehension about (1) the reliability of the system, (2) setup time, or even (3) staying on top of production data right in the field. Each of these concerns can be addressed separately.

## SEPARATE PROBLEMS FROM SELF-WORTH

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Without a doubt, the worst type of intermixing of issues is that of combining some problem that is

*If a deadline seems hard to meet, ask to re-negotiate an extension before the due date.*

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Jack Kelly Clark

important to us with our own self-worth. It is ineffective and manipulative, for instance, to imply that disagreement with our idea is equivalent with a vote of no-confidence against us. Such an approach will sooner or later result in our feeling rejected.

A member of a dairy's corporate board made the mistake of suggesting that a vote against the incentive pay program she was suggesting for the milkers was equivalent to a vote against her. After the meeting, she confronted a member of the board who voted against the proposal as it presently stood. She was fortunate that this individual was willing to stand up to such pressure. He explained that as long as he was a member of the board he would vote for what was best for the dairy. And furthermore, the board member told the founder that he did not appreciate being pushed into doing anything short of voting his conscience. The board member apologized.

### AVOID THREATS AND MANIPULATIVE TACTICS

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Threats also reduce our negotiating ability. Such threats may entail a directed consequence—towards ourselves or someone else. Any type of threat can greatly undermine our long-term negotiating ability. This is even more so when an individual does not follow through. Threats do not engender trust or liking.

*Focusing on the problem rather than the solution may sound counter intuitive, yet it is one of the keys to effective negotiation.*

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Even inconsequential threats can be annoying. At a family game, one player repeatedly threatened to quit. After a half dozen threats, his mother told him, "The first time you threatened, I was concerned; by the last threat, I was just ready for you to quit and let the rest of us enjoy the game."

Sometimes we may not realize that sharing some of our discouragement may come across as a threat. People in deep-seated interpersonal organizational conflict, more often than not, are seriously contemplating bailing out of the organization. Yet, these individuals have seldom told others at the farm that they are contemplating withdrawal. And that is good!

One farm manager who had threatened those around him with comments about leaving the operation, began to quickly lose the support of others around him. The respect that this individual so much wanted from his colleagues began to vanish, and even his loyalty to the farm enterprise was questioned.

While people often feel a great need to share their feelings with someone who can be supportive, we need to choose such a person with care. If the individual always agrees with us and validates our perspective, such a person may not be doing us a favor. People who feel validated elsewhere may put less effort into improving a failing relationship. A positive relationship is one in which the listener can help us identify where we may have contributed to the problem. We all need people who can help us see the *blind* spots in our personalities and behaviors.

### FOCUS ON THE PROBLEM RATHER THAN THE SOLUTION

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The suggestion of focusing on the problem rather than the solution may sound counter intuitive. Yet, for a number of reasons, it is one of the keys to effective negotiation. The more complex the situation, the more important this principle. When someone comes with the solution, even when that solution is a good one, it gives the other

## SCENARIO 18-5

## Poor Quality Pack

A greenhouse manager has had terrible results this year in terms of tomatoes being picked outside of the acceptable color range. He asked both the assistant production manager and the foreman to work on the difficulty. The foreman insisted that the problem was caused by the incentive pay program. In his opinion workers were paying little interest to quality issues, as there was no negative consequence for poor quality. The assistant manager,

on the other hand, felt that a return to hourly pay would greatly reduce productivity. Plus, she remembers that last year, when workers were paid by the hour, they still had problems with quality.

Who are all the possible individuals that can be affected by this challenge? Do they have any common needs? What might these be? Are there some hidden challenges here? How could we be sure that the correct problem was understood?

stakeholder the feeling of not having any control. Research has shown<sup>5</sup> that people often prefer an outcome that is not as beneficial, yet one where they sense greater control over possible outcomes.

Even if a stakeholder has gone out of his way to find a fair solution for all involved, when such a solution is presented as firm, it tends to put other stakeholders on the defensive. In one such case, a rancher who was presented with such a stance (i.e., given the solution) felt coerced to do all the compromising. What this stakeholder did not realize until later is that the solution being presented was already a huge concession and compromise on the part of the other stakeholder who presented it. The timing and approach had been ineffective, however.

An individual with an excellent idea needs to wait until the predicament that has brought everyone together has been carefully discussed and until the needs of all the stakeholders are understood. Only then can the solution be presented, and this needs to be done in a very tentative fashion. “Would such and such an idea meet your needs, or can we play with the concept and twist it a bit so it does?”

Where there is an emotionally charged atmosphere, or when there is much riding in terms of consequences for individual stakeholders, this approach may make a difference between success and failure. An effective negotiating technique, then, is

to come to the bargaining table with the idea of studying the problem and individual needs, rather than imposing a solution.

This approach of coming right out with a fair solution, but doing away with all the bargaining, is known to most of us as the “take it or leave it” tactic. In collective bargaining, it is called *Boulwarism*, named after former General Electric Vice President Lemuel R. Boulware. What management would do was to propose a final offer to the union right up front. Management went out of their way to study all the facts that could pertain to the contract, and to make it fair for all involved, “trying to do right voluntarily.” They refused to budge from their position, however, unless any “new facts” of sufficient strength were presented. Such an approach was highly resented by the union, which felt undermined. Two “new facts” played key roles against Boulwarism: (1) the practice was found to some degree, to constitute bad-faith bargaining by the National Labor Relations Board and the courts; and (2) the union also made a very strong point against the tactic through a successful strike.<sup>6</sup>

When we are the ones being presented with a possible solution, it is good to be slow to find fault. If someone’s proposal is quickly followed by our counterproposal, the other individual is likely to feel slighted. Two key reasons for avoiding quick counterproposals include (1) the other



*In traditional negotiations we are inclined to focus exclusively on our needs and assume it is the other stakeholder's responsibility to worry about having her needs met. Yet, by showing a sincere interest in meeting the needs of others we increase the chances of having our needs met.*

stakeholder is least receptive to hear another proposal after setting hers on the table, and (2) such counteroffers are often perceived as disagreement, or an affront to "face."<sup>7</sup>

At the very least, then, efforts should be made to let the other stakeholders feel that their proposal is being taken seriously and has been understood. If a counterproposal builds on the other stakeholder's proposal, and credit is so given, then the chances for negative feelings are further curtailed.

### TRY FOR INTEREST-BASED SOLUTIONS

In traditional negotiations (i.e., focused on competition, yielding or

compromise), we are inclined to focus exclusively on our needs and assume it is the other stakeholder's responsibility to worry about having her needs met. Yet, by showing a sincere interest in the needs of others we increase the chances of having our needs met. While talking about our needs may have been considered a selfish thing in traditional negotiation, in creative negotiation it is not selfish by definition, as it is not only our needs that are being considered, but also the needs of the other stakeholders.

We frequently fail to explore beyond the obvious solution—like the sisters who split the orange in half. It helps to validate the other stakeholder's needs as a starting point in exploring creative solutions and as a way to reduce negative emotion. "Hmm ... you need to get home by four today. Let's think of how we can do that and get the animals fed, too." Integrative negotiation seeks to carefully understand the true nature of the problem, and genuinely attempt, where it is possible, to provide solutions that meet the respective needs of all who are affected.

In recent years there have been some very positive developments in the field of negotiation, including union-management relations. The past has offered a frequently adversarial, turbulent and sometimes violent approach to collective bargaining and labor union-management relations. These positive changes, which have in no way been universally adopted, have come about as a result of an interest-based negotiation approach. Union representatives are becoming more conscious of the need to increase the competitiveness of unionized employers, while further enhancing job security and quality of life for all employees. Employers under a union contract are more likely to work with, rather than against, the union to meet both worker and organizational needs. I have had the opportunity to watch representatives of union and management sitting side-by-side and enthusiastically reporting success after success with the interest-based approach.

At the core of creative negotiation is the idea that it is possible for everyone



to get more of what they need by working together. The foundation of effective problem solving is understanding the problem. Otherwise, it is all too easy to build solutions on a false foundation. After such understanding, creative negotiation involves looking for the hidden opportunities presented by challenges.

Having said all this, it is not easy to be *creative*. It takes work. The following five-step process has been suggested to get the creative juices flowing: (1) actively consider all alternatives, (2) digest and rearrange the data, and (3) set the challenge aside and wait. Wait for what? ... for a (4) sudden flash of inspiration, which needs to be (5) rigorously tested.<sup>8</sup> These steps are important, as they recognize the importance of looking at a challenge from all angles, studying out a problem, and then putting it aside for a time. Sometimes steps one through three may need to be repeated several times until that inspiration comes.

As we practice creative negotiation, faith in our ability to turn challenges into opportunities will increase. This self-confidence will help us focus on problem solving and reduce the chances of falling back on contention, negative emotion or competitive negotiation.

## ADMIT ERROR AND APOLOGIZE

---

We mentioned earlier that strong negative emotion can lead us into psychological traps. So can overinvestment in an idea. If the foundation is wrong, we may have to undo all our work and begin from scratch. Depending how far into a project we are, this can be quite painful and expensive. We have to first recognize that we *have been wrong* before we can *make things right*.

If we notice that the concrete foundation to the dairy barn we are building is faulty, we can close our eyes and continue construction only at our own peril. As painful as it may seem now, the sooner we recognize our error and make the necessary expenditures to

break up and remove the concrete so we can start over, the better off we are.

Sometimes we may feel over-invested in terms of an idea. It may be as hard to admit we were wrong as it was to break up that concrete. People who are willing to admit a mistake are more likely to be considered trustworthy. A proper apology is extremely powerful. So is sharing a goal we have in terms of a new approach to dealing with issues. If we have been extremely critical in the past, it helps to let people know we will be working to improve that negative trait.

To be genuine, an apology must not come across as a justification for what we have done wrong. A true apology is also accompanied with an offer to make restitution when that is possible. Furthermore, a sincere apology implies a willingness to make the appropriate changes commensurate with what we have done wrong. When it is warranted, I like the idea of asking a person to whom I am apologizing, "Will you accept my apology?"

When someone expresses regret but makes no effort to change, this is hardly an apology. As powerful as an apology can be, when someone takes back that apology by word or deed, this puts such an individual in a position of greater disadvantage than if she had expressed no regrets at all. Such is the situation, for instance, in many cases of domestic violence (physical or verbal). It is not uncommon for a man to be contrite after beating his wife today. But by tomorrow he has begun to minimize the damage, and not long thereafter is striking her again.

A person who is willing to accept an apology and forgive another is, likewise, in a better position than one who is not. It is also hard to trust a person who will not acknowledge an apology. An individual who has truly forgiven another does not continually remind the other of that fact. Some comments and deeds are so hurtful in their nature, however, that it may take extensive time before a person can truly feel free of the associated pain.

## SCENARIO 18-6

## Disagreement Over the Radio

Two milkers had a disagreement over which radio station to listen to. “I don’t know,” one of them sighed as he lifted his hands in disappointment, “just choose whichever station you want.”

## So, what happened?

*Resolution.* The one milker accepted the defeat of the other and began to walk towards the radio. But before the milker arrived to where the radio was located at the other side of the parlor, his co-worker protested, “That’s just not right, why should you get your way.” Their negotiation process had to begin anew.

*Avoid attributing negative emotions to another person, such as “You are angry.” Instead, just describe the emotion in more neutral ways, and with some degree of tentativeness, allowing the other stakeholder to either validate these feelings, or offer their own explanation.*

## REJECT WEAK SOLUTIONS

In traditional negotiation, as soon as we get close enough to the solution we want, we are often prone to accept someone’s yielding their will to ours. While at times the motivation on our part may be selfish, in others we may truly believe that our solution will best serve all involved. Then again, earlier we said that (1) it was difficult for true

caring to co-exist with frequent giving in; and (2) jumping to solutions before the problem is carefully understood often yields weak solutions.

Sometimes people will yield or pretend to yield out of frustration over the situation. By accepting their yielding, we have reduced our direct and indirect negotiation power. Instead, we not only get better solutions when we make sure the other person is



Jack Kelly Clark

## SIDEBAR 18-1

## Not so Fast!

Benie and Jennifer Matsuda were making some joint succession plans for their farm operation. They came to an agreement, but Benie noticed that his wife had only agreed hesitantly. Rather than just accepting Jennifer's agreement and moving on with his own plans, Benie said, "I notice that you are not totally pleased with our decision. It is really important to me that this is right and that you are as happy with this decision as I am."

Jennifer said she was OK with the decision, but Benie still sensed otherwise. Benie had the perfect

opportunity to move forward and do things the way he wanted to, but hesitated again. "I still sense there is something you are feeling, perhaps difficult to put into words, but nevertheless something important that makes you hesitate." Jennifer answered, "Actually, I think you may be right." She agreed to think over the matter some more. That night they had another chance to converse at length, and Jennifer was able to better articulate a fear she had. As a result they were able to make some small but important adjustments that left them both satisfied. Moreover, Jennifer was able to further build her trust in her husband because he had honored her feelings, thoughts, and opinions.

*Making quick decisions can often deprive us of arriving at more effective, long lasting solutions.*

completely satisfied with the solution, but we gain trust in their eyes and can thus improve our negotiation strength.

We may often sense that another person is giving in, rather than agreeing that the solution that has been suggested is, indeed, the best possible alternative. If you read emotion or strength of conviction in another stakeholder (or the very opposite), you may want to step back and consider together what unmet needs may exist still and work toward finding a solution that takes these into consideration.

## BE TENTATIVE ABOUT READING PEOPLE'S FEELINGS

Attributions should be neutral or tentative, such as "I sense there is something wrong here." Avoid attributing negative emotions to another person, such as "You are angry." Nor should one ascribe a reason along an attribution, "You must be hurt because we switched to 3x milking." Instead, just describe the emotion in more neutral ways, and with some degree of tentativeness, allowing the other stakeholder to either validate these feelings, or offer their own explanation: "I sense that something is still not right in our agreement, but I am not sure if I am reading that correctly."



Jack Kelly Clark

## SUMMARY

This whole book has, in one way or another, been on the subject of negotiation. Each of us negotiates our way through life. While there are no easy answers that will fit every negotiation need, there are some important principles that will help us become more effective. Effective negotiation skills call for careful understanding of the issues involved, ability to break down big issues into smaller ones, caring about the needs of others as well as our own, and focusing first on the problem rather than the solution, to name a few.

Creative negotiation at first seems different enough from how we may have reacted to challenges in the past that reading a chapter and a book, such as this one, only begins to plant some ideas in our minds. Some of the approaches may seem mechanical at first. I like to keep these thoughts alive from day to day by reading good books or listening to audio tapes. Furthermore, I tend to analyze human interaction. There is much to be learned from both interpersonal success and failure.

There are many excellent books available on the topics of negotiation skills, listening skills, conflict management, interpersonal communications, and so on. Try your local library, and you may find some real treasures. After I read a book or listen to a tape, I like to note the most important things I have learned from each. You may want to do the same, keeping special notes on the outcomes of your negotiations.

As I grow older, *doing right* has become more important to me than *being right* (in the sense of winning). There is a great amount of satisfaction in being able to give the *soft answer* (“A soft answer turneth away wrath”<sup>9</sup>). This is a journey that one embarks in, the challenge of which is so difficult, that one can never truly say, “I have arrived there.” May your own excursion be filled with satisfaction and hope.

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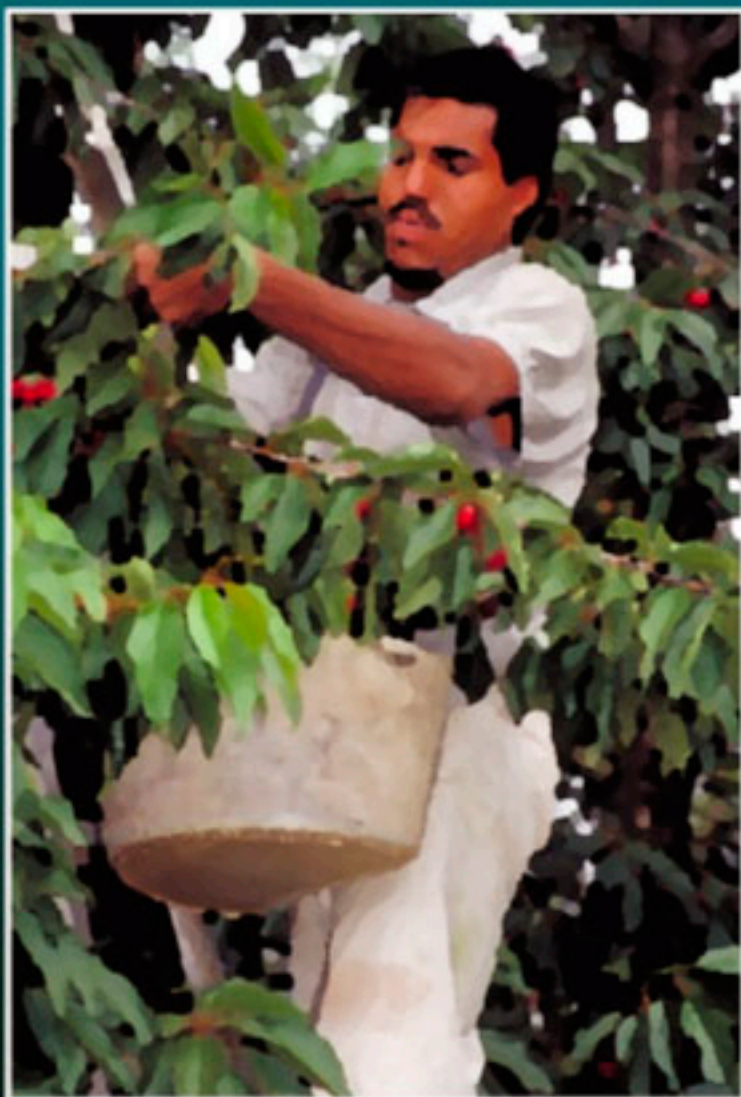
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# LABOR MANAGEMENT IN *Agriculture*

CULTIVATING PERSONNEL  
PRODUCTIVITY



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