

NEGOTIATING IN A CONTEXT OF ECONOMIC CRISIS

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The research on negotiation in the last 50 years has only considered that negotiation occurs in a stable economic environment. This paper analyses negotiation in changing contexts with a focus on two aspects: first, we examine the psychological processes affecting negotiation in a changing environment, whether one of prosperity or economic crisis; second, we study collective bargaining, focusing on the role of union representatives in a context of economic crisis. The first line of research is highly experimental; the second is applied and based on field studies using interviews and focus groups.

Keywords: Negotiation, Economic crisis, Collective bargaining.

La investigación realizada sobre negociación en los últimos 50 años solo ha considerado como esquema de investigación la negociación en un contexto económico estable. En este trabajo se analiza la negociación en contextos cambiantes, con dos vertientes, en la primera se estudian los procesos psicológicos que afectan a la negociación en un contexto cambiante, bien de bonanza o bien de crisis económica, en la segunda se estudia la negociación colectiva, profundizando en el papel de los representantes sindicales en un contexto de crisis económica. La primera línea de investigación es eminentemente experimental, la segunda es aplicada y basada en estudios de campo mediante entrevistas y grupos de discusión.

Palabras clave: Negociación, Crisis económica, Negociación colectiva.

Throughout history we find alternating cycles of periods of growth, with constant increases in production and the financial health of nations, and periods of economic crisis such as the one we have been experiencing in recent years, with declines in production, businesses closures and mass redundancies. However, the research on negotiation in the last 50 years has only considered as a research framework negotiation in a stable economic environment, which allows increasing gains for both parties. In fact, the classic paradigm of integrative and distributive bargaining may have limitations in a context of economic crisis. Some researchers have criticized the fact that negotiators under this paradigm are individuals with no history and no future (Carnevale & Pruitt, 1992). To help alleviate this shortcoming, we have developed a line of research that attempts to understand negotiations in changing contexts. This research has two parts; the first part examines the psychological processes affecting negotiating in a changing context, whether a boom or an economic crisis; in the second part, collective bargaining is studied, exploring in greater depth the role of union representatives. The first line of research is highly experimental; the second is applied and based on field studies using interviews and focus groups.

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1. Negotiating in contexts of gains or losses

Circumstances often change in recurrent negotiations; things can go right or wrong for the parties in commercial transactions and the amount of resources available for negotiation can vary from time. For example, in an existing business relationship between a supplier and its customer, if sales improve, earnings can grow for both the client and supplier. Conversely, if sales become worse each day, the gains for both may decrease over time. The economic context can be analyzed as a sequence of improvement or worsening of the individual results, so negotiators may perceive these contexts as situations in which to share more or to claim more (Loewenstein & Prelec, 1993). This interpretation of the changing circumstances will be based on the motivation that the parties have at all times, specifically the interest that negotiators have regarding their own results and the results of the other party. As research paradigms, we talk about increasing gains when negotiators have more resources available during the series of negotiation, stable gains when negotiators have the same resources available, and declining gains (losses or crisis), when the available resources decrease during the series of negotiations.

One thousand and two hundred people participated in the set of experiments conducted in this line of research: undergraduates and postgraduates, masters students in human resources, MBA and industrial relations from the Universities of Seville and Pablo de Olavide as well as professional negotiators from the Andalusian Council of Industrial Relations, the Offices of Transfer of Research Results (OTRIs), Spanish universities and the Andalusian Institute of Public Administration (IAAP). Studies using scenarios and real face-to-face negotiations were alternated.



A multi-method approach was used to test the hypotheses: the role of sequences in the processes and results of negotiation was explored using scenario studies, computer-mediated and face-to-face negotiations. In the case of the scenarios, participants received materials in which they were asked to imagine themselves as owners of a bar who periodically negotiates a number of products with a supplier in five recurring negotiations. The gains and losses achieved in the five negotiations were presented in graphs. Participants were instructed on the task and they performed it in approximately 30 minutes. In the case of face-to-face negotiations, the experiments consisted of a session in which five negotiations were conducted. Participants were randomly placed in pairs, and randomly designated to be sellers or buyers. The negotiating dyads remained unchanged throughout the experiment and were in turn randomly assigned to one of the conditions of the study. To manipulate the sequences, the amount of disposable earnings was controlled in every negotiation. In the increasing condition the maximum joint gains available were 260 points in the first negotiation, 520 in the second, 1040 points in the third, 2080 in the fourth and 4160 in the fifth. On the other hand, in the declining condition, together the participants could win 4160, 2080, 1040, 520 and 260 respectively in the five negotiations. The participants negotiated until an agreement was reached on all three issues, and then they continued with the next negotiation until completing all five negotiations. The participants kept a record of each of the five agreements and the number of points they earned in their results matrix. At the end of the exercise they completed a short questionnaire to check the experimental manipulation. Finally, the purpose of the exercise explained was explained, and participants were thanked for their participation.

The effects of changing circumstances on the perception and outcomes of negotiation depend not only on the order in which those results are presented (increasing or decreasing) but also on what the parties want to achieve in the series of negotiations, i.e. their motivation. In the next section we define the concepts of motivation and social comparison and describe their impact on negotiations in changing circumstances.

SOCIAL MOTIVES AND SOCIAL COMPARISON

People differ in the value they place on the distribution of results between themselves and their opponent, which is the social motivation. People with prosocial motivation prefer egalitarian outcomes and try to maximize the mutual benefits; similarly, egoistic people (pro-self) try to maximize their own personal outcomes (Messick & McClintock, 1968). The social motivation affects both the behavior of the negotiators, and the perception and valuation of the situations they face (Beersma & De Dreu, 2005; Munduate & Medina, 2009). The social motivation affects how people process the information (De Dreu, Beersma, Stroebe & Euwema, 2006). Individuals with a

prosocial orientation recall better the chances of obtaining a high shared gain, whereas individuals with an egoistic orientation recall better the chances for obtaining a high individual gain, both in negotiation situations and the prisoner's dilemma (De Dreu & Boles, 1998). Prosocial people understand negotiation as a cooperative affair, whereas egoistic people see it as negative and competitive (Beersma, Hollenbeck, Humphrey, Moon, Conlon & Ilgen, 2003; De Dreu & Boles, 1998).

The valuation regarding whether an outcome is beneficial or not to the parties involved in a negotiation sequence may depend on the social motives. These motives involve an appraisal of the results obtained by the self and by the adversary; prosocial people observe their own results and those of others, aiming for the differences to be minimal, whereas egoistic people only look at the results they obtain for themselves (De Dreu, Weingart & Kwon, 2000).

In single shot negotiations it has been observed that negotiators with prosocial motivation achieve better joint results and greater satisfaction and trust in the negotiation. On the other hand, the negotiators with an egoistic motivation obtain worse joint outcomes and lower levels of satisfaction and trust (Weingart, Benett & Brett, 1993).

Following the guidelines established in the literature on social motives (e.g., De Dreu et al., 2006) in the studies that have been carried out, the social motives were manipulated using monetary rewards; in the egoistic condition the participants were informed that the individual that obtained the highest gain in the negotiation would get a sum of money (10 euros), and in the prosocial condition they were told that the couple that obtained the highest gains would win 20 euros.

To test how the mechanisms of social comparison affect the results and the relationships between the negotiators, three experiments were performed. In the first social comparison study, the participants evaluated two possible scenarios that each present sequences of five negotiations, one of which has rising earnings and the other showing a decrease in profits, depending on the condition. Also in the scenarios the direction of the upward or downward comparison was manipulated giving advantage to one of the parties. In the second study the effects were tested of increasing and decreasing sequences, motivation and social comparison, on the results, the relationships and the trust between the parties in a series of five integrative face-to-face negotiations. Finally, in the third study of social comparison, five computer-mediated negotiations were conducted in ascending and descending sequences, manipulating the social comparison and the motivation of the negotiators.

Following the theory of social comparison, it is suggested that in situations of negotiation when one party has an advantage over the other, for example in this case the seller, if the buyer chooses the seller as an object of comparison, the buyer would continue the process of upward comparison. In this case, the



affective dimension resulting from the comparison would depend on whether the buyer sees the seller's results as part of her own results (prosocial motivation) or as the cause of her poor performance (egoistic motivation). Therefore, the perception of shared interests created by a prosocial motive would generate better relations than the perception of conflicting interests generated by egoistic motivation. It is expected that this process is different for buyers (disadvantage) and sellers (advantage).

HOW DO NEGOTIATIONS THAT ARE REPEATED OVER TIME AFFECT THE AGREEMENTS REACHED BY THE PARTIES?

The research that has been carried out has found that integrative agreements reached in previous negotiations lead to integrative agreements in future negotiations. The contexts of growing gains improve the quality of the agreements and the satisfaction with them, even though the amount of available resources in both situations is the same (Ramírez-Marín, Steinel & Medina, 2009, 2011). There are different explanations for these findings. Firstly, in contexts of gains and not losses, the negotiators acquire greater perspective on the priorities and needs of the adversary (Moran & Ritov, 2006); greater trust (Ramírez-Marín et al., 2011a) and greater experience (Steinel et al., 2009).

Social motives. Secondly, our research has shown that the valuation of an outcome as beneficial or detrimental to the parties involved in a serial negotiation depends on the rule used by reviewers to interpret the sequences of results. In the five single shot negotiations, the negotiators evaluate the results in terms of focus for which they are aiming. Thus, the same agreement can be considered very negative if the negotiator's focus is on his highest aspirations, and it can be considered positive if his focus is on the point of resistance (Galinsky, Mussweiler & Husted-Medvec, 2002). An interesting finding from this series of investigations is the conclusion that, in serial negotiations, these preferences are determined by the personal characteristics of the negotiators, specifically their social motivation. Thus, people with prosocial motivation prefer egalitarian outcomes and try to maximize the mutual benefits; similarly, egoistic people (pro-self) try to maximize their own personal outcomes (Messick & McClintock, 1968). There is previous evidence showing that social motivation affects both the behavior of the negotiators, and the perception and valuation of the situations they face (Beersma, De Dreu & Ten Velden, 2005; Munduate & Medina, 2009). It also affects the way people process information (De Dreu, Beersma, Stroebe & Euwema, 2006).

Thus, we have shown that when the circumstances in a serial negotiation are improving gradually, and are objectively more beneficial than sequences that are worsening, both prosocial people and egoistic people evaluate them as positive and they

are perceived as gains, having a positive effect on both the negotiation results and the personal relationships. Similarly, when the circumstances in a serial negotiation gradually get worse, prosocial people understand the situation as detrimental to both parties, so the results are not adversely affected. By contrast, egoistic people, consider the declining circumstances as losses for themselves, negatively affecting the results and the relationships between the parties (Ramírez-Marín et al., 2011a, 2011b).

A new finding is that negotiators process serial negotiations differently depending on their social motives. As such, prosocial people consider negotiations with rising gains to be fairer whereas egoistic people consider decreasing gains to be fairer (Ramírez-Marín et al., 2011a, 2011b). Similarly, and paradoxically, prosocial people demand more value than egoistic people when they are at a disadvantage (Ramírez-Marín et al., 2011a, 2011b).

Social comparison. In addition, negotiators also evaluate how good they deem a sequential bargaining agreement to be, based on the social comparison process that is generated from the results (Ramírez Marín et al., 2011a). In the case of repeated negotiations, there are two possible sources of comparison: the intrapersonal and interpersonal. The first relates to what individuals are able to obtain progressively in a series of negotiations; it may be a sequence of increasing or decreasing results. The second refers to the negotiator's own results in comparison with the results of the counterparty (Thompson, 2012). Individuals perform, to a greater extent, comparisons between the benefits obtained for themselves and those obtained by the other party, so that lower joint outcomes are valued better if their own gains and the adversary's gains are equal, whereas higher joint outcomes are rated worse if the individual gains are not balanced (Ramírez Marín, 2011).

In short, the main recurring findings from this series of investigations are: a) increasing sequences outperform decreasing ones both in the quality of the agreements reached and in the social capital resulting from the negotiation, b) prosocial and egoistic people process the serial negotiations differently, c) the most interesting findings appear when the negotiators are in a disadvantageous situation. In this case, prosocial people perceive the increasing sequences to be fairer while egoistic people perceive the decreasing sequences to be fairer. As we have found in this series of studies, crisis situations, or constant losses in the amount of resources available for negotiation, have important research potential: they cause prosocial people to behave contrary to expectations, claiming more value than egoistic people, they are perceived as fair by egoistic people, and they have much less potential in the quality of the agreements than the contexts of increasing gains, even when the resources available are the same.

¹ Throughout this article we shall alternate between the use of the female and male pronouns.

2. The workers' representative as a key figure in the social dialogue: her behavior in organizational conflict

The European Commission promotes cooperative labor relations and constructive social dialogue to limit the negative consequences of the crisis currently affecting European countries (European Commission, 2010). In particular, Spain is one of the member countries of the European Union most affected by this crisis (Carballo-Cruz, 2011; Ortega & Penalosa, 2012). The main socioeconomic consequence of this crisis is reflected in the rise in the unemployment rate, which is over 25% (it was less than 10% in 2006) (National Institute of Statistics, INE, 2013). In this dramatic situation, two questions arise: How do the social partners behave in the social dialogue? What factors influence this behavior? To answer these questions the INDRHO research group has focused on analyzing the national, organizational and individual factors that influence the social partners' behavior as a way of achieving a constructive social dialogue and cooperative labor relations. These analyses were carried out taking into account the perspective of the workers' representatives (WR). The analyses are currently being performed from the perspective of senior management, but we cannot yet provide data on this second part.

These studies are part of the European project New European Industrial Relations (NEIRE), in which INDRHO has participated since 2009. This research project, funded by the European Commission (ref. VS/2012/0416 and VS/2010/0376) and the Government of Spain (PSI2008/00503 and PSI 2011/29256), has as its main objective the improvement of the quality of social dialogue in Europe as a tool for innovation. We analyzed how workers' representatives and senior managers act and negotiate in their role as social partners. We believe that the industrial relations system of the country and its culture are closely related to the behavior of the social partners. Therefore, in order to analyze the cultural differences, we have created an academic consortium with partners from 11 European countries: Belgium, Denmark, Estonia, France, Germany, Italy, Poland, Portugal, Spain, Netherlands and the UK. As a result of this cooperation the results obtained have been published in a text: [Munduate, L., Euwema, M., & Elgoibar, P. (ed.) (2012). Ten steps for empowering employee representatives in the new European industrial relations. Madrid: McGraw-Hill].

ANALYZING THE PERSPECTIVE OF WORKERS' REPRESENTATIVES

In organizations, the WRs play an essential role in the social dialogue, representing the workers in negotiations, organizational conflicts and decision-making processes with the senior management (Munduate, Euwema & Elgoibar, 2012). The resolution of organizational conflicts and the agreements reached depend largely on the WRs' ability to manage these conflicts (Martínez Lucio,). Despite the importance of the figure of the WR, there are hardly any empirical studies or

psychological theories that focus on the behaviors displayed by the WRs. To begin, we will explain the role of the WRs and their main challenges in greater detail. Subsequently, we go on to describe their behavior and some cultural, organizational and individual factors related to this.

The WRs are employees of the company, who at the same time have a full time or part time representational role (Conchon, 2011). They represent their peers in the various organizational conflicts and decision-making processes with senior management (Gold, 2011). In Europe, the main tasks of representation arise from: a) disciplinary matters; b) the works council; c) the collective agreement; d) other workplace agreements (Conchon, 2011). The WRs in Europe are faced with the challenge of adapting their role to the new, changing working conditions that are occurring -largely- due to globalization and decentralization (Alonso & Martínez Lucio, 2006; Euwema, Munduate, & Elgoibar, 2012; Gold, Kluge, & Conchon, 2010; Martínez Lucio, 2006; Visser, 2010).

The globalization process is creating greater competition among companies, creating pressure to reduce labor costs, which affects workers (Keune, 2008). This competition, in turn, increases the tendency towards the decentralization of collective agreements from the company level to the sector level, in order to increase the adaptation to the new working conditions to meet the demand (OECD, 2006; Visser, 2010). Due to the increase in negotiations at the organizational level, the WRs play a major role on negotiating tables (García Serrano, 2009; Martínez Lucio & Weston, 2007; Plasman, Rusinek, & Rycx, 2007). Their ability to negotiate new organizational arrangements is fundamental in defending the interests of workers, especially in the current crisis climate (Rocha, 2010). While in the past the unions were responsible for the negotiations at national and sector levels, and they made agreements affecting the entire sector, now these agreements only provide minimum conditions. Within the framework agreed at national and sector level, the WRs have a responsibility to negotiate agreements that will improve these minimum conditions. Therefore, we can say that success in negotiations at the organizational level depends largely on the skills of WRs to manage these negotiations (Alonso & Martínez Lucio, 2006; Nauta & Janson, 2012).

Another important contribution of the WRs in the new industrial relations lies in bringing to the table new ideas to improve the organization, since often they are the closest to the product or service (Bacon & Blyton, 1999; European Commission, 2010; Stuart & Martínez Lucio, 2002). Consequently, WRs can contribute to improving organizational productivity (European Commission, 2011). Additionally, WRs have the opportunity not only to understand the problems of their peers but to influence their attitudes and viewpoints (Batstone, Boraston, & Frenken, 1977; Buttigieg, Deery & Iverson, 2008). This puts WRs as spokespersons in material and cultural interests, which influences the social climate of the company and therefore the labor relations (Miguelez, 1995).

THE BEHAVIOR OF WRs AND ITS ANTECEDENTS

The results of five empirical studies that have been carried out using data collected from 2,394 WRs in Spain, Belgium, Denmark, Germany, and the Netherlands are presented in this section. In the first study, we analyzed the pattern of behavior of WRs in the five countries, and we analyzed its relationship with the industrial relations climate in the country. In the second study, we examined the influence of trust in senior management on the behavior of WRs in Spain. In the third, the relationship between union support and conflict behavior of the Spanish WR. The fourth study focused on the commitment of the WR to the company and the union, known as dual commitment, in Spain and Germany. We analyzed the relationship between dual commitment and the cooperative relationship between the WRs and the management. In our last study, we analyzed gender differences in perceived social support and conflict behavior in women and men WRs in Spain and the Netherlands, as well as social support as an antecedent of behavior (Elgoibar, 2013).

The conflict behavior of the workers representatives. Conflict is a person's reaction to the perception that one's aspirations and those of the other party cannot be achieved simultaneously (Deutsch, 1973; Munduate, Ganaza, Peiró & Euwema, 1999; Rubin, Pruitt, & Kim, 1994; Van de Vliert, 1997). To study the WRs' conflict behavior we followed the theory of conglomerate conflict behavior (CCB) (Van de Vliert, Euwema & Huismans, 1995). CCB theory defines conflict behavior as a simultaneous or sequential cluster of behaviors (Euwema & Van Emmerik, 2007; Medina & Benítez, 2011; Munduate et al., 1999). The main reason that people combine different behavior arises from the fact that conflicts involve mixed interests (Euwema, Van de Vliert & Bakker, 2003; Euwema & Van Emmerik, 2007). The validity of CCB theory has been confirmed in different countries; however, it has not been studied in a sample of WRs (Medina & Benítez, 2011; Munduate, Ganaza, Peiró & Euwema, 1999; Van de Vliert, Nauta, Giebels, & Janssen, 1999). The results show that WRs combine styles of integration and forcing when faced with organizational conflicts, there being two predominant styles: a style with a tendency to compete (greater use of forcing) and another style with a tendency towards cooperation (greater use of integration). This result confirms that in practice these styles may occur simultaneously or sequentially, validating the CCB theory (Van de Vliert et al., 1995). One explanation for this result is related to the role of WRs. The WRs have an interest in resolving conflicts constructively with the senior management of the company and at the same time they have the responsibility to defend the workers' interests. To this end, WRs use both behaviors sequentially or simultaneously. Previous studies have concluded that this combination contributes to the effectiveness of the behavior (Van de Vliert, Nauta, Euwema, & Janssen, 1997).

The relevance of the cultural context in the conflict behavior of WRs. As confirmed in previous studies, the cultural context in which the conflict occurs leads the parties to use more competitive or more cooperative behaviors (Alper, Tjosvold & Law, 2000; Deutsch, 2006). Thus, in the results of this study, we can see that in countries with more cooperative industrial relations (such as Belgium, Denmark, Germany and the Netherlands) the WRs tend to use more cooperative conflict styles. By contrast, in countries with more competitive industrial relations (Spain), the WRs tend to use styles that include a high level of domination and integration.

Employee trust and the conflict behavior of WRs. In this study we analyzed the level of trust that the employees have in the management as an antecedent to the behavior of WRs. Previous studies examining the relationship between trust and conflict describe how a low level of trust between the parties is associated with more competitive behavior (Hempel, Zhang & Tjosvold, 2009; Kimmel, Pruitt, Magenau, Goldband & Carnevale, 1980). Further to this literature, our study adds that also agents such as WRs use a more competitive behavior if they perceive little trust in senior management on the part of the employees. In the case of Spain, the results show that the perception of low trust in the senior management conditions greater use of domination behavior in the WRs. One explanation for this result is related to the climate of competitive relations between the two parties - workers and management. In Spain, the WRs do not want to be seen as "allies of the enemies" and so, if they perceive a climate of workers' low trust in the senior management, they cease to cooperate with the management.

Union support as an antecedent of conflict behavior. This study concludes that the perception of union support by the WRs is associated with their conflict behavior. The perception of union support in Spanish WRs shows a positive relationship with dominance and integration behaviors. This result helps us to reflect on the influence of trade unions in organizations. Thus it follows that the role played by unions in the training of the WRs is essential to the skillfulness of the WRs. And this skillfulness leads to the use of assertive behavior during conflict, i.e., forcing and integration. This conclusion is particularly useful for unions because they can understand the impact of their support on their WRs and therefore concentrate on offering quality training as this favors the effectiveness of WRs in organizational conflicts.

The dual commitment of WRs and cooperative labor relations. Dual commitment (to the company and the union) has been linked to the industrial relations climate, with the conclusion drawn that cooperative relations between management and unions favor the dual commitment of unionist workers (Angle & Perry, 1986; Gordon & Ladd, 1990; Magenau, Martin & Peterson, 1998). Here we have studied the relationship between the dual commitment of WRs and cooperative relations between management and the WRs in



Spain and Germany. Our study confirms the phenomenon of dual commitment in WRs in both countries, showing that the WRs' commitment to the company and the union are positively related. Employers often fear that workers that are active in the unions, such as WRs, are not interested in the welfare of the organization. This result shows that the WRs are committed to both the company and the union.

However, the difference between the two countries lies in the different combinations of the dual commitment. Whereas in Germany, a greater commitment to the union (than the company) promotes more cooperative relationships with management, in Spain, it appears that a greater commitment to the union (than to the company) impairs this cooperation.

The gender of WRs and their conflict behavior. Finally, we studied the influence of gender on the WRs' perception of social support and their conflict behavior in Spain and the Netherlands. The result shows that gender inequality still exists between WRs in Spain, whereas it does not occur in the Netherlands. Specifically, women WRs in Spain perceive less social support from peers than men WRs. Furthermore, our study indicates that perceived social support is negatively related to servile behavior in the case of women WRs in Spain. As agents, the perception of peer support affects their behavior and empowerment, and, as women in a traditionally male context, this support is particularly needed.

In addition, our study adds to the previous research on gender differences in conflict behavior, in that men and women WRs do not differ in their use of servile behavior. We can therefore say that women WRs generally do not yield more than men WRs, contradicting traditional stereotypes.

Management and workers are interdependent according to the European principles of social dialogue. Recognizing and promoting this interdependence is an essential challenge if we are to achieve more cooperative employee relations. In times of crisis and faced with a dramatic increase in unemployment, it is particularly difficult to maintain this goal. Through these studies, we consider that there are two key points on which the management and WRs should work together: a) including the interests of the workers in the process of decision-making; and b) building trust between the parties. The lack of trust between the parties may cause an authoritarian atmosphere in organizations, hampering the social dialogue (Euwema, Munduate & Elgoibar, 2012).

The social dialogue and innovation require efforts by the management and the workers, represented by the WRs. This is why we are currently carrying out this study from the perspective of management, specifically analyzing their expectations and experiences with the WRs as social partners. We consider it essential for both sides to understand each other and, likewise, to understand the benefits of a constructive relationship and the use of social dialogue as a key tool for social innovation (Euwema, Munduate & Elgoibar, 2012).

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