

Alternatives



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TO THE HIGH COST OF LITIGATION

DIGEST

ADR SYSTEMS DESIGN

How a federal agency, with tens of thousands of employees and the nation's security in its mission, remade its conflict resolution processes into a full-fledged decision-making and management system. The U.S. Transportation Security Administration's **Deborah A. Katz** is interviewed by New York conflict resolution consultant **Judith Cohen** in the first of two parts. **Page 81**

CPR NEWS

A roundup report on eight CPR Institute committees; details on the Master Mediator online, for CLE credit; and the lowdown on next month's kickoff event for the CPR Institute's new YADR Group, which will bring attorneys 45 and younger together for ADR networking events. **Page 82**

INTERNATIONAL ADR

Mauro Rubino-Sammartano, of Milan, Italy, discusses European alternatives to arbitration that have proven effective in resolving commercial disputes in a variety of forums. **Page 83**

LABOR ADR

Last month's U.S. Supreme Court decision in *14 Penn Plaza LLC v. Pyett* may signal a big change in the skills needed by labor arbitrators, according to **Christopher Walsh**, of Newark, N.J. He analyzes the case and tells readers what to expect as a result of Justice Clarence Thomas's majority opinion. **Page 85**

ADR BRIEF

The federal judge overseeing the litigation brought by family members of Sept. 11 victims, as well as injured survivors, has closed the book on nearly all the cases. He cited mediation efforts by New York attorney **Sheila L. Birnbaum** that settled 72 of the 95 outstanding matters. Birnbaum discusses her special master assignment, and the emotion-packed mediation sessions. **Page 92**

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INTERNATIONAL INSTITUTE FOR CONFLICT PREVENTION & RESOLUTION

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Why Programs Are No Longer Enough: An Interview on Collaborating at the U.S. TSA

The nation's transportation security stewards are giving new meaning to conflict management and resolution as an element of organizational risk management that includes but goes far beyond managing the risks of litigation.

The U.S. Transportation Security Administration, established in the wake of the Sept. 11 terrorist attacks, puts more than 40,000 security officers, along with inspectors and air marshals, into the nation's transportation systems to protect travel and commerce. The Aviation and Transportation Security Act, creating the agency, passed in November 2001, and provided three major mandates, according to its website:

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• PART I OF II •

- the responsibility for security for all modes of transportation;
- a mission to recruit, assess, hire, train, and deploy security officers for 450 commercial airports in U.S. states and territories within a one-year period, and,
- provide 100 percent screening of all checked luggage for explosives by the end of 2002.

In the first of two parts of an exclusive interview, **Deborah A. Katz**, the TSA's Director of the Office of Collaborative Strategies, describes how the government agency is institutionalizing ADR principles and practices as an integral component of its approach to risk management and organizational effectiveness.

The lessons learned are transferable to organizations of all sizes, stripes, and sectors looking to take a comprehensive approach to building an organization with capacity to consider differing views and constructively manage conflict in all its forms.

The full name of the TSA system Katz discusses is the Integrated Conflict Management System, or ICMS. The Model Workplace Program Office, within the TSA's Office of Collaborative Strategies, is tasked with fostering and sustaining "the creative efforts across the country to tackle workplace and operational issues by using ICMS principles, cooperative problem solving practices, and processes that are fair, inclusive and transparent."

Katz is interviewed by **Judith Cohen**, a veteran New York conflict resolution specialist who is executive director of Access Resources, an ADR consulting firm. Part I this month details the TSA system's evolution, focusing on the current status of this conflict management system, which has continued to grow in prominence and begun to produce results. Next month, Katz and Cohen discuss the private sector application touched on here.

Judith Cohen: *What was the business case for an Integrated Conflict Management System at the U.S. Transportation Security Administration?*

Deborah A. Katz: Litigation costs are al-

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TSA's Systems Design

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ways a factor, but in 2003, when we began building our Integrated Conflict Management System, there were more pressing factors. Given the agency's responsibility for U.S. transportation system security, the TSA had compelling reasons to manage risk on many levels by creating an environment in which ideas, issues and concerns can be raised, discussed and addressed. We also needed to knit together this new, diverse, far-flung organization. An ICMS would lay the foundation we needed for high levels of employee engagement, good collaboration, productive relationships and robust dialogue. It is still very much a work in progress, but much has been accomplished.

How is an ICMS different from a traditional dispute resolution system?

The short answer is that a dispute resolution system is a subset of an ICMS. The larger ICMS focus is on cultural norms and everyday practices that go to the heart of how people treat each other, manage their differences, solve problems, and make decisions.

Dispute resolution systems can have an impact on organizational culture. What does an ICMS do that a dispute resolution system doesn't?

A dispute resolution system consists of the processes that are put in place to enable conflicts that escalate into disputes to be addressed and, when possible, resolved. It should include both interest-based and rights-based options. An ICMS includes a dispute resolution system but also takes a systems approach to providing skills, tools and organizational support that enable both the individual and the organization to manage differences so they don't escalate into disputes that must be resolved through intervention.

An ICMS reaches the kinds of conflicts that undermine the organization's effectiveness, but cannot be addressed through any dispute resolution system. It also shifts attitudes about conflict by stressing that it is inevitable and by encouraging the surfacing of issues, ideas, and concerns. The focus is on managing rather than elimi-

nating conflict. The system assumes that not all conflict can or should be resolved. Moreover, a key tenet of the ICMS is that differences that are managed effectively can be a source of innovation, perspective, and vitality for the organization.

How did you come into the Transportation Security Administration picture?

I came to the TSA's Office of Chief Counsel in April 2002, when the agency was being established. I was in charge of a staff providing internal advice on employment. We were hiring about 55,000 employees at more than 400 sites. Once we met the statutory Dec. 31, 2002, deadline for federalizing the U.S. screening workforce, I was asked by the then-chief support systems officer, Gale Rossides, to form the Model Workplace Office to focus on agency culture.

What is your background?

I began my legal career at the National Labor Relations Board. I then became chief counsel to the chairman of the U.S. Occupational Safety and Health Review Commission. During my tenure at the commission, I began mediating cases pro bono. After the commission, I went to the U.S. Equal Opportunity Employment Commission, where I served as a national coordinator of the mediation program for private sector cases. Moving on, I became Director of Employee and Labor Relations, also at the EEOC, seeing life from a "client" perspective rather than as counsel, before leaving for the Transportation Security Administration.

How did your past experience lead you to the idea of establishing the Integrated Conflict Management System at TSA?

After 25 years of working within organizations, I had a pretty good idea of what makes them dysfunctional. I had seen how conflict and the lack of effective collaboration can undermine decision-making. Some of the worst conflict—spoken or unspoken—occurs in meetings. It results in apparent agreement without real agreement, pocket vetoes and decisions that are not supported or understood and, as a consequence, are poorly implemented.

As a labor and employment lawyer, I

had also seen firsthand the distraction, discord and drain on resources caused by hierarchical conflict and by the phenomenon of the dysfunctional work group. While an ICMS instills personal responsibility for raising issues, effective communication, collaboration, and problem solving, it also provides skills and tools and an environment that supports using them.

In what ways does an ICMS instill personal responsibility? How does that affect the bottom line?

One of the ICMS assumptions is that when differences or conflicts are getting in the way of our work—whether directly or indirectly—then we expect employees to recognize what is going on and raise concerns. If they are on the receiving end, we expect them to respond respectfully and constructively. We have included a deeper understanding of conflict in our training, built around what we call the "Four R's" of conflict management—Recognize, Respond with respect, Resolve or manage, and Reflect. The concept is being built into performance expectations, promotions, rewards and recognition, and internal appraisal and assessment processes.

The impact on the bottom line is that interpersonal issues don't fester and organizational issues and concerns are aired, considered, and, as appropriate, addressed. The organization is better able to manage risk. The different perspectives that emerge during open dialogue support continuing innovation. Employees are more engaged in problem solving, and more confident that they are valued by the organization.

Most of us know what makes up a dispute resolution system. How would you describe the make-up of an ICMS?

Our systems approach has three components: skills, structure, and support.

- "Skills" includes providing basic communication and cooperative, interest-based problem-solving skills to all, and more sophisticated cooperative problem-solving skills as needed for job responsibilities (e.g., different and more skills are required for supervisors and managers). "Practitioner" skills—such as conflict coaching, facilitation, (continued on next page)

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- and mediation—are provided to some employees in order to increase conflict competency within the workforce, and to allow the agency to offer more conflict management services internally.
- “Structure” consists of practices and processes that enable issues, whether personal or organizational, to be raised and addressed. It ranges from informal methods (e.g., conflict coaching) to a variety of individual and group interest-based options to—at the other end of the spectrum—rights-based appeal processes. All TSA sites are required to have confidential and anonymous options, as well as group options, such as councils, standing committees, and ad hoc work groups. Structure is built both locally and nationally. The key is not just enabling issues to be raised but also ensuring that issues are routed and receive a response.
 - “Support” includes everything that creates an environment that encourages people to raise issues, whether they are hierarchical, between peers, within groups or between groups. This requires setting and continually assessing the system against goals and objectives, and establishing safeguards. It also requires leadership that sets an example, manages in a manner that reinforces ICMS practices and principles, and actively ensures that employees are free from retaliation for using the system.

Most important is the “I” in ICMS: integration. Over time, policies and daily practices must be aligned with ICMS principles and competencies which must, in turn, be built into hiring, performance expectations, rewards, and recognition. ICMS implementation and outcomes need to be measured in internal audits and assessments.

Do you think that the same components would be used in a corporate environment?

Any organization's ICMS would need the basic components of skills, structure and support, however they are formulated and named. Within that framework there is tremendous room for innovation on the national and organizational unit level through a collaborative design process.

We see this innovation in our knowledge management system. Local ICMS practices are submitted by sites and vetted by their peers, measured against ICMS goals and outcomes. Practices that meet these criteria are made available to all sites in a searchable database.

The difference between rights-based and interest-based disputes and options has become blurred. For example, employment mediations often involve interpersonal issues; reso-

Design and Deliver

The issue: Establishing smooth organizational decision-making processes while keeping the nation's transport systems safe and secure.

The problem: Training tens of thousands of employees, post-9/11 security demands, and new and unfamiliar systems all add up to a very big task for a federal government agency.

The solution: An Integrated Conflict Management System that encourages employees to Recognize, Respond, Resolve, and Reflect.

lutions may include agreements that would not be ordered by a judge. It seems that the agency's ICMS has gone beyond traditional dispute resolution systems, which, in the early days—say, 10 years ago—were simply a group of processes, such as mediation and arbitration. It seems like you're taking a kind of organizational development “whole workplace” systems approach.

That's why we call it a conflict management system rather than a dispute resolution system, and why we use a broad definition of conflict: “Differences that cause concern.” What we are doing is really at the nexus of many different disciplines

bearing on management and systems theory, leadership approaches, organizational development, industrial psychology, and conflict management.

Conflict management competency is such a hot issue now. How do these performance expectations of managers affect businesses' bottom line?

Conflict management competency means an organizational shift away from rewarding managers with the fewest “overt” conflicts and away from directing most of the internal conflict resources toward resolving hierarchical (e.g., labor-management or employee-supervisor) disputes. The move to conflict management competency means a move to managing the full range of conflicts that affect an organization. Treating differences as normal and demystifying conflict takes away the stigma. It replaces the blame game with personal responsibility—which may make some managers uncomfortable.

For example, the last thing a field director wants is to hear about a local problem for the first time only after an employee has raised it to someone at headquarters. Or, worse, to hear about it from the inspector general, the press, or a congressman. I often say to executives and managers, “You have a choice. You can be the first to know or the last to know what is going on in your organization. It depends on whether you have created an environment in which issues and concerns can be raised with confidence that they will be received respectfully and responsibly.”

Conflict competency enables the organization to, in effect, know what it knows. Conflict competent managers waste less time responding to litigation and promote the kind of trust, dialogue, collaboration, and engagement that help manage risk, surface the information necessary to make the best decisions, and foster high-performing work groups.

When you first began in your position, what was your idea of the direction you wanted to see the program go in? How is that different from where the program is now? Why the change?

In June 2003, we proposed the ICMS to TSA's executive leadership, who responded enthusiastically. Within a few months,

TSA leadership had changed, and we were transferred from the aegis of the Department of Transportation to the Department of Homeland Security.

We continued to have reorganizations, including leadership and mid-management changes. This is not atypical for a start-up, but we did finally abandon the conventional wisdom that culture must descend from the top. Instead, always with leadership support, we focused on our field locations and began by partnering with early adopters among our field leadership.

What's your view of sticking with a plan versus having flexibility to allow the program to develop organically?

I don't think there is a choice between being flexible and sticking rigidly to a plan if you want to succeed with implementing an ICMS.

There was a lot of pressure on us to, as one executive urged us, "buy something off the shelf"—just implement it nationwide rather than engage in a collaborative design process.

I believe, however, that the ICMS would have been short-lived had we just mapped it all out at headquarters and dictated. We had to meet TSA leadership and the rank and file alike where they were, and build buy-in. You really have to stick with "modeling the model" you are trying to create. That model must be collaborative, open to feedback, and inclusive.

Moreover, the iterative collaborative process has produced a startling amount of innovation, understanding, and a level of involvement by employees that we would not otherwise have been able to generate. I continue to be amazed by what emerges.

Can you outline the sequence of building the various ICMS components?

Although we had wonderful consultants including Jennifer Lynch [of Ottawa, Ontario, Canada, who is now chief commissioner of the Canadian Human Rights Commission], one of the original thinkers and pioneers in ICMS implementation, when we started we were not sure of the necessary progression. We held a design workshop with cross-functional teams from 11 airports that had volunteered to be pilot sites. They proposed a basic design including conflict management training

for all, conflict coaching training for some, a communication strategy, a plan for establishing a baseline and evaluating progress, and various options customized to local site needs. The optional programs and techniques included peer review panels to be used in the grievance process, local employees' councils and other work groups, and confidential "concern forms" to raise issues outside the chain of command.

As we expanded the ICMS to other sites, various internal communities of practice helped us to build on and improve the design. We realized, though, that something was missing from our approach. It wasn't enough to set out the ICMS components menu, and tell sites to pick from Column A and Column B. Two sites could, for example, conduct the same training or put the identical processes in place and get different results.

This led us to design an ICMS "Maturity Model" based loosely on the People Capability Maturity Model developed by Carnegie Mellon's Software Engineering Institute in partnership with the Defense Department. [See www.sei.cmu.edu/cmm-p/obtain.p-cmm.html.] Our model consists of five overall ICMS outcomes with a series of interim outcomes sequenced into five developmental levels.

To continue the menu metaphor, developing the ICMS Maturity Model forced us to define, in sequence, what each dish on the menu should look like at each step of preparation. For example, one of the five overall outcomes is employee engagement, which includes routine collaboration to address operational and workplace issues. Preliminarily, communication and cooperative problem-solving skills need to be introduced and used routinely, an environment that is perceived as "safe" needs to be built and effective processes need to be created. There are steps that must be taken toward each of these ends. The evolution of cultural norms and everyday behavior is a complex process rather than an event, and the ICMS Maturity Model is basically a road map with interim goals, landmarks, and directions.

Are sites required to meet Maturity Model outcomes? If so, how do they know what to do and whether they are achieving the desired results?

In February 2007, the ICMS was made mandatory at all field sites and all were

required to have achieved Level 2 of the Maturity Model by Sept. 30, 2008. One of our cross-functional working groups which, quite intentionally, included enthusiasts and contrarians, developed standards for Level 1 and Level 2 implementation. The standards articulate actions and observable milestones for each outcome. A standards manual provides background information, templates and self-assessment tools. The 135 largest airports have ICMS coordinators, and my office works with them intensely and continuously to build their skills and understanding so they can support local implementation.

Level 3, called "Managed and Routine," is really when a site moves from pockets of success to being able to establish more consistently that attitudes and behaviors have changed. The same standards working group is now engaged in the challenging work of developing Level 3 standards' requirements and measurements.

You mentioned outside consultants. What would you suggest as the role of outside experts in helping a corporation build its ICMS?

Initially, I had a very small staff and we relied heavily on outside consultants to help with design, planning, facilitating workshops, curriculum development and delivery, and evaluation. My staff has expanded to include conflict management subject-matter experts as well as a number of employees I have hired from TSA field operations, bringing a variety of invaluable pre-TSA backgrounds and field experience. Three of our newest employees are experienced airport ICMS coordinators who will be located across the country, providing us with a field presence and more visibility into local implementation efforts.

We still use outside consultants as facilitators and trainers and as conflict management practitioners though our need for these specialists is diminishing as we continue to develop capacity within TSA in these areas. We also use outside experts for specific needs.

For example, we have awarded a contract to a team at a university to do a full-blown third-party evaluation of TSA's ICMS. I would imagine that outside experts would play similar roles for corporations depending on what expertise exists in-house, and how much of a need there

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is for the imprimatur of someone outside the organization.

How has TSA built the program across the organization?

Each of the 135 largest airports now has an "ICMS Coordinator" who also serves smaller affiliated airports, so that all airports are covered. They are responsible for ICMS implementation and maintenance. We do a lot to develop these coordinators so they can act as internal consultants, champions, and facilitators in the implementation process, and share best practices and support each other. Coordinators, along with other committed and talented individuals who stepped forward as we reached out to new sites, have coalesced into various working groups and practice communities that help us reach out to other sites, do training and facilitate meetings and workshops. They help us with continuing design and development.

For competency development, we now have a number of focused interactive classes in addition to the basic class required for all. We provide facilitation skills and an understanding of group process to some employees at each site.

In addition, ICMS skills are being integrated into our career progression and leadership training and even into the security-focused training for the checkpoints. All of the classes are interactive and experiential. They are developed in collaboration with outside subject matter experts, together with TSA employees from the airports, so that we ultimately get a good product that is meaningful and practical for our employees.

For structure, the standards require all sites to have, at a minimum, an employee council, a confidential avenue to raise concerns and an anonymous avenue. A peer review option in discipline and grievance cases is being expanded across the country. The number of sites with conflict coaching programs also is being expanded.

Clearly, you've developed a view of the competencies you're looking for in employees and managers. Presumably, they would be held accountable for demonstrating these competencies. Have you put a method in place

to assess supervisors' performance of these competencies? What steps are in place for employees and managers who do not achieve the competency levels?

As noted, at Level 3 of the Maturity Model, which is where most sites are heading right now, ICMS skills should be showing up more and more consistently in everyday behavior. Accordingly, we are presently working with the headquarters offices that are responsible for drafting performance plans and managing performance to build in the appropriate requirements and to make sure the right questions are asked. Last spring, we met with all the field directors at their quarterly conferences, and got good feedback about what should go in their performance plans and how they would observe and measure these behaviors among their subordinates. We are also looking at ways to regularly measure levels of employee engagement at each site.

We have all seen instances where executives and managers have had to be removed because of "people" problems that are either created by their own management style or their failure to create and enforce appropriate expectations of their subordinates. We hope to make those situations less likely to happen as these competencies are built into hiring, promotions and performance management.

It really is amazing how much you've put into place. Of course, there are growing pains as you learn through experience where you need to go back and do some "fixes." Last year's audit by the Department of Homeland Security's Inspector General [Transportation Security Administration's Efforts to Proactively Address Employee Concerns, OIG-08-62 (May 2008) (available at www.dhs.gov/xoig/assets/mgmt/rpts/OIG_08-62_May08.pdf)] describes obstacles to assuring that all these pieces are in place. The report points out an ironic unintended consequence of the ICMS's success: In those locations where it's not fully operational, employees actually might be disenchanted with the program if it doesn't yet offer what it's supposed to.

The audit only looked at eight airports out of more than 400, and chose them because the level of complaints from those airports, going to entities outside of TSA, had brought them to the Inspector General's attention. It drew sweeping conclu-

sions based on those eight airports. The report concluded that we are doing a good thing, but we need to do more. We need to enhance communication about it to employees, and we need to do more to standardize implementation and to make sites accountable.

The audit also notes the obvious—as our objectives have not yet been fully achieved at all sites, we may have raised expectations that are not being met.

In the TSA's written response to the TSA Inspector General, we agreed that more needed to be done to ensure consistent implementation and results. We noted that most of the Inspector General's recommended actions already were underway.

As noted, we are doing a lot to generate consistent, realistic outcomes across the board. Given that building an ICMS, with its focus on culture and practice, is a process and not an event, there are bound to be those who are impatient with progress.

The good news is that we are impatient too and are moving forward as aggressively as we can toward full implementation and accountability.

One of the audit's ironies was that rather than look at everything TSA is doing with rights-based and interest-based processes, the inspector general confined its audit to what we are doing to enable employees to raise issues proactively. In that respect, it evaluated us against our own ambitious objectives, rather than against other agencies' programs. There are few, if any, other agencies that I am aware of that have undertaken similar initiatives that are comparable in scope and ambition.

I suggest that *Alternatives* readers interested in the audit read both the report, and the agency response that is appended to it. [See link above.]

Do you believe that a corporation would face similar problems? Or do you think the problems are unique to the federal sector? Is it inevitable in a program's roll-out that the pieces might not all be in place and employees may become disenchanted? What are ways to guard against this or to address it?

It is a journey. There will always be those wanting to know "Are we there yet?" That's completely understandable. I think it can be managed to a degree through transparency. Had we had the ICMS Maturity Model at the outset, we would have

been able to communicate better about the journey and what employees should expect along the way. There was a steep learning curve, however, as we embarked on our singular path and our field experience had to inform the model's development.

What does an organization like TSA have in common with a private sector corporation when it comes to conflict management?

There is actually more similarity between TSA and the private sector than you would think.

First, the statute that created TSA determined that our front-line employees would not be covered by most of the statutory processes and protections that apply to federal employees. Although we have created internal rights-based appeal options with due process, and provided for external review of discrimination and whistleblower allegations, the skill, ability and reliability of these employees' performance is continually evaluated against security requirements.

In some respects, their employment terms and conditions are similar to many private-sector employees, whose job performance is linked to tenure and advancement. Additionally, given our responsibility for providing security in the transportation system, we have a huge need, as do most corporations, to manage risk by enabling issues and concerns to be raised and addressed as swiftly and as close to the origin as possible.

How would a corporate entity use performance expectations that include conflict competency in its risk management efforts?

In order for issues and concerns to be routinely raised and worked out, voicing contrary views has to be not only acceptable but encouraged. Hiring the right people, and enforcing expectations that executives and managers create an environment that is respectful and open to new or unwelcome ideas, is critical to any organization's risk management efforts. Examine virtually any catastrophic organizational failure, and you will almost always find that at least one person in the organization had doubts or concerns that could have averted disaster.

It seems that transparency is a part of this as well: sharing reasons for decisions with

the people who are affected by them. As we know from procedural justice studies, people who have a voice are more likely to accept outcomes they disagree with. In the employment context, involving employees in making decisions that affect them and sharing the reasons for unpleasant decisions leads to a more engaged workforce. Do you think this element of voice and transparency might be easier to achieve in a corporation than in a government bureaucracy? How might it contribute to the success of an ICMS?

Engagement, cooperative problem solving and transparency are all ICMS core principles. They are not optional. Both corporations and government have incentives for not sharing information. We have learned at TSA, however, that even in government, we can be a lot more transparent in decision making than we thought. It almost always turns out to be a net positive to engage those affected in the process and to be as open as possible about the whys and wherefores of a decision.

We have two tools that reinforce this practice. First, our employees developed a FIT test for sound decisions. FIT stands for "fair, inclusive, and transparent." It is beginning to enter the TSA vernacular. Additionally, our advanced training includes the "Cooperative Problem Solving (CPS) Wheel," a graphic based on Harvard Law School Profs. Roger Fisher and William Ury's circle chart guiding individuals and groups through interest-based problem solving. [See, generally, "Getting to Yes." (Penguin).] The CPS Wheel starts by prompting identification of those with an interest in the problem to be solved or the decision being made, and then walks participants through uncovering their interests, brainstorming, and so forth. Our training stresses that engaging stakeholders, including employees, provides invaluable information and ideas and serves an educational purpose for all concerned.

What challenges did and do you face that you think are unique to any new organization and to TSA in particular? In what ways did these factors contribute to your success?

One thing that characterizes a startup is constant change, including significant organizational and personnel changes. We also are at the vortex of the country's debate

about homeland security and continue to evolve very much in the public eye.

This initially made it difficult for the ICMS to get traction and to become a priority amidst so much else competing for attention. On the other hand, the pain that was the result of so much change provided an opening that we seized. The dynamic nature of the organization created an environment in which people are more receptive to new ideas and new ways of operating.

A startup lacks an entrenched culture, so we were charting a new path without having to collectively "unlearn" old ways. Nevertheless, we still needed to blend divergent expectations about organizational culture.

For example, many in our leadership and management ranks came from branches of law enforcement or the military in which the chain of command is considered to be not only the operating structure for exercising authority, but also the exclusive channel for vertical communication. Creating an ICMS with multiple local and national options for raising issues and concerns, including some that are confidential or anonymous has been, in some quarters, a tough sell.

But once the ICMS and its standards became mandated nationwide in 2007, the discipline and passionate commitment to mission our managers brought with them helped propel implementation. We are building internal incentives and disincentives to prevent overt or subtle reprisal against employees who use options outside the chain. Yet we are also building skills and incentives enabling conversations to take place within the chain and collaboration to take place across functional lines. This is a big part of the integration efforts that are underway now.

Next month: The down economy is an opportunity for saving costs by taking a systems approach to conflict management. Deborah Katz and Judy Cohen review how the principles and strategy behind the U.S. Transportation Security Administration's Integrated Conflict Management System can be adopted by private companies in Part II of their discussion. ■

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