# Core Competencies AND Jail Leadership

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## MANAGE LABOR RELATIONS



**What skills, knowledge, and abilities do jail leaders need in order to be credible and** successful? Beginning with the July/August 2015 issue of *American Jails*, we are exploring the 22 core competencies as identified by jail administrators across the country. Welcome to the 15th installment on core competencies and jail leadership.

In this issue of *American Jails,* we take a closer look at the core competency identified as "manage labor relations" and recommend several valuable resources related to leadership.

## Core Competency: Manage Labor Relations

**Description:** Work collaboratively with unions/employee organizations and effectively manage collective bargaining agreements.

**Rationale:** Clear communication, well-defined regulations, and consistent application of rules are integral to good management in any work environment—and with collective bargaining agreements, they are even more essential. *Even if a jail does not have a unionized workforce, managing employee issues, grievances, and concerns is a critical competency of the leader.* These efforts include understanding the collective bargaining process, the related laws, and the implementation of bargaining agreements in order to promote effective personnel management and positive labor/management relationships.

**Knowledge of:**
- Laws governing labor relations, administrative regulations, and the jail's collective bargaining agreements.
- Collective bargaining process and strategies to address workforce issues.
- Issues and concerns of the jail's workforce and the characteristics of a healthy workplace.
- Local political environment relative to the jail's workforce.

**Skills to:**
- Interpret and understand legal documents and rules governing human resource management.
- Analyze the impact of bargaining agreements and other workforce agreements.
- Negotiating with employees and their representatives regarding employees' issues and concerns.
- Collaborate to identify common-ground.
- Build supportive coalitions with the workforce.
- Use effective interpersonal communications to identify workplace issues.
- Engage in effective strategies to avoid confrontation.

- Mentor peers and subordinates regarding their role in maintaining a healthy workplace.
- Understand the local political environment.

**Abilities to:**
- Assess the motives and communications of others.
- Open and maintain lines of communication during stressful times.
- Understand long-term implications of workforce issues, employee grievances, and the needs of workforce.
- Be firm, fair, and consistent.
- Remain diplomatic.
- Demonstrate patience.
- Keep connected to the local political environment.

### Making Your Jail a Great Place to Work

A familiar lament among mid-managers and jail leaders is the struggle to establish and maintain a workplace where employees want to come to work, are excited about

## 22 Core Competencies for Jail Leaders

- Anticipate, analyze, and resolve organizational challenges and conflicts.

- Assure organizational accountability.

- Build and maintain positive relationships with external stakeholders.

- Build and maintain teamwork; mentor and coach others.

- Communicate effectively, internally and externally.

- Comprehend, obtain, and manage fiscal resources.

- Develop and maintain a positive organizational culture that promotes respect for diverse staff.

- Develop and sustain organizational vision/mission.

- Engage in strategic planning.

- Enhance self-awareness; maintain proactive professional commitment.

- Establish organizational authority, roles, and responsibilities.

- Leverage the role of the jail in the criminal justice system.

- Make sound decisions.

- Manage change.

- **Manage labor relations.**

- Manage power and influence.

- Manage time.

- Obtain and manage human resources.

- Oversee inmate and facility management.

- Oversee physical plant management.

- Reduce jail-related liability risks.

- Understand and manage emerging technology.

their job duties, and can contribute positively. These discussions too often focus on the *employees'* deficits and not on the *organization's* contributions to workplace challenges. This article examines what jail leaders must do to improve the workplace—and employee/management relations.

Anecdotally, jail leaders say that their employees are dissatisfied with their workplace—but how does a leader really know? As always, it depends on how the question is asked and by whom. Two reviews of employees' job satisfaction reveal what most leaders consider to be surprising information.

In 2009, self-reports by employees documented that 65% said their jail was either a good or great place to work, with 77% saying they would recommend their jail as a place to work (Stinchcomb, McCampbell, & Leip, 2009). When this data is discussed today with jail leaders, they scoff at the information—this could not be my jail they say.

In preparing this article, we surveyed graduates of the National Jail Leadership Command Academy (NJLCA) in 2017 to determine if their opinions of the conflict in their workplace were different from the 2009 data. In this smaller survey, 79% of respondents were positive about their workplace and thought that more than 60% of line staff would agree with them.

So, where is the disconnect? Many of those in leadership ranks believe that line staff are unhappy or discontent with their jobs—when in fact that may not be the case. But who stands up at roll call or during staff meetings and speaks positively about the organization when the internal culture's premium and expectations are to be critical and negative?

As usual, the answer most likely lies in the jail's internal culture. This "sky is falling" climate is often fertilized by first-line supervisors and mid-managers whose approach focuses on what is wrong versus

what is working. While the authors are not suggesting that the jail's environment be assessed as superficially upbeat, negative self-talk is self-fulfilling. What are the jail leader's contributions to the negative culture? A lot, we say. Whether your jail is highly unionized or has no collective bargaining process at all, the issues are similar: how to improve employee/management relations to better the organization and the community that the jail serves.

## What's the Status of Your Workplace?

It is sometimes difficult for jail leaders to accurately assess the climate and internal culture of their workplace. This may be because they are also a product of their own environment. Or perhaps because those reporting to the leader are rewarded for reporting the negative. What are the indicators for a workplace that has a breakdown of employee/management relations? While not meant to be an exhaustive list, examples include:

- Sustained employee grievances.
- Sick leave abuse.
- Significant employee resignations.
- Continuing employee workplace disputes.
- Inaccurate communications up and down the chain of command.
- Gossip.
- Absence of training.
- Uses of force against inmates.
- Employee on-the-job misconduct.
- Lack of a formal process to recognize and acknowledge employees.
- Absent leaders and mid-managers.
- Lack of community support for the jail.

A notable finding of the NJLCA survey is that 80% of respondents reported that there was *no* employee council (or similar group) who met regularly with leadership to identify and resolve employee issues—not a positive commentary on leadership/staff relations.

These and other similar indicators all fall under the leader's responsibility to accurately assess and address the negativity in their jails. When asked how effective are the communications from the leaders to the line staff, 70% of NJLCA survey respondents reported these communications are only somewhat effective, confused, or lacking in effectiveness. These are symptoms of larger challenges—just as "low employee morale" is a symptom of ineffective leadership.

## The Leader Needs to Know…

Workforce management is an essential competency for jail leaders. There is an affirmative responsibility for the leader to learn (among other things) the laws governing labor relations in the State/locality, administrative regulations, and the content and interpretations of collective bargaining agreements. This knowledge should not be gained second-hand (that is, hearing it from someone else), but must involve personal exploration.

Also critical is knowledge of the jail's workforce. What does a healthy workplace look like? What are the gaps between the current jail's employee/management relations and where the leadership team thinks it should be? There is always some level of disagreement and conflict in any workplace. But how much conflict is too much, especially if the mission of the jail is lost in the debating and arguing? Conflict resolution skills—whether to be used as part of a formal union negotiation process or an arbitration, or employed to dissect and resolve a dispute among shifts—are also essential.

## Employee/Management Relations—Principled Negotiation

Whether you are negotiating with an auto dealer for a personal new car or with the funding authority of your facility for higher staff salaries, what skills do you bring to the table? Negotiation, as discussed by Fisher and colleagues (2012) "…is a back-

## Table 1. Current Relationship Between Your Agency's Leadership and the Line Staff? (N=81)

| | Very Cordial | Get Along Most Days | Neutral— Not Good, Not Bad | Strained on Most Days | Not very Good |
|---|---|---|---|---|---|
| Respondent's opinion (NJLCA graduate) | 20% | 37% | 20% | 17% | 6% |
| Projected line staff's opinion | 12% | 23% | 36% | 17% | 10% |
| Projected leadership's opinion | 25% | 44% | 23% | 6% | 1% |

and-forth communication designed to reach an agreement when you and the other side have some interests that are shared and others that are opposed (as well as some that may simply be different)."

If you are involved in any negotiations including workplace dysfunction, using the strategies described by Fisher and colleagues, based on the Harvard Negotiation Project, is a good resource. The methods they describe include:

- separating the people from the problem.
- focusing on interests, not positions.
- inventing options for mutual gain.
- insisting on using objective criteria.

Fry and colleagues (2012) also explore how to negotiate if one side is more powerful than the other, if the other side refuses to negotiate, and if the other side is unscrupulous and uses "dirty tricks." Becoming proficient in this skillset will separate you from those who want to problem-solve, and those who just want to raise their voices and argue.

### Issues for Employee/Management Resolution

We ask again—what is the status of employee/management relations in your workplace? The NJLCA survey results provided ample material in response to this question—and from different organizational perspectives (see Table 1).

The perceived difference between how leadership and line staff view their mutual relations is interesting, but not necessarily surprising. The same data were found in the 2009 survey of line staff and jail leaders (Stinchcomb, McCampbell, & Leip, 2009).

The differences in these perceptions about the health of the workplace between leaders and line staff are what creates and fuels the challenges in employee/management relations. Because perceptions often shape the reality of those who hold them, how the jail's leadership—including first line supervisors—interacts with line staff contributes to both the good and the bad in the workplace. Often, leaders dismiss these differences as unimportant, or somehow blame the staff for the views they hold.

What's the status of issues such as these in your jail's workplace? How can you find out? Staff surveys are one way to gather this information, but require a well-thought outset of questions, staff involvement in the process, a neutral party to collect and analyze the incoming information, transparent communication about the results, and, most importantly, a firm commitment to addressing the findings—no matter how painful. Such techniques, often called "stay interviews," require a high level of trust among leaders and line staff.

### What Would Fix Employee/ Management Relations in Your Jail?

In the 2017 survey of NJLCA graduates, we asked: "What *one*

thing if implemented in your agency would improve leadership/line staff relations?" Their responses are most likely the same issues that your staff would identify if you asked. And few, if any, of the suggestions, require financial resources. Here are the responses.

**Leaders (top five responses)**
- More leadership and consistency of leadership.
- Listen to line staff.
- Visibility and transparency.
- Recognition/acknowledgment of employees.
- Employee input into decisions; employee feedback to leadership.

**Supervisors**
- Accountability for supervisors.
- Supervisors visible to line staff.
- More autonomy for staff.
- Stability of work assignments.

**Human Resources/Budget/Training (top six responses)**
- More staff hired; end mandatory overtime.
- Mentor program; mentor for promotions.
- More staff training; training for first line, and mid-management; executive development.
- Pay parity with road patrol.
- Transparency in promotions.
- Improving supervision selection process; improve promotional process; lateral movement process.

## Internal Agency Culture
- Improve internal culture; more focus on organizational improvement.
- Eliminate favoritism.

## Communication
- Improved communications, effective communication, open communication; more frequent communication; truthful communication; better communicating decisions; establishing an employee council.
- Staff surveys.
- Town hall meetings; round table discussions; quarterly meetings; open forums; monthly meetings.

These are compelling ideas, but not new information. Every leadership and management book available includes similar lists. Is this a message for you and your leadership team? What can you do about this?

## Current Mechanisms Used to Resolve Employee/Management Relationships
Respondents to the NJLCA survey were also asked: "What mechanisms are in place in your agency to identify and resolve employee issues with leadership?" The response:

- 76%—leadership's open-door policy.
- 53%—leader's communications to employees.
- 34%—shift meetings.
- 32%—suggestion boxes.
- 28%—agency-wide meetings regularly held with leadership.
- 18%—newsletter (electronic or paper).
- 15%—employee surveys or "stay interviews."

Taking a closer look at the survey, the top two mechanisms that scored considerably high amongst the responders were: "Leadership's open-door policy" and "Leader's communications to employees," scoring 76% and 53% respectively. The immediate question to ask is: If a high percentage of employees are engaged in open-door policies with management and leadership is communicating with employees, why do some agencies continue to experience little to no improvement between line staff and management relationships? In addition, why does the disconnect continue within the organization and its culture?

## The Disconnect
NJLCA graduates were asked what factors they thought could influence employee/management relationships. In examining the NJLCA survey, responses that scored 30% or higher are believed to be major issues for the differences in how management and line staff view their relationships. They include:

- transparency of leadership.
- employee input into decisions.
- quality of supervisors and mid-managers.
- agency internal culture and mentoring of employees.

Also deserving a mention are favoritism and visibility of leadership, scoring just under 30% at 29.63 and 28.75% (see Table 2).

Other areas that scored above 30% were related to economic issues; however, we are focusing on non-economic issues that require little to no money in order to positively impact management and employee relationships. Importantly, if major *non-economic* issues are not addressed, they can begin to have an economic impact due to employee turnover, absenteeism, sick-time, and time spent handling employee disciplinary actions and grievances.

Respondents to the NJLCA survey suggest organizations have trouble improving employee/management relations because the mechanisms that are in place focus more on management needs while consistency amongst leadership and engagement with staff are decreasing. What can organizations do to improve?

## Practical Tips to Improve Management/Employee Relationships
Some practical steps that may reduce the disconnect between management and employee relations begin with the involvement of collective bargaining units and employees' representatives in collaborative problem-solving. Labor relations are strong influential forces within organizations. They can aid in softening the conflicts by becoming an intermediary between line staff and management with the goal of peacefully coming together so all involved can resolve conflicts by opening the lines of communication. Here are some

Table 2. Major Issues as Reported by NJLCA Respondents

| Issue | Reported as Major Issues by NJLCA Respondents: |
|---|---|
| Mentoring of employees | 41.98% |
| Agency internal culture | 37.04% |
| Transparency of leadership | 35% |
| Quality of supervisors | 32.5% |
| Quality of mid-managers | 30.38% |
| Employee input into decisions | 30% |
| Favoritism | 29.63% |
| Visibility of leadership | 28.75% |

## Leader's Library

**Culture and Change Management, Using the APEX to Facilitate Organizational Change**
Nancy Cebula, Elizabeth Craig, Christopher Innes, Theresa Lantz, Tanya Rhone, and Tom Ward (2012, April)
U S. Department of Justice, Bureau of Prisons, National Institute of Corrections
*http://static.nicic.gov/Library/025300.pdf*

**Getting to Yes: Negotiating Agreement Without Giving In**
Roger Fisher, William L. Ury, and Bruce Patton (2011).
Penguin Books

**The Stay Interview: A Manager's Guide to Keeping the Best and Brightest**
Richard P. Finnegan (2015)
American Management Association

**The Corrections Learning Organization**
Michele Kiefer (2016)
U.S. Department of Justice, National Institute of Corrections
*https://s3.amazonaws.com/static.nicic.gov/Library/032739.pdf*

**The Future is Now: Recruiting, Retaining and Developing the 21st Century Jail Workforce**
Jeanne B. Stinchcomb, Susan W. McCampbell, and Leslie Leip (2009)
*www.cipp.org/futureisnow.html*

**FutureForce: A Guide to Building the 21st Century Community Corrections Workplace**
Jeanne B. Stinchcomb, Susan W. McCampbell, and Elizabeth P. Layman, (2006)
U.S. Department of Justice, National Institute of Corrections.
*http://nicic.org/Downloads/PDF/Library/021799.pdf*

practical tips to improve your management/employee relationship.

### 1. Regular Communications and Employee Input into Decisions

- Engage collective bargaining/union and employees' representatives in regular meetings to learn what line staff believe are the key areas for improvement. Develop positive relationships that foster non-adversarial approaches to communication, negotiation, and conflict resolution whether formal or non-formal. This is critical to improving and maintaining healthy relations between management and employees, including labor relations.

- Find an effective way to gain line staff input. Line staff are the primary stakeholders in the organization and are the best sources of information about job functions and finding improved ways to perform tasks. Have patience; it may require take time if the trust within the organization is not high.

- Conduct "staying interviews." Identify staff concerns and the reasons why employees stay:
  — Look at what your jail is doing right in the eyes of the line staff, as well as what management can do to improve.
  — Address issues one at a time. Prioritize and don't set an agenda you can't meet due to time and resources.

- Establish regularly scheduled meetings for opportunities for leadership to discuss issues directly with line staff and vice versa. Having written guidelines for these meetings help set expectations, define access, identify responsibilities (such as developing and distributing agendas), and monitor outcomes—assuring issues are moved forward. Keep and distribute minutes of these meetings.

### 2. Mentorship Program

- Develop a mentorship program that engages all employees. The website *www.leadingjails.com* provides a detailed format to establish a mentorship program, including separate manuals for the administrator, mentor, and mentee.

- Monitor your mentorship program. Establish benchmarks and a tracking system to learn if the program is effective (for example, identification of mentors and their training; identification of the elements to be mentored; identification of mentees and their orientation). Benchmarks can also include anonymous pre- and post-job satisfaction surveys and attrition data. Align your mentorship program with any CTO/FTO program.

- Establish the "each one teaches one" philosophy in your jail to create an environment where knowledge doesn't depart due to retirements or attrition.

> Leadership must regularly communicate plans, challenges, and issues that matter to employees.

**3. Management and Supervisory Skills**

- Increase supervisors' knowledge of organizational processes, how decisions are made, the role of external stakeholders and the funding authority, and the key components of decisions.

- Involve mid-managers and supervisors in:
  — developing long-range goals.
  — creating and balancing the budget.
  — participating in task forces to improve internal relationships.
  — initiating policy development.
  — operating the physical plant of the building.

**4. Agency's Internal Culture**

- Create an environment that doesn't value "shooting the messenger," respects those who have different ideas, and where employees feel comfortable talking with leadership while maintaining respect for the chain of command.

- Consider working to create a "learning organization"—a jail "that is continually expanding its capacity to create its own future"(Kiefer, 2016).

- Challenge all employees to communicate issues of concern, along with suggestions to resolve to the jail's leadership.

- Assure that not only do all staff know the jail's mission, vision and values, they are also working toward those goals together.

- Confront gossip. Don't allow your subordinates to engage in this destructive behavior.

- Don't micro-manage your subordinates. Set expectations, provide resources, and let staff do the job. Assure your mid-managers are not micro-managers.

**5. Transparency of Leadership**

- Line staff want to *see* and speak with their leaders in their facility, at their post, and on their shift. There is no substitute. Commit to a regular presence and demand the same of your subordinates. Listen to what staff have to say (no "fly-bys"), and don't forget the night shift.

- Leadership must regularly communicate plans, challenges, and issues that matter to employees. The methods of communication must be "generationally-relevant" thru the jail's intranet, and via appropriate social media.

**The Leader's Responsibility to Act**

If you and your leadership team are spending more of your time on employee/management issues than assuring the jail is reaching its mission and vision, then it is time for you and your team to drill down into what is happening in your jail. You need to gather accurate information, *and* then address the results. No doubt there are interactions with some employees—or the employees' bargaining unit—that are annoying at best and infuriating at worst. However, it is irresponsible as a leader not to try to find common ground and improve the culture. There are financial costs and internal agency costs of doing nothing or only acting to address symptoms (e.g., staff morale) and not the true quality and effectiveness of leadership. What will be your legacy? ■

**References**

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