

Teaching Note

Case Study: The Air Transport Crisis in Brazil: 2006 and 2007

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For the purpose of a workshop on public sector negotiations, the case should be analyzed in light of the following guiding questions:

What were the strategies adopted by the Brazilian authorities in their relations with air traffic controllers?

Could other more effective strategies have been adopted?

Was there coordination among the bureaucratic Brazilian spheres in the negotiation process with air traffic controllers?

What lessons can be drawn from this case as regards the process of planning negotiations in a situation of crisis, with a professional category in the Brazilian public administration?

The following script is suggested for simulating other possible negotiation alternatives among the actors involved in the case. The simulation is to be developed in four phases by Workshop participants, who will be broken down into six groups:

Phase I: preparation & pre-negotiation (2 h).

Phase I involves the preparation and pre-negotiation steps. At this point, there are no binding commitments, i.e., consultations and positions do not generate commitment for the parties. This phase should be dedicated to collecting data and mapping interests. It is divided into three activities as follows:

1. General instructions and group formation (30 min):

Instructors provide information to participants on the objectives and operation of the simulations.

Two points should be highlighted with respect to the objectives: i. that simulations seek to emulate real life situations, so as to get

participants to make intense use of the techniques learned during the course; and ii. That the objectives consolidate the main negotiation concepts and theory.

It is important to point out that while the case to be simulated was based on a real life situation in the federal public administration, participants should address it as if it were something totally new to them. In other words, they should make their own decisions rather than following those made in the actual case. The real life case is used for reference purposes alone.

Following presentation of the general instructions, the class is broken down into six groups: **1.** Air Force Command; **2.** Ministry of Defense; **3.** Ministry of Planning, Budgeting and Management; **4.** Workers' Union President; **5.** Civil Society Representatives; and **6.** Representative of Air Traffic Controllers.

2. Reading and preparing negotiations (30 min).

The groups will be given their instructions, which contain 4 topics arranged on a single card (personal profile, interests, justice standards and facts). This information will give the groups a good idea of their goals and the conditions required for achieving them.

3. Knowledge and survey of interests (1h).

The groups will then be allowed a first conversation with one another. This is a phase for making introductions and surveying interests. At this point, the groups will convey their points of view and interests to one another in a very preliminary fashion.

Once the survey phase is completed, participants meet again with their respective group mates in order to define strategies.

The groups should complete interest mapping forms so as to organize their interests, priorities, strong and weak points. This activity, in addition to adding to the negotiation dynamics will help to consolidate concepts.

Phase II: Bilateral negotiations (4 h).

Bilateral negotiations are the starting point of formal negotiations. In this phase, contrary to what was done in the pre-negotiation phase, commitments become binding. Offers should therefore be carefully made as they generate the expectation of a formal commitment to the other party.

Instructors should provide an agenda for bilateral meetings. There is not a strict order for scheduling bilateral meetings. In this particular case, bilateral meetings are recommended as a way of separating government from non-government representatives and starting

negotiations using a panel system, where all groups negotiate with one another. Once the panel activity is completed, all groups start defining their own strategies for multilateral negotiations.

Phase III: Multilateral negotiations (4 h).

1. Multilateral Negotiations (3h30min.)

Each group will designate a chief negotiator to participate in the multilateral negotiations. Only chief negotiators can interfere directly in the negotiation process. The other members can send messages or interact separately with their delegates. Intragroup consultations should not exceed 3 minutes.

2. Drafting the final agreement (30 min.).

The agreement should be as detailed as possible. Each group representative signs the agreement, which should be drafted in the single-text format. Topics not agreed upon could be written in brackets. Once signed, the topics become binding commitments.

Phase IV: Analyzing the final agreement; negotiation dynamics and final evaluation (4 h).

Instructors then make comments on the results achieved as well as on the negotiation process as a whole and the agreement signed. With respect to the agreement, comments should take into account the objectivity of the criteria, detailing of duties and rights as well as other formal aspects involved in the preparation of final agreements. As for comments on the negotiations held, instructions should focus on aspects that could be improved. At this point, it is fundamental that links be established between the fundamental concepts and techniques presented during the course and concrete examples provided during the simulation exercises.