



Discussion Paper

New Approaches Evaluation Framework

Prepared by Evaluation & User Experience Research Section, Fair Work Commission

July 2018

1. Purpose of this paper

- [1] This paper builds on the feedback and insights gained from the New Approaches User Group workshop held in May 2018 and information and feedback exchanged via email since the workshop.
- [2] The focus of the paper is on defining the objectives of the New Approaches program, the service categories and the evaluation objectives for the Commission, employers and unions. It also provides an overview of the evaluation themes/components.

2. Objectives and operation of New Approaches

- [3] New Approaches complements the Commission's traditional dispute resolution and bargaining functions through proactive and preventative approaches.

The Commission's program objectives

- [4] The Commission's key operational objective for New Approaches is to build the capability of employers, employees and their representatives to work together cooperatively to achieve shared goals and to prevent and resolve disputes.
- [5] The Commission seeks to build this capability through the delivery of training and facilitation services to those employers, employees and their representatives who make a commitment to pursue cooperative and collaborative approaches in their engagement.

The Commission's New Approaches services

- [6] The Commission's service can be categorised into:
 - Training:
 - Relationship building
 - Dispute prevention and resolution
 - Enterprise bargaining
 - Facilitation, ongoing education and guidance:
 - Relationship building
 - Relationship maintenance
 - Dispute prevention, including assistance to establish governance structures, consultation and problem-solving procedures and memorandums of understanding
 - Dispute resolution with a focus on interest-based problem solving
 - Enterprise bargaining using interest-based bargaining

How the Commission delivers New Approaches services

- [7] Depending on the needs and interests of the parties, the Commission will provide training and/or facilitation services.
- [8] Depending on the needs and interests of the parties, the Commission's involvement and provision of services can be in the short term or over a longer period.

- Some files are opened to meet immediate objectives, such as enterprise bargaining or to resolve a significant issue/dispute. One or both of the parties is not interested in ongoing facilitation services and the file is closed.
 - Other files are opened to address longer-term objectives. For example, the Commission could provide facilitation services to support the joint implementation of an enterprise agreement or achieve cooperative workplace change.
- [9] Depending on the needs and interests of the parties, the Commission's engagement may be focussed on interactions between the highest levels of authority and decision-making (e.g. senior managers and union officials only) or across various or all stakeholder groups:
- Senior managers;
 - Union officials;
 - Site managers/line managers;
 - Union delegates/other employee representatives;
 - Supervisors/team leaders; and
 - Employees.

Objectives of the parties

- [10] Employer objectives for pursuing New Approaches include:
- Improving business performance/viability of business operations through the cooperative and timely introduction of change.
 - Reducing the direct and indirect costs of disputation such as lengthy and expensive dispute resolution processes and the legacy of disharmony.
 - Improving the process of enterprise bargaining to reduce the transaction cost, such as lengthy periods of bargaining, protected industrial action and the legacy of distrust.
 - Formation of novel and innovative solutions to organisational and workplace problems and issues.
 - Improving/maintaining the workplace environment, wellbeing and job satisfaction of managers and employees.
- [11] Union objectives for pursuing new approaches include:
- Maintaining and improving employees' job security, income, and work/life balance.
 - Improving the workplace environment, wellbeing and job satisfaction of employees.
 - Recognition by the employer as the representative of employees/independent voice of the workforce.
 - Maintaining and improving levels of union membership.
 - Developing union delegate capability to engage with management in formal meetings, understand business performance measures and how to improve business performance to benefit members.
 - Increasing the influence of employees on decision making within the organisation or workplace at all levels.
 - Reducing investment in dispute resolution and other litigation on behalf of members.

- Formation of novel and innovative solutions to organisational and workplace problems and issues that meet the interests of employees.

3. Evaluation of New Approaches

Evaluation purpose and utility

[12] The purpose of the evaluation is threefold:

1. to allow the Fair Work Commission (and the Government) to objectively assess the effectiveness of New Approaches in meeting the Commission's objectives;
2. to assist the Fair Work Commission in designing and adjusting New Approaches to best meet the needs of the parties (employers, employees and unions); and
3. to support the parties' to assess the effectiveness of New Approaches in meeting their respective objectives.

[13] The evaluation framework will need to have universal application across the range of objectives and industries. Metrics and survey questions and prompts can be tailored to suit individual organisations/contexts as necessary.

[14] The evaluation framework will comprise core and optional components (see paragraphs 19 to 35 of this paper). **Core** components will address the Commission's objectives and include the need to obtain candid feedback about the way services are delivered. **Optional** components will address the objectives of the parties. These require additional investment of time and resources and/or provision of commercially sensitive information.

[15] The evaluation framework is intended to be used as a diagnostic tool. Evaluation surveys will be implemented at the outset of a New Approaches file. They will be used periodically to monitor and test what impact the program is having over time, satisfaction with the services provided and identify emerging issues.

Measurement against the Commission's program objectives

[16] The Commission's evaluation objectives will rely on core components of the evaluation framework. The proposed overarching research questions to address the **Commission's evaluation objectives** are:

1. Have the training and facilitation services provided by the Commission helped to build cooperative and productive workplace relations where the program was focused (see paragraph 11)?
2. Have the training and facilitation services provided by the Commission helped to maintain cooperative and productive workplace relations where the program was focused (see paragraph 11)?
3. Has participation in the program harmed workplace relations in any way?
4. Has participation in the program prevented disputes (including implementation of enterprise agreements)?
5. Has participation in the program reduced disputes/disputation?

6. Has participation in the program caused any disputes?
7. Has participation in the program resulted in enterprise agreements that parties are satisfied with and regard as meeting their share interests (i.e. advancing shared interests and reconciling competing interests)?
8. Has the Commission effectively assisted parties to define shared goals/objectives for the program and monitor progress against shared goals/objectives?
9. Have the services delivered met the needs and expectations of the parties?
10. What, if any, are the unmet needs?
11. Would parties recommend New Approaches to peer groups?
12. How could services be delivered differently to better meet the needs of parties?
13. Has the Commission effectively communicated the process of establishing a New Approaches file and concluding a file (i.e. transition back to traditional dispute resolution services)?
14. Does the New Approaches program provide *value for money* for the Commission and the community?
15. How could the program be better targeted and delivered to achieve maximum value for the parties, the Commission and the community?

Measurement against employer's program objectives

[17] The evaluation objectives for employers could be broader than the Commission's, as appropriate, to reflect the level of commitment and investment in pursuing collaborative relations across the workforce/enterprise, as well as the level of interest and investment in the evaluation and its outcomes. The overarching research questions could rely on core and optional components of the evaluation framework. Overarching research questions to address the **employer's evaluation objectives** could include:

1. Has participation in the New Approaches program set the foundation for, or delivered improved business performance?
2. Has participation in the New Approaches program improved the process of Enterprise Bargaining?
3. Has participation in the New Approaches program prevented disputes in the workplace?
4. Has participation in the New Approaches program improved the process of dispute resolution in the workplace?
5. Has participation in the New Approaches program improved/maintained the workplace culture/environment, wellbeing and job satisfaction for managers and workers?
6. Has participation in the New Approaches program facilitated the creation of innovative solutions to problems/issues?
7. Has participation in the New Approaches program added value for employers?
8. Has participation in the New Approaches program reduced expenditure on dispute resolution and other litigation?

Measurement against union's program objectives

[18] The evaluation objectives for unions could be broader than the Commission's objectives, as appropriate, to reflect the level of commitment and investment in pursuing collaborative relations across the workforce/enterprise, as well as the level of interest and investment in the evaluation and its outcomes. The overarching research questions could rely on core and optional components of the evaluation framework. Overarching research questions to address the **union's evaluation objectives** could include:

1. Has participation in the New Approaches program maintained or improved employees' job security, income and/or conditions?
2. Has participation in the New Approaches program improved the workplace culture/environment, wellbeing and job satisfaction of employees?
3. Has participation in the New Approaches program increased the capability of union delegates in relation to engaging with management in formal meetings, understanding business performance measures and how to improve business performance to benefit members?
4. Has participation in the New Approaches program increased recognition by the employer as the representative of employees/independent voice of the workforce?
5. Has participation in the New Approaches program maintained or improved levels of union membership in the enterprise/workplace?
6. Has participation in the New Approaches program increased the influence of employees on decision making within the organisation or workplace?
7. Has participation in the New Approaches program added value for unions?
8. Has participation in the New Approaches program reduced investment in dispute resolution and other litigation on behalf of members?
9. Has participation in the New Approaches program facilitated innovative solutions to organisational and workplace problems and issues that meet the interests of employees?

Evaluation framework components

[19] The evaluation will measure the impact of the program at various points in time. Metrics will focus on how participants think and feel 'currently'. Objective measures, such as the number of disputes, will cover a reference period.

[20] The first evaluation period for existing files will require participants to reflect on a point in time/reference period prior to the implementation of New Approaches as a baseline measure of pre-New Approaches for the core components of the evaluation.

[21] The evaluation survey instruments will be developed around the following themes, described below, which will be implemented as core and optional components of the evaluation framework:

- Service delivery feedback and ideas for improvement (core)
- Workplace relations climate (core)
- Governance, systems and protocols in place to support process (core)
- Enterprise agreement-making experiences (optional/as relevant)
- Subjective effectiveness and outcome measures (core)

- Resources invested by the Commission compared to traditional bargaining and dispute resolution services (core)
- Investment of parties in the *New Approaches* processes compared to traditional models (optional)
- Objective business performance and innovation metrics (optional)
- Outcomes for unions and their members (optional)

Feedback and ideas from parties about service delivery (core)

- [22] The evaluation will seek candid feedback on the program delivery from the parties to identify whether it is meeting their needs and expectations. Participants will be able to provide this feedback anonymously.
- [23] The evaluation will examine the range of services provided and style of delivery against what parties want. Practical suggestions for improving the services will also be sought.
- [24] Feedback from training sessions will be sought immediately following an event to maximise response levels and ability to recall specific elements of the training.

Workplace relations climate (core)

- [25] The evaluation will assess the strength of relations and levels of commitment among participants by drawing on concepts and constructs from empirical research to measure the workplace relations climate.
- [26] The evaluation will focus on the attitudes, behaviours and views of individuals involved in the process. Employee representative and management perspectives will be relied upon to consider the affected workforce/union members where it is not feasible to survey the affected workers.

Workforce/union member assessment of workplace relations climate (optional)

- [27] A survey instrument will be developed to capture workforce/union member perspectives; however, this will not be a core component of the evaluation framework. This survey will be applied to the evaluation where employers and/or unions want to include this optional component. Where workforce surveying already takes place, there may be scope to add or amend the survey instrument to address the workplace relations climate theme.

Enterprise agreement-making (optional/as relevant)

- [28] The evaluation framework will include measures of satisfaction with the enterprise agreement and aspects of the bargaining process. These metrics will be applied where bargaining has taken place over the evaluation reference period.
- [29] We will consider how administrative data and client experience and satisfaction feedback can be used for comparison of New Approaches experiences and outcomes.

Governance, systems and protocols in place to support process

- [30] The evaluation will consider what governance arrangements are in place to embed and maintain the process, as applicable to ongoing processes and participant awareness and understanding of these.

Subjective effectiveness and outcome metrics

- [31] The evaluation will canvass subjective efficacy and outcome measures of the process through the participant surveys. These results will be considered with workplace relations climate metrics and objective measures where they are available.

Resources invested in New Approaches compared to traditional bargaining and dispute resolution — Commission (core)

- [32] The Commission will assess the time and resources invested in New Approaches files compared to traditional bargaining and dispute resolution services. Analysis of the number of disputes prior to and since the implementation of New Approaches will be performed.

Investment in New Approaches processes compared to traditional bargaining and dispute resolution — parties (optional)

- [33] Metrics will be developed to assist parties to estimate their investment in the process and the costs of traditional dispute resolution and bargaining methods. These metrics will be an optional component of the evaluation framework.

Objective business performance and innovation metrics (optional)

- [34] The evaluation framework will include objective business performance and innovation metrics. These metrics will be optional which reflects the additional investment of time and resources and provision of commercially sensitive information. The metrics will be developed with interested parties. Objective measures will be favoured over subjective measures where data is readily available, valid and relate to the motivations and objectives of the business for participating in the program.

Objective outcome measures for unions (optional)

- [35] The evaluation framework will include union outcome metrics. These metrics will be optional which reflects the additional investment of time and resources and provision of commercially sensitive information. The metrics will be developed with interested parties. Objective measures will be favoured over subjective measures where data is readily available, valid and relate to the motivations and objectives of the union for participating in the program.