Introduction to Constructive Engagement in the Oil and Gas Industry October 14, 2009



#### Susan Wildau, CDR Associates

Collaborative Decision Resources <u>swildau@mediate.org</u>



#### **Christopher Moore, CDR Associates**

Collaborative Decision Resources <u>cmoore@mediate.org</u>





- 1. Understand stakeholder roles in constructive engagement (communities, industry, government, advocacy groups)
- 2. Explore constructive engagement—the concept and the challenges
- 3. Identify 6 practical tools and skills for successful engagement
- 4. Draw lessons and conclusions for addressing challenges, identifying gaps and implementing new initiatives

### What is Constructive Engagement



#### Constructive Engagement is Different From

- Public relations
- Public hearings
- Public advocacy
- Lobbying
- Employee volunteerism
- Philanthropy and charitable contributions
- Voluntary Principles



## Constructive Engagement Processes

#### Forums

- Good neighbor agreements
- Community advisory committees (company sponsored)
- Independent /free standing CE organizations
- Participatory studies (EIS/EA, baseline development or others)
- Participatory monitoring or oversight committees
- Grievance resolution systems and procedures
- Multi-level interrelated/network of CE efforts

#### Processes

- Informal talks
- Stakeholder negotiations
- Formal mediations
- Formal problem-solving grievance mechanisms/procedures



## Examples of Constructive Engagement Processes on the Western Slope

- Garfield County's Energy Advisory Board
- The Rifle/Silt/Newcastle Community Development Plan
- Genesis Palisade/Grand Junction Watershed Agreement
- Community Counts
- Individual company processes
- Government agency initiatives
- Other examples???





## What Challenges Must be Met for Successful CE

- A clear *purpose* (scope of issues, level of decision making, time span)
- A credible means of *initiating* the process
- Appropriate *participation*
- Adequate resources
- Mechanisms to address *power issues* among stakeholder groups
- Sometimes—attention to a *history of conflicts*, problematic personal or organizational relationships
- Sensitivity to cross-cultural issues





## **Challenges for Communities**

- Limited time
- Funding and resource needs
- Developing technical expertise
- Distinguishing genuine CE efforts from public relations gestures
- Accountability to constituents
- Community organizing versus constructive engagement
- Dealing with in-group conflict





### **Challenges for Companies**

- Opening an issue for public scrutiny
- Sharing sensitive information
- Assessing the credibility of community members
- Empowering a CE structure
- Funding the process





### **Challenges for Government**

- Role as convening authority
- Roles of individual agency representatives
- Government funding
- Government as regulator, enforcer and negotiator
- Sunshine versus confidentiality
- Representing the general public



## Challenges for Environmental Advocacy Groups

- Limited time, funds and resources
- Different skill set required for legal advocacy versus collaboration



## Cautionary Tales— Pitfalls of CE

- Power inequities
- Time and resources required for CE
- Timeliness
- No guarantee of a successful outcome
- CE can be abused



## **Six Skills for CE**









# 1. Assess and respond to both hazard and outrage







# 2.Harness the power of aikido





### 3. Understand interests and the **Triangle of Satisfaction**

How we want to be treated

persons

How we want to feel about ourselves and the other

**SUBSTANTIVE** 

**INTERESTS** 

Our desires for participation

Preferred processes and

pace for thinking through and making decisions

•

Our

measurabl outcomes or results Tangible,

# 4. Use technical work/joint fact finding to resolve conflict and build trust

# 5. Stakeholders are wise in resolving conflict. Ask them.







# 6. Develop a local level grievance mechanism



"Speak Out"

"Let's Talk"

"Now You're Talking"

#### **GRIEVANCE MECHANISM BLUE PRINT**

**RECEIVE AND REGISTER GRIEVANCE** 

SCREEN AND ASSESS



Not resolved? Revise approach

**Resolved?** 

**FEEDBACK** 

**AND LEARN** 

actors

Use 3<sup>rd</sup> party

mediation

Lessons and Conclusions to Address Challenges, Gaps and New Initiatives

### **For More Information**



#### www.mediate.org

#### Susan T. Wildau—swildau@mediate.org Christopher W. Moore—cmoore@mediate.org

CDR Associates 100 Arapahoe Avenue - Suite 12 - Boulder, CO 80302 - Ph: 303.442.7367