

Parkinson's Law – Hoping to Quantify Pacing

Executive Summary. Parkinson's Law states that "...work expands so as to fill the time available for its completion." (Parkinson, C. N., *The Economist*, November, 1955) It explains worker behavior, but may not support well now an Owner's quantitative offense to Contractor-induced conscious project delay in a claim situation.

What is this article even about? This article is about discussing an underdeveloped, underutilized, unproven quantitative approach for Owners to positively identify, and then penalize, a Contractor for delaying a job through their slowing of the work.



Whachu talkin' about Willis?

Please repeat that in English. In layman's talk: "Can an Owner quantify the Contractor's self-induced labor inefficiency due to conscious slowing of the work?"

As an example, say your boss directs you to clean up the project site by the end of the shift. But, you know the task only takes five hours. If you stretch this task out to the full eight hour day, this is considered pacing of the work. You paced your labor to take eight hours instead of five. Parkinson's Law discusses this phenomenon. There's even math associated with it if you do the research.

Stretching out the work is pacing. Pacing, as it relates to the completion of construction activities, is a willful behavior. It's a conscious behavior, and one for which an Owner should not pay directly or indirectly. In the above example, the worker worked three extra hours because he paced the work. That's on the Contractor. And that's easy to quantify. How could this be quantified across numerous activities on a project? Or even a single fragnet?

Sometimes the Contractor paces by choice. As another example, let's assume that the Owner must supply a water pump which sits on a concrete slab. Instead of the pump delivered to the Contractor four weeks from now, it will be delayed and delivered six weeks from now. This is a two week delay caused by the Owner. Two issues, minimally, can arise from the Contractor:

- a) Pacing – Contractor **slows the work** and finishes right on time in the sixth week since there is no purpose to finishing in the originally allotted four-week period (i.e Parkinson's Law, or pacing).

- b) Concurrent Delay – Contractor may or may not do “a” above, but more importantly he does not execute other work to progress the job, stating that the Owner has delayed the Project due to a late pump delivery. In this scenario the Contractor believes he had been given two weeks of free time and thus stretches out the work.

Either way, there may be a claim made by the Contractor wherein he says “You created the delay Ms. Owner because of your late pump delivery, so the delay is owned by you. Pay me.” An adder to this may be “Your late delivery caused me inefficiency in the work. Pay me.”

Where can I use Parkinson’s Law? For now, use it to sound smart in a bar with your uppity construction manager and construction attorney buddies. The problem is I cannot find where it actually has been used or proven out through case law as a quantitative measure of loss. It is discussed in literature and it is the name of the phenomenon of construction production, but that’s it. Maybe your attorney has more on it?



My story. I was in a conference recently where this issue was discussed. I know pacing of the work happens, but I didn’t learn from the conference how to identify, quantify, and pin this behavior on the Contractor. I’ve made the argument myself in the above example as a Contractor by saying “Well, it didn’t matter anyway if I got the task done Ms. Owner, because your pump wouldn’t have been there anyway. I was just waiting around working until your pump arrived.”

Every Contractor who is on a lump sum job wants to get off the job as soon as possible, so only strategic pacing is usually considered in this case. The major reason for a Contractor to pace the labor on a job is to hide under the protection of an Owner-caused delay. The position of the Contractor in this case being “Let’s slow down the work, not progress the rest of the schedule (even though we could), so that we can claim a delay here by the Owner and get paid for our extended performance.”

Like I said in the previous section, for now until I can find Parkinson’s Law in an American case, I’m not sure what to even do with this article other than sound smart to my buddies at the bar on a Friday night.

Work safe!