Creating Effective Systems for Managing Conflict

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Desired Learning Outcomes

- To identify formal, informal, and ‘non-formal’ systems and strategies that managers can use to address conflicts
- To realistically assess opportunities for implementation that exist within our budget constraints, legal/policy parameters, and staff resources

What is Conflict?

- We define conflict as a disagreement through which the parties involved perceive a threat to their needs, interests or concerns:
  - Disagreement
  - Parties involved
  - Perceived threat
  - Needs, interests or concerns
What is Conflict?

- In conflict, the parties perceive a threat to their needs, interests, or concerns
- They perceive finite resources, limited options, and limited solutions
- People respond to the perceived threats, rather than to an “objective” reality

Needs in Negotiation

- Substantive needs = the “stuff” of the conflict… typical definition of problem
- Procedural needs = how we foster a fair and well understood process… “Ground Rules”
- Psychological needs = concerning trust, honesty, safety, security, integrity
 Needs in Negotiation

Discussion:

● What are some important conflicts that you face in your organization?
● In what ways are they addressed?
● What works? Describe an effective response to a conflict
● Barriers/ challenges: What gets in the way of an effective response?

***Personal, interpersonal, structural challenges
Personal Responses to Conflict

- Behavioral Responses:
  - Competing
  - Accommodating
  - Avoiding
  - Compromising
  - Collaborating

- Emotional Responses

- Physical Responses

- Cognitive Responses

Organizational Approaches to Conflict Management

- **Formal Strategies:**
  - Grievances, bargaining
  - Administrative Processes
  - Litigation
  - Employee Assistance Office, Ombuds Office, Office of Quality Improvement

- **Informal Approaches:**
  - Talking to ‘helpful people’
  - Ad hoc responses by managers and colleagues to situations ‘as they arise’

- **“Non-formal” Programs:**
  - Peer-driven staff facilitation and dispute resolution programs
  - Communities of practice and coaching circles
Focus on the Behaviors

Collaborative Negotiation Model

1. Prepare to Negotiate
2. Understand Initial Positions
3. Seek Underlying Needs and Interests
4. Generate Possibilities – Options for Solutions
5. Build an Interest-based Agreement
6. Implement, Assess, Review
The Key Skills of Conflict Resolution

- Active Listening
- Assertive Communication
- Flexibility in Problem Solving
- Collaborative Negotiation
- Managing Impasse

*** What opportunities exist to learn and practice these skills in your organization?

Interrelationships Among Interests, Rights, and Power

(adapted from Ury, Brett, and Goldberg, *Getting Disputes Resolved*)
Moving from a Distressed to an Effective Dispute Resolution System

(adapted from Ury, Brett, and Goldberg, *Getting Disputes Resolved*)

Dispute Systems Design Principles

(Adapted from Ury, Brett, and Goldberg, *Getting Disputes Resolved*)

- Put the focus on interests
- Build in ‘communication loops’ among layers of negotiation
- Address power and rights issues at the lowest feasible cost
- Build in consultation before (pre-negotiation), feedback after (‘check back’)
- Seek necessary leverage and influential resources to encourage constructive behaviors
Sources of Power in Conflict

- Positional
- Coercive
- Expertise
- Normative
- Referential

→ How do these get expressed in conflict management systems?

Power Disparities (continued)

- Clarify conditions required to promote an affirming negotiation climate
- Consider alternative modes of communication
- Build an “empowering agenda,” rather than an “enabling agenda”
- Stay aware of BATNA…
Mapping the Conflict: What’s Going On?

- Who are the key stakeholders?
  - Who are ‘interlopers’ whose role appears to be over-emphasized?
- What are the key interests of stakeholders?
- In what ways do we see power being utilized to polarize, or to find common interests?
- What are key leverage points in the conflict system?
  - What incentives appear to exist to resolve the dispute, or to perpetuate it?

Needs of Parties Engaged in Conflict Resolution Processes
(adapted from Bernie Mayer, *Beyond Neutrality*)

- Those engaged in mediation and other ADR processes have six salient needs:
  - Voice
  - Procedural justice
  - Vindication
  - Validation
  - Impact
  - Safety
Case Studies – Successful Transformations of Dispute Settlement Systems

- *What can we learn from these experiences?*
- *How might they be applied to our own settings?*

Next Steps: What do we do with this stuff?

- “Teachable moments” present opportunities to share, model, and practice skills
- Intentionally utilize appropriate dispute settlement systems (formal, non-formal, informal) to respond with greatest effectiveness
- Train managers (especially) and other staff in the skills of conflict resolution
Read More About It…


… and other readings in the Bibliography
Bibliography: Conflict Resolution and Communication


Lederach, John Paul, Building Peace: Sustainable Conciliation in Divided Societies, US Institutes of Peace, 1998


Tannen, Deborah, Talking From 9 to 5: Women and Men in the Workplace, Avon Books, 1994


Warters, William, Ed., Conflict Management in Higher Education Report, Wayne State Univ., Detroit, MI. Publishes articles of interest to those with a focus on higher education. For a listing of articles visit: http://www.campus-adr.org/CMHER/ReportArticles/ArticlesIndex.html


*** UW-Madison Office of Human Resource Development has now established a conflict resolution skills enhancement website as a resource for online learning. It is accessed at: http://www.ohrd.wisc.edu/onlinetraining/resolution/index.htm

revised 4/2007
Bibliography: Mediation

Academy of Conflict Resolution, http://www.acresolution.org/ is the key national and international professional organization linking mediators and other conflict resolution practitioners.

WAM may be reached at http://www.wamediators.org/ or PO Box 44578, Madison, WI 53744-4578


Lang, Michael, “Becoming Reflective Practitioners,” Article available through Mediation Information and Resource Center, PO Box 51090, Eugene, OR 97405.


Webne-Behrman, Harry and Lisa, Mediating Workplace Disputes: A Facilitative Approach to the Management of Differences, Collaborative Initiative, Madison, WI, 1999


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**Agenda/ Desired Learning Outcomes**
- To identify formal, informal, and ‘non-formal’ strategies that managers can use to address conflicts that arise within our workplace environments
- To realistically assess opportunities for implementation that exist within our budget constraints, legal/policy parameters, and staff resources

**Discussion:**
- What are some important conflicts that you face in your organization?
- In what ways are they addressed?
- What works? Describe an effective response to a conflict
- Barriers/ challenges: What gets in the way of an effective response?

***Personal, interpersonal, structural challenges***

**Organizational Approaches to Conflict Management**

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- **Informal Approaches:**
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- **“Non-formal” Programs:**
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**Interpersonal Conflict Resolution Strategies: Six-Step Collaborative Negotiation Model**

**Moving from a Distressed to an Effective Dispute Resolution System**
*(adapted from Getting Disputes Resolved)*
- Power
- Rights
- Interests

➔ What’s Going On? Mapping the Conflict

**Case Studies – Successful Transformations of Dispute Settlement Systems**
- What can we learn from these experiences?
- How might they be applied to our own settings?

**Synthesis/ Closing ➔ Next Steps: What do we do with this stuff?**

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Dispute Settlement Systems – Success Stories from a Wide Range of Settings
(Use this ‘template’ as a point of departure)

(1) What were the presenting sources/catalysts of conflict in this situation?

(2) Who were the key stakeholders in the dispute? What were their core concerns, interests, and needs?

(3) What systems were in place for addressing the conflict (prior to this intervention)? Identify known formal, informal, and non-formal systems.

(4) What were the ‘keys to success’ in transforming the conflict and, to the degree possible, resolving it in a sustainable, durable, needs-satisfying manner?