Transforming Conflict in the Workplace
Course Workbook

A FacilitatorU.com
5-Day Teleclass

by
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Transforming Conflict in the Workplace
Conflict Resolution Skills for Facilitative Leadership

Goals of this Course

- **To help you develop personal assessment skills.** You will be encouraged to explore your personal skills in conflict resolution and to begin to evaluate conflict styles and personal responses to conflict. The process of honest personal assessment in these areas of conflict management is really key to learning, teaching, and modeling the skills of conflict resolution effectively to others as a facilitator.

- **To help you learn and practice conflict resolution strategies in the context of group facilitation.** Key strategies of conflict resolution will be introduced, articulated, and practiced. Upon casual observation, we find that approximately 80 percent of effective conflict management consists of effective interpersonal communication, while the remaining 20 percent consists of collaborative problem-solving strategies. Thus, the conflict resolution strategies emphasized in this course include active listening, assertively stating needs, dealing effectively with defensive responses, creating and maintaining ground rules, focusing on interests rather than positions, collaborative problem solving, the exploration of alternatives, and dealing with impasse.

- **To explore significant implementation issues that can be used in the creation of conflict resolution/ staff facilitation programs within organizations.** There are many practical concerns to consider when establishing conflict resolution and staff facilitation programs within organizations. Taking the time and energy to envision the desired program, and to anticipate and think through potential barriers and pitfalls prior to initiating conflict resolution programs, will in most cases advance the prospects of the program’s future success (both in terms of longevity and full cultural investment). This course will describe several of the key implementation issues to be considered, for both conflict resolution education and staff facilitation/mediation programs, as well as the specific sequence for teaching the skills of conflict resolution to others.
How to Participate in this Course

Dialing Instructions

At 10:00 a.m. Pacific Time, 11:00 a.m. Mountain, 12:00 p.m. Central or 1:00 p.m. Eastern:

Dial this number: **620-782-8200**  
At the prompt, enter this code: **522225#**

Please announce yourself when you sign on. Steve and Harry will greet you.

Maximizing the Learning in a Teleclass

Teleclasses are an excellent way to learn, allowing people at great distance to come together from the comfort of their own offices or homes. With a phone call, we can have an international, intercultural learning group. Some of us are quite used to distance learning, while for others it is new and perhaps a bit awkward. To reiterate some of Steve’s Teleclass tidbits and maximize the effectiveness of the class, we offer the following thoughts:

The challenge of the teleclass is that we lose the visual component of the course: Without seeing one another, we are left to understand what someone is saying through the words, without the accompanying gestures, smiles or grimaces. In addition, we can’t rely on graphic illustrations of points being made, or visual demonstrations. A final challenge is that it takes work to stay focused. It’s tempting to try to get other work done while on the telephone.

To maximize the learning, we hope you will follow these guidelines:

- Call in on time when the class starts. Keep the phone number and code handy.
- Speak up clearly and identify yourself before contributing to the discussions.
- Respond verbally to questions instead of nodding, say ‘yes’, ‘no’, ‘no opinion.’
- Minimize distractions, e.g., turn other equipment off, and close the door to your office. Eliminate all possible background noise. Clear your space of other work so you can stay focused.
- Minimize distractions to other teleclass participants: be mindful not to tap pencils, chew gum, rustle papers; use the mute button when not speaking.
- Do your homework.
Prologue: First Things First

The workplace of the emerging century is a place of great complexity, high expectations and emotional demands. People are engaged in efforts to be more productive with fewer staff resources, squeezing all they can from their tools and themselves. In this context, it is reasonable that people have conflicts. What is unreasonable is that businesses and public agencies tend to respond to such situations by avoiding them, allowing them to fester for months or years, only to lose valuable productivity from workers at all levels of the organization.

Our work here focuses on such organizations, and on the people who staff them. Our effort is to help identify factors that may be most useful in easing the pain of conflict, finding effective responses so those involved in disputes can resolve their issues, build more successful working relationships and accomplish their shared tasks together. Our effort also focuses on how the organization or company itself may enhance or inhibit effective responses, through its structures, disputes settlement systems and commitment to staff hiring and training practices. In total, this is a look at how people may resolve their differences in the workplace, working it out together.

There are several insights that serve as foundations to our work. They are important to understand at the beginning of this discussion, for they serve as foundational concepts for the skills and strategies developed in this book.1

1. **Conflict is a normal element of organization life.** Disputes are (generally) not caused by "bad" people who are trying to be "difficult." Rather, they result from people with good intentions having differing ideas about how to accomplish shared goals, disagreements over which goals are worth attaining, and threats to livelihood, productivity, resources, power and dignity that result from such disagreements.

2. **Conflicts occur because people perceive threats to their needs, interests or concerns.** If the impacts of conflicts are to be minimized or managed, such threats must be understood. Involved parties must be given opportunities to air their concerns and know they are heard and respected. Strategies for effectively meeting these needs must be explored, within honest, yet realistic parameters of organization life, so problems can be genuinely solved.

3. **Conflicts are, to a great extent, predictable within the conditions of organization life.** Certain times of year, project cycles, stress factors, mixes of project groups, personalities, etc. help create conditions that often result in conflictive situations. These types of issues arise with great regularity, through no

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fault of the individuals involved. Therefore, the more we can understand such conditions, the better we may predict conflicts likely to arise.

4. **In order to effectively manage conflict, all parties must be treated with respect by the organization and by those who seek to resolve the conflict.** When respect for the concerns of the other person, or empathy, is offered, the other person's response is to reduce some of the defensiveness and hostility that typically occurs in conflict. Conversely, if attacks are personalized, voices raised, threats escalated, the response of the other person is to mirror this escalation. If conflicts are to be managed, opportunities for all parties to behave in a more respectful manner must be fostered by leadership throughout the organization and by those most directly involved in the dispute.

5. **In developing solutions to workplace conflicts, there should be a focus on the future, rather than the past.** However, there is frequently a need to understand the past, especially its emotional elements, before proceeding to finding solutions that meet future needs. Finding the balance between clarifying how we got here and developing strategies for where we must go is central to the art of conflict management. While there may be differing perceptions of the events leading to this moment, if we can agree on where we want to go, this can be constructive in the process of letting go of past "gunk."

6. **The needs of the conflict, usually defined within work contexts as "substantive" issues, are always defined more broadly by the parties.** Frequently, procedural and psychological issues are crucial, and must be negotiated as components of the problem at hand. Indeed, emotional resistance to offers to "sit down and work out the problem" are often dismissed as issues that "cloud the real issue." In fact, the psychological and procedural needs of the parties are the issue, for many people. Therefore, we must remain flexible regarding our definition of the problem to be solved.

So what is conflict? We define conflict as a **disagreement through which the parties involved perceive a threat to their needs, interests or concerns.** Within this simple definition there are several important understandings that emerge:

**Disagreement** - Generally, we are aware there is some level of difference in the positions of the two (or more) parties involved in the conflict. But the true disagreement versus the perceived disagreement may be quite different from one another. In fact, conflict tends to be accompanied by significant levels of misunderstanding that exaggerate the perceived disagreement considerably. If we can understand the true areas of disagreement, this will help us solve the right problems and manage the true needs of the parties.
Parties involved - There are often disparities in our sense of who is involved in the conflict. Sometimes, people are surprised to learn they are a party to the conflict, while other times we are shocked to learn we are not included in the disagreement. On many occasions, people who are seen as part of the social system (e.g., work team, family, company) are influenced to participate in the dispute, whether they would personally define the situation in that way or not. In the above example, people very readily “take sides” based upon current perceptions of the issues, past issues and relationships, roles within the organization, and other factors. The parties involved can become an elusive concept to define.

Perceived threat - People respond to the perceived threat, rather than the true threat, facing them. Thus, while perception doesn’t become reality per se, people’s behaviors, feelings and ongoing responses become modified by that evolving sense of the threat they confront. If we can work to understand the true threat (issues) and develop strategies (solutions) that manage it (agreement), we are acting constructively to manage the conflict.

Needs, interests or concerns - There is a tendency to narrowly define “the problem” as one of substance, task, and near-term viability. However, workplace conflicts tend to be far more complex than that, for they involve ongoing relationships with complex, emotional components. Simply stated, there are always procedural needs and psychological needs to be addressed within the conflict, in addition to the substantive needs that are generally presented. And the durability of the interests and concerns of the parties transcends the immediate presenting situation. Any efforts to resolve conflicts effectively must take these points into account.

So, is it still a simple definition of conflict? We think so, but we must respect that within its elegant simplicity lies a complex set of issues to address. Therefore, it is not surprising that satisfactory resolution of most conflicts can prove so challenging and time consuming to address.
Day 1
Components of a Comprehensive Conflict Resolution Program

Introduction
The key components of conflict resolution need to be taught and learned in an orderly and logical sequence. A good foundation in conflict resolution education should be developed throughout the entire organization before peer-facilitated staff mediation programs are attempted. Staff, who are well versed in the skills of conflict resolution, including both managers and others in the organization, are more apt to manage the bulk of their interpersonal conflicts directly and effectively. Those members of the community with skills in conflict resolution will also have a better understanding of what mediation is and of how it might be beneficial, and so will probably be more agreeable to engaging in the process. Furthermore, numerous studies suggest that conflict resolution skills are helpful to disputants in mediation, both in terms of communicating their concerns more effectively, and working toward more collaborative solutions.

To gain institutional support and commitment as well as facilitate positive long-term change, efforts at conflict resolution training and planning need to include the whole community (staff, managers, top administrators, and other partners). A solid first step is to train in the skills of conflict resolution.

The key components of a comprehensive conflict resolution program, introduced in sequential learning and teaching order, include:

Exploring a thought. Thoughts are very powerful and can guide people into action. The creation of peaceful communities where conflicts are managed effectively begins with a personal vision of conflict and peace. Questions used to initiate this intrapersonal discussion include: What is conflict? What is peace? What are some peaceful ways of managing conflict? What does the peaceable organization look like? What would I see and hear if I walked in the hallway, offices, lunchroom, Director’s office, or break lounge? What do I currently do to contribute to a peaceable organization? What can I do?

Facilitating a responsive and responsible community. The first phase of creating a comprehensive conflict resolution program, “Exploring a thought,” is an opportunity for
personal clarification of ideas, thoughts, concerns, and values and beliefs regarding conflict resolution. The second step is to share those thoughts, ideas, values, and concerns with others and to begin to participate in the process. Begin talking about conflicts in the workplace community with questions like the following:

- What do we do that works well, and what doesn’t work? What are some of the typical conflicts?
- What barriers exist that prevent individuals within the work environment from using effective conflict management more frequently?

It is important to remember that this phase of the process encourages full discussion and that, therefore, differing values, beliefs, and perspectives may be articulated. Creating a safe and respectful environment in which to discuss ideas is critical. Furthermore, providing opportunities for key members of the workplace community to share in the initial discussions and planning fosters more long-term investment and commitment in the establishment and maintenance of conflict resolution programs.

**Building community.** Community is basically defined as a group that comes together with a common goal or mission. Therefore, a unit, department, or entire company/agency constitutes community. Building a sense of community where members feel safe and respected is critical. Identifying the needs of each member and then establishing ground rules based on those needs forms the core of community. *(Ground rules are discussed at greater length on Day 4)*

**Understanding more about conflict via self-assessment.** The skills of conflict resolution appear to be learned primarily through experiences and modeling. Therefore, it is important to create opportunities for managers and staff within the organizational community to practice the skills of conflict resolution. In order to provide the experiences and models, the managers and leaders in the environment need to assess their own skill levels and styles for dealing with conflict. It is virtually impossible to model and teach the skills of conflict resolution effectively without a sound understanding and exploration of personal responses to conflict, patterns in conflict, conflict style, and personal attitudes and beliefs about conflict. Essentially, each learner is engaging in self-assessment and exploration in order to answer three key questions:

- What do I do that works well in the effective non-violent management of conflict?
- What do I do that doesn’t work?
- How can I begin to change?
Developing and practicing empathy. Empathy is one of the keys to the effective management of conflict. Actively listening to self and others, especially during conflict, is one way of actively demonstrating empathy. Being able to focus on open responses and neutral questions and genuinely understanding the other’s point of view are complex and powerful abilities.

Identifying personal rights and asserting needs. Assertive communication is another hallmark of effective conflict management. Assertive communication begins with identifying personal rights and needs. It is synonymous with self-respect and respect for others. Self-respect is accomplished by assertively identifying and stating personal needs. Respect for others is demonstrated by stating needs in a fashion free of blame and accusation—in other words, via the “I” Message. Skills in assertiveness emphasize mutual respect and, essentially, “bringing someone to their senses, not their knees.”

Engaging in collaborative negotiation. Skills of negotiation involve shifting from positions to interests, exploring alternatives, developing collaborative problem-solving strategies, engaging in Yin/Yang communication and managing impasses. A specific “Six-part Model of Collaborative Negotiation” is offered, appropriate for all participants, provides a structured and effective framework for negotiations. (Day 4)

Integrating conflict resolution into the pre-existing professional development curriculum. The skills of conflict resolution are best learned when taught within the naturally occurring environment. It is essential, therefore, to assist educators in finding tools for incorporating the skills of conflict resolution into the current professional development curricula for all staff. A few examples of the key questions that need to be addressed at this stage of the process include the following:

- Are there groups that will need additional assistance in order to effectively manage conflicts within their units or projects?
- Is conflict resolution consistent with our current procedures for decision-making, behavior management, performance reviews, grievance procedures, etc.?

Planning and implementing programs in staff facilitation/mediation and other alternative dispute resolution processes/programs. Now it is time to think of additional applications, such as developing peer-facilitated staff mediation programs and creating systems consistent with conflict resolution for the management of differences within the entire work community.
Activity: “Conflicts in our Organization – How are they Addressed?”

Reflect on the following questions:

1. Identify 2-3 significant sources of conflict that arise in your organization… among staff, between managers and subordinates, among team members, between different units, between staff and customers.
   • How are those conflicts addressed? How do people respond (behaviors, feelings, thoughts, physical responses)?
   • What are the consequences of these responses… for the individuals involved and for the larger organization?

2. What systems exist for managing conflict within the organization (formal, informal, non-formal)? How effective are these systems for managing conflict and, potentially, transforming it into an opportunity for improving the organization’s culture and productivity?

3. What opportunities exist for facilitative leadership to transform the organization’s capacity to respond to conflict? What barriers or challenges exist that must be addressed in order to be successful?

(Please take a few minutes to consider these questions prior to class. We will seek your participation and input in discussing these questions during the session.)
Day Two
Communication Skills and Strategies
The Heart of Conflict Resolution

Correlation between Communication Styles and Conflict Styles

Given that a large proportion of effective conflict management is due to “good” communication, it would seem to make sense that conflict styles typically parallel communication styles. This can be illustrated by briefly reviewing the three primary communication styles—submissive, aggressive, and assertive—and understanding their conflict style counterparts.

Submissive: Avoiding and Accommodating Conflict Styles

People who tend to communicate in a submissive fashion often allow others to push them around. The person who is communicating submissively will typically do what s/he is told regardless of personal feelings, ideas, or needs. This approach to communication does not allow for the direct expression of personal needs. There are two conflict styles that are consistent with submissive communication: avoiding and accommodating. Basically, the avoiding style suggests a low degree of concern with the needs of self and other. The accommodating style suggests a high degree of concern with the needs of other(s), and a low degree of concern with the needs of self. The submissive communication style and the accommodating and avoiding conflict styles demonstrate a diminished regard or respect for personal needs.

Aggressive: Competitive Conflict Style

People who communicate aggressively generally step on others without regard for the other persons’ feelings. The person who is communicating aggressively will often blame, name-call, demand, or threaten in order to have their personal needs acknowledged and met. In the aggressive communication style, there is typically little respect or sensitivity to the needs and feelings of others. The aggressive communication style corresponds to competitive conflict style. The competitive
approach to conflict advocates a high degree of concern for personal needs and a low degree of concern for the needs of others.

**Assertive: Collaborative and Compromising Conflict Styles**

People who communicate *assertively* demonstrate a mutual respect for self and other/s. Personal respect is demonstrated because they first identify their need and then clearly articulate their need. Respect for other is shown by stating needs free of verbal attack or blame. Assertive communication is clear and non-threatening, conveying to the listener what the speaker wants and how s/he feels. Assertive communication correlates with the collaborating and compromising conflict styles. Compromising suggests some degree of concern for personal needs and some degree of concern for the needs of others. The compromising and collaborative approaches promote understanding of the needs of all parties in conflict.

In my work at the University of Wisconsin-Madison, we have developed a professional skills enhancement site that is a resource to all participating in this course. This “Conflict Resolution Skills Site” offers strategies that reinforce our work here, as well as links to additional resources. You may find a thorough discussion of conflict styles at this site, located at: (www.ohrd.wisc.edu/onlinetraining/resolution/index.htm)

**Active Listening**

When engaged in a conflict, we have a tendency to "push, push, push!" Of course, this is because "you just don't understand me!" One of the most important challenges we face in negotiating solutions to conflicts is the need to resist the urge to push and, instead, make a special effort to listen. If we dedicate ourselves to active listening, we significantly improve the likelihood that the other person, in turn, will understand our ideas and feelings. And if we truly come to understand the other's point of view in the conflict, we may actually clarify why the situation has become so combustible to this point. For facilitators, modeling this behavior is crucial to group successes in all endeavors, but especially in the midst of conflict.

"Taking a listening stance" begins by preparing oneself to listen:

- **Take a deep, cleansing breath and relax**
- **Remove distractions, as much as possible**
- **Sit (or face) the other person directly, with an open body posture**
- **Focus on listening as your first priority in the conversation**
Taking a few moments to prepare reduces the strength of the emotional stranglehold that has likely accompanied your anxiety about the conversation. You may find that you need support resources for stress management. If we are overwhelmed by stress, it is difficult to listen effectively. Thus seeking support for stress management could be a helpful element of this process. Approaches to anger management may be found at [http://wiscinfo.doit.wisc.edu/eao/special_topics/page4.htm](http://wiscinfo.doit.wisc.edu/eao/special_topics/page4.htm).

When listening to the other person's point of view, the following responses are often helpful:

<table>
<thead>
<tr>
<th>What to Do</th>
<th>How to Say It</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Encourage</strong></td>
<td>&quot;I want to understand what has upset you.&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;I want to know what you are really hoping for.&quot;</td>
</tr>
<tr>
<td><strong>Clarify</strong></td>
<td>&quot;Can you say more about that?&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;Is that the way it usually happens?&quot;</td>
</tr>
<tr>
<td><strong>Restate</strong></td>
<td>&quot;It sounds like you weren't expecting that to happen.&quot;</td>
</tr>
<tr>
<td><strong>Reflect</strong></td>
<td>&quot;I can imagine how upsetting that must have been.&quot;</td>
</tr>
<tr>
<td><strong>Validate</strong></td>
<td>&quot;I really appreciate that we are talking about this issue.&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;I am glad we are trying to figure this out.&quot;</td>
</tr>
</tbody>
</table>

**Figure 1. Active Listening Chart**
By taking a listening stance into the interaction, you set the scene for your opportunity to share your concerns about the conflict. Again, we recognize that this can be very challenging! But, if you persevere, the effort is often worth it.

Activity: “Taking a Listening Stance”

Take 5-10 minutes to have a conversation with someone, intentionally making an effort to listen as fully as possible to what the other person is saying, understanding how she or he is feeling, and comprehending the true meaning behind their thoughts and feelings. In this first conversation, use “active listening” in order to clarify, reflect, validate, and summarize the other person’s point of view… without sharing your own opinions.

After the conversation, take 1-2 minutes to reflect upon the experience and, as appropriate, to seek feedback from the other person about how he or she regarded the value of the conversation.

Engage in another conversation (either with the same person or another), in which you freely share your opinions… Later, reflect upon the conversation: How well were you listening? What were some of the challenges present in each situation? Finally, engage in a conversation with a friend or colleague around an issue you perceive to be a point of conflict or disagreement between you. Make a special effort to fully listen, to model the types of behavior you seek in return. It isn’t necessary that, as a result of the dialogue, you or the other person are ‘persuaded’ to change your opinion…

Reflect upon these experiences, and bring your insights to class.

Asking Open-ended Questions

During conflict, most people tend to become somewhat rigid and inflexible in their thinking, and this leads to the attitude—and the actions that are its consequences—that limited possibilities or solutions exist for effectively resolving a problem. Open-ended questions stimulate discussion and encourage more descriptive responses in which all parties involved in the conflict can potentially collect more information for resolving the issue. Open-ended questions (a) cannot be answered through a simple yes-or-no response, (b) may be interpreted creatively so as to suggest a variety of possible responses, and (c) serve to encourage brainstorming or other approaches to problem solving that create options and, more likely, optimal solutions.
For example, a teaching staff was struggling with the implementation of team-teaching approaches in their school. They had reached an impasse, where every idea was rebutted by reasons why the idea wouldn’t work. A facilitator working with the group posed the following question: “In what ways might we effectively implement team teaching at our school?” This question led to a brainstorm of possible responses:

1. Eliminate it until next year.
2. Hire additional staff.
3. Only include staff that wish to participate, rather than mandating it for all.
4. Provide team planning times in order to have effective classes.
5. Involve staff who are in sixth grade this year, then expand to seventh grade next year.
6. Identify team “captains” to each cluster in the school.
7. Renovate the old wing so that combined classes have enough space.
8. Improve the heating in the old wing … since too many kids are hot right now.

These and additional ideas were generated. The facilitator assisted the group in further clarifying and defining each option and developing criteria for evaluating the options. By using open-ended questions, the staff was able to realize that there were many possible ways of interpreting the problem. Furthermore, they became less rigid and positional in their orientation to one another. They began to shift the focus away from areas of disagreement to areas of potential agreement and understanding. Eventually, this process yielded solutions, not only to the problem initially identified, but also to new issues that were now recognized as important to the group.

Open-ended questions can be used in a variety of situations to elicit additional information and clarification about a problem, both in terms of content and of feeling, and to help people focus on areas of agreement and potential solutions. Posing open questions also pre-empts forming solutions too quickly. A facilitator, as in the example provided, can pose open-ended questions. However, a facilitator is typically not present during interpersonal conflict; therefore, utilizing open questions during routine problem solving at home, work or in the community can be beneficial to developing this skill.

Activity: “Asking Open-Ended Questions”

The following activity is useful for teaching people how to use open-ended questions. We will use an adaptation in the teleclass.

(1) Pick an object (any common object like a pen or piece of paper, telephone, etc.) and show it to a small group of people. Generate “open-ended questions about this object,” explaining the definition of an open-ended question, for 3 minutes. Create a list of responses.

(2) Have them consider the list they have created: Which is the BEST question? Why? Observe the process they use for making their decision... how did they do it?

(3) Once they have decided, look at which question was the “BEST.” Where on the list did the winning question fall? (Usually, it is several items down the list, or at the end, as a combination of two questions)

We will discuss this activity and its implications for problem solving in negotiations in the class...

Levels of Questioning: Digging Deeper to Reveal Underlying Interests and Concerns

We know that conflicts are fundamentally dilemmas in which the parties perceive a threat to their needs, interests, and concerns. Yet, we often find that people are only willing to reveal those concerns at a surface level, or that they aren’t even aware of the deeper concerns that are truly threatened by the existence of the conflict. Being able to ask deeper questions can be an important facilitative skill that opens up true dialogue in the group.

Brian Stanfield and the Institute for Cultural Affairs (ICA) group of Montreal, Canada have developed a typology that is helpful here. For greater detail on this framework, see their website at: http://ica-associates.ca/Resources/Articles/AFC.cfm and materials such as The Art of Focused Conversation (2000). To summarize, questions may proceed from Objective to Reflective to Interpretive to Decisional levels of inquiry. Putting this into practice, we can consider the case of a group that is at impasse over the allocation of resources and program priorities. Questions that a facilitator might ask to transform the conflict include:

“Describe, as fully and specifically as possible, what currently occurs in the program. Who are the people served? How do they access services?” (Objective)
“Consider the possibility of changing priorities in this area. How do you think things would actually change as a result of this shift? How do you feel about what you envision?” (Reflective)

“Let’s examine the criteria that are being applied to our assessment of options here… What values are important to maintain in considering these choices? What combinations of options help us best support these values? Are there new options we may not have previously considered, when we think about things this way?” (Interpretive)

“If we apply our criteria and values to this situation, what emerges as the best decision? What are the implications of this decision for others who are stakeholders in this organization and these programs?” (Decisional)

Another typology that we find helpful in our work is one that categorizes questions at the Identification, Definition, Evaluation and Analysis levels. Identification helps people simply describe what is happening, as they see it, both in terms of ideas and feelings. Definition helps people articulate what the issues are… and what they are not… which may be just as important to understand. Evaluation helps them describe why the issue is important and meaningful to them or other stakeholders from their various roles and perspectives. Analysis helps us understand the issue in context – why is it important in comparison to other issues? What are the BATNA, WATNA, MLATNA of not reaching a negotiated settlement regarding the issue at hand?

Sam Kaner, in his excellent book on facilitation, *Facilitator’s Guide to Participatory Decision-Making* (1996) describes the importance of inviting many ideas into the room, creating dissonance as the basis for the emergence of creative, fundamentally superior solutions. He calls this space the “Groan Zone,” a transitional time filled with conflict. If we are to truly use conflict as a transformative experience, we must shepherd groups through the Groan Zone, respecting disagreement and impasse, supporting people’s capacities to communicate with one another, and helping them find elusive solutions that may lie well below the surface of the presenting disputes.

Using active listening, asking open-ended questions, and understanding the levels of questioning suggested by Stanfield and others become essential tools for the facilitator, especially in times of conflict. They are critical opportunities for the expression of leadership, leadership that can transform these powerful situations into opportunities for meaningful improvements of insight, relationships, and the structures for facilitating organization change.
Day 3
Strategies to Understand and Manage Defensive Behaviors

Introduction

Defensive behaviors, especially in the face of conflict, are very typical. Defensiveness may be expressed in a variety of ways, but is almost always disconcerting to the recipient.

For example, defensive behaviors can be expressed through hostility (e.g., sarcasm, put-downs, raised voice), debate, crying, and withdrawal. Given that defensive behaviors are very common in conflict, expect that they will be expressed and have some strategies to effectively manage the defensive response to avoid getting derailed while working through the conflict.

The key strategies for managing defensive behaviors include listening and assertiveness. In managing defensive behaviors it is critical to remain calm and respectful. The goal is to avoid getting sidetracked and, therefore, creating additional barriers to working through the conflicts. Defensiveness naturally diminishes when the person’s needs and concerns are genuinely heard and acknowledged. It is difficult to continue to complain and remain hostile when the other person expresses a genuine interest and concern. Once the defensiveness has dissipated you have an opportunity to reassert your need.

Reflective or active listening and assertiveness are critical strategies for managing defensive behaviors because they help to diminish the other person’s defensiveness. Moreover, by genuinely listening even in the face of defensiveness that may be hostile, it is quite possible that some new information may be unearthed. In other words, we may learn something. Sometimes we learn that there may be conflicting needs, which helps us further identify the real problem. These strategies are essential for facilitating mutually beneficial problem-solving efforts.

Activity: “I-Message Worksheet”

Take a few minutes to identify one or two of the examples below that seem especially relevant to your work context. Imagine that you are about to confront the other person involved, with the goal of negotiating an understanding and, ultimately, a resolution to the conflict. Construct an “I-Message” as a way to initiate this conversation.
“I” Message Worksheet

Note: When developing and sending “I Messages” it may be helpful at times to add a fourth component to the traditional three-part message. By adding “and I would prefer _________,” you clarify the situation by specifying an acceptable alternative behavior. I find this additional component particularly useful to include when working with individuals who may need specific guidance due to lack of familiarity or experience with the desired behavior.

1. One of your colleagues often interrupts you while you are talking. You have ignored this behavior to the point of frustration and now you want to deal with this issue more assertively. Provide him/her with an assertive “I” Message.

I feel ______________________________________________________
when you ______________________________________________________
because _______________________________________________________

2. One of your staff members is really angry. S/he snaps at you and says, “Get off my back and just get lost.” Respond to this person by using an “I” Message.

I feel ______________________________________________________
when you ______________________________________________________
because _______________________________________________________

3. You observe a colleague responding in a verbally aggressive manner to a customer. You want to express your feelings as well as provide your colleague with some constructive feedback using an “I” Message.

I feel ______________________________________________________
when you ______________________________________________________
because _______________________________________________________

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4. You notice that a staff member with a history of attendance problems has been at work more consistently. Give him/her an “I” Message.

I feel _______________________________________________________
when you ______________________________________________________
because ______________________________________________________

5. Several staff are engaged in some questionable behaviors that are unsafe. You’ve noticed them on previous days, but today is the first time you’re discussing it.

I feel _______________________________________________________
when you ______________________________________________________
because ______________________________________________________

6. One of your staff consistently goes over your head and speaks with the Director, whenever s/he has a problem with you. You then get feedback from the Director. You would prefer that s/he deal more directly with you when issues involve you.

I feel _______________________________________________________
when you ______________________________________________________
because ______________________________________________________

7. You provide some critical feedback to a co-worker and s/he in turn responds in an angry and defensive manner. You’ve experienced this type of response from him/her several times.

I feel _______________________________________________________
when you ______________________________________________________
because ______________________________________________________
“I-Messages” are useful points of departure for an assertive approach to conflict negotiation. They are especially helpful at the start of dialogue, when we may be otherwise lacking a sense of how to begin... they may also be helpful at times of impasse, when we fear falling off the ‘balance beam of negotiation' and either convey our needs aggressively or yield prematurely to accommodation. Keep in mind the “4th part” identified earlier, as that may clarify expectations at times of greatest need. Of course the context of the above examples may be easily varied. One immediate consideration for facilitators is the application of “I-Messages” to facilitated work teams.

Managing Defensive Behaviors in Groups: Multi-Party Disputes, Power, and Additional Variables of Complexity

In working with groups and teams, we are really often dealing with multi-party disputes, conflicts in which a variety of perspectives and relationships must be accounted for and addressed. Transformational efforts require a new level of complexity, and they also challenge us to consider how a ‘third party’ role may or may not be adequate here. Traditional approaches to management, with their sense of top-down hierarchy and spans of control, inadequately conceptualize the challenges of facilitative leadership, which requires dynamic navigation of networks of conversations with simultaneously unfolding consequences.

As we shift our thinking to the facilitator role, we inevitably confront the issue of power in groups as affecting the group members' relationships to one another. Therefore, as we consider specific practical strategies for managing defensive behaviors in the group context, they are overlaid with a genuine humility for the complexity of the challenge facing all parties in such circumstances. The following suggestions, therefore, are made with that realization and respect for the additional factors that are inevitably present.

Sources/ Types of Power and Their Impact on Conflict

Power is an important and complex issue facing anyone seeking a negotiated solution to a conflict. Before negotiating, clarify the true sources of power in the room: Your boss has position power, associated with the "carrots and sticks" that come with the role. She or he may also have coercive power, supported by contracts or statutes that compel you to behave in certain ways and do certain tasks associated with your job. You may have a great deal of expertise power, accumulated from doing your job over a period of time. Either of you may possess normative power, through which you know "the lay of the land" in your department and, therefore, how to get things done. And either of you may possess referent power, through which others refer to you with respect for the manner
in which you conduct yourself. Generally, referent power accrues to those who demonstrate a mature willingness to seek collaborative solutions.

We provided this summary of power sources because it is important not to unfairly simplify the power as only existing with "the boss." or certain positions in the organization. Everyone has power, and negotiation involves the exercising of these multiple types of power towards a collaborative outcome. If you feel that it is very difficult for you to negotiate with your supervisor, for fear of retaliation or other exercises of the power she or he possesses, it is important to clarify the conditions you need in order to negotiate as the first order of business. Perhaps this includes a written statement of intention, or the presence of a mediator or facilitator or the support of an advocate or union steward. Perhaps it merely includes the establishment of ground rules that respond to this concern. But it is important to honestly raise the concern and have it addressed (or know clearly that it cannot be addressed at this time), so it doesn't lurk beneath the surface of the conversation, sabotaging good faith efforts to solve the problems at hand. (See video clip on "Sources of Power in Conflict" for more information from UW-Madison Conflict Resolution Skills site )

Guidelines for Mediating Multi-Party Disputes

When addressing conflictive issues, facilitators and mediators are often confronted with multi-party disputes, conflicts involving more than two opposing parties. Although the strategies discussed elsewhere in this course are helpful in these cases, several special considerations should be kept in mind:

1. **Spend extra time in pre-negotiation and needs assessment.** This helps gain a sincere commitment to the process from all participants. It also clarifies how the issues are perceived from the various vantage points of the parties, minimizing surprise factors at the point of discussion.

2. **Use opening statements by participants as an opportunity for each person to share initial positions and be understood.** An extra "restating ground rule" may be appropriate, where participants are asked to restate the previous person’s viewpoint before presenting their own. Don't rush past initial statements, despite pressure to get on with business.

3. **Actively seek common ground early, not to minimize areas of difference, but to clarify them.** Identifying issues that can be resolved in light of these areas of agreement can build support built for continued dialogue.

4. **Recognize that several levels of negotiation need to occur.** Cross-group discussion is the primary focus of substantive negotiation, but within-group communication is important to psychological and procedural needs in conflict. Try to allow time for dialogue within smaller groups, while keeping large group discussions focused on the explicit tasks of the group.
5. **Whenever possible, have subgroups form that break down old coalitions.** This may offer participants the chance to shift from adversarial to solution-oriented relationships. If the group has multiple meetings, they provide excellent opportunities to establish task forces, project teams and information gathering groups, which rearrange traditional alliances.

6. **Be sensitive to the tension between being (social cohesiveness) and doing (task effectiveness) within the group.** Managing this inevitable tension requires great skill on the part of the mediator. Disputants often have a profound experience in "knowing the enemy." This is valuable for its own sake, aside from substantive progress, and could translate into goodwill that is valuable in other settings. The mediator needs to constantly check with the group to be sure that any urge to be solution-oriented is a focus they continue to share, and help members realistically comprehend consequences of their decisions.

7. **Be especially sensitive to the role of moderates and extremists within the meeting.** **Moderates** are defined here as those who demonstrate flexibility in negotiation. This includes a willingness to consider a variety of options and a desire to attend to others' needs in negotiation. **Extremists** in this context are those who rigidly hold on to a minority position. They narrowly define the agenda and often sabotage efforts by others (even in their own camp) to negotiate. **In such multi-party disputes, it is critical to empower the moderates to "find their voices," and be sure their views are clearly expressed.** Extremists tend to dominate such discussions, fearing that their concerns will lose if they don't argue forcefully: They need to be able to express their concerns and have them acknowledged, but this must occur within a context that allows all views to be represented with integrity at the table.

8. **Continue to be vigilant regarding your neutrality throughout the process.** Major issues raised by ad hoc subgroups should be brought back to the larger group for resolution. Watch for possibly biased responses to extremists within the group; since they may be exhibiting attitudes you do not share, biases may lurk just beneath the surface of the meeting and emerge in subtle language or non-verbal behaviors. You may find it beneficial to "de-brief" during such experiences with a colleague as a reality check for your neutrality in the dispute.

(Adapted from Harry Webne-Behrman, *The Practice of Facilitation*, Quantum Books, 1998. Used with permission of the author. All rights reserved.)
Activity: “Key Points of Leadership in Multi-Party/Team Conflicts”

Consider the following questions:

- Where do I feel the most comfortable facilitating groups in conflictive situations? What are some of the things that are happening that reinforce my sense of confidence, comfort, and competency here?

- What phases of the process are most challenging for me? When defensive behaviors are presented, how do I tend to respond? How might I empower group members to become more effective in responding to the needs presented by the dispute?

- Organizationally, how does the culture of our company or agency reinforce or sabotage effective responses to group disputes? What are some key systemic factors that need to be addressed in order to consistently improve our capacity to respond as an organization?

(Please reflect on these questions for next time. As possible, engage in a conversation with a colleague about these questions...bring your insights to our next session!)
# Collaborative Negotiation Strategies

## A Six-Part Model for Collaborative Negotiation

The Six-Part Model for Collaborative Negotiation provides a process for the collaborative management of conflicts and problems. It can be applied to interpersonal or group disputes.

### Six-Part Model for Collaborative Negotiation

<p>| | |</p>
<table>
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| **1** | **Assess personal needs**  
Understand personal needs, including substantive, procedural, and psychological needs.  
Determine desired outcome/s of the negotiation.  
Explore BATNA, WATNA, and MLATNA. |
| **2** | **Establish ground rules**  
Create ground rules that reinforce a respectful environment.  
Facilitate enforcement of the ground rules.  
Gain commitment from all involved. |
| **3** | **Identify initial positions**  
Express the conflict.  
Use effective and empathic listening skills.  
Attempt to express concerns assertively.  
Provide equal “air time” for all participants.  
*This is a start, not a settlement. Don’t rush the process.* |
| **4** | **Explore underlying concerns**  
Explore underlying concerns free of attack, debate or judgment.  
Cooperate, try to remain flexible.  
Focus on interests, not positions.  
Identify mutually acceptable criteria to apply to problem solving.  
*Talk it all through in depth and detail.* |
| **5** | **Agree on mutual solutions**  
Actively participate.  
Genuinely ask, “So, what shall we do to solve this?”  
If an *impasse* is reached, refocus earlier in the process. Select a solution.  
Check for unfinished business.  
*Evaluate.* |
| **6** | **Evaluate process and outcome**  
Regularly assess what went well and what didn’t.  
Develop new strategies and/or solutions as needed. |

1. **Assess personal needs.** The initial step for effectively resolving interpersonal disputes is to understand your own needs and concerns in the conflict.

   (a) Have a conversation with yourself to explore personal needs, desired outcomes, and alternatives. Your needs relate to substantive and procedural concerns, to those things that you need to feel safe and respected during the negotiation process.

   (b) Desired outcomes relate to what you want as a result of the negotiation. Try to envision what you would see or hear if your desired outcome were realized.

   (c) Finally, understand your alternatives: BATNA (Best Alternative to a Negotiated Agreement), WATNA (Worst Alternative to a Negotiated Agreement), and MLATNA (Most Likely Alternative to a Negotiated Agreement). Exploring alternatives will help you to determine if, why, and how you might negotiate.

2. **Establish ground rules.** Ground rules are developed and implemented to create a safe and respectful environment for all parties involved. Ground rules can be informally established during interpersonal disputes. For example, if two colleagues are getting together to talk about a difficult issue, one colleague may suggest to the other that they both try to listen to one another and allow each other to state their concerns fully and free of interruptions. This suggestion might be followed by inquiring if the other colleague has any further ideas to suggest that might help the discussion be beneficial to both of them. Ground rules can also be established with the help of a facilitator. For example, many businesses, schools, and other organizations invest the time to develop ground rules collaboratively. The ground rules are then used at various times, including meetings and interpersonal or group conflicts.

We are occasionally asked for examples of the ground rules that groups require in order to facilitate a safe, affirming environment. The following list represents some of the more common, and important, rules to consider for your group.

- **One person speaks at a time.** This piece of common sense is often at the foundation of safe, effective communication. To know that one will not be interrupted helps promote good listening.
We will make a sincere commitment to listen to one another, to try to understand the other person’s point of view before responding. The use of active listening skills is an important tool for conflict resolution. The explicit commitment to try to understand conveys goodwill within the group.

What we discuss together will be kept in confidence, unless there is explicit agreement regarding who needs to know further information. The confidentiality of communications can be crucial to progress. It is important to be honest and clear in this area, as there is no ‘common sense’ understanding of confidentiality.

We agree to talk directly to the person with whom there are concerns, and not seek to involve others in gossip or alliance building. The group’s commitment to honest, direct communication regarding problematic areas is often a major shift in style. It requires hard work and diligent support from all members.

We agree to try our hardest and trust that others are doing the same within the group. The ability to say no is often elusive within work teams, especially within environments that have pressure to “satisfy all customer demands.” To trust that your colleagues are as committed to success as you are, including the right to admit that certain deadlines cannot be met, is important to creating an affirming environment.

We will support the expression of dissent in a harassment-free workplace. The expression of disagreement is fundamental to honest communication and effective problem solving. The explicit support of this concept is important in groups whose members have in the past perceived new ideas being put down, or where ownership of group meetings has been limited.

We agree to attack the issues, not the people with whom we disagree. This idea flows naturally from the rule that precedes it, i.e., that “put-downs” are out of line.

This list of ground rules forms a starting point for further discussion about group ground rules. A typical list contains at least five rules of this kind—more than seven or eight become difficult to monitor and cumbersome to enforce. Please feel free to recommend any others that you feel are important with the rest of your group.
3. **Identify initial positions:** In conflict everyone has one position—in fact, this is what you want. During this stage of the process it is important to assert your need clearly and respectfully. It is equally important to listen to the other parties' needs and concerns. It is often during this stage of the collaborative negotiation process that people will rush to resolution. Solutions formed and implemented at this stage are often more Band-Aid approaches and may not reflect the needs of all involved.

4. **Explore underlying concerns:** If your position defines what you want in a given conflict, the underlying concern has to do with *why* you want what you want. While, however, you will have only one position in the conflict, you may have many underlying concerns or interests. There are several desired outcomes of shifting the focus from position to interests: first, doing so opens up a greater potential for finding some areas of agreement; second, a more in-depth understanding of the problem/concern is typically reached for all parties; and third, solutions generated from a deeper understanding of the issues tend to be more robust.

5. **Agree on mutual solutions:** Brainstorming is an opportunity to generate many possible solutions to a problem, free of judgment or debate. Following the brainstorming, a solution may be chosen that best meets the needs of all parties (a win-win solution), one that is fair and realistic, and one that takes the future into consideration.

6. **Evaluate process and outcome:** The final step in this six-step process involves the evaluation of both the solution (outcome) and the steps involved in reaching the solution (process). The following questions are good ones to use to evaluate the outcome:

- *Does the solution meet the needs of both or all parties?*
- *Is the solution fair and balanced in implementation?*
- *Is it realistic given resources and other parameters?*
- *Will the solution be applicable in the future?*

**Questions to consider when evaluating the process include:**

1. **Were ground rules established?**
2. **Did the ground rules meet the needs of those involved? If so, why?**
3. **How were ground rules enforced?**
4. **Did you feel like you were heard, respected, and understood? What were keys to helping this occur?**
5. **How can this process be improved for future use?**
Strategies for Managing Impasse

As participants proceed through the conflict resolution process, they are likely to experience impasse, a period of protracted inability to find acceptable solutions. Such periods are characterized by many attributes of “stuckness,” a state in which frustration, powerlessness, anger, anxiety, rigidity, and blaming behaviors are common. Participants and facilitators often view impasses, alike, as something to be avoided or, at best, efficiently managed. But we have come to view them as important, natural periods in the evolution of the conflict that should be embraced as opportunities for conflict transformation. Paradoxically, therefore, we welcome impasse as an opportunity to confront the most significant underlying concerns of the conflict and, perhaps, to move beyond such concerns into meaningful solutions. It is in this light that we offer some specific strategies to be considered for use by parties in conflict as well as by facilitators in managing impasses within groups.

1. **Ask participants to discuss their feelings regarding being at impasse.** Often, we inaccurately assume certain emotional responses for a given situation. In addition, by focusing only on the issues of the conflict, we lose sight of the emotional costs being jointly experienced by the parties. A useful approach is to have people discuss their feelings about being stuck, from which a renewed sense of understanding and empathy can bring new energy to the issues at hand.

2. **Shift from substantive to procedural or psychological issues.** Usually, groups are at impasse over substantive issues. By setting such issues aside for a while, and shifting to a procedural concern, they can regain confidence in themselves as problem solvers. Having done this, they should take on a psychological concern to build further trust. After such a shift, there may be more success with the substantive issue.

3. **Reframe the problem.** Often, we get stuck by personal definitions of a problem at hand, only to find that new ways of describing the situation can help us appreciate other dimensions of the situation that have been elusive. We like to reframe our style of approaching the issue, as well as its verbal definition: For example, if we have been frustrated over how to solve a problem in which staff lack appropriate access to a copier or fax machine, we might take common desk items and physically move them around the table as a way of testing the flexibility of their location. We might also have participants draw pictures to redefine the situation. By taking the problem out of an intellectually abstract, verbal mode and putting it in a concrete, visual mode, we create new ways of viewing the situation that can promote flexibility.
4. **Consider a structured break as a way to change the energy of the room.** When stuck in impasse, people often come to feel personally attacked and emotionally drained. They tend to benefit from relaxing for a few minutes, perhaps going to the bathroom, having a cup of coffee, or something like that. Rather than just having people adjourn for ten minutes, however, we should suggest that they consider one or two focus questions during that time. For example, we might say:

We’d like to suggest a ten-minute break at this point, just to give people a rest from the hard work of the group. We really appreciate how challenging it is to work, as you have, on these issues, and we remain confident that good solutions remain to you. During this break, we’d like you to consider two things. First, reflect on how you feel right now about being stuck, and, if you need anything from the group before proceeding, what that might be for you. Second, we’d like you to consider the alternatives you’re left with, should we fail to reach agreement this afternoon. In other words, what will happen for you if we don’t successfully work things out today? When we return from the break, we’ll check in with each of you to understand what you have discovered about these questions.

We find that such a structured break often leads to robust, meaningful discussion when people return, often including “olive branches” they were unwilling to offer previously.

5. **An “olive branch” can be the first step toward peace.** Much as we would prefer that the other person be the first one to offer flexibility, we are often confronted by the harsh reality that our own needs may only be met by offering that flexibility ourselves. However, one caveat should always be kept in mind: One should not extend a hand that one cannot afford to have refused, or even “cut off.” The other party may refuse the initial gesture of peace, with strong reasons, and this could further erode confidence in the negotiations. The facilitator should remain calm and patient about such situations, recognizing the continued legitimacy of the refusing party’s position, and help the initiating party understand the consequences of this refusal.

6. **When in doubt, restate.** As active listening has been the cornerstone of our previous discussion of tools for the facilitator, it remains central to the management of impasses. It is useful for a few reasons: First, restating clarifies to the parties your true understanding of their continued positions; second, in doing so you offer them a face-saving way to modify their positions in light of your statements. Third, restating provides you with a chance to consider other strategies; by restating, you keep your
focus and “buy time” for problem solving. Finally, restating can be a useful way to embrace areas of agreement and validate them again for the group. These agreements have often been lost in the focus on disagreement, and the summarizing process can bring the conflict back into its proper perspective.

7. **Consider the use of a caucus at this time.** Caucusing, or meeting separately with each party, is a tool that is useful for several reasons: it allows people to break the direct communication that has become dysfunctional, it reestablishes elements of safety within a situation that may be becoming more fearful, it allows flexibility and the consideration of creative options in a more relaxed, less pressured manner, and it allows the facilitator to be an *agent of reality*, helping participants to evaluate the situation accurately. Although caucusing risks the neutrality of the facilitator if improperly handled, and although it now has the participants speaking with the facilitator, rather than one another, it can be a useful strategy when direct communication has broken down at impasse.

8. **Consider BATNA, WATNA, and MLATNA before negotiations are terminated.** We have previously described the importance of considering best, worst, and most likely alternatives to a negotiated agreement as an important motivator to problem solving. In times of impasse, when people often appear to prefer an alternative to collaboratively working through issues, the facilitator can be most helpful by reminding them of the consequences of such options. As in the example of a structured break, it is imperative that people calm down sufficiently to clearly see their alternatives. Whether such consideration occurs in open session, during a caucus, or through a break, it is an important and often useful strategy to use when at impasse.

9. **Reaffirm the ground rules.** As stated in the original presentation of the concept of ground rules, their points serve as the foundation for risking effective, honest communication. As such, they are often endangered during impasse. By reaffirming the group’s commitment to these rules at this time, participants from all perspectives are reminded of their common commitment to a respectful process. They may also find that the ground rules need to be revised, in light of new insights, and thus form a set of procedural issues that can positively impact the meeting environment.

10. **Engage the Wall.** The Force is with you. As we noted in the introduction to this section, we view impasse as an important opportunity for achieving meaningful
dialogue and significant solutions. This opportunity is concretely crystallized for us in the metaphors of the Wall and the Force.

Envision impasse as a time in which the disputants have constructed a Wall between them across the center of the table. The deeper the impasse, the higher and stronger is the construction of this Wall. Our initial feelings about the Wall is that it is bad, and should be eliminated; we are therefore encouraged to consider means of destroying the Wall, circumventing it, building new walls to protect ourselves, or, perhaps, giving up and withdrawing from the table. Rarely do we recognize that the Wall contains within it the answers to our questions and the solutions to our problems. By patiently, calmly, respectfully engaging the Wall and seeking to understand it, we often find that its power is transformed to one of insight, wisdom and hope.

In the movie trilogy Star Wars, the heroic character Luke Skywalker attempted to become a Jedi knight in order to overcome the evil of the “dark side” of the Force. As he first learned of the Force from his teacher, Yoda, Luke repeatedly failed in his efforts. It was only when he was able to be calm within himself, find patience with the process, confront his deepest fears and seek good within his adversary, Darth Vader, that Luke was able summon his own courage and energy and trust the Force to be with him. Similarly, the group facilitator must trust the energy of the group at times of impasse: If we can remain calmly and respectfully present at such times, we encourage conflictive parties to do the same. If we trust their capacity to do well at finding solutions to their dilemmas, the possibility remains that such solutions may be found. However, if we abandon such faith through our own impatience, ego, fear, or arrogance, we undermine the process we are seeking to protect.

(Adapted from Harry Webne-Behrman, Guardian of the Process: A Handbook for Group Facilitators.)

Positions and Interests in Negotiation Activity

We will discuss these scenarios (or at least one of them) in class. Please take a few minutes to read through them, and complete the worksheet in advance if you have time.
Scenario I

When people have a conflict they usually have **one position**. Their position is what they want. They also have **interests**, often **many** interests. Interests are the reasons they want what they want. Typically in conflict, the parties involved negotiate from their positions and often get “stuck.” Interest-based negotiation, on the other hand, encourages the exploration and expression of underlying concerns/interests.

Jane creates the agendas and co-facilitates her department team meetings with her colleague John. John has recently been showing up late and unprepared for meetings, and has not been contributing to the formation of the agenda. Jane told John that she cannot work with him anymore and that one of them needs to resign as facilitator. John wants Jane to ease up a bit. John and Jane are both frustrated with one another.

1. What is John’s position?

2. What is Jane’s position?

3. What might be some of John’s interests?

4. What might be some of Jane’s interests?

5. Brainstorm ideas for mutually satisfying solutions. (Note: Remember that collaborative solutions are based on underlying interests/concerns as opposed to initial positions.)
**Scenario II**

When people have a conflict they usually have one position. Their position is what they want. They also have *interests*, often *many* interests. Interests are the reasons they want what they want. Typically in conflict, the parties involved negotiate from their positions and often get "stuck." Interest-based negotiation, on the other hand, encourages the exploration and expression of underlying concerns/interests and often offers opportunity for increased understanding of common ground.

Jim is a staff member in Jzong’s technology team. Jim’s performance reviews were initially, good but lately have been dropping. In fact, Jim received critical marks on his last two projects. Jim is a rather quiet man who wants to succeed on the job. Recently he’s been showing up to meetings a few minutes late and not always well prepared. Jzong is a highly successful team leader who has high expectations of himself and his staff. Jzong also wants Jim to succeed and has frequently made it clear to the entire team that he is available for individual assistance and, yet, Jim has never availed himself of this extra help. Jzong is feeling frustrated at Jim’s lack of motivation and persistence, at least from Jzong’s perspective.

1. What is Jzong’s position?

   ____________________________________________________________________

2. What is Jim’s position?

   ____________________________________________________________________

3. What might be some of Jim’s interests or concerns?

   ____________________________________________________________________

4. What might be some of Jzong’s underlying interests and concerns?

   ____________________________________________________________________

5. Brainstorm some ideas for mutually satisfying solutions

   ____________________________________________________________________
Day 5
Synthesis – Designing Staff Facilitation/ Mediation Systems to Transform Conflict in the Workplace

Introduction

Let’s go back to the beginning of this course... the section called, “First Things First” attempted to lay out principles that support the efforts in which we are engaged. The “Key Components of a Conflict Resolution Program” presented core strategies required to fulfill those principles in practice. Subsequently, we have engaged in consideration, discussion, and applied practice of skills required to be successful at navigating conflict as one engaged in facilitative leadership.

In the end, it boils down to this:

1. The Importance of Modeling
2. Conflict Resolution Education... for all!
3. Staff Mediation and Facilitation
4. Dispute Settlement Systems Analysis
5. Bridging to Community Resources

The Importance of Modeling

The most powerful teaching we do comes from our presence and our capacity to model our principles in action. As facilitators, it is critical that we model the types of behaviors that we seek from group members in addressing conflict: Active listening, asking open-ended questions, managing defensive behaviors, assertive queries that seek clarification before judgment – these behaviors are significant because they offer participants some realistic and practical ways to behave in ways that may be more consistent with their own values, as well as the practical needs of the situation.

Conflict Resolution Education... for all!

The skills and language of conflict resolution need to be taught throughout the organization, not only to managers and ‘leaders’ but to all staff. This creates the cultural norms that support collaborative initiatives, and create a significantly better likelihood that those initiatives will take root, sustain, and truly transform the organization. Conflict resolution education enhances our overall capacity to envision a company that
addresses conflict constructively, and thus establish an infrastructure to channel disputes in ways that resolve them and add to the wisdom we have to do business well. We shouldn’t view professional development as either the opportunity of a few leaders or a remedial response to ‘difficult employees.’ Instead, if we empower all staff with knowledge and skills to manage conflicts well, we make it far more likely they will utilize the strategies we are teaching them and support beneficial programs, such as staff facilitation teams, that can prevent such conflicts from escalating and making the work environment toxic.

**Staff Mediation and Facilitation**

If we establish programs that utilize a cross-section of staff to facilitate resolution of difficult issues, including conflicts, we enhance our overall problem-solving capacity as an organization. Furthermore, if we assess the dispute settlement systems that exist, we can target reforms in processes that get best return and leverage for our investment in this area. The important thing is to raise the issue, offer the opportunity, facilitate dialogue about its potential, and find a ripe area for piloting an initiative around conflict transformation. From there, a broader contingent of “champions” can best determine additional strategies that emerge within the context of the company’s culture and needs.

If you already have a well-established staff facilitation program that assigns facilitators to quality improvement efforts, task forces, work teams, etc, you should build upon that foundation with skills and strategies that specifically address conflict resolution. If you once had such a capacity, but it has now fallen aside due to lack of funds, staff, advocacy, etc, assess whether the former approach should be resurrected and transformed, or whether a totally new initiative is best to offer, without the “baggage” of the previous effort. Perceptions of initiatives in this area can be persistent and complex, with many emotions of unresolved failed attempts that linger; assessing the needs of your situation before launching a project can be extremely important.

**Dispute Settlement Systems Analysis**

A systemic approach to managing conflict is critical if we are to best leverage our resources in this area. This approach should begin with a dispute settlement systems analysis, where we emerge with a clear understanding of the stakeholders, the champions, the sources of resistance, and the potential resources for successful implementation that are required.

In doing this assessment, be sure to consider:

- **Formal dispute settlement systems**, such as collective bargaining processes, grievance procedures, legal mandates, and other formal chains of command that
come into play. The performance assessment system used in your organization is another element of this system.

- **Informal dispute settlement systems**, such as peers who are perceived as having significant referent power and who are relied upon to help solve problems as they arise, even if outside their formal areas of responsibility and expertise.

- **Non-formal dispute settlement systems**, such as staff facilitation and mediation programs, communities of practice, coaching/mentoring networks, and other groups that are intentional, yet rely upon peer initiative and emergent responses to conflicts, rather than formally prescribed responses.

In each of these cases, it is important to assess the impacts of those systems currently in place:

- Are they helpful, or do they exacerbate problems?

- Are they efficient, or do they delay effective responses to situations, thus adding cost and complexity?

- Do they provide opportunities for the true stakeholders in the dispute to engage in meaningful dispute resolution processes, through which the substantive, procedural and psychological needs of the parties can be addressed and, potentially, transformed?

- Do these approaches facilitate opportunities for “3 Wins” solutions that integrate the needs of the disputing parties with those of the organization?

**Bridging to Community Resources**

Our companies and organizations do not exist in a social, political or economic vacuum; they exist within a broader community. The fundamental building block of effective management is the relationship – the interactions that meaningfully exchange and communicate information, feelings, aspirations, vision, etc: Various levels of needs in diverse life conditions summon us to reach out across our organization’s boundaries and seek partners in the community that can be resources through which our efforts can thrive.

Just as this point is valid in considering our organization’s mission and our service priorities, it applies to our efforts to transform conflict through facilitative leadership. An effective conflict resolution effort should connect with the relevant resources that exist in

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2 A truly integrative approach to conflict resolution considers not only the needs of the parties… to potentially negotiate “win/win” solutions… but also the needs of the larger organization or society. Thus, the term “3 Wins” comes into our vocabulary here.
the community to enhance its effectiveness: Professional associations, university resources, quality improvement networks, associations of mediators, schools, court resources, and a variety of social service agencies that accumulated expertise in this area over the past thirty years of the modern mediation movement. When establishing programs in your organization, reach out to these community resources and find points of partnership that can add value and credibility to your efforts and help you engage most effectively in implementing a cultural change around conflict.

**Synthesis**

Transforming conflictive situations into opportunities for collaborative growth is among the central challenges facing our organizations, communities, and society. We hope to have provided some valuable ideas that you can take with you and apply immediately.

As we reflect upon the situations that exist in our organizations and the dilemmas for leadership that result, we hope these concepts can also guide your thinking, so your efforts can be well-invested and successful outcomes can follow.

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3 Much credit should be given to former President Jimmy Carter, who established (along with his Attorney General, Griffin Bell) a number of community-based mediation and conflict resolution education programs in the late 1970’s. Along with grass-roots efforts of that time, such as the Children’s Creative Response to Conflict Program, Educators for Social Responsibility, and the Center for Conflict Resolution in Madison, Wisconsin, these programs have formed the foundation for efforts that grew in the 1980’s and blossomed in the 1990’s as a full-scale mediation movement. There is still much work to be done, to incorporate “alternative dispute resolution” into mainstream court, corporate, education, and social service processes, but the genesis of current efforts should be traced to the late 1970’s.
Final Activity

Reflect upon the five areas of emphasis presented in this Unit. Specifically consider:

1. **What opportunities exist to model facilitative approaches to conflict in my work?**

2. **Where do opportunities exist to teach conflict resolution? In what ways might these be leveraged for greatest success?**

3. **In what ways might you implement broader opportunities for staff facilitation and mediation, building upon existing efforts? What barriers might hinder such efforts?**

4. **In assessing current dispute settlement systems, what formal, informal, and non-formal opportunities exist to broaden successful strategies and reduce the impact of destructive approaches?**

5. **What resources exist in the community that can partner with your organization’s efforts to broaden conflict resolution capacity? How might you access those resources?**

We don’t expect you to be able to reflect upon each of these questions overnight. However, these are the types of questions that can help you focus on the key issues to address at this time and the “next steps” that can be taken in your organization. Please bring thoughts – and new questions – to our final class session, so we can address as many as possible in our time together.

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Transforming Conflict in the Workplace

Class Evaluations

Thank you for participating in this course. I hope you have found it to be worthwhile... your feedback is appreciated, so please let Steve and me know what was helpful and what can be improved for the next time around!
— Harry Webne-Behrman

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*** 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
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Mediation

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

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**Let us know how we're doing**

We would love to hear your feedback on this learning guide. If there is anything that you particularly liked, think is missing, or believe to be incorrect, please email your comments to us and we'll consider them in a future version of this work. Thanks for your support!

**About the Author**

Harry Webne-Behrman has served as a facilitator and mediator for over 25 years. Along with his wife, Lisa Webne-Behrman, he is a Senior Partner of Collaborative Initiative, Inc., a private consulting and mediation firm based in Madison, Wisconsin. Harry has worked with hundreds of businesses, schools, community groups and public agencies, and he maintains tremendous enthusiasm about the importance of learning to work collaboratively to build positive work environments.

Harry also works with the University of Wisconsin-Madison's Office of Human Resource Development, coordinating and teaching professional development programs for courses on conflict management, communication skills, facilitation skills, managerial
mediation and other areas. He is the author of The Practice of Facilitation (1998), Guardian of the Process (1994), and co-author of the Working It Out Series in peer mediation and conflict resolution education in schools. Most recently, he and Lisa collaborated with Dick Geier to produce Eleanor At Eighty, a facilitator training resource for addressing complex eldercare issues in families.