

GENERAL PRINCIPLES OF CONFLICT RESOLUTION

This informative document is sent to all parties who will be participating in either a mediation or team conflict intervention process. It describes the mediation process and contains a number of useful suggestions and pointers to help individuals prepare for a productive, constructive, and collaborative problem solving experience.

1. Listen Actively

Listening is the most important part of communication. If we do not hear what the other parties are communicating we cannot resolve a conflict. Active listening also includes noticing what the other person is saying with intonation and body language.

2. Think Before Reacting

Our tendency in conflict is to react immediately. In emergencies, fast physical reaction can save lives. In workplace conflicts, we may say things without thinking that damage relationships. In order to resolve conflict successfully, it is important to consider possible outcomes.

3. Attack the Problem - NOT each other!

Conflict is very emotional. When emotions are high, sometimes we attack the person on the other side of the problem. What is the problem underlying the emotion? What is the cause, rather than the symptom?

4. Accept Responsibility

Every conflict has many sides. There is enough responsibility for everyone. Attempting to place blame creates resentment and anger. In order to resolve a conflict, we must accept our share of the responsibility and eliminate the concept of blame.

5. Use Direct Communication

With an "I-Message" we express our own wants, needs, or concerns to the listener. "I- Messages" are clear and non-threatening ways to express information. Consider the differences in these "I" Messages and "YOU" Messages:

- I need feedback on my work. [YOU didn't give me feedback.]
- I'm concerned about the project. [YOU don't think I care about the project.]
- I want to be part of the team. [YOU don't want me to be part of the team.]
- I need more information. [YOU don't give me enough information.]

A "YOU" Message blames or criticizes the listener, suggesting that she or he is at fault.

6. Look for Common Interests

We are taught to verbalize what we want. To resolve conflict successfully, we must discover:

- What is really important about the issue in conflict to all parties?
- Why is a particular outcome important to all parties?

7. Focus on the Future

It is important to understand the dynamics of the relationship including the history of the relationship. To resolve the conflicts, we must focus on the future. **What do we want to do differently tomorrow?**

The Mediation Process

I. Initiating the Process

1. The mediation will begin with everyone together in a joint session, during which time the mediator(s) will explain the process. You will be asked discuss the incidents that led to the issues which were brought to the mediator(s). Each person will have uninterrupted time to speak about the issues from their perspective.
2. During the process the mediator(s) may meet privately with each of you to discuss specific issues. They will continue these private meetings (also called a “caucus”) to assist in identifying interests and generating options for resolving the dispute. Unless the mediator(s) receive(s) permission from a party to discuss any comments made in the private meeting, everything said in that private meeting will remain confidential.
3. At the conclusion of the mediation, the parties may specify points of agreement and, with the assistance of the mediator(s), draft an agreement. Each party and the mediator(s) will sign the document.
4. If no agreement is reached, the parties may decide to end the mediation, seek more information, involve additional people, and/or reconvene at a later date.

II. Your Role during the Mediation

1. Remember that it is most helpful to communicate with the other side by looking at that party when speaking to her/him and acknowledging that you have heard her/his comments. You may take notes while the other person is speaking to avoid interrupting. All notes will be destroyed at the end of the mediation.
2. Even when you disagree with her/his position, listen with the intent understand her/his perspectives.
3. Try to keep the anxiety and anger levels at a minimum.
4. Refrain from saying "I don't think we will ever get this resolved," and try to avoid hostile body language.
5. You can demonstrate an understanding of the other side's position without agreeing with that position. It is easier to discuss your differences after you have developed trust through listening.
6. Refrain from using the "tough" approach. Remember that both of you (or all of you) are trying to resolve this together. A tough approach could be perceived by the other side as diminishing his/her issues and can be counterproductive.
7. Be prepared to discuss in a short and straightforward manner what happened in chronological sequence and what you see as the problem. An example of this would be to say: "I really am getting backed up on my work since I don't have the financial report yet," rather than: "you didn't finish the financial report on time!" (The latter is an example of a "you-statement"). Other examples are “I feel I am not being treated fairly when...” or “I believe I have been given incomplete information when...” Consider I-messages to express your experience without putting the listener on the defensive.
8. Each party should avoid phrases that are accusatory in nature. Rather than saying “He is a dictator and a poor manager” it is better to state something like “I feel like he attempts to control every moment of my day.”

III. Resolution Strategy – Pre-Mediation Self-Assessment Tool

In preparing for resolution during the mediation it is useful to consider the following:

1. What are your interests, i.e., what do you really want or need?
2. What do you think the other side really wants or needs? Try to envision how you would react and what you would want if you were in their situation.
3. Identify and list as many creative options to resolve your issues as you can. Think of what the other party could do to satisfy your needs, wants and interests, taking into consideration what is feasible.
4. Prioritize the options, allowing room for flexibility.
5. What is realistic to ask for?
6. Think of what you could do to satisfy the interests of the other side.
7. If you don't settle this dispute in mediation, what are your other alternatives?
8. Of all those alternatives, which is the best (and most realistic) one?
9. Estimate what it will COST you if you DO NOT resolve this in mediation.
10. Be prepared to compare your alternatives with what the other side offers in mediation and decide which is better, considering time, cost, uncertainty, stress, etc.
11. If you can't get everything you want, think about *what you can live with*, in order to get resolution now.
12. If faced with a similar situation in the future, what can you do differently to prevent a conflict?