



msea core training

MINNESOTA SCHOOL EMPLOYEES ASSOCIATION

NAVIGATING CONFLICT

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STRENGTH IN UNITY

MSEA
190 E 5TH ST
SUITE 750
ST. PAUL MN 55101

651.227.3623
800.622.0289

www.msea-mn.com

MSEA Navigating Conflict Manual

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QUOTATIONS ABOUT CONFLICT

“Difficulties are meant to rouse, not to discourage. The human spirit is to grow strong by conflict.”

William Ellery Channing
U.S. Abolitionist & Clergyman (1780 – 1842)

“In the frank expression of conflicting opinions lies the greatest promise of wisdom in governmental action.”

Louis D. Brandeis
U.S. Jurist (1856 – 1941)

“Truth springs from argument amongst friends.”

David Hume
Scottish Historian & Philosopher (1711 – 1776)

“Fight for your opinions, but do not believe that they contain the whole truth or the only truth.”

Charles Anderson Dana
American Editor (1819 – 1897)

“The aim of argument, or of discussion, should not be victory, but progress.”

Joseph Joubert
Essayist & Moralist (1754 – 1824)

conflict

CONFLICT is a complex issue, one that naturally permeates all organizational and community life. In order to address conflict effectively, we need:

- **Attitude** of respect towards those with whom we disagree;
- **Willingness** to entertain new definitions of the issues at hand;
- **Sensitivity** to cultural, gender, and personality differences that may influence perceptions of the needs of the parties; and
- **Attention** to the development of communication and problem-solving skills.

WHAT IS CONFLICT?

Definitions and Assumptions About 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 that 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 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.

Conflicts occur when people (or other parties) perceive that, as a consequence of a disagreement, there is a **threat to their needs, interests or concerns**. Although conflict is a normal part of organization life, providing numerous opportunities for growth through improved understanding and insight, there is a tendency to view conflict as a negative experience caused by abnormally difficult circumstances. Disputants tend to perceive limited options and finite resources available in seeking solutions, rather than multiple possibilities that may exist 'outside the box' in which we are problem-solving.

A few points are worth reiterating before proceeding:

- A conflict is more than a mere disagreement - it is a situation in which people **perceive a threat** (physical, emotional, power, status, etc.) to their well-being. As such, it is a meaningful experience in people's lives, not to be shrugged off by a mere, "it will pass..."
- Participants in conflicts tend to **respond on the basis of their perceptions of the situation**, rather than an objective review of it. As such, people filter their perceptions (and reactions) through their values, culture, beliefs, information, experience, gender, and other variables. Conflict responses are both filled with ideas and feelings that can be very strong and powerful guides to our sense of possible solutions.
- As in any problem, **conflicts contain substantive, procedural, and psychological dimensions** to be negotiated. In order to best understand the threat perceived by those engaged in a conflict, we need to consider all of these dimensions.
- Conflicts are normal experiences within the work environment. They are also, to a large degree, **predictable and expectable situations that naturally arise** as we go about managing complex and stressful projects in which we are significantly invested. As such, if we develop procedures for identifying conflicts likely to arise, as well as systems through which we can constructively manage conflicts, we may be able to discover new opportunities to transform conflict into a productive learning experience.
- **Creative problem-solving strategies are essential** to positive approaches to conflict management. We need to transform the situation from one in which it is 'my way or the highway' into one in which we entertain new possibilities that have been otherwise elusive.

Conflict is Normal

ANTICIPATING CONFLICTS LIKELY TO ARISE IN THE WORKPLACE

Consider your own work environment for a moment:

- What are some key sources of conflict in our workplace?
- When do they tend to occur?
- How do people respond to these conflicts as they arise?
- When we solve problems, do we do so for the moment, or do we put in place systems for addressing these types of concerns in the future?

In reflecting upon your answers to these questions, you may begin to understand what we mean by anticipating conflicts likely to arise in the workplace: Normal, healthy organizations will experience their share of conflict, and workplaces experiencing a certain amount of dysfunction will experience it in greater quantities. Anticipating conflicts is useful in either situation for transforming these situations into opportunities for growth and learning. Consider...

- ***Are there seasonal peaks in our workload that tend to occur annually?*** Chart the occurrence of such challenges, and consider whether they can be managed as a normal period of stress and transition. For example, a school had a large population of students who arrived after long bus rides without breakfast, who tended to arrive at school ready to fight. The school identified 10 minutes at the start of the day to give these students a healthy



snack, and worked with teachers to pull out students who weren't yet ready for school before they became disruptive. After food and a little counseling, students entered their classrooms in a better frame of mind (and body) to participate.

- ***Do we have channels for expressing normal problems and concerns in a predictable, reliable manner?*** Meetings should be used as a tool for effective problem solving in a range of situations, including anticipated conflicts. If such channels are perceived as closed, unsafe, and non-productive, they will be replaced by gossip, 'end runs' and backbiting.
- ***Are there certain factors in the environment that make problems worse, especially at times of conflict?*** Often, our response during times of stress is to meet less frequently, because 'we have no time to meet.' And we continue to do things the way we've been doing them, because 'we have no time to create new procedures.' This approach dooms us to repeat the same errors, rather than to learn from the opportunities. Examine your systems for managing problems, including dispute resolution systems, and use times of "harmony" to identify process improvements that can be implemented in times of stress.

CONFLICT STYLES AND THEIR CONSEQUENCES

Conflict is often best understood by examining the consequences of various behaviors at moments in time. These behaviors are usefully categorized according to conflict styles. Each style is a way to meet one's needs in a dispute but may impact other people in different ways.

- ***Competing*** is a style in which one's own needs are advocated over the needs of others. It relies on an aggressive style of communication, low regard for future relationships, and the exercise of coercive power. Those using a competitive style tend to seek control over a discussion, in both substance and ground rules. They fear that loss of such control will result in solutions that fail to meet their needs. Competing tends to result in responses that increase the level of threat.
- ***Accommodating***, also known as smoothing, is the opposite of competing. Persons using this style yield their needs to those of others, trying to be diplomatic. They tend to allow the needs of the group to overwhelm their own, which may not ever be stated, as preserving the relationship is seen as most important.
- ***Avoiding*** is a common response to the negative perception of conflict. "Perhaps if we don't bring it up, it will blow over," we say to ourselves. But, generally, all that happens is that feelings get pent up, views go unexpressed, and the conflict festers until it becomes too big to ignore. Like a cancer that may well have been cured if treated early, the conflict grows and spreads until it kills the relationship. Because needs and concerns go unexpressed, people are often confused, wondering what went wrong in a relationship.
- ***Compromising*** is an approach to conflict in which people gain and give in a series of tradeoffs. While satisfactory, compromise is generally not satisfying. We each remain shaped by our individual perceptions of our needs and don't necessarily understand the other side very well. We often retain a lack of trust and avoid risk-taking involved in more collaborative behaviors.
- ***Collaborating*** is the pooling of individual needs and goals toward a common goal. Often called "win-win problem-solving," collaboration requires assertive communication and cooperation in order to achieve a better solution than either individual could have achieved alone. It offers the chance for consensus, the integration of needs, and the potential to exceed the "budget of possibilities" that previously limited our views of the conflict. It brings new time, energy, and ideas to resolve the dispute meaningfully.

By understanding each style and its consequences, we may normalize the results of our behaviors in various situations. This is not to say, "Thou shalt collaborate" in a moralizing way, but to indicate the expected consequences of each approach: If we use a competing style, we might force the others to

accept 'our' solution, but this acceptance may be accompanied by fear and resentment. If we accommodate, the relationship may proceed smoothly, but we may build up frustrations that our needs are going unmet. If we compromise, we may feel OK about the outcome, but still harbor resentments in the future. If we collaborate, we may not gain a better solution than a compromise might have yielded, but we are more likely to feel better about our chances for future understanding and goodwill. And if we avoid discussing the conflict at all, both parties may remain clueless about the real underlying issues and concerns, only to be dealing with them in the future.

How We Respond To Conflict

THOUGHTS, FEELINGS, AND PHYSICAL RESPONSES

In addition to the behavioral responses summarized by the various conflict styles, we have emotional, cognitive and physical responses to conflict. These are important windows into our experience during conflict, for they frequently tell us more about what is the true source of threat that we perceive; by understanding our thoughts, feelings and physical responses to conflict, we may get better insights into the best potential solutions to the situation.

- **Emotional responses:** These are the feelings we experience in conflict, ranging from anger and fear to despair and confusion. Emotional responses are often misunderstood, as people tend to believe that others feel the same as they do. Thus, differing emotional responses are confusing and, at times, threatening.
- **Cognitive responses:** These are our ideas and thoughts about a conflict, often present as inner voices or internal observers in the midst of a situation. Through sub-vocalization (i.e., self-talk), we come to understand these cognitive responses. For example, we might think any of the following things in response to another person taking a parking spot just as we are ready to park:
 - ✓ "That jerk! Who does he think he is! What a sense of entitlement!"
 - ✓ "I wonder if he realizes what he has done. He seems lost in his own thoughts. I hope he is okay."
 - ✓ "What am I supposed to do? Now I'm going to be late for my meeting... Should I say something to him? What if he gets mad at me?"



Such differing cognitive responses contribute to emotional and behavioral responses, where self-talk can either promote a positive or negative feedback loop in the situation.

- **Physical responses:** These responses can play an important role in our ability to meet our needs in the conflict. They include heightened stress, bodily tension, increased perspiration, tunnel vision, shallow or accelerated breathing, nausea, and rapid heartbeat. These responses are similar to those we experience in high-anxiety situations, and they may be managed through stress management techniques. Establishing a calmer environment in which emotions can be managed is more likely if the physical response is addressed effectively.

THE ROLE OF PERCEPTIONS IN CONFLICT

As noted in our basic definition of conflict, we define conflict as **a disagreement through which the parties involved perceive a threat to their needs, interests or concerns**. One key element of this definition is the idea that each party may have a different perception of any given situation. We can

anticipate having such differences due to a number of factors that create "perceptual filters" that influence our responses to the situation:

- **Culture, race, and ethnicity:** Our varying cultural backgrounds influence us to hold certain beliefs about the social structure of our world, as well as the role of conflict in that experience. We may have learned to value substantive, procedural and psychological needs differently as a result, thus influencing our willingness to engage in various modes of negotiation and efforts to manage the conflict.
- **Gender and sexuality:** Men and women often perceive situations somewhat differently, based on both their experiences in the world (which relates to power and privilege, as do race and ethnicity) and socialization patterns that reinforce the importance of relationships vs. task, substance vs. process, immediacy vs. long-term outcomes. As a result, men and women will often approach conflictive situations with differing mindsets about the desired outcomes from the situation, as well as the set of possible solutions that may exist.
- **Knowledge (general and situational):** Parties respond to given conflicts on the basis of the knowledge they may have about the issue at hand. This includes situation-specific knowledge (i.e., "Do I understand what is going on here?") and general knowledge (i.e., "Have I experienced this type of situation before?" or "Have I studied about similar situations before?"). Such information can influence the person's willingness to engage in efforts to manage the conflict, either reinforcing confidence to deal with the dilemma or undermining one's willingness to flexibly consider alternatives.
- **Impressions of the Messenger:** If the person sharing the message - the messenger - is perceived to be a threat (powerful, scary, unknown, etc.), this can influence our responses to the overall situation being experienced. For example, if a big scary-looking guy is approaching me rapidly, yelling, "Get out of the way!" I may respond differently than if a diminutive, calm person would express the same message to me. As well, if I knew either one of them previously, I might respond differently based upon that prior sense of their credibility: I am more inclined to listen with respect to someone I view as credible than if the message comes from someone who lacks credibility and integrity in my mind.
- **Previous experiences:** Some of us have had profound, significant life experiences that continue to influence our perceptions of current situations. These experiences may have left us fearful, lacking trust, and reluctant to take risks. On the other hand, previous experiences may have left us confident, willing to take chances and experience the unknown. Either way, we must acknowledge the role of previous experiences as elements of our perceptual filter in the current dilemma.

These factors (along with others) conspire to form the perceptual filters through which we experience conflict. As a result, our reactions to the threat and dilemma posed by conflict should be anticipated to include varying understandings of the situation. This also means that we can anticipate that in many conflicts there will be significant misunderstanding of each other's perceptions, needs and feelings. These challenges contribute to our emerging sense, during conflict, that the situation is overwhelming and unsolvable. As such, they become critical sources of potential understanding, insight and possibility.



WHY DO WE TEND TO AVOID DEALING WITH CONFLICT?

Engaging in dialogue and negotiation around conflict is something we tend to approach with fear and hesitation, afraid that the conversation will go worse than the conflict has gone thus far. All too often, we talk ourselves out of potential dialogue:

- "Why should I talk to her? She'll bite my head off and not listen to anything I have to say!"
- "I should talk to him about this problem, but maybe it will go away on its own. There's no sense stirring up something that makes us both uncomfortable."
- "If I go to him, I'm making myself vulnerable. No, that's his responsibility - he should come to me and ask me to talk!"

Our responses, as noted earlier, tend to include behaviors, feelings, thoughts and physical responses. If any of these responses indicates stress factors that make us reluctant to talk things out, we are more inclined to follow the pathway of avoidance. In addition, if we have history with the individuals involved in this conflict (i.e., we've tried to negotiate with them in the past, without success), it will "filter" our perceptions of this situation and make us reluctant to negotiate.

In addition, consider that **our society tends to reward alternative responses** to conflict, rather than negotiation: People who aggressively pursue their needs, competing rather than collaborating, are often satisfied by others who prefer to accommodate. Managers and leaders are often rewarded for their aggressive, controlling approaches to problems, rather than taking a more compassionate approach to issues that may seem less decisive to the public or their staffs. In other circumstances, those who raise issues and concerns, even respectfully, are quickly perceived to be "problem" clients or staff members... they tend to be avoided and minimized. In any of these approaches, negotiated solutions to conflicts are rarely modeled or held in high esteem.

Finally, we should keep in mind that **negotiation requires profound courage** on the part of all parties: It takes courage to honestly and clearly articulate your needs, and it takes courage to sit down and listen to your adversaries. It takes courage to look at your own role in the dispute, and it takes courage to approach others with a sense of empathy, openness and respect for their perspective. Collaborative approaches to conflict management require us to engage in the moment of dialogue in profound and meaningful ways, so it is understandable if we tend to avoid such situations until the balance of wisdom tips in favor of negotiation.

EIGHT STEPS OF CONFLICT RESOLUTION

The following process is useful for effectively managing conflict in your workplace, in relationships, or in other situations where you have an interest in seeking a negotiated solution. These steps won't guarantee an agreement, but they greatly improve the likelihood that the problems can be understood, solutions explored, and consideration of the advantages of a negotiated agreement can occur within a relatively constructive environment. They provide useful strategies to consider that reduce the impacts of stress, fears and "surprise" factors involved in dealing with conflict.

1. **"Know Thyself" and Take Care of Self**
 - Understand your "perceptual filters," biases, triggers
 - Create a personally affirming environment (eat, sleep, exercise)
2. **Clarify Personal Needs Threatened by the Dispute**
 - Substantive, Procedural, and Psychological Needs
 - Look at BATNA, WATNA, and MLATNA
 - Identify "Desired Outcomes" from a Negotiated Process
3. **Identify a Safe Place for Negotiation**
 - Appropriate Space for Discussion/ Private and Neutral
 - Mutual Consent to Negotiate/ Appropriate Time
 - Role of Support People (Facilitators, Mediators, Advocates), as needed
 - Agreement to Ground Rules
4. **Take a Listening Stance into the Interaction**
 - Seek first to understand, then to be understood
 - Use Active Listening skills
5. **Assert Your Needs Clearly and Specifically**
 - Use "I-messages" as tools for clarification
 - Build from what you have heard - continue to listen well
6. **Approach Problem-Solving with Flexibility**
 - Identify Issues Clearly and Concisely
 - Generate Options (Brainstorm), While Deferring Judgment
 - Be open to "tangents" and other problem definitions
 - Clarify Criteria for Decision-Making
7. **Manage Impasse with Calm, Patience, and Respect**
 - Clarify Feelings
 - Focus on Underlying Needs, Interests, and Concerns
 - Take a structured break, as needed
8. **Build an Agreement that Works**
 - Review "Hallmarks" of a Good Agreement
 - Implement and Evaluate - Live and Learn

Step 1 of 8 - "Know Thyself" And Take Care Of Self

1

- Understand your "perceptual filters," biases, triggers
- Create a personally affirming environment (eat, sleep, exercise)

Self-awareness and care are essential to an effective approach to conflict management. The more I am aware of my own biases and "hot buttons," the more likely I can prepare myself mentally, emotionally and physically to respond in a preferred way. In addition, if I take good care of myself by exercising, eating properly and getting adequate sleep, that can help me listen well and clearly express my needs in attempting to work out a solution to the conflict.

A few questions I can ask myself include:

- What are some behaviors by other people that tend to be difficult for me to handle during conflict? How do I tend to respond when confronting such behaviors? How would I prefer to respond?
- What are some things that I can do for myself that help me develop a more personally affirming environment... in other words, how can I treat myself with respect, so I can draw on that energy in times of stress?
- Usually, we know people (friends, co-workers, supervisors) who we trust to "tell us like it is" when we are having a difficult time. Are there people in my work (or personal) environment that can help me stay "on track" in these situations?

We all have different ways of responding to conflicts, and those responses lead to understandable consequences. These responses include our behaviors, feelings, thoughts, and physical reactions.

Step 2 of 8 - Clarify Personal Needs Threatened By The Dispute

2

- Substantive, Procedural, and Psychological Needs
- Look at BATNA, WATNA, and MLATNA
- Identify "Desired Outcomes" from a Negotiated Process

Whenever we are confronted by a conflict, we have three sets of needs to be negotiated:

- **Substantive needs** have to do with the "stuff" of the conflict... often the problem that we feel needs to be solved.
- **Procedural needs** relate to the process of addressing these substantive needs. Ground rules, for example, are a process step that can help ensure that all stakeholders feel included in a meaningful way.
- **Psychological needs** relate to fostering a safe environment, one in which people are willing to take the risks involved in honestly communicating their differences, concerns and potential similarities to one another.

In any dispute, all three types of needs are present and must be addressed. . If we are going to really try to build a meaningful agreement, we will need to understand how these various needs are present for each person in the situation.

CONSEQUENCES OF NOT RESOLVING THE CONFLICT

Thinking about what will happen if we **do not** resolve the situation helps clarify our needs-- "What are my boundaries in this situation?" Rather than constraining our creativity and flexibility, this analysis actually illuminates our priorities and, as a result, gives us a greater willingness to explore possible solutions. Alternatives to negotiating are commonly divided into three categories:

- Best Alternative to a Negotiated Agreement (BATNA) - what is the **best** I can expect if we don't come to a negotiated agreement?
- Worst Alternative to a Negotiated Agreement (WATNA) - what is the **worst** I can expect if we don't come to a negotiated agreement?
- Most Likely Alternative to a Negotiated Agreement - (MLATNA) - what is the **most likely** alternative if we don't come to a negotiated agreement?

By thinking these through, we can understand how a negotiated solution can meet our needs better than the alternatives and can clarify our desired outcomes.



FOCUS

We cannot negotiate solutions to all of our problems in one session, or even in one series of meetings. Therefore, we need to clarify our desired outcomes from this process, and focus our energies on two or three priority issues among the dozen that we feel are important. By doing so, we are more likely to negotiate agreements that are meaningful to us, and less likely to get sidetracked with tangential or petty issues.

Answer these questions:

- Which needs of mine are truly threatened by this conflict?
- What are the needs that are most important to be negotiated at this time?
- If we are unable or unwilling to negotiate a meaningful agreement, what are my alternatives? (BATNA / WATNA / MLATNA)
- How might these relate to the situation facing the other person(s) involved in this dispute? (Would their analysis be similar or different?)
- When it really comes down to it, what do I want to happen as a result of this process?

GROUND RULES

"Ground rules" are statements that reflect people's best intentions regarding how they wish to treat one another in civil dialogue. They tend to be present in many positive social relationships, and they are reflected in ethical codes and "the golden rule." In conflictive, challenging relationships, ground rules tend to be far more complicated, in part because there is an implicit assumption that one person believes that the other won't live up to them. In work teams, this becomes even more complex, as several perspectives may co-exist in the group about 'appropriate behavior.'

The following ground rules are offered as illustrations in order to inspire your work group to develop rules that are appropriate to your specific needs and situation. Feel free to use them, discard them, add to them, or modify them... what is important is that you identify ground rules that work for all parties as you attempt to negotiate solutions to the conflicts before you.

- One person speaks at a time.
- We will make a sincere commitment to listen to one another, to try to understand the other person's point of view before responding.
- What we discuss together will be kept in confidence, unless there is explicit agreement regarding who needs to know further information.
- We agree to talk directly with the person with whom there are concerns, and not seek to involve others in "gossip" or "alliance building."
- We agree to try our hardest and trust that others are doing the same within the group.
- We will support the expression of dissent in a harassment free workplace.
- We agree to attack the issues, not the people with whom we disagree.

Step 3 of 8 - Identify a Safe Place for Negotiation

3

- Appropriate Space for Discussion/ Private and Neutral
- Mutual Consent to Negotiate/ Appropriate Time
- Role of Support People (Facilitators, Mediators, Advocates), as needed
- Agreement to Ground Rules

SAFE SPACE

In order to have a constructive conversation, people generally need to feel that they are in a "safe place," --a place where they can take the risks involved in honest communication about meaningful issues.

If possible, identify a private, neutral room in which to hold your conversation, preferably a space that isn't "owned" by one person or the other. If the conversation starts in a more public place (for example, if confronted by a customer), suggest that it might be helpful if the two of you could, at least, move to a more private area within the room.

APPROPRIATE TIME

Be sure that the time is also acceptable and appropriate. Do not try to negotiate a complex agreement in fifteen minutes! If time is limited, agree on a scope for this discussion and then set up an opportunity for follow-up. You might say, "Let's get started in the brief time we have available and then get together again."



Consider the use of third parties as appropriate to the needs of the situation: Facilitators and mediators can impartially focus on the process, so people involved in a dispute can fully participate in dialogue. Advocates can be especially helpful when there are significant power differences, or when one party or another might require additional support and assistance in order to effectively participate.

Finally, keep in mind the importance of ground rules in order to improve the likelihood of a civil, constructive dialogue. Simple ground rules include:

- One person will speak at a time
- We will make every effort to listen to one another with respect

- We will seek to understand one another's point of view, and be flexible about differing perceptions of the issues at hand
- We will agree to honor the confidentiality of our discussions, within reasonable parameters that are clear to all of us.

ARRANGING THE FURNITURE: CREATING THE BEST ENVIRONMENT FOR DIALOGUE

When considering how to negotiate, it is important to take into account the spaces and rooms in which we do so. As noted earlier, identify a neutral space for the discussion whenever possible. Then take a few moments to consider the following:

- What type of privacy do we have in this space? Are we able to ensure that what we say in this area will remain as confidential as we would like it to be?
- Is the table conducive to good conversation? Some tables are long, situated so people either can't see and hear each other or are set up in 'opposing' seats. Seek a round table if possible, or sit at the end of a longer table so you are able to easily communicate.
- Use seats that convey fairness and equality, especially in situations in which one person supervises (or otherwise has power over) the other person. Avoid large, ornate chairs that communicate prestige and power for such discussions; the people in the room know who has power, so we must work diligently to improve the sense of safety required to take the risks to negotiate a solution.
- Have resources that support problem solving present for you to use: a flip chart or white board, steno pads, "Post-It notes," etc. can be important as your discussion evolves into a productive meeting.

Step 4 of 8 - Take a Listening Stance into the Interaction



- Seek first to understand, then to be understood
- Use Active Listening skills

When engaged in a conflict, we have a tendency to push. 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 our ideas and feelings, in turn, will be understood by the other person. 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.

"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.

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.

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

WHAT TO DO	HOW TO SAY IT
Encourage the other person to share his or her issues as fully as possible.	"I want to understand what has upset you." "I want to know what you are really hoping for."
Clarify the real issues, rather than making assumptions. Ask questions that allow you to gain this information, and which let the other person know you are trying to understand.	"Can you say more about that?" "Is that the way it usually happens?"
Restate what you have heard, so you are both able to see what has been understood so far - it may be that the other person will then realize that additional information is needed.	"It sounds like you weren't expecting that to happen." "If I heard you correctly, you..."
Reflect feelings - be as clear as possible.	"I can imagine how upsetting that must have been."
Validate the concerns of the other person, even if a solution is elusive at this time. Expressing appreciation can be a very powerful message if it is conveyed with integrity and respect.	"I really appreciate that we are talking about this issue." "I am glad we are trying to figure this out."

Step 5 of 8 - Assert Your Needs Clearly and Specifically



- Use "I-messages" as tools for clarification
- Build from what you have heard - continue to listen well

At this point, it is important to get your own concerns communicated as clearly and specifically as possible. The challenge, of course, is to do so in a manner that is likely to be heard and understood by the other person. Assertive communication is the process of conveying one's needs and concerns clearly and specifically, while respecting the needs of the other party. It may be contrasted to aggressive communication, where one conveys needs globally and without respectful listening, or submissive communication, where one vaguely conveys needs in a manner that is often confusing to the listener.

In delivering assertive messages, it is important to stay focused on those ideas and feelings that are truly meaningful to you: Consider those questions you asked yourself back in Step #2, when you were clarifying your personal needs in the conflict.... What are your true "desired outcomes" from this conversation?

Be prepared for a defensive, even hostile, response to your assertions. Just because you have demonstrated your ability to listen well doesn't mean the other person is able to do so! **HANG IN THERE AND CONTINUE LISTENING!!**

Reflect what you now hear from the other person in response to your assertions, and then assert your needs again... calmly, clearly and specifically. You can reasonably expect to go back and forth a few times, just clarifying and understanding the definition of the problem. Do not rush this process: People often hold very different perceptions of the problem and define it differently. For example, you and I may have a conflict regarding a new project I have asked you to complete - I feel that it is important and a top priority, while you are feeling overwhelmed because you have three projects due by the end of the week, and this is the third in line. My initial inclination may be to think that you don't feel my project is important, and you may feel that I am insensitive to your feelings of being overwhelmed.

As the conversation progresses, build upon what is learned:

- What do I now understand to be our real areas of difference, in comparison to our perceived differences before we spoke?
- Are we both defining the problem in similar terms? Are our needs (substantive, procedural, psychological) similar, or do we have different priorities about the problems that need to be solved?
- Do we need any additional information before we can start to examine possible solutions?

As the dialogue continues, try to remain open to hearing new information that can be meaningful to you, and remain flexible regarding your definition of the "agenda" of issues to be addressed. However, it is also important to stay clear in your own mind about the concerns that matter to you, so the subsequent efforts at problem solving can be focused on meaningful issues.

Step 6 of 8 - Approach Problem-Solving with Flexibility

- Identify Issues Clearly and Concisely
- Generate Options (Brainstorm), While Deferring Judgment
- Be open to "tangents" and other problem definitions
- Clarify Criteria for Decision-Making

At this stage of the discussion, good rules for problem solving and analysis apply. Use whatever tools and processes you may have at your disposal in order to engage in a creative, and productive process, as well as the use of an external facilitator or mediator if you feel it would be beneficial to the group engaged in negotiations.

Be sure to take one issue at a time, starting with an issue that both of you agree is worthy of discussion. Try to make it a "bitable bite," rather than the most difficult issue of conflict.

- **Generate several possible solutions to the problem**, "brainstorming" ideas or otherwise making sure that all parties participate in the process. At this stage, it is important to defer

judgments and evaluations of potential solutions, for to do so prematurely risks creating a "chilling effect" on the further generation of ideas. If one idea is rejected too quickly, other ideas may be similarly rejected without appropriate consideration. Even if you quickly identify an acceptable solution, it is useful to explore a few additional ideas before settling on the best answer to the problem.

- **Clarify the criteria** that you are using for evaluating options - sometimes, this can be an important insight for people as they negotiate, because they may have different notions of what they value in a good solution. For example, one person may value a quick solution, while the other wants one that is longer lasting. One person may want to do something that is inexpensive, staying within our current budget, while the other person may feel that it is okay to spend more today to save money and stress in the future.
- **Good solutions to problems emerge** from mutually acceptable criteria being applied in a clear decision-making process. Understand the power present in the room to solve the problems being presented... Sometimes, you may bemoan a situation over which you have limited control. It may be important to acknowledge the larger issue or another concern that is beyond your control, but it is important to prevent such concerns from becoming "tangents" that take up your time and energy in less constructive ways. If it feels like the discussion has drifted into another area, check for clarification of the agenda at hand: "I'm confused. Earlier, we were discussing Issue A, now I hear you raising some concerns in a new area... is this where we want to focus, or should we return to Issue A?" This type of query can help clarify what the other person is intending, allowing you to either support this shift or express why you feel the original issue still needs your attention.



As you reach agreement regarding solutions to each of the problems being negotiated, *summarize these ideas in writing and restate them back to each other* to be sure everyone agrees with both the intent of the solution and its specific language. If it is appropriate to leave things a bit ambiguous, until other issues are discussed, this is fine; just be sure that at the end of the discussion there is a clear record that accurately conveys to all parties - as well as others who may have a need to understand how the problem has been solved - what you are now intending to do and how you plan to do it.

Step 7 of 8 - Manage Impasse with Calm, Patience and Respect

7

- Clarify Feelings
- Focus on Underlying Needs, Interests, and Concerns
- Take a structured break, as needed

It may also be true that certain issues will not present immediate solutions, and an impasse will be reached regarding such issues. Impasse is the point within a dispute in which the parties are unable to perceive effective solutions. People feel stuck, frustrated, angry, and disillusioned. As a result, they might either dig their heels in deeper, anchoring themselves in extreme and rigid positions, or they might decide to "take their marbles and go home," withdrawing from negotiation. Either way, impasse represents a turning point in our efforts to negotiate a solution to the conflict. As such, rather than avoiding or dreading it, impasse should be viewed with calm, patience, and respect.

At such times, it is important to refocus efforts on the underlying needs, interests and concerns of the conflict:

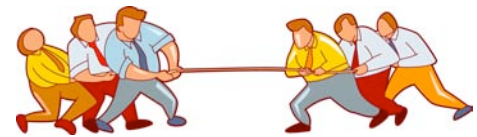
- What do I really need here?

- What are my desired outcomes of this discussion?
- What are my alternatives (BATNA, WATNA, MLATNA) if I decide to withdraw from further negotiations?
- Does impasse mean that we have to forget about the other issues we need to discuss, as well as other solutions we have already negotiated?

These are all important questions to keep in mind, so you may remain focused on your priorities in a realistic manner. Collaborative efforts to negotiate solutions to conflicts are not necessarily driven by shared goals or concerns; indeed, you may have very different 'visions' for the organization, even if you work together. But you may still find it worthwhile to negotiate together because the alternatives are more costly. In the end, your decision regarding whether or not to continue negotiating will be based upon self-interest and your best opportunities to meet your needs.

A number of strategies for managing impasse exist, and each may be considered for its potential contribution to your specific situation. As you seek to navigate this tricky stage of the process, be sure to check your own energy along the way. As appropriate, take breaks (a few minutes, a few days - whatever is appropriate) in order to regain your energy and focus for the challenge. Try not to view such breaks as complete opportunities to withdraw from the negotiation process; rather, we should structure these times between conversations as opportunities for reflection, examination of the true needs of the situation, and consideration of possible alternatives that we may have been reluctant to consider in the heat of the moment.

If you are working with a third party mediator or facilitator, breaks may also provide an opportunity to "caucus" in separate meetings that allow you to gain perspective on your frustrations and other resentments towards the other party. By taking such reflective time, you return to the conversation with a clearer sense of your commitment, as well as parameters that exist for you at this time.



STRATEGIES FOR MANAGING IMPASSE

Impasse is an important challenge in the evolution of a conflict.

During the negotiation process, people will commonly get "stuck" and feel a sense of desperate frustration about what is occurring. At such times, it is important to consider the appropriate use of the following strategies:

- When stuck, talk about how it feels... set aside "the issue" for the moment.
- Reframe the issue: Shift from substantive issues to procedural or psychological concerns. This may generate new energy to revisit the substantive issue, or put it into proper perspective.
- Break the problem into more manageable elements. Start with a "bite-able bite" that is also a shared concern... It probably feels overwhelming in its current form... build a sense of confidence.
- When in doubt: RESTATE...RESTATE...RESTATE! Be sure the other person knows you are making reasonable efforts to understand his or her point of view. By doing so, you greatly increased the likelihood that the other person will sense the integrity of your efforts, and respond positively.
- Stay flexible - generate new options. Affirm the value of continuing to explore better responses when people feel trapped by their thinking.
- Validate and affirm areas of agreement... these are frequently overlooked, as we have focused only on areas of disagreement!

- Clarify criteria: On what basis are we evaluating the various options before us? Can we agree on criteria that are "mutually acceptable" to all parties, even if not fully shared by all?
- Reaffirm the ground rules. Again, these are frequently overlooked at times of impasse, to our collective detriment.
- Take a structured break...or CAUCUS (as appropriate). Be sure people go to the break with "homework" to do.
- Explore alternatives: BATNA, WATNA, MLATNA. This allows for an important reality check before determining not to negotiate further.

Step 8 of 8 - Build an Agreement that Works

8

- Review "Hallmarks" of a Good Agreement
- Implement and Evaluate - Live and Learn

OK, so you are coming down the 'home stretch' and everything is looking rosy... right? Not likely... people have been working hard to overcome their differences and have painstakingly crafted some ideas that may be helpful to their situation. While occasionally people are feeling pretty good at this point, they are much more commonly feeling exhausted and uncertain. Therefore, the final step of the process is just as important as the others along the way.

As you come to the conclusion of the negotiation process, identify areas of agreement as clearly and specifically as possible, preferably in writing. Then review the agreement in light of the following "hallmarks":

- Is it fair? Do all parties feel the agreement is fair and reasonable?
- Is the agreement balanced? Does everyone have a stake and role in its implementation?
- Are the action steps realistic? Do we have the time, energy, skills and resources to follow-through and implement this agreement?
- Is the agreement specific enough to proceed? Does everyone understand what we need to do and when we need to do it?
- To what degree is the agreement self-enforcing, or does it rely on others who were not present for the discussion? What do we do if others are unwilling to do things we hoped they would do in the agreement?
- Is the agreement future-oriented? In other words, have we considered what we will do if there are other problems or conflicts in the future?



As your conversation concludes, leave the session with a commitment to implement the plans that you have determined together. If unexpected problems or challenges come up (for example, someone gets sick or unexpected workload changes make it difficult to pay attention to the agreement for a few days), communicate openly with one another about these challenges. As appropriate, sit down again in order to renegotiate solutions on the basis of new information. Try not to assume that, if something doesn't happen when you expected it to occur, it means that the other person has abandoned the agreement or

is intentionally sabotaging the process. People generally try their hardest to make things work, and it is important to communicate with each other about potential pitfalls before they fester and become crises.

It is often useful to build into the agreement an opportunity to "check back" with each other to evaluate progress towards implementation. In this way, any concerns about the agreement can be uncovered in a timely way, rather than waiting for problems to worsen. Such a meeting also provides an opportunity to recognize your good work and progress together - all right! We're actually moving in the right direction! Finally, such a meeting can be quite important for providing a safe space in which to explore additional issues and concerns, especially those that were not viewed as "safe" to explore in the previous conversation. Sometimes, we also find that by implementing solutions to the problems that were discussed, we realize there were other "undiscussables" that we weren't conscious of or which we were reluctant to raise. By peeling away another "layer of the conflict," we may get to important conversations, even if they prove to be difficult. In that event, it is important to return to the first steps of the process, and proceed with patience, flexibility and respect.

COMMON PROBLEMS

How Can You Negotiate With Someone When That Person Doesn't Want To Do So?



Let's accept the reality that it is much better if both people are interested in negotiating a solution to the conflict. So, if we can transform the situation into one where the resistant person recognizes the potential benefits of a negotiated process, it may be helpful. This is where the "8 Step Model" can be pretty beneficial: By focusing first on listening to the other person, and seeking to understand the sources of their resistance, you set the stage for clarifying the conditions he or she requires in order to talk things out. This isn't about being 'right' or 'wrong' in the situation, but a practical strategy for getting the other person engaged as a partner in the negotiation process.

However, the other person may still resist the idea of negotiating a solution! In such situations, shift away from substantive needs and focus first on procedural needs to be negotiated. Remember that procedural needs are those that relate to the process we are using to negotiate.

Another alternative is to focus on things we can do to influence conflicts in the future, rather than putting initial energy into understanding (or solving) problems we have had in the past. By remaining relatively flexible about the agenda - taking on topics you care about, but not necessarily the most pressing issues - you create an opportunity to reduce the fears associated with resistance. While you may not be able to truly resolve the conflicts, you will still be able to manage some of the key issues that exist and prevent those issues from getting worse.

How Can I Negotiate with Someone Who Has Significant Power Over Me?

Power is an important and complex issue facing anyone seeking a negotiated solution to a conflict. Before negotiating (in Step #2, where you are assessing your needs in the conflict), 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 statute, that compels 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." 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.

The Part That Really Frustrates Me Is When We Get Totally Stuck



We go around and around, and it just sucks the air out of the discussion. Then someone walks out of the room, and it's worse than if we had never tried. How do you get out of that kind of cycle?

This sense of being "stuck" is what we call impasse. Impasse is the point within a dispute in which the parties are unable to perceive effective solutions. People feel stuck, frustrated, angry, and disillusioned. As a result, they might either dig their heels in deeper, anchoring themselves in extreme and rigid positions, or they might decide to "take their marbles and go home," withdrawing from negotiation. Either way, impasse represents a turning point in our efforts to negotiate a solution to the conflict. As such, rather than avoiding or dreading it, impasse should be viewed with calm, patience, and respect.

At such times, it is important to refocus efforts on the underlying needs, interests and concerns of the conflict:

- What do I really need here?
- What are my desired outcomes of this discussion?
- What are my alternatives if I decide to withdraw from further negotiations?
- Does impasse mean that we have to forget about the other issues we need to discuss, as well as other solutions we have already negotiated?

In addition, it is important to recognize what is truly happening in the situation: Is the impasse a genuine expression of differing ideas about the substance of the problem, or is it a stance that is taken to "save face" in an embarrassing standoff? Creating a safe space in which to retreat from an untenable position may provide the first step in a new effort to negotiate an agreement. So try to be patient, stay open to new (and surprising) ideas, reflect upon your own opportunities to "extend an olive branch" to the other person, and look for ways to keep the dialogue open for another day.

What Do You Do When You Have Several People or an Entire Staff In Conflict?

Multi-party disputes are complex situations, and they require careful attention and persistence. However, the same "8 Step Process" can be applied to such disputes... just expect everything to take a bit longer than if you have only two or three people. Patiently make sure that all points of view are heard, that issues are clarified (on a board, preferably) for all to see, and that all members in the group accept the agreements being negotiated. If there are limits to the group's decision-making power, then it is important to acknowledge those limits and understand how they are perceived by all members of the group.

GLOSSARY OF TERMS

Accommodating: A style of dealing with conflict in which the needs of others overwhelm one's own, in an effort to be diplomatic; characterized by submissive communication; also known as smoothing.

Active listening: The process of seeking to understand another person's point of view, demonstrating a desire to understand the meaning of that person's communication without judgment.

Affirming environment: A positive, respectful atmosphere in which to communicate.

Assertive communication: The sharing of one's needs and concerns, while respecting the needs of other persons involved.

Avoiding: A conflict style in which disagreements and concerns go unexpressed, often making the circumvented conflict worse.

BATNA: Best Alternative To a Negotiated Agreement

Behavioral responses: Actions in reaction to conflict, such as yelling, walking out, withdrawal, or negotiating.

Caucus: A private meeting outside of a larger group; in mediation, it is a meeting with each party separately.

Cognitive responses: Thoughts and ideas about a conflict, often present as "inner voices" and sub-vocalizations.

Collaborating: The pooling of individual needs and goals towards a common goal; a conflict style that often produces a better solution than any individual party could achieve alone; the integration of separate interests.

Competing: A conflict style in which one's own needs overwhelm the needs of others; often characterized by aggressive communication; tends to result in conflict escalation.

Compromising: A conflict style involving tradeoffs, resulting in some sense of satisfaction, but no real exploration of the underlying needs of the disputing parties.

Conflict Styles: Varying approaches of behaving during conflict

Consensus: A situation (or decision) in which all members of a group find an outcome to be acceptable; most valued when members of the group perceive it to be genuinely "safe" to express dissent.

Emotional responses: Feelings occurring during a conflict, such as anger, fear, confusion, or elation; often contribute to behavioral and physical responses.

Empathy: The ability to put oneself in another person's position and understand that point of view.

Expertise power: The power accumulated from developing great technical knowledge regarding a particular role or set of challenges

Extremists: Parties to a dispute who hold extreme, strongly held, convictions about the right positions and solutions in a conflict; often the strongest voices in a multi-party dispute

Facilitator: One who makes the process easy; a person empowered by the group to manage a group process (e.g., a meeting).

Ground Rules: the rules of conduct that govern the interactions of group members; expectations regarding interpersonal behavior.

"I"-message: A technique for expressing one's feelings assertively, without evaluating or blaming others; "I"-messages connect a feeling statement with the specific behaviors of another person and the consequences of those feelings and behaviors.

Impasse: A point at which conflicting parties feel "stuck" and no longer able to find effective solutions; often a normal phase of the conflict resolution process.

MLATNA: Most Likely Alternative To a Negotiated Agreement

Mediator: An impartial third party who facilitates the resolution of conflict between two or more parties.

Moderates: Parties to a dispute who tend to be able to see valid aspects of each perspective and have greater flexibility about potential definitions of the negotiating space; often will be reluctant to express views in a multi-party dispute.

Multi-party disputes: Conflicts involving more than two identifiable parties or factions.

Normative power: The power that accrues to those who know "the lay of the land" in a given group, and how to get things done; power coming from familiarity with cultural norms

Opening Statement: In a facilitated meeting, the introduction given by the facilitator to set the tone for the meeting, establish ground rules, and clarify the process.

Physical responses: Bodily reactions to conflict, such as muscle tension, sweating, and dry mouth; often interact behavioral and emotional responses.

Pre-negotiation: The intervention of a concerned third party encourage participation in the negotiation or discussion process; can take place prior to or between meetings; an initial phase of the mediation process, where mediator meets with each party prior to a joint session.

Problem solving: An intentional and systematic process by which effective responses are sought for difficult situations.

Procedural concerns: Issues that relate to the process by which a problem is addressed; one of three sets of concerns (along with substantive and psychological concerns) in conflict.

Psychological concerns: Issues that relate to the emotional well being of group members, such as safety, trust, integrity concerns; one of three sets of concerns (along with substantive and procedural concerns) in conflict.

Referent power: The power that one accrues from earning respect from others, generally associated with integrity and competence.

Stakeholder: One who has a vested interest in a situation or outcome.

Substantive concerns: The "stuff" of the discussion; the issues that most view as the basis of the problem to be solved; one of three sets of concerns (along with procedural and psychological concerns) in conflict.

WATNA: Worst Alternative To a Negotiated Agreement