

Cutting the Costs of Conflict: Improving Conflict Management Systems

"There's a lot of conflict in our organization and it seems to be getting worse. We've recently employed an external mediator for several mediations between employees. We had an outside investigator conduct an investigation into an allegation of workplace harassment. There are other occasional disputes involving suppliers, contractors, customers and employees. I've heard of designing a system to manage conflict. What is that? How do I know whether my organization needs that?" – A manager

Whether you are a manager, an employee or a union representative you may have found yourself experiencing the concern of this manager.

Organizational Conflict

Just like conflict between individuals, organizational conflict is a fact of life, neither good nor bad. Organizational conflict is a barometer, an indicator of dissatisfaction. A dispute or cluster of disputes is one product of the unresolved conflict but is not the only one. Organizational conflict may also show up as unhealthy aggressive competition between divisions or individuals, sabotage, lack of productivity, low morale and withholding information between divisions or individuals.

Resolving individual disputes will likely contribute to a more comfortable work environment for the individuals involved and at the same time will not likely lead to overall improvement in the organization's management of conflict. The "problem" is being defined too narrowly. It's like only treating the wounds on a person with cancer who was injured in a car accident; you need to stop the bleeding and at the same time it is important not to lose sight of the overall health of the entity.

"Some men see things as they are and ask why. Others dream things that never were and ask why not."

George Bernard Shaw

Whether it is consciously identified or not, an organization tends to respond to conflict with a *fight* or *flight* response. A *fight* response might be spending money on extensive lawsuits or not bothering to deal with an unhappy group of employees because they are unworthy of consideration. A *flight* response might be transferring "problem" employees to another department or denying that there is any conflict in the organization.

It is important to remember that some organizations and individuals within them may benefit from unresolved conflict. One example is an in-house legal department, human resources department or outside law firm who may benefit from an organization's adversarial approach to internal and external conflict. To be effective, a change to the organization's management of conflict will have to take this into consideration.

Costs of Conflict

Increasingly organizations are looking at their costs for dispute resolution in time and money, as well as the negative effects on relationships inside and outside the organization. In difficult economic times there is even more pressure to consider alternatives.

Conflict is a process; a dispute may be one of several products of conflict."

C. Constantino and C. Merchant; Designing Conflict Management Systems

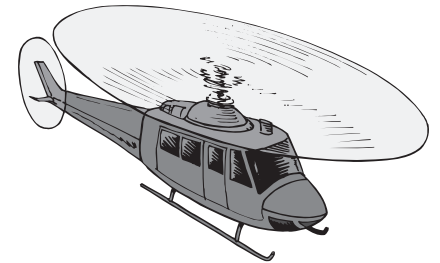
Conflict Management Systems

Any organization has a system by which it considers and resolves dissatisfaction. Whether it is done consciously or not, that is a conflict management system, one of many systems within the organization and linked, however effectively, with those other systems in the organization.

What has developed in the last 15 or 20 years is the idea of moving toward a more conscious and integrated approach to conflict management, aligned with the values and mission of the organization.

Improving Conflict Management Systems

The first step is to identify what exists in the organization for all aspects of its management of conflict. Hovering in a metaphoric helicopter over the organization creates the opportunity to examine the conflict management system within the whole organization.



Conflict can be a difficult topic, and for some people it is more comfortable to deal with other systems like the financial management or work process systems. This may be a reason why the conflict management system is sometimes left out of organizational improvement efforts, even though efforts at organizational improvement may spark increased conflict.

After identifying the elements of the present conflict management system, the conflict management systems designer assists the organization to learn how the system operates, then involves the stakeholders in designing and implementing processes that increase satisfaction and achievement of the organization's goals while also decreasing dissatisfaction and dissonance. Although it may seem quite simple when described this way, it can be complex and may need to evolve over time.

For example improving a conflict management system may involve adding alternative dispute resolution programs (ADR). This term is used for any method of dispute resolution other than the formal adversarial approach found in a courtroom. This could be very wide ranging and might include mediation, ombudsman services, negotiation and dispute prevention.

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Need Help?

Working in the jagged world of conflict requires a delicate and experienced touch. Mediation skills are an important asset for professionals in this field.

When I mediate using an interested-based mediation approach, it is because I believe that the people involved in a dispute usually have the wisdom to work out a resolution for their dispute. The research has shown that this approach develops an outcome that the disputing parties are more likely to comply with even for a long duration since it is *their* own solution.

Similarly as a conflict management systems designer, I work with the stakeholders in an organization to help them build the conflict management system that will be effective for *them*. They may rework it, develop it, or use it and along with that, they will make it their own. If a consultant builds the conflict management system, the stakeholders may or may not use it.

My suggestion for the manager quoted at the top is to find a professional who will work *with* your organization and its stakeholders, not *for* them, in improving your organization's conflict management systems.

Munn-thly Memo

Q. I own a small business with 12 employees. I've been reading about Ontario's new workplace violence law. Do I need to change the existing harassment and bullying policies in my workplace?

A. Bill 168, an amendment to the Ontario Occupational Health and Safety Act came into force June 15, 2010.

There are two main themes in the Bill. One is, "Develop and communicate workplace violence and harassment prevention policies and program to workers" according to an Ontario government press release dated December 9, 2009, the day the Bill was passed.

The second aspect, according to the same press release, is for employers to "assess the risks of workplace violence, and take reasonable precautions to protect workers from possible domestic violence in the workplace."

Workplace harassment seems to be treated as a separate stream but parallel to workplace violence. Both streams require the development of written policies in workplaces where more than 5 employees are "regularly employed". The Bill is silent about how exactly to complete a policy.

In addition the employer is required to develop and maintain a program to implement the workplace violence policy, to conduct assessment of the risks of workplace violence and to keep that risk assessment up-to-date. The results of the risk assessment are to be reported to the joint health and safety committee or if there is none, to the workers.

A worker's right to refuse work now includes the right to refuse work if workplace violence is likely to endanger the worker.

With respect to domestic violence, the employer is required to "take every precaution reasonable in the circumstances" for the protection of a worker who may be exposed to physical injury in the workplace as a result of domestic violence. This includes providing information, including personal information about a person with a history of violent behavior if that is reasonably necessary to protect the worker from physical injury.

More complete information can be found on the Ontario Government website. If you haven't already done so, you need to review your existing policies, preferably with assistance from an employment lawyer or human resources specialist.

Mark Your Calendar

Upcoming Training Events

Presented by Kathryn Munn

Mediation Beyond the Basics

Advanced 21 hour program
For graduates of Fundamentals of Mediation or equivalent 40-hour mediation program
Nov 24, 25, 26, 2010
9:00 AM to 5:00 PM each day
Course location: London, Ontario
Registration form available at www.munnncrs.com
Please call 519-660-1242
(toll-free 1-888-216-3202) or email kmunn@munnncrs.com for more information.

Mediator Refresher Program

Advanced 14 hour program
For graduates of Fundamentals of Mediation and Mediation Beyond the Basics
December 6 and 7, 2010
9:00 AM to 5:00 PM each day
Course location: London, Ontario
Registration form available at www.munnncrs.com
Please call 519-660-1242
(toll-free 1-888-216-3202) or email kmunn@munnncrs.com for more information.

Fundamentals of Mediation

Intensive 40 hour program
May 9, 10, 11, 16, and 17, 2011
8:30 AM to 5:30 PM each day
Course location: London, Ontario
This course is approved by the ADR Institute of Ontario.
Registration form available at www.munnncrs.com
Please call 519-660-1242
(toll-free 1-888-216-3202) or email kmunn@munnncrs.com for more information.

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