

**TOOLBOX: CONFLICT MANAGEMENT
OPTIONS AVAILABLE THROUGH DoDEA'S
CENTER FOR EARLY DISPUTE
RESOLUTION (CEDR)**

This toolbox provides you with tools for managing conflict -- a list of conflict management and dispute resolution services and processes made available to you through DoDEA's Center for Early Dispute Resolution (CEDR). It also provides information that will help you understand conflict and its management.



WHAT THE CENTER FOR EARLY DISPUTE RESOLUTION (CEDR) CAN DO FOR YOU

DoDEA's Center for Early Dispute Resolution (CEDR) is a **neutral, confidential** resource that assists DoDEA and its employees in addressing and managing conflicts and disputes constructively.

DoDEA's CEDR program helps DoDEA and its employees to manage conflict by providing:

- **Education and training** (see "preventive processes" on Spectrum, page 7 below):
 - ✓ Conflict management skills training
 - ✓ Communication and conflict management in special education training
 - ✓ Interest-based negotiation training
 - ✓ Conflict styles and making productive decisions
 - ✓ Conflict coaching (individual)

Education and training helps employees obtain the skills and knowledge they need to talk productively with each other, with parents, and with anyone with whom they interact. Productive communication increases the possibility of using conflict constructively and decreases the likelihood of escalating, destructive conflict.

- **Conflict management and dispute resolution processes:**
 - ✓ Mediation¹
 - ✓ Special education mediation
 - ✓ Group facilitation
 - ✓ IEP facilitation
 - ✓ Listening and serving as a sounding board

CEDR's services are not limited to situations covered by existing administrative and/or legal rights; they can also apply to conflict situations that are problematic but cannot be the subject of a grievance or EEO charge (e.g., peer-to-peer conflict or dysfunctional work groups that don't involve discrimination claims). In addition, CEDR's services are provided on a voluntary basis and do not replace currently-available legal options.

Contact CEDR at CEDR@hq.dodea.edu or 703 588-3060 to discuss situations you face and consider whether we can help you address them constructively.

¹ EEO mediation services will continue to be provided by DMEQ, http://10.101.0.102/offices/eo/complaints_adr.cfm.

WHAT IS CONFLICT?

***Conflict* is a situation in which people or groups act out of a belief that they have incompatible and opposed goals, values, or interests.**

***Conflict* is a normal and natural part of life.**

***Conflict* is inevitable.**

***Conflict* has both destructive and constructive sides and consequences.**

CHARACTERISTICS:

Destructive Conflict

- Each party attempts to “win”
- Contentious tactics
- Antagonism between parties increases
- Relationships deteriorate
- Increasingly judgmental
- High levels of anger, frustration
- Effective communication declines
- Real issues are often not addressed
- Conflict is avoided and left to fester

Constructive Conflict

- Parties try to find a solution
- Creative joint problem solving
- Considers dissenting opinions
- Relationships remain respectful, may improve
- Non-judgmental, exploratory discussions
- Little negative emotion
- Communication is open and honest
- High quality outcomes, taking all information and needs into account to the extent possible

WHY SHOULD YOU CARE?

You should care because poorly handled, destructive conflict has high costs for you and for the functioning of your school, district, and area.

TYPICAL COSTS OF DESTRUCTIVE CONFLICT:

Financial costs

- Time spent on the conflict by employees, supervisors, parents, others
- Legal costs

Emotional costs:

- Low morale
- Increased stress

Damaged working relationships

Decreased trust

Reduced communication which leads to:

- low information flow
- continued conflicts based on poor communication and understanding
- lower quality decisions

and

ENERGY AND FOCUS ARE DISTRACTED FROM DoDEA'S EDUCATIONAL MISSION

CONFLICT MANAGEMENT APPROACHES: POWER, RIGHTS, INTERESTS²

Three major approaches or orientations are commonly used when conflict is addressed (as opposed to when conflict is ignored or avoided). They are based on:



Power-based approaches are those in which a party that believes it has more power uses its power to coerce or compel the other party to concede. Wars are power-based approaches to conflict. In the organizational context, power-based approaches include times when managers act unilaterally to impose a solution in a conflict situation (for example, making or restructuring work assignments), when parties to a conflict threaten each other in order to try to get their way, or when lower-powered parties form coalitions develop enough power to create change.

*At the end of a conflict where a power-based approach is used, the more powerful party wins.
The less powerful party loses.*

Rights-based approaches depend on a series of rules or guidelines to determine appropriate behavior in a particular conflict situation. The legal approaches you already know are rights-based. Grievances call for the parties to argue that a certain action did or did not violate the collective bargaining agreement and ultimately for an arbitrator to make a decision. EEO charges call for a determination of whether actions are or are not contrary to the equal employment opportunity requirements imposed on federal employers. A request for a due process hearing in a special education calls for a decision on whether the school's action did or did not provide the student with a free and appropriate public education.

*At the end of a conflict where a rights-based approach is used,
the party determined to be "right" or in compliance with the rules wins.
The party determined to be "wrong" or out of compliance with the rules loses.*

Interest-based approaches focus on the parties' real interests – the real need or desire that underlies the positions that parties have taken. In other words, the interests explain why each party has taken a given position. The goal of any interest-based approach is to allow the parties to explore solutions that will address the most important interests of both. The parties decide on their own solutions. The most common interest-based process is interest-based negotiation; the most common process involving an outside third party is mediation.

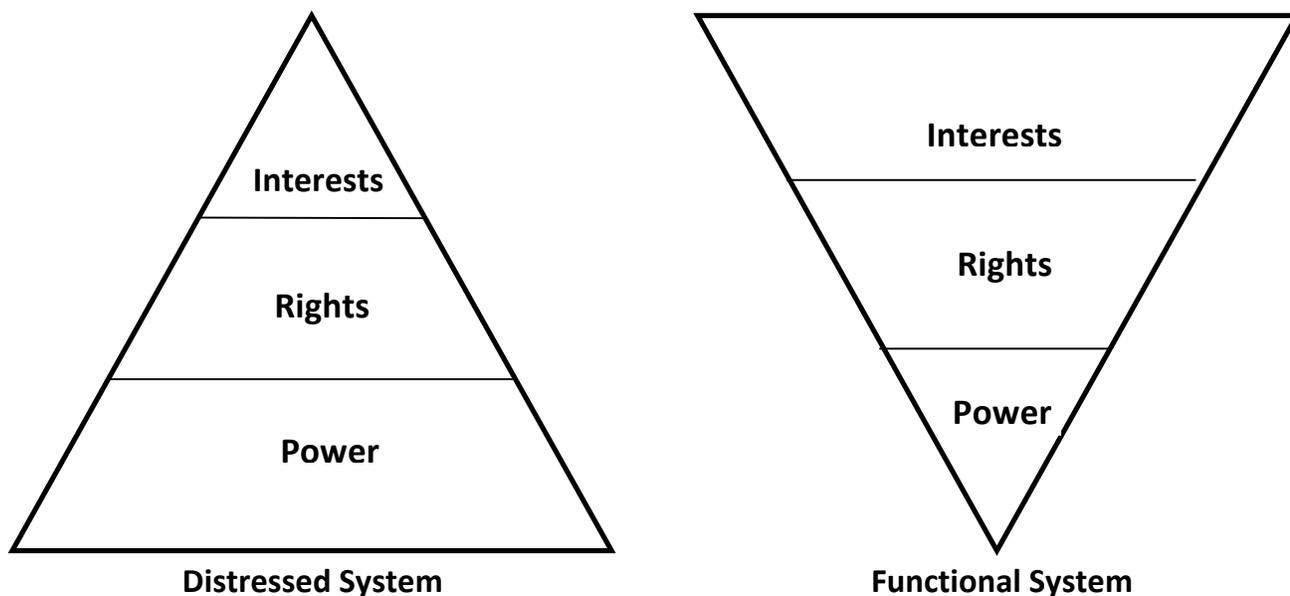
*At the end of a conflict resolved through an interest-based process,
both parties have found a mutually agreeable solution.
No one loses.*

WHAT'S THE RIGHT APPROACH TO USE?

DoDEA's CEDR program focuses on interest-based approaches, but there are times when each of the three approaches is appropriate. It makes sense, for example, to:

- ✓ Use an interest-based approach when it is important that the people involved in the conflict have a good relationship in the future, develop trust, or improve their communication.
- ✓ Use a rights-based approach when you need to set a precedent or when attempts at interest-based approaches have been unsuccessful.
- ✓ Use a power-based approach if there is an urgent need for action and a decision is within your discretion.

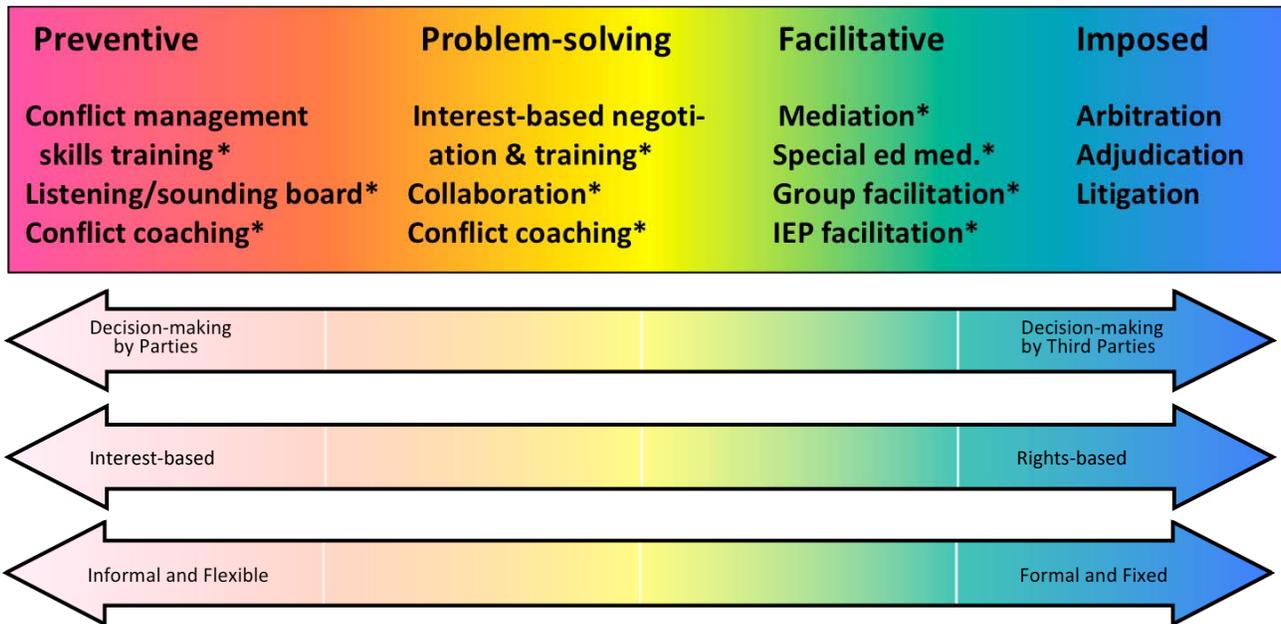
The extent to which an organization uses each type of approach affects its ability to function well, however. Ury, Brett and Goldberg³ argue that in a distressed organization, power-based process are used most often to address conflicts, followed by rights-based processes, with interest-based processes used infrequently. In a healthy organization, the frequency of use is reversed so that interest-based processes are used frequently and power-based processes are rarely used. Organizations that want to function better should, therefore, work to increase the extent to which interest-based options are available. CEDR is providing those additional interest-based options for DoDEA.



SPECTRUM OF CONFLICT MANAGEMENT OPTIONS

³ Id.

Conflict management options can be seen as falling along a spectrum. DoDEA’s CEDR program offers services that are preventive, problem-solving, and facilitative in nature (indicated by an asterisk (*) below); it does not offer services that are imposed.



Preventive options help people learn skills that will better enable them to manage their own conflicts constructively. For example, they may develop more effective listening and communication skills or they may become more able to make intentional and well-considered decisions on how to approach a conflict they face. Once a party has more conflict management skills, he or she can apply them to constructively manage future conflicts of all sorts.

Problem-solving options are those in which the parties seek to solve the problem together, seeking a way to satisfy the important interests of each.

Facilitative options are much like problem-solving options, except that an impartial third party is involved in the process to facilitate the parties’ communication and help them to problem-solve effectively, but do not make decisions for the parties. Generally, those who facilitate processes involving relatively few parties are called mediators; those who facilitate processes involving many parties or parties with many people are called facilitators.

Imposed options are those in which an external third-party makes decisions which are imposed on the parties to the conflict.

FACING CHALLENGING CONFLICT?

Let CEDR help you consider and implement approaches that will work.

Contact us at:

CEDR@hq.dodea.edu
703 588-3060

Or check out our website:

<http://dodea.edu/offices/cedr/>