

## **FAMILY FEUD PART 1**

### **The major issues for Richard to consider**

Late mother's will

The terms of the will

The two sisters Sarah and Lotte

What were Sarah's needs and concerns at the time of the will?

What were Lotte's needs and concerns at the time of the will?

Do the terms of the will still address their respective needs and concerns?

The willingness of the sisters to resolve the conflict

The history and relationship between them

The age of the sister

The values of the sister

The emotions and feelings involved

The long duration of the conflict

Time frame for a resolution for both sisters

What will be a fair resolution?

### **The skills and attitudes that might be helpful to Richard**

Because Richard could be assuming the role of a mediator, the skills of mediation will be very useful to him. His aim would be to facilitate the process of a resolution for the parties, and he needs to be objective, supportive, and non-judgmental. He will be in charge of enabling the environment for a resolution of the conflict. However, he should be able to use power cooperatively with the women, not try to exercise power over them (considering their age, and possible frailty), but must try to share power cooperatively with them. He should consult them, and not attempt to solve the problem for them in his own way, but should steer the process for them to get to a resolution they want. He should be respectful and considerate.

The win/win approach would be helpful to Richard, because he would need to convince both women that he wants both of them to win, and would equally consider all their needs and concerns without favouritism. Because Lotte is his mother, this approach is necessary to ensure that Sarah trusts him and has confidence in him to believe that her needs and concerns would be equally considered.

He has to be open-minded and respect the values and points of view of both women even if he does not agree with them. Richard is of the opposite gender and is likely to align more closely

with values from the stereotypically masculine style, while the women might be likely to align more closely with values from the stereotypically feminine style. He should also be mindful that he is of a different generation whose values might differ from those of the women. He should also be mindful that the two women might also differ in values. Sarah appears to be more career oriented, while Lotte appears to be more family orientated. To avoid misjudging any or both women, he must be accommodating of their values and views.

He would need to demonstrate a willingness to resolve the conflict by acknowledging and controlling his own projections. He has to be in the right psychological condition to resist reacting to any inflammation. Because the women are much older than him, they might feel that it is their place to tell him off, or even attack him personally. So he must keep his ego in check, have a positive attitude, use positive language, and engage the parties in a dialogue, not debate or argument. He should avoid using words like 'but' 'why' 'you'. He should respond to resistance to resolve the conflict and negative statements or attitude with determined positive attitude and statements. For example, if one of the women says she cannot do something, he could respond with a question like 'what do we need to do to make you able or willing to do it?' Or if one of them says it is difficult to do something, he can ask 'compared to what?' Or 'what would it take to make you willing?' or 'would you be willing to try?' He should be persistent, and not allow a deviation from the issues. He should bear in mind that for the parties to change, he must change first.

He has to be able to respond creatively to conflict, to open himself up to the possibility of a resolution, and believe that even though it has been twenty years, a resolution is still possible. His attitude should be curious, open to exploration, research and discovering of possibilities for a resolution. He should want to educate himself about the parties and the issues. He might not know Sarah very well, so he might do some research about her to find out what makes her tick. He could also find out about the value of the house at the time the will was made, to compare it with the value of the possessions, so that he could invite a balancing between the two during the discussions.

By opening himself up to possibilities, he would be able to broaden his perspective of the conflict. He should be willing to view the conflict from other perspectives apart from his own. He should be respectful of the uniqueness and values of women. His attitude would be humble and respectful, as he would be looking beyond himself for answers, and might recognise the need to exercise patience, and a reasonable time frame for a resolution.

He should be able to show empathy to both women. He should be able to engage in active listening, to hear the women express their needs clearly to him, he should check, recheck, and review with them, to ensure that he hears them properly, and that they hear themselves, and feel understood. Because the women are old and might not be coherent, it will be important

for him to exercise patience and listen carefully to what they have to say. He must really care about them and their needs and concerns. He should be able to gain their trust and confidence.

Although Richard is keen to resolve the dispute, he should be able to be appropriately assertive with both women should the need arise. The women are of different generation and gender, so at times he might need to assert himself appropriately to tell them how he sees things without being disrespectful or blaming any of them.

Emotions might run high because Sarah might still have grievances, and Lotte could be defensive. Old age might also cause impatience and short temperedness. So Richard should prepare himself, to be able to manage the emotions of the women. He should also be able to manage his own emotions, as his youth might also make him judgmental, impatient and short tempered. Should come across inflammation from any of the women, he should pause and respond, not react, and must not be defensive, retaliatory, or judgmental. He should keep his focus on the issues.

The five basic principles of negotiation would be helpful to Richard as he tries to resolve the conflict. He needs to be:-

Hard on the problem and soft on the women

Focus on their needs not positions

Emphasize any common ground

Be inventive about options

Get a clear agreement from them

By mapping the conflict, Richard would effectively clarify the different needs and concerns that are driving the women apart, and be able to come up with options for a resolution.

The mapping exercise should enable him generate and develop options that equally addresses the needs and concerns of both women. His attitude will be to want what is fair for both women.

### **Some steps Richard could take, and options he could consider**

Richard would first of all need to achieve a consensus and commitment from the sisters, to agree to him stepping in the shoes of a mediator to mediate between them, and to work together to achieve a solution to resolve the conflict. At the moment Richard is keen resolve the conflict, but the women might not be. So, he must first of all send out feelers to find out if the women would be open to a resolution. He could ask the women directly, or contact friends and other relatives to get the information from them, as to how the women feel about resolving the conflict. If Sarah lives far away, he could contact her personally, or in writing, or by phone call, to inform her that he feels that his mother is in her last years, and his wish to

resolve the conflict. He must also speak to his mother and tell her that he wants to resolve the conflict and have a closure considering her age. If the women agree, and are committed to a resolution then he can proceed with his mediation.

Richard should take the time to get to know Sarah personally so that he can understand her feelings, and will know how to approach her. Maybe it could be assumed that Richard knows his mother well enough, but he could still try having in depth conversations to be able to understand her better, before the process starts. He should try to know the history of the conflict, to know their respective relationship with their late mother, their childhood together, and the kind of relationship they had before the conflict. He could also get some more back ground information from other relatives and friends. Just to prepare himself.

Because the sisters have not spoken for a very long time, Richard might need to get them to learn about each other, and to know each other again, before the actual discussions take place. This might create the necessary empathy, understanding, and acceptance between them, to soften feelings, and allow flexibility during the discussions. He could arrange for them to meet at a mutually agreed place and time. The location should not be formal. A fun location might put the women in a better mood. After the 'get to know each other meeting', then he could suggest and arrange another meeting, possibly at a different and even better location, for the resolution process.

Before the meeting, Richard should keep himself centred. At the meeting, he should open the meeting with positive language, emphasising the mutual benefits of a resolution, (which in this case could involve maintaining family ties, support, and unity. He should also emphasise the urgency of a resolution due to the fact that the conflict has gone on for far too long, and they are not getting any younger. He should keep alert and tune into his creativity to counter any negativity.

By mapping the conflict, Richard should be able to find out what their needs were when the will was made, what their present needs are, and whether the conflict has any basis any more. He would need to engage in more active listening to get all the necessary information and clarification. If all the needs and concerns are clarified, then Sarah might see that twenty years ago when the will was made, Lotte had more need for the house, than she did.

Although Sarah is now married, there is no indication that she has children, and there is no indication that she is struggling financially and need housing. Lotte on the other hand is still married and has children. So, again, mapping the conflict might make her see that Lotte still has more need for the house than she does, because her husband and some of her children, or grandchildren might have the need for it.

A good mapping by Richard should result in the sisters seeing the futility of the conflict, accommodating each other, and therefore maintaining the status quo.

The conflict arose over twenty years ago when the value of the house might have been far less than it is now. Richard should be creative and broaden his perspective to consider comparing the value of the house to the value of possessions Sarah received at that time, to try to balance the two. It might be that there might not be much difference in value at all, and the sisters will see the futility of the conflict, and the status quo would be maintained.

## **FAMILY FEUD PART 2**

Richard must keep calm. He should maintain a non-judgmental manner, and not react to the accusation by his mother. He should not belittle or deny her feelings. He could give her some time to cool down, give the mediation process a little break then try to contact her again to continue the process. He could send her a nice card or gift, or offer to help her out with something, to try to please her and make her amenable to resolving the conflict. Maybe his mother will cool down and reconsider her position, but he should not be defensive, retaliatory, or even try to justify his actions. He should still maintain a warm and caring tone towards her, and use words like “I can see why the things I said made you feel the way you felt”, or “I can see how upset you are, but I know we can work out a solution together”, or “what do you think I should do to change things?” or “what do you think I am doing that is unacceptable to you?”

Then he should suggest another meeting, this time at a different location, maybe a location that has some sentimental value to the sisters, or a place with activities, scenery, or music that would put them in a happy and flexible mood.

He must remind the women that he wants to support both of them to win, and should ignore the differences and emphasise the positives, like their sisterhood, childhood together, the things they have in common or used to share, and the need to keep their family united. This will help build a united front and a common ground, to encourage a joint problem solving approach. She must again engage in active listening to find out what the real needs are. He must try to find out the feelings behind his Lotte’s anger, which might be masquerading as needs, but might in fact be feelings. He must ask open questions, and ask them to express their feelings, to encourage them to communicate with each other, and to elicit the necessary mutual empathy to develop more flexibility.

He must mirror, para phrase, summarise, and reconfirm what he hears them say, so that they can hear themselves and confirm their needs and concerns to him. Then he should encourage them to collaborate and work together, to look for answers that will satisfy them both.

He must redirect and keep his focus on the positive. He must redirect any negatives with positives. Words like “I can’t”, “I won’t”, “it is too difficult”, should be responded with words like “what would it take to make you able?”, or “how do you think can we make it possible?” he could reframe the issue by making the conflict insignificant and as simply labelling the conflict as a misunderstanding between sisters who love each other. He should emphasise the benefits of a resolution in uniting the family, keeping the sisterly relationship, and the detrimental effects of the conflict in tearing the family apart. He must let each of them state what the problem is for her, and encourage them to find a solution that satisfies their mutual needs.

It is necessary that he is still able to assert himself to make the women realise how he see things, without eliciting any anger or defensive behaviour, or suggesting solutions for them. He should steer them to come up with proposals and options for a resolution.

It is also necessary that he maintains his creative responses, as well as a broad perspective of the conflict right up to the end of the process, so that he is able to respond to unexpected challenges and be able to steer the process. These skills might make him see the futility of the conflict and the need for a resolution even more, but they will also make him have realistic expectations. He has already recognised that his mother might not have much time. A broadened perspective will make him realise that it will not be realistic to allow too long a time frame for a resolution, because his mother might die without a resolution achieved.

He would also see the need to redefine a win in neutral terms to avoid one of the women feeling a sense of failure. He could redefine as win, as a win for their late mother, or as satisfying the wishes of their late mother, or as a rebuilding of family ties and relationship, or as a win for the whole family, and for peace. He will also be able to realise that any loss either party might feel could be rebalanced by the fact that valuable family ties and family unity would be regained and maintained. And family support would be assured in times of difficulty.

After the sisters have come with a joint solution and selected an option together, Richard must ensure that they are equally committed to the option, and have a clear agreement to that effect, ensure implementation, and follow up on the implementation.

The win/win approach does not mean a win/win outcome. However, a win/win outcome that might conceivably occur after determining the respective needs and concerns of the sisters, is that the status quo regarding the terms of the will be maintained. It appears that the good intention their late mother had was to provide for them according to their respective needs and concerns at the time. There appears to be no unfairness intended by their late mother, and it appears that their respective needs might not have changed to make the terms unfair even as of now. The win/win approach ensures what is fair for each of the women. It does not mean that the wins should be equal, or that the result will result will be a win/win outcome.

## **The split up part 1**

### **The major issues:**

The joint mortgage

The terms of the mortgage

Mortgagees Lisa and Allan

The relationship and history between them

What are Lisa's needs and concerns?

What are Allan's needs and concerns?

Lisa's values

Allan's values

Allan's financial status

The emotions and feelings involved

Time frame

What option will be acceptable as a fair resolution for both Lisa and Allan?

### **The steps, attitude, and options Lisa could take:**

Lisa could try resolving the conflict as partners with Allan, or she can ask a third neutral party (who Allan must agree to), to mediate and facilitate a resolution between them.

As a first step, she must centre herself, to prepare herself mentally and physically to respond to Allan. She has to plan how to approach Allan, remind herself about which buttons to push, the language he wants to hear, and the best atmosphere to put him in a good mood.

She has to focus on the outcome she wants, and must research, if possible get professional opinion, and have all the information she needs about the mortgage situation, and their respective conditions. She has to be well prepared to be able to identify and support the outcome she wants to Allan convincingly.

She should contact Allan personally by a visit or phone call, to try and arrange a meeting with him to resolve the conflict. The meeting should be at a mutually agreed time and place. A fun place, or a familiar place of sentimental value to both of them, or a totally new place with activities of mutual interest, might be a good location. The aim will be to put them both in a flexible reasonable mood to facilitate a dialogue.

Lisa will find many of the skills of conflict resolution helpful in analysing the conflict.

Because the conflict involves two different genders, for Lisa to be able to achieve a long term durable solution, it might be helpful, as a first step for her to acknowledge and accommodate certain gender linked values. The key is to respect Allan's values, even if she does not agree with them, because there might be good intentions or a good purpose behind them. This does not mean that she should suppress her own values. It just means that she must not use her values to dictate what is right for Allan.

Allan prides himself in taking care of his mother. He appears to value status more than he does equality, which Lisa wants in this case. Although it might appear that Allan is merely out to satisfy his ego and pride, there might be a good intention and positive purpose behind his value. He might genuinely care for and wants to look after his mother, and Lisa should recognise that. However, his good intention and positive purpose might not be realistic considering his financial difficulties. Her attitude should be respectful. By being appropriately assertive she could make it known to Allan that his value is personal to him, and not attack or judge him. She has to move away from moral obligations, and instead ask him if he feels that it is important or realistic, to preserve his status in the midst of his present financial worries.

Lisa must be willing to resolve the conflict. So she will have to be objective and control her projections. She appears to object to the "good provider" image she feels Allan is presenting. That might be due to the fact that she is unconsciously jealous of Allan, because it is an image she would also like to present of herself but is unable to do so. It could also be that she objects to the "good provider" image Allan is presenting because he reminds her of her unmet obligations toward her own mother. Therefore, Lisa will also need to beware of her emotions and be able to manage them the same way as she will have to do for Allan's emotions.

Even though she might think that Allan is unreasonable, for her to achieve a win/win approach, she must acknowledge Allan's feelings, and must consider her needs as well those of Allan equally. Her attitude must be that she wants to win and also wants Allan to win. She must focus on being partners with Allan to solve the problem.

The skills of negotiation which also require a partnership and a joint problem solving approach, will also be helpful to Lisa. Her attitude must be conciliatory, she must not be hard on Allan, because that might cause Allan to be defensive, and would take the process backwards. Her attitude should be to collaborate with Allan towards a solution.

Allan's attitude is making her wild, so she will have to be wary of her emotions, and must be able to control and manage them, so that they will not cloud her decisions and judgments. Although she must not ignore or deny Allan's feelings, she must not react, she must pause and respond by engaging in more active listening, refocus on the issues and steer the process. She must resist retaliating, defending herself, or justifying herself to counter any complaint or attack against her by Allan.

Although the relationship has broken down, Lisa must be empathetic toward Allan, and take the time to really care about him and put a human face to the conflict. Lisa must remember that the conflict arose out of human feelings, and therefore, cannot be resolved without respecting Allan's feelings, irrespective whether or not she agrees with them. This does not mean that she has to repress her own feelings, she can simply assert her feelings appropriately.

She will have to be creative, and engage in brainstorming, research, and exploration to search for and possibilities and ways to resolve the problem. Her attitude will be curious and open. Lisa must also have a positive and flexible attitude, and must believe that the conflict can be resolved and would be resolved. She prepare herself against any deviations, difficulties, negativities, or resistance to resolving the conflict by brainstorming, researching, exploring , reframing the issues, and creating options to steering the process. She must use inclusive language like "and" not "but". She should also limit the use of the words 'why' 'oughts', 'shoulds' and 'musts', and use alternatives like 'the way I see it', or 'what seems important to me to consider is', to appropriately assert herself.

She must be able to cooperate with Allan, and to respond to any resistance from Allan by redirecting the issues and moving to the positive, and by keeping his focus on Allan's legitimate needs and concerns. Her attitude must be that for her to succeed in getting what she wants, Allan does not have to fail. Therefore, she must be ready to engage Allan in dialogue not debate. Debating will not allow for the flexibility required to exchange points of view or beliefs peacefully, and for the mutual understanding required of the win/win approach. By engaging in dialogue, they will be able to work together as a team, and can both express their uncertainties, concerns, beliefs, and can gain insight from each other, to explore possibilities of resolving the conflict.

Broadening her perspective of the conflict, will enable her see the conflict from different angles and points of view, not just her own, and will make her willing to consider her part in the conflict. She will be open to change and risk taking. Although she might want to have the conflict resolved within a very short time because time might be against both of them, broadening her perspective might make her recognise the need to exercise some patience, and be realistic. Considering the bitterness and different values at play, she might recognize a reasonable time frame to resolve the conflict.

By mapping the conflict, she will be able to clarify the differing needs and concerns that are driving her and Allan apart, and find options towards a solution that will meet her needs as well as Allan's needs. Her attitude will be to want to achieve what is fair for both Allan and herself.

By engage in active listening the mapping exercise should enable her get all the required information, ask all the relevant questions, and reflect back to Allan what she hears him say, so that he feels understood, and she gets clarity.

Having generated options from the mapping exercise, she must be able to develop them to address all competing needs and interests, to achieve what is fair for both of them.

### **Some options Lisa could consider to move toward a win/win outcome**

-Selling the house and divide the equity fairly. This option will enable her have the required money to buy another house. This option will also allow Allan to let his mother continue staying at his house, while he could use the equity to rent for himself elsewhere or secure another mortgage.

-they can also wait for the house to be repossessed, and the equity divided between the two of them equally. However, that might not suit her because her needs might be immediate, and Allan could also be made homeless, but it is an option she could consider.

-Contact the mortgage providers to keep them up to date about what is happening, and inform them that there is a change in circumstances which might affect the contract they had with them. The mortgagors might be able to help with advice and useful arrangements to come up with a solution that would be helpful to both of them as joint mortgagees.

-Seek independent debt advice for Allan and herself as to the way forward.

### **The Split Up-Part 2**

Allan appears to be unwilling to resolve the conflict, but Lisa should keep centred and focussed on the issues. She should not try to defend herself or retaliate. She needs to take a little time to reconsider her approach, and maybe allow Allan a little time to cool off and reconsider his position. She must try to maintain a friendly attitude, and must separate Allan from the problem, and focus on their respective needs and concerns. She must deal first with Allan's emotions, to acknowledge his feelings, and to get to know the feelings behind his anger. If she gets to know the feelings behind his anger then she will be able to manage his anger.

Because Allan is furious that Lisa spoke to Jeff about their problems, and resents Jeff's involvement which he sees as interference, Lisa must be wary and respectful of his values. Allan appears to value autonomy, actions and objects, competition, and status while Lisa appears to value interdependence, feelings, agreement, and equality. So she must maintain a broadened perspective and be ready to look inwards to see her part in the conflict and to accept any wrong doing on her part.

She should not allow a breakdown in communication between them. She must steer the process to be able to reach a resolution. She could send an apology note directly to Allan or through his solicitor, and let him know that she understands how her actions could have made him angry. She can say things like 'I understand how what I did could have made you angry', or 'please tell me what do you think I have wrong so that I can get it right'. She must show Allan that she is eager to get on well with him and that she wants to resolve the conflict. She could offer him help or send him a small appropriate gif to show her good faith. She must show genuine concern and interest, and tell him that she wants to preserve the relationship they built together, and politely ask him for a face to face meeting, and to maintain direct contact with her rather than through solicitors.

She must avoid giving ultimatums and making threats at this stage, but must seek Allan's cooperation. She must state the need for fairness and logic in the matter. She must review any common ground and agreement between them so far, and focus on the need for them to be partners to resolve the conflict. To keep the rapport and dialogue, and to steer the process, she must be resourceful, and can ask him for his opinion as to what he thinks is fair for both of them. She could break the issues into parts to address the less contentious or easier parts first to avoid a block in communication. She could also emphasise their mutual interest, which might be to move forward with their lives and start afresh, and the need to compromise to preserve the relationship they built together.

Because Allan does not seem to be considering her needs and concerns, she can also be appropriately assertive, to express herself clearly and convincingly to Allan. She can say something like 'when I felt that I was not listened to I felt alone and frustrated, and what I would like is to be able to resolve our financial problems in peace to our mutual benefit'. She should avoid words like 'ought', 'should' 'must' and 'why'. Instead of attacking his values, she can make it known to him that his values are personal to him by asking him questions like 'do you think it is realistic to preserve your status in this situation which could leave us worse off?', or 'so you think it is not wise to involve third parties when it appears that we cannot solve this problem on our own?' She can ask his opinion for a way forward with words like 'what can we do to change the present situation?', or 'how do you see the way forward?', or 'how would you like things to be different?'

Lisa should play down their differences and emphasise the things they have in common. She should not retaliate to Allan's attitude, nor try to defend or justify her actions. She must respond by redirecting, to engage in more active listening, and by keeping her focus on their needs. Using a tone of voice that shows warmth and care, she must redirect her focus on the issues and not Allan's attitude. She should recheck and reflect back to Allan to confirm that she understands him properly, and to make sure he hears himself, because sometimes the speaker will not realise the impact and effect of his words. Hearing his words from Lisa might make him reconsider what he said. If she is not sure about something she should ask him for clarification.

She should ignore any mind chatter she has, or any desire to find the right or perfect solution. She must remain persistent, open minded, positive, and flexible, to a broadened her perspective of the conflict.

She must appropriately assert to Allan that the costs of not resolving the conflict could be far greater than the benefits of resolving it, and that it is in their mutual interests to resolve it. Then she can inform Allan that although she values their relationship and would prefer them to work as partners to resolve the conflict, she will have no choice but to consider her own resolution if he remains unwilling to resolve it because she would like to rebuild her life.

By broadening her perspective of the conflict, she might see that patience is required, and will recognize a longer time frame to resolve the conflict. Because Allan is presently very upset, it might be wise if she gives him a bit more time to cool off, before continuing the process. Being a little patient might also give her the opportunity to think about and search for better ways to come up with options. However, she will also realise that too long a time frame will not be realistic, because she might lose the opportunity to buy another house, and Allan could be left homeless.

By broadening her perspective, she will be able to see beyond the conflict, will be able to reframe a win by emphasizing to Allan that it will mean an opportunity for change and progress, for both of them, an opportunity to start afresh with better opportunities to be happier in the future, while enabling him to continue caring for his mother as he would love to. She can also reframe a win by emphasizing the opportunity it brings to both of them to avoid repossession and homelessness.

By broadening her perspective of the conflict, she might recognise that any loss Allan feels could be balanced by the fact that he would not be left homeless, and he would still be able to care for his mother the way he wants to, and his pride would be intact.

A win/win approach does not mean a win/win outcome. However, in this case, the win/win outcome that might conceivably occur is that they will sell the house and divide the equity fairly. This option will enable Lisa have the required money to buy another house, and allow Allan to let his mother continue staying at his house, while he uses his share of the equity to rent for himself elsewhere or secure another mortgage.

## **The new manager –part 1**

### **The major issues are:**

Staff cooperation/Team work/Staff relationship

Daniela's position-what are Daniela's needs and concerns?

Bill's position-what are Bill's needs and concerns?

The rest of the staff- what are their needs and concerns?

The needs and concerns of management

The relationship between Bill and Daniela

The relationship between Daniela and the staff

The relationship between Bill and the staff

Bill's values

Daniela's values

The values of the rest of the staff

The emotions and feeling involved

The need to get the office running efficiently

Channels of communication between the staff,

Staff morale, team work, and cooperation

What can Daniela do to gain cooperation and efficiency from Bill and the rest of the staff?

What can Bill do to earn respect and consideration from Daniela?

What would be a fair resolution for all involved?

### **The skills that would be helpful to the Senior Manager in analysing the conflict are:-**

It will be useful for him to put himself in the shoes of a mediator, and to have the attitude of a mediator, and facilitate the process for the parties to come up with options for a resolution.

Therefore, he should want what is fair for each party, and should be objective, supportive, non-judgmental. He must be diplomatic, so as not to offend any of them.

In the mediation process he will find all the other skills of conflict resolution useful.

He must commit to a win/win approach. This commitment should guide him to be fair throughout the process. He must be able to find out the underlying needs and concerns of the parties, and ensure that they know, understand, and value each other's needs and concerns. Then he must make it known to them that he is after an equitable result for both of them.

He must not see the problem as too difficult to resolve, but must have an attitude of discovery, to be able to explore and search for possibilities, to find a way to extract the best from the

situation and come up with a resolution. He must be able to encourage the parties to search for possibilities of a resolution, and avoid imposing his views or suggesting solutions for them. His attitude must be curious, and must not be to find the one perfect or right solution, but to discover possibilities. So he must also be patient.

Because personalities affect outcomes as much as issues, it is important that he takes the time to know the parties personally and learn their story. It is also important that he encourages the parties to take the time to know each other personally and learn each other's story. This might cause them to understand and sympathise with each other, and therefore reduce any anger or resentment between them.

He must take the time to really care about the parties and empathize with them. This will help build trust between himself and them. It will also enable him get to know their underlying needs and concerns, and help him understand their feelings, and cause for their resentment toward each other.

He must be approachable, friendly, and supportive, so that the parties are not inhibited, can relax, express themselves, and open up. Then he will be able to get all the relevant information from them to come up with the right options. He must be an active listener to ensure that the parties feel that he understands and sympathises with them. By engaging in active listening he will be able to keep good eye contact, make appropriate verbal responses, ask open, relevant, clarifying questions, not allow gaps in information, and reflect back feelings and content using his own words to make sure that he hears the parties properly, and that the parties hear themselves.

He should be able to broaden his perspective of the conflict, to enable him see the conflict from different angles, respect and value differences between himself and the parties, and between the parties themselves, and to be willing to recognize a long time frame for a complete resolution of the dispute considering the heat and resentment between the parties. By broadening his perspective, he would also be able to encourage the parties not only to look outwards for solutions, but to also look inwards. His attitude should be respectful and humble. He should be wary of the fact that the parties are of different genders, and may align more closely with values stereotypically from their respective genders, or they might share similar values which compete and clash. He must keep his focus on the good intentions and purposes behind the values of the parties, even if he does not agree with them.

In this case, it appears that they both value status, they both want to dominate, value territory, and seem to undervalue the other. They are in competition with each other, they ignore each other's feelings, Daniela appears not to consider the feelings of the staff. They both value autonomy, and are not willing to taking advice from the other, and Bill in particular is unwilling to take orders from Daniela probably due to the fact that she is a woman.

To broaden his perspective of the conflict, he must be able to control and change his mind chatter, which could narrow down and cloud his vision of the conflict.

He must be able to engage the parties in dialogue not debate. This will enable the parties communicate, and work together as a team in a peaceful, flexible and open way, to search of ideas, and explore options for resolution. His attitude will be to foster team work and partnership. Debating might involve heat and create animosity which will drive the parties apart. He must be able to ask open questions which encourage the parties to talk.

He must be able to keep himself centred, and control his emotions as well as the emotions of the parties. He must not be defensive or adopt aggressive postures and gestures to defuse strong emotions from the parties. He must not be reactionary, but must be pause and reflect. His attitude will be not to let strong negative emotions derail the process. Because the parties feel resentful towards each other, he must be able to handle their emotions. He should be able to keep his focus on the issues, and be ready to reframe the issues, to ensure that he steers the process and avoid a stalemate.

He must respond to any resistance from the parties by being able to cooperate with them. He holds the position of power, but he must not seek to dominate the parties, instead, he should be respectful, and be consulting them to facilitate the process for them, to empower them to come up with a solution, not impose his will and suggestions on them. His attitude will be to foster team spirit.

He must be flexible, and have a positive attitude. use inclusive language like 'and' and must avoid using words like 'but', 'why', 'should', 'must', and 'ought'. If the parties make negative statements he must respond with positive suggestions and alternatives.

He must be appropriately assertive by using the 'I' statement, to enable him state his point of view firmly, but calmly, without being aggressive, judgmental or blaming to arouse defences from any party. He must be appropriately firm to steer the process forward. Being appropriately firm does not mean that he will imposes on the parties, it means that he expresses himself appropriately strongly, but without anger, or negative postures or gestures.

He must be willing to resolve the conflict, and must avoid any negative thoughts or acts on his part to derail the process. He must manage and control his projections, and must be wary of projections affecting the decisions of any party or both of the parties. This will help him maintain the required objectivity in the process. He must bear in mind that for the parties to change, he must change first.

Because there are three parties (Bill, Daniela, and the Staff), mapping the conflict will enable him easily clarify the different needs and concerns that are driving the parties apart, so that he

is able to develop options. His attitude will be to achieve fairness, and he must be exploratory and creative to be able to generate and develop options.

The five basic principles of negotiation will also be useful to him. He should be able to be:-

Hard on the problem and soft on the parties

Focus on needs not positions

Emphasize common ground

Be inventive about options

Get the parties to make a clear agreement

### **The steps he could take, the skills he would require, and the options he could consider**

The senior Manager has called them into his office, so, with the agreement of the parties, he could act as a mediator between them, using the twelve skills of conflict resolution.

Getting himself centred will help put him in the right physical and mental state to resolve the conflict with the required objectivity.

He must have planned and prepared himself well, and researched about how to handle the parties, the attitudes and positions he might encounter from them, about the background to the conflict, and about any precedents or company guidelines for dealing with such disputes.

As a start, he must get a commitment from the parties to resolve the conflict, and must get them to commit to an option, otherwise any option they choose might fail. He must inform them about the benefits and costs of not resolving the conflict, to encourage a commitment from them.

He must be friendly and approachable to develop a rapport with them, to build trust and understanding between them, so that they are able to express themselves freely to him. He must try to determine the feelings behind their resentment, to find out their underlying needs and concerns, and to be able to expect and control their emotions during the process.

He could arrange an informal outing with all the staff, to get them to develop a communication channel with Daniela and all the rest of the staff, for them to get to know each other, to learn about each other, start a relationship, and develop mutual empathy. Daniela appears to be isolated from the rest of the staff and Bill. She clearly needs their support and cooperation to achieve the efficiency and quality services the company needs. She needs to build a rapport with them, to communicate with them, to listen to them, and to really care for them and their feelings. If the parties get to know each other and learn about each other's stories, they will be more understanding and flexibility with each other during the resolution process.

He must choose an appropriate location for the resolution process. Both parties must agree to the location, so that they will both feel comfortable enough to relax and express themselves freely. The office might not be the most comfortable or private place to resolve a conflict. An informal location where they can all let their hair down should be better.

Because he does not want to lose either party, he must encourage them to compromise, to be able to come up with a resolution. He must get them to recognise their interdependence and common goals in working for the company, to foster a team or partnership relationship between them.

Mapping the conflict should disclose that Daniela and Bill have different styles of approaching the job, but the different styles are complementary and useful to ensure efficiency in the company. Bill understands the financial system perfectly, is very good with the informal links needed with the accounts sections of their suppliers, and is well liked by the staff for his easy going approach. So he has the experience, good communication skills and rapport needed to keep business going successfully. Daniela has an accountancy degree, is efficient, able, and demand efficiency, punctuality and quietness in the office, which all ensures professionalism and increase productivity in the workplace. Mapping the conflict will get them to recognize and value each other's skills and contributions, and that their different styles will lead to creative problem solving for the company, and the need for them to work together merging both styles to achieve excellence. Then he will get them to collaborate and compromise to come up with a resolution

The active listening involved in the mapping exercise should make the parties hear themselves, to hear how their needs and concerns sound coming from another person. This might encourage them to adjust their demands to sound more reasonable. By broadening his perspective and being creative, he should be able to encourage each of them to imagine how it would feel to be in the other's shoes, or actually make them exchange positions for a day or two, to make them realise the reasonableness or otherwise of their needs and concerns, and encourage some flexibility.

By mapping out the conflict, and exposing the underlying needs and concerns, Daniela might see the need to exercise patience with the changes she wants to introduce. She might see the need to introduce changes she wants slowly, rather than abruptly, because the staff might resent being abruptly made to change their behaviour or the status quo. And Bill's insecurity and need for recognition will be exposed.

Because Bill might be feeling insecure and under-appreciated, the Senior Manager should be creative and try to boost his confidence by praising him for his invaluable contribution and services to the company over the years. He should remind Bill of specific positive contributions he has made to the company which the company appreciates. Then he should explain to him that Daniela's appointment is nothing personal against him, is based simply on her

qualifications and experience, and is intended to add and improve on the work he has been doing well, to ensure that the company achieves its goals, which is a goal that all of them share. Then he should also praise Daniela for the good intentions behind her approach, and commend her for her efforts.

Then he can again emphasize the fact that they are both united by their common goal and service to the company, and then explain to them that a united front and team work is necessary for the company to achieve its goals, and maintain their services. His willingness to resolve and his creative responses should make him persistent and be able to steer the process.

Because one of the reasons for Bill's resentment might be due to the fact that Daniela is of the opposite gender, or just something personal (it is said that he disliked Daniela from the outset), and because Daniela's resentment of Bill appears to be personal (Bill feels she blames him for things that are not his fault), he will need to get them to respect each other's values, to control and manage their mind chatters, emotions and projections. Then he must then highlight to Daniela the good purpose of Bill's approach, which is to build lines of communication with staff, and keep staff and partners happy. Then he must also highlight to Bill, Daniela's good intentions for wanting order, professionalism, high standards, efficiency, and the best results for the company.

By mapping and broadening his perspective, the Senior Manager will see the need for the creation or enforcement of a clear set of rules for the office governance and interaction. This will enable him to clarify to the parties their respective roles and duties, to ensure that they observe the codes of conduct, procedures, rules, and directives attached to their respective positions. If a clear set of rules for the office governance and interaction already exists, then he must produce it, go over it with the parties, to remind and emphasize to them their respective roles and duties, to ensure that the internal work place regulations are understood and implemented.

The above steps will take into account the underlying needs and concerns of the parties. Although the current arrangements at the office are maintained, there will be more clarity, understanding, cooperation, positive attitude, and increased production from all the staff. The parties will get to cool down and become less hostile toward each other. Bill will have the confidence and security he needs to bear Daniela's appointment, to get the staff to be cooperative and supportive of her, and cease any disruptive or jealous behaviour. Daniela will in turn have the confidence and security she needs to ensure the professionalism and efficiency she wants, and all the staff will be more cooperative and understanding of her. A partnering and team approach to work will be the result of this option.

By mapping and broadening his perspective of the conflict, he might recognise then need to encourage Bill with a training or scholarship opportunity, to improve and upgrade his knowledge and experience, so that the next time he applies for a high position his application

will be successful. He can also explain to Bill that with higher qualifications he can be promoted without having to make an application.

By being creatively responsive, he could come up with an option for the Senior Manager to introduce the buffer reporting system, whereby rather than having each party deal directly with each other, he can have them each report to him as an intermediary. This option will not be good because it does not encourage communication and interaction between the parties. Without communication and interaction, there will be no understanding and cooperation between them. It also does not address their underlying needs and concerns, it avoids them.

The Senior Manager should not use his power to intervene and dictate and outcome. By doing that he will be ignoring the underlying needs and concerns of the parties, and blocking channels of communication and understanding between them. The conflict will continue to linger.

### **The New Manager- Part 2**

The Australian Manager appears to be new in the matter, and must prepare himself properly before he starts the process. He should try to get to know Daniela, Bill, and the rest of the staff, to open a communication channel, and to get to know them personally. This will help him know how to approach them and continue the process. An informal meeting at a nearby pub or some social place outside the office, and convenient to all the parties, would be ideal. He should contact the Senior Manager to carry out some enquiries and research into the areas of difficulty with the parties, their different personalities, and any areas of common ground so far. Like the Senior Manager, he must want what is fair for all the parties. He must also respond creatively and broaden his perspective, by researching, brainstorming, to look for inspiration, precedents, and ideas about how to resolve the conflict.

The parties appear unwilling to resolve the conflict, but he Manager must focus on finding out their needs and concerns. He must control his emotions and think of a new way of seeing the conflict, and greet the conflict with an attitude of discovery. He must be soft on them but be hard on the issues. He must control his projections and be empathetic, objective, supportive, and non-judgmental. After the 'get to know each other meeting', he should arrange another meeting to actually start the resolution process. Again, he must choose a convenient place and environment to ensure that they feel comfortable and relaxed enough to open up, express themselves, and engage in dialogue without feeling inhibited.

Since he is just coming into the case, he should map out the conflict to find out the underlying needs and concerns of the parties, and must engage in active listening to clearly know the feelings behind their anger and the reasons for them. He must steer the process, take notes, and must keep checking and rechecking with them, reflect back to them what he hears them say, so that they hear themselves, and so that he understands them better. He should ask them

open style questions like 'how do you think we can change the situation', or 'what do you think it will take to change or improve things?' .This will encourage them to talk, engage in dialogue, and work together towards a solution. He must use inclusive words like 'and', 'we', 'us', 'together', and avoid excluding words like 'but', 'you,' 'should', 'must,' 'ought', 'why'.

Although he must maintain a friendly and approachable approach so that the parties are at ease, he must also keep his focus on the issues to counter resistance and deviation from the parties. He is in the position of power, but he must not try to exercise power over the parties by dictating to them or imposing solutions on them. Instead he must exercise his powers with them, by consulting with them, facilitating the process, and encouraging them to take responsibility for their decisions and actions. Like the Senior Manager, he must emphasize their contribution, worth, and value to the company, but must also be appropriately assertive with them to tell them the way he see things, and the action he prefers from them. He must discuss with them the benefits of resolving the dispute, which is to keep their jobs, and the cost of not resolving it, which is to lose their jobs.

Still being appropriately assertive, he could inform them that because his own job is at stake, he will have to consider his own resolution if they remain unwilling to resolve.

A strategy he could use is to show them the value of team work, by introducing or effectively enforcing a system of work place partnering or work place teaming.

He must also ensure that the office environment emphasizes respect, diversity, and equality, and must introduce or enforce office rules as a necessary strategy to resolve the conflict.

He must not threaten, or give the parties an ultimatum. He should not be angry or impose his will on the parties, but must maintain a dialogue with them and between them, and facilitate the process.

By broadening his perspective of the conflict, he will be able to have the necessary insight to be able to redefine a win as:-

A learning opportunity for all of them, because Bill and Daniela have different styles and approach which are useful to all the staff, to meet the goals of the company.

A win for the company, as it is a focus on the interests and goals of the company over individual concerns.

The building of partnership and team work approach to the job.

By broadening his perspective and maintaining his creative responses, he could rebalance any loss Bill might be feeling by offering him an opportunity for academic training. Other members of staff could also be offered training opportunities to raise standards and increase professionalism as Daniela would like, and also open up possibilities to develop their careers.

By broadening his perspectives of the conflict and seeing the conflict in a wider context, he will recognize the connection between the attitudes of Bill and Daniela with the attitude of the rest of the staff, and realize that the attitudes of Bill and Daniela in turn influence the attitudes, of all the other staff of the accounts section, and could spiral down and lead to the down fall of the company. He will see the urgency of the need to get Daniela and Bill united and working as a team.

Because feelings and emotions are involved, a little bit of time might get the parties to cool down and change their positions. However, in this case time might be limited because the company might suffer huge losses due to the continued inefficiencies, and his job is at stake if he does not resolve the conflict speedily or follow the instructions of the New York President. He therefore has good reasons to avoid a long time frame to resolve the conflict. He must use time wisely.

After using strategies and developing options for a resolution, he must have a clear agreement form the parties about the option chosen and make sure that the terms of the agreement are honoured and implemented.

A likely outcome might be a compromise between the parties. Both Daniela and Bill might have to change their attitude and approach, integrate their different styles, and work together as a team or partners.

## **The Barking Dog-Part 1**

### **The major issues:**

Neighbourly relations

Wan - what are his needs and concerns?

The neighbour-what are his needs and concerns?

The relationship and history between them

What does the dog actually do?

Wan's values

The neighbour's values

Language and communication

The emotions and feelings involved

Time frame

What will be fair for both Wan and the neighbour?

### **The skills that would be helpful to Wan in analysing the conflict:**

Wan must want what is fair for both the neighbour and himself. His aim should be to satisfy the competing underlying needs and concerns in the conflict.

He must be creative in his response, and be able to embrace the dispute as an opportunity rather than a difficulty. Even though there appears to be language and communication barriers, he should not see the conflict as unresolvable, or difficult to resolve. He must prepare himself mentally. By keeping himself centred will help unblock his responsiveness, to enable him have the necessary attitude of discovery, to explore possibilities of a resolution.

Because he is from a different culture, he could he ask other neighbours for advise and ideas about how to approach the neighbour, how to tailor his responses, and about how to deal with the matter generally. He should be friendly and approachable, and must try to open up a line of communication and dialogue to get to know the neighbour and to understand him, and develop a neighbourly relationship. He could invite the neighbour over for tea, or a meal, or suggest a meeting at a mutually agreed informal location to get to know to know each other.

He must be willing to resolve the conflict, and that means that he should also be able to control his projections and mind chatter, and accept his differences with the neighbour. He must be respectful of the neighbour's culture and values, even if he does not agree with them.

Because he speaks little English, and because his son who speaks better English had already been in trouble with the neighbour, and is just ten years old, it will be better for him to find an independent person who is fluent in both Vietnamese and English to translate and mediate between him and the neighbour, if the neighbour is agreeable to that.

Engaging in active listening will help him find out the competing underlying needs and concerns and achieve what is fair. At the moment he seems to show a lack of empathy towards the neighbour, but by engaging in active listening, he will be able to develop and show the empathy required to maintain a win/win approach, and convince the neighbour that he understands him. Because he does not speak good English, he must ask questions, and ask for explanations and clarifications. It will be important for him to reflect back, summarise and para phrase, just to confirm that he is receiving the right information.

The neighbour is angry, so Wan should be able to manage his own emotions as well as the neighbour's. He must not respond to the neighbour's anger, but should pause and react to it to avoid an escalation. Maintaining a centred composure should keep him focussed on the issues, and prevent any retaliatory or defensive action from him.

He must be friendly, and must show the neighbour that he is keen to get on well with him to resolve the conflict. He should focus on their interdependence as neighbours, and make neighbourly gestures like paying a visit at a convenient time to accept responsibility and apologise for his son Minh's previous conduct, or giving a small appropriate gift, or offering some help any time it is needed. His attitude must be conciliatory.

He must be able to broaden his perspective, and be willing to look inwards to recognize his own part in the conflict, and consider what he might be doing wrong. He could ask questions like "what is it I am doing that is unacceptable to you?", or "what do you think I should do to change things?", or "how do you think I can do things differently?". He must have a flexible, open attitude that makes him willing to shift his position.

Because the neighbour is angry and might not see reason easily, he should be appropriately assertive, to ensure that the neighbour knows how he views things, without getting angry or defensive.

The skills of negotiation will be helpful to him, because they also require a focus on the issues, not on positions, and they include the collaborative effort and fair attitude required to come up with options suitable to all sides.

**Some options Wan could consider to move towards a win/win outcome:**

It is important that he responds creatively try to find out if the neighbour's anger is justified. The dog might have separation anxiety, or some other problems which he might need to address. So he could use a video recorder, or a camera to see how the dog behaves, and to find out what might be causing the dog distress when the family is out.

And if he finds out that the dog indeed does bark consistently when the family is out without any one playing a part in it, then he should be able to develop options, and could consider not leaving the dog behind when the family is out, or he could get an anti-barking device for the dog, or hire a trainer for the dog. He could also consider not chaining the dog at all when the family is out, or chaining the dog at the front part of the house instead of the back garden when the family is out.

Being creative and doing some research about the neighbour will help him build a neighbourly relationship with him. For example, invitations to the neighbour to visit, paying short convenient visits to the neighbour, short friendly chats over the fence, appropriate gifts and gestures, introducing the dog to the neighbour (if the neighbour is an animal lover), are all strategies that could soften the neighbour towards options for a resolution.

## **The Barking Dog**

### **Part-2**

Wan must control his emotions and not over react. He must get himself centred and calmed down to maintain a win/win approach. He must not be hard on the neighbour, and must redirect and keep his focus on trying to satisfy his own needs and concerns, as well as the needs and concerns of the neighbour.

As a first step, it will be advisable for Wan to confirm that it was indeed the neighbour who had placed the poison bait. He could use a video recorder or camera to confirm. If he actually confirms that it was indeed the neighbour who had placed the poison bait, he must not judge him, or retaliate. He must try to shift the resentment he feels against him, and focus on something positive to acknowledge the neighbour for. For example, the helpfulness of the neighbour in keeping watch and maintaining security, or the neighbour not resorting to the laws after having suffered previous un-neighbourly acts by his son. He should show the footage to the neighbour as a bargaining tool in any discussion or meeting about the conflict, but he must not use it in a confrontational, accusatory or threatening way, he must use it to show the neighbour that things are getting out of hand, to get the neighbour to back down without feeling humiliated.

As a first step, with the aid of a neutral translator, he could write a polite letter or a note to the neighbour, or speak politely to the neighbour over the fence on a convenient day and time, or

he could suggest a meeting with the neighbour to resolve the dispute as partners. He should not use adversarial language, must engage him in dialogue, point out their interdependence as neighbours, define the conflict as a mutual matter, and use conciliatory language like “I take your concerns seriously”, “I also have serious concerns which I would like us to discuss as partners to achieve a shared solution”, and “we can work out a solution together”.

If the neighbour agrees to a meeting, he must choose a location where both he and the neighbour will feel comfortable. He must redirect his attention back to the issue by engaging in active listening to clarify and explore the needs of the neighbour further. He must convince the neighbour that he wants to achieve a fair resolution for both of them, so he must broaden his perspectives of the conflict by being willing to consider his own part in it, and be willing to consider the previous conduct of his son, and the way his family appears to consistently upset the neighbour.

He should also be persistent and appropriately assertive, using the “I” statement to explain to the neighbour how he sees things. For example, he can say ‘I realize that the lives of my children and my dog are at risk, and I feel threatened. What I would like is to be able to provide a safe environment for my children and dog’. Or he can also say ‘when I am unable to protect the lives of my children and dog, I feel threatened. What I would like is to be able to provide a safe environment for my children and dog’. He will then inform the neighbour that although he has the footage, he will not use it to take the matter further, because he hopes there will be no recurrence, that he would like to build good neighbourly relations with him, and regrets the previous actions by his son. This approach should not make the neighbour feel humiliated, but should make him back down.

It might be that the neighbour simply does not like animals or dogs in particular, so he can reframe the issue to be about animals and pets in general, to find out how the neighbour feels about them. This will enable him change his perspective, to come up with appropriate options for a resolution.

Broadening his perspectives of the conflict will enable him put himself in the neighbour’s shoes, to see the conflict from the neighbour’s perspective, be more understanding of the neighbour’s actions, and be more willing to shift his position. It could enable him redefine the win as an opportunity to protect his children and dog, or an opportunity to build good neighbourly relationships, or an opportunity for peaceful co-existence.

By broadening his perspective of the conflict, he might realize that the normal unavoidable interdependence between neighbours is good reason to believe that in the long run things could be smoother between them. However, if it was the neighbour who placed the bait, then it might be risky to let the conflict drag any longer, as the lives of his children and dog are at risk. So he might realise the implications and urgency, to recognise a very short time frame to resolve the conflict.

Any loss the neighbour might feel could be rebalanced by an undertaking by Wan not to present or report the footage to the authorities, and an acknowledgment and acceptance of responsibility by Wan for the previous unneighbourly acts by his son Minh. Any loss Wan might feel could be rebalanced by the knowledge that he will have the opportunity to take better care of his dog.

The win/win outcome that could conceivably occur, if there is fault on the part of Wan and his dog, is that Wan will keep his dog, but might need to change the arrangements when the family is going out, to make sure that the dog does not bark to disturb the neighbour. If however, the issue is that the neighbour simply does not like animals in general or dogs in particular, then perhaps Wan could raise and fortify his fence (if it is not against planning permission), to protect his dog and also shield his dog from the neighbour. In both cases Wan would be able to keep and protect his dog, and the neighbour will be protected from the dog, and they can both enjoy civil neighbourly relations.

## **The Oval-Part 1**

### **The major issues**

Communal/recreational facilities

The local Council- what are its needs and concerns?

The Soccer Association- what are its needs and concerns?

The residents-what are their needs and concerns?

The values of the Council

The Values of the Soccer Association

The values of the residents

The relationship between them/what connects them?

The emotions and feelings involved

Time frame

What will be a fair option for each of them?

### **Skills and Attitude Audrey will find helpful**

She must be able to centre herself so that she is in the right frame of mind to resist any negativity and resolve the conflict.

All the twelve skills of conflict resolution would be useful to Audrey, because they are all based on wanting what is fair for all concerned. However, because she might put herself in the shoes of a mediator, mediation skills would be particularly useful to her. Her attitude will be to facilitate the process for a resolution.

The skill of mapping will be especially useful, because the people concerned are numerous, and she will need to find out the needs and concerns of everyone to be able to come up with options incorporating all needs and concerns. Her attitude should be to consider all needs and concerns to achieve a fair resolution for everyone involved.

She must have a creative response to the conflict. Her attitude will be to see the conflict as an opportunity, to be able to explore and search for possibilities of resolving it, rather than seeing it a big problem or too difficult. She must be able to respond to the conflict and not react to it. She must be open to researching the issues involved, the people involved, and the strategy required.

By responding creatively she will be able to broaden her perspectives, to look at the conflict from various angles, to enable her understand and accept the differences of the parties, and consider them when generating options for a resolution. Her attitude will be flexible and respectful.

She must be able to come up with options that match the needs and concerns of the parties. Her attitude will be exploratory, and to achieve what is fair for all concerned..

She must cooperate with the parties. She should not dictate to the parties, but must consult with them, and facilitate the process for them, so that they feel empowered, and will be able to express their needs and concerns freely and clearly. Her attitude must be respectful, and to steer the process.

Engaging in active listening will be particularly helpful, as she would need to hear clearly what the numerous residents have to say. Engaging in active listening will elicit the necessary empathy for the parties, to assure them that she understands their needs, has registered their view points, and wants what is fair.

She will be dealing with numerous people, some of whom might be too emotional or disruptive. By being able to assert herself properly using the "I" statement, she will be able to clearly express the way she feels or sees the problem without attacking, hurting, or blaming anyone. Her attitude will be to respect and value herself the same way she does all others concerned in the dispute.

There are conflicting interests, so there could be high emotions and heated exchanges. She should expect different kinds of emotions to be expressed by all involved, including herself. She should be able to manage her own emotions as well as the emotions of the parties, otherwise she will not be able to steer the process towards a resolution. Her attitude will be to expect strong emotions during the process.

The skills of negotiation will also be useful to her, because they separate the people from the problem, require a focus on interests not positions, and a focus on common ground. Her attitude will be conciliatory, and to satisfy mutual interests.

She must also be willing to resolve the conflict. She should show the parties that she wants a fair resolution, by broadening her perspectives and having an open mind. Her attitude must be flexible and positive to make her willing to shift her position. She will have to look in-wards, control her projections and mind chatter, to let go of any negative personal feelings, and develop the necessary objectivity to pursue a fair resolution.

### **Steps Audrey could take**

She can step into the shoes of a mediator, and write a polite letter, or note, or speak to all the parties concerned (The Soccer Association, The Council, and the residents), telling them that she is concerned about the matter, stating her wish that they work cooperatively on the issues, inviting them to a dialogue meeting at a specified date and time to discuss the matter, giving her contact details, and asking that they get back to her if the place, time, and date are not suitable to any of them.

She must suggest a convenient day like a weekend when everyone has time, nearer to evening time than in the middle of the day, when people might be engaged in leisure activities, and must also suggest a neutral place where everyone will feel comfortable.

Because Audrey is also a resident who has an interest in the matter, she can also suggest to the parties that a third neutral person mediate between them. However, the parties must agree for that person to mediate, because mediation cannot take place without the parties agreeing to the proposed mediator.

Audrey must prepare herself. She must maintain her creative responses and do her research into the parties and the issues, so that she will know how to raise the issues, how to respond to the parties, and what strategies to adopt.

She could also consider meeting the parties separately, to gather necessary information, and test their reactions, before arranging a meeting. This will also prepare him for the meeting,

because she will know what to expect, she will know what to avoid and what to encourage, and she will be able to steer the process.

### **Options Audrey could consider**

She could consider getting the parties to collaborate. By collaborating they will all set out their ideas, which will be integrated to find a creative acceptable solution that takes into account all needs and concerns in line with the win/win approach. By collaborating the parties will be able to work together as partners. The skills of mapping, creative response, broadening perspectives, and negotiation will be particularly useful.

Because the win/win approach does not necessarily result in a win/win outcome, another option for Audrey to consider is to get the parties to compromise. This calls all sides to give up some parts of their positions to come up with a resolution acceptable to all. The skills of negotiation will be very useful.

An option Audrey could consider is for the Council to take into account some of the residents' needs and concerns in any agreement it enters into with The Soccer Association. For example, she can suggest that the Building Plan maintains recreation areas and access to residents on particular days and times, and that the design of the fence maintain or improve the look of the bushes.

Another option is for the residents to consider the need to promote sports in the community, the need to satisfy the huge number of soccer fans, the need to make the Oval useful to the community, and the need to promote tourism to the area, increase business opportunities and raise funds for the improvement and benefit of the community. This might make them more flexible with some of their demands.

Another option is for the Soccer Association to fix a roof over the oval to give protection against the flood lights, then the Council will settle for a lower rent, and the residents let go of their remaining concerns. However, this might be a very expensive option.

Audrey might not be able to come up with an option that meets all the needs and concerns of the parties. However, by encouraging them to collaborate and compromise, she could come up with options that satisfy some major needs and concerns of all the parties, because a win/win approach does not mean a win/win outcome.

## The Oval- Part 2

Some of the parties are unwilling to resolve the conflict, and appear to be engaging in unfair tactics. However, Audrey must keep herself centred. She must control her emotions, projections, and mind chatter, and must not be judgmental. She could call for the meeting to end and resume on another date soon, to give an opportunity for reflection, and for tempers to cool down. She must follow up on the invitation to the Soccer Association with a phone call or a personal visit to ensure that they participate in the process. The Soccer Association should be able to address concerns about noise pollution levels and the issue of infringement of zoning regulations, so it is a necessary party to any meeting to resolve the conflict.

Before another meeting, she could arrange a social function where all the parties or their representatives will meet and interact, and have fun, to get to know each other better. This might help build a bond and understanding, to reduce the tension before the next meeting, and could make the parties more flexible and amenable to a resolution.

She could also consider changing locations for the meeting, changing the seating arrangements, with no high table or dais, to make everyone close enough, to be accessible, and comfortable. Because the present meeting is too crowded, she should consider forming smaller groups, or meeting privately with some members of each party to trash out the difficult issues.

She must be persistent and redirect her attention back to the issue. For example, instead of defining the issue as 'the Oval', she could reframe it as "our communal facilities", "our social amenities", or "our social infrastructure". She should ask more clarifying questions to help her reframe the issues and steer the process. She should ask general questions to get the parties to open up, and ask more questions to maintain the dialogue, and to confirm if she understands the parties, and that the parties understand each other. She can ask "have I got it right", or "did I hear you properly", just to confirm with them.

She should ask questions to understand the basis of the attacks on the Mayor and Alderman. She can ask "what do you think that he has done that is unacceptable to you?", or " why do you think you feel the way you do?", or "what do you think he should do to change your mind about him?", or say "what do you think makes you feel the way you do?". She should not deny or ignore their feelings, but must ensure that they know she is hearing their anger. She could ask them to suggest what they think can be done to change things.

In case the resistance and negativity continues, she should be appropriately assertive with them using the "I" statements to tell them how she sees things. She must be creative in her responses and explore the areas in which the parties are flexible, to invite currency trading. She should also explore the best and worst alternatives for a negotiated agreement, and discuss the benefits and costs of not resolving.

By tuning into her creative responses and broadening her perspectives, she will not feel blocked by the size of the conflict and the strong emotions involved, and will recognise that all the different values and points of view contribute towards a solution. She will then encourage the parties to recognise the benefits at stake, to recognise a shared goal to improve their community, and a mutual interest that they all share. This will encourage them to be united to work as a team and find a solution together.

Considering the emotions of some of the parties and the issues involved, broadening her perspectives will make her recognise the need for a longer time frame to resolve the conflict. However, being that the Council has already made a decision, time might be against her, and the recognition of a longer time frame might be unrealistic.

Broadening her perspectives of the conflict might open her up to redefining a win as an opportunity for community or social development.

Any loss the residents might feel could be rebalanced by the knowledge that the income the Council will get from the Association will be used in other areas to improve their living conditions, and that the Oval is being made useful to benefit the community.

A compromise is likely. The Soccer Association might rent the Oval from the Council but with terms to address some of the concerns of the residents. The win/win approach does not mean a win/win outcome. They might all have to adjust their needs to reach a resolution.

## **Volunteers and professionals-part 1**

The major issues:

Staff integration/Staff cooperation

The unpaid staff-what are their needs and concerns?

The paid staff- what are their needs and concerns?

The managing Board- what are its needs and concerns?

The unpaid staff is not trained

The relationship between the two types staff

The history the unpaid staff has with the organisation

The resentment of the unpaid staff

The resentment of the paid staff

What will be a fair resolution for all concerned?

### **The skills and attitudes she would require, and the steps she could take**

Because the Coordinator is a paid staff, and new to the organisation, she might not be experienced and neutral enough to mediate, it might be wise for her to suggest that a third independent person who is familiar with the organisation, and agreed upon by the parties, act as mediator, using all the twelve skills of conflict resolution.

If she decides to resolve the conflict and the parties agree to that, then she will require all the twelve skills. Because she will be stepping into the shoes of a mediator, the skills of mediation will be especially useful to her. She has to be objective, supportive, and non-judgmental, to facilitate the process for the parties to come up with options for a fair resolution.

She must want what is fair for everyone, and be able to achieve what is fair for everyone. Her attitude must be to cooperate with the parties, and to get the parties to cooperate with each other, to develop a joint problem solving approach where all competing needs and concerns are addressed jointly by the parties as partners.

She is in a position of authority compared to the parties. To encourage the parties to resolve the conflict she must exercise her powers to empower them to reach a resolution. She should be consulting them, facilitating the process for them, and encouraging them to make decisions and accept responsibility. She must be positive, encouraging, and respectful.

She must be able to respond creatively by seeing the conflict as an opportunity for possibilities. She must have an attitude of discovery, to be able to search and explore possibilities for a resolution. She is new to the organisation and might not know the unpaid staff well enough to know their history with the organisation. She might also not know the workings of the organisation very well. If she is able to respond creatively, she will do her research about the unpaid staff and the organisation, so that she gets a clearer picture, and will be well prepared and know how to respond during the mediation process.

By mapping the conflict she will be able to identify the needs and concerns of the parties to lead to options for a fair resolution. The skill of mapping should be particularly useful to her because the number of staff might be significant.

She must engage in active listening to get clear information from the parties about their needs and concerns. By engaging in active listening she will be able to develop the necessary friendliness, rapport, openness, and understanding between herself and the parties to get all the information she needs, to develop empathy and build trust between them.

Using the skills of negotiation will facilitate the required cooperation between the parties, because she will be focussed on the issues, and not on the positions of the parties. Her attitude will not be to win positions or victories, but to address the needs of the parties, steer the process and achieve what is fair for everyone.

Because some parties could be disruptive, she should be able to be appropriately assertive, to show the parties that while she respects their needs and concerns, she would also like to meet her own needs and concerns without ignoring theirs.

She should expect emotions to run high at the meeting because positions are at stake and egos are involved. She should be able to control her own emotions as well she as those of the parties if she is to have any progress with the process. She should be able to keep her focus on the issues, be able to redirect or reframe issues, and respond to any inflammation, and not react to it.

She must be willing to resolve the conflict. She must be accepting and respectful of differences, be able to control her projections, and be willing to recognise her part in the conflict. Her attitude will be humble and conciliatory, and must be that for the parties to change, she must change first.

Broadening her perspectives will make her see the conflict from various angles and lead her to the objectivity required for a fair solution. She will be moving away from her own limited subjective view of the conflict, and opening herself up to alternatives and ideas, to develop the flexibility required for her to be willing to shift positions. Broadening her perspectives her perspectives will develop a realistic attitude in her, to enable her proceed realistically, and be realistic about her expectations.

She must be able to design options for a resolution, by researching, brainstorming, and encouraging suggestions and contributions from the parties, she could come up with options that will satisfy all involved. Her attitude will be discover and explore possibilities for a fair solution.

### **Steps she could take and options she could consider**

She must contact all the staff and management to inform them about her concerns and her wish to mediate and resolve the conflict adopting the win/win approach. If they all agree to her acting as a mediator, then she must get herself prepared to proceed with the process.

She must get prepared, both physically and mentally. She must keep herself centred, and must do all the necessary research into the staff, management, and the organisation, and must be friendly and approachable to all the staff to develop a rapport and build trust between them, so that communicating with them will be easy during the process.

Because the conflict stems from her attempts to satisfy the aims and wishes of the Board, inviting some members of the Board to the process should be a wise idea.

Then she should arrange for all the staff and some members of the Board to get to know each other, so that they can start to develop the rapport and understanding needed to encourage the required flexibility during the process. A social location where all the staff will have fun should be ideal.

She could then invite all the staff (including the valuable staff who gave notice that she is leaving), and some members of the Board, to an informal meeting, to start the process. She must suggest a place, date, and time suitable to everyone.

At the meeting she must maintain a friendly and approachable attitude, and should ask open questions to encourage a dialogue. She must not encourage a debate. She must recognise the contributions of the volunteers over the years, offer them praises for their dedication and invaluable contribution over the years, and encourage them to continue because they are part of the organisation, and the organisation needs them. She must make all the staff and members of the Board present feel valued, and part of the organisation as a team aiming to achieve the goal of the organisation by increasing professionalism.

To try to convince the volunteer who gave notice change her mind, she should mention her specifically, high light her specific contributions to the organisation, state that it would be a great loss to the organisation if she leaves, and ask her to change a her mind and stay because the organisation needs her.

Then she needs to identify the common thread between all of them, which is the obligation to work towards achieving the organisation's goal, and to sustain the organisation. Uniting the parties by a common thread might help develop a team spirit, and encourage collaboration for a joint solution.

Encouraging the parties to collaborate will result in a joint problem solving approach, which will make the parties see the problem as a joint one, and will therefore work as partners not adversaries, and will easily come up with options which put aside personal differences, and allows a win for everyone.

A collaboration between the parties will also encourage a merger of all their respective needs and concerns, to enable her come up with an action plan that addresses as many of their needs and concerns as possible.

By broadening her perspective of the conflict she should realise her part in the conflict. She must acknowledge it, and offer to rectify any mistakes she made. It appears wrong for her to pay ex-volunteers for work they had performed, and to pay people to do the work the present volunteers used to do for free, when the present volunteers are not being paid anything. A sincere apology from her to the volunteers would be appropriate.

Another step she could consider is not to distinguish staff as 'volunteers and professionals', but instead as 'paid staff and volunteers'. The present distinction appears condescending to the volunteers, who appear to be equally talented. This step should reduce the feeling of resentment among the volunteers, and should encourage the paid staff to be more respectful. The two camps might see themselves as one and be willing to cooperate more.

By broadening her perspective, she will also realise that because the job can be done by both the paid staff and volunteers, she does not need to hire from outside. She could instead offer the volunteers training opportunity to become professionals and then retain them. So, offering the volunteers training opportunity is another option she could consider, so that she will be hiring from amongst them rather than from outside.

She could also try clarifying and separating the tasks, by making clear lists of the respective roles and responsibilities of the paid staff and volunteers, so that paid staff will not be doing volunteer work, and volunteer staff will not do the work of paid staff.

## **Professionals and Volunteers Part-2**

The Coordinator must keep calm and centred. She must keep her focus on the needs and concerns of the parties. She must not be overwhelmed by the continuing conflict, but must see it as an opportunity for possibilities of a resolution. So she must engage in brainstorming, research, and exploration of ideas to come up with options for a resolution. She must not force or intimidate any party to do what she wants. Instead, she must convince them that she is out to satisfy most of their needs and concerns by acknowledging their feelings and points of view, even if she does not agree with them.

She must try to understand the situation better to know how to approach the parties and connect with them. If she does not understand, she should ask for clarification. She must be persistent, and must engage the two camps in dialogue. She has to convince the parties that she genuinely cares, and wants to address their respective needs and concerns. She should ask

open ended question to maintain dialogue, and should ask both camps for suggestions about what their wishes and expectations are, and what changes they would like to see. She can ask “what do you think it would take to change things?”, or “what do you think we can do to sort out the problem?” encouraging the parties to make suggestions or offer solutions for discussion will result in a joint collaborative effort towards a resolution.

She must keep her focus on the needs and interests of the parties, not on their positions. By doing so, she will be able to identify a common ground, which in this case might be an interest in fundraising, humanitarian, or charitable work. She will then be able to reframe the issue as the pursuit of common goals or mutual interests. Even if she does not find a common goal, all the goals could be integrated to take account of all needs and concerns to achieve a resolution.

She must demonstrate a willingness to resolve the conflict by controlling her projections and emotions, and by showing the parties that she is keen to resolve the conflict. She must acknowledge their contributions to the organisation.

By being willing to resolve, she would also be willing to broadening her perspective of the conflict to look inward and evaluate her part in it. The way she is going about things could be wrong, because things have not improved, and the volunteer staff in particular appear unhappy. She appears to be over spending, and the Board is not pleased She should evaluate her actions to find out any mistakes on her part, and acknowledge them. She must not hesitate to apologise for any wrong doing on her part, because she has to encourage the parties to reconcile, and must realize that for them to change, she must change first.

The paid staff could find the experience of the volunteers very useful, and the volunteers could in turn find the professionalism of the paid very useful. Therefore, she should try adopting a team building or partnership approach. Appropriately asserting more to the parties that the way she sees things is that they are all united by the fact that they are trying to make a positive contribution towards the goals of the organisation, should make the parties realise the need to work together, and will encourage them to share and exchange ideas about the way forward. She must also appropriately assert that the conflict will derail them from continuing to make any positive contribution to the organisation.

By making unity of purpose a common ground, and focussing on it, the parties will put the interests of the organisation ahead of any personal feelings that tear them apart, and will collaborate towards options for a resolution.

By broadening her perspective and adopting a team building or partnership approach, she should be able to redefine a win as the pursuit of organisational goals, or interests, or simply as a win or achievement for the organisation.

### **The option she could consider to move towards a win/win outcome**

Because overspending is an issue, her approach now should be, to be hiring from inside among the volunteers and stop hiring from outside. She could save costs by offering training opportunities to the volunteers who wish to have such training to be professionals, and then retain them as volunteers. If she eventually has enough trained volunteers she will not need to have many paid staff.

She should stop paying ex-volunteers for work performed and focus on training the volunteers to be professionals. If the volunteers receive training, then there would be no need to distinguish the two camps as professionals and volunteers because the distinction would be blurred. If the distinction is blurred, the volunteers would not be made to feel inept, and might no longer feel any resentment towards the paid staff. The paid staff in turn might feel that they are not made to lower their standards, and would be more accepting of the volunteers. Partnership and team spirit will be developed by all the staff, who will now be distinguished as paid staff and volunteer staff.

By training some of the volunteers, she will also be addressing the concerns of the paid staff, who feel that that volunteers are not capable enough without training, and might therefore feel undervalued or disrespected by being required to perform the same tasks as them. The team spirit and partnership developed by the staff could result in increased productivity and income, to improve the finances of the organisation, and compensate for any losses caused.

Any loss the volunteers might feel should be compensated by the fact that some of them will be offered training to be professionals to improve their work and increase their confidence. And the longest serving and most dedicated volunteers like the one who gave notice to leave the work, will be paid for the work they do.

Any loss the organisation might suffer should be balanced by the fact that its goal to increase professionalism in the organisation will be realised, and its productivity and finances will be improved.

With the passing of time, the parties are likely to change their positions. However, in this case, because the Coordinator is under pressure from the Board and her job is at risk, she might recognise that she does not have too long a time frame to resolve the conflict. Letting the conflict drag any longer might cause the unwanted leak to the press. A delay might also make her appear indecisive and inept.

By broadening her perspectives and seeing the conflict in a wider context, she might realise the need to take action as soon as possible, rather than letting the conflict drag on. However, she should impose her views, or force and intimidate the staff into doing what she wants.

A win/win outcome might not be achieved, but a fair outcome might be that the co-ordinator will stop hiring paid staff from outside, stop paying ex-volunteers, and will offer payment to the dedicated and valued volunteer staff, and offer training opportunities to volunteers staff to increase professionalism.

The goals of the Board might now include providing training opportunities for volunteers to increase professionalism.

### **Work place bargaining part1**

The major issues:

Working conditions

What do the women want?

What does Management want?

The women's values

Management's values

How to avoid confrontation and achieve a compromise?

She must want to achieve what is fair under the circumstances. The skills of negotiation should be particularly useful to Dimitra, because they will help her achieve a fair resolution, and that is what the women want. They do not want to use confrontationist strategies, and appear to want a compromise. Her attitude must be friendly, approachable, and wanting what is fair.

By choosing to negotiation she will need all the other skills as well.

Because the women are many, and their needs and concerns might vary, the skill of mapping will be useful, to help her clarify the respective needs and concerns to facilitate a negotiation. Her attitude will be to discover what is fair for everyone, so she must engage in active listening to have a clear picture of the needs and concerns of the parties

She must be able to respond creatively to the conflict, and open herself to research, exploration, brainstorming and discovery to search for possibilities of options for a resolution.

She should be able to develop options to achieve the outcome she wants. Her attitude must be to create, discover, and explore options that addresses as many of the needs and concerns as possible.

The skills of mediation should also be helpful to her, because they include objectivity, support, and open mindedness to achieve a fair solution. Her attitude will be to want to facilitate the negotiation process.

She should also be able to broaden her perspectives of the conflict, to be able see the conflict from as many perspectives as possible, as well as to be able to look inward for their part in the conflict.

She must be willing to resolve the conflict, and must therefore be able to accept and respect differences, as not allow her projections to interfere with her judgement.

She also has to be appropriately assertive, to be able to clearly express her needs without eliciting anger or defensiveness. Her attitude will be to get her views across while also respecting the views of the parties. She should be bold so that she will be able to relay the women's needs effectively, to let the management know how serious they are about their needs.

Even though she might be dealing with powerful and management, she should be able to show empathy to develop the necessary rapport and openness between her and the owners, to make the owners more open to considering their needs and concerns. It will not help if she gives the impression that she does not care about management's needs and concerns.

### **The steps she could take and the options she could come up with**

Because Dimitra is keen to adopt a win/win approach to the conflict, she should get the women to agree for her alone, or together with few other women from the group(who she will lead), to represent them to the management for a negotiation. She should inform the management politely, either in writing or personally, that she has been chosen to represent the women, and suggesting a preliminary informal meeting, at a time and location suitable to all, for management and women to get to know each other, before starting the actual negotiations. Such a preliminary meeting could create the necessary understanding and empathy between the parties to make them more understanding of each other's position, so as to be flexible in the actual negotiation process.

After the preliminary meeting, she must prepare and plan well for the negotiation.

She could suggest that the negotiations take place at the same location or at a location where all the parties will feel more comfortable.

Before the meeting, she must keep herself centred, and find out clearly what the women want, and the outcome they hope for, to define it in a way that leaves room to negotiate. She should be able to take notes, and communicate properly. She should then research the position of the women to find out their value and contribution to the factory, to give them a bargaining edge, and find out if there are precedents to support what they want, and to find out if what they want is reasonable and likely to be achieved.

She should research management's composition, to find out if it is predominantly male, in which case she should be wary about the need to be respectful of their values, even if she does not agree with them. She should also be prepared to appropriately assert her own values and view point to get management understand her position.

She should also find out management's position and style, so that she is mentally prepared, will know the appropriate approach, and how to tailor her responses to get the answers she wants, to have an idea how far management might be willing to go, and to be able to identify currencies.

She should prepare to open the negotiation briefly with a warm and friendly tone, to engage interest and encourage positive response from management.

At the meeting, she must adhere to the five principles of negotiation, and be hard on the problem not on the parties, to focus on needs not positions, to emphasize common ground, to be inventive about options, and make clear agreements. To achieve what is fair for all concerned, and to pursue a joint problem solving approach, she must define the issue in neutral terms, and emphasise the interdependence of the parties to establish trust between them. She must continuously engage in active listening to find out the specific needs and goals of the parties, so that she is able to give priority to areas where the parties are united and in agreement, before dealing with the areas of difference.

When common ground is established, then she will be able to get both sides to work together and collaborate to develop options which integrate the areas of difference. Apart from active listening, the skills needed to establish common ground and steer the negotiation forward are, broadening perspectives, creative responses, appropriate assertiveness, mapping the situation together, and managing emotions, and willingness to resolve.

The skills of mapping, active listening, broadening perspectives, and developing creative responses will be especially useful to her when generating options, because they would have clearly disclosed the underlying needs and concerns of the parties to make options relevant.

An option she could consider is to find out what concerns the women could give up in exchange for other concerns the management can easily satisfy. This will result in some kind of a compromise between the parties. Because the factory claims to be running at a loss, they might be willing to give up the demand for flexible hours in exchange for keeping child minding facilities, or they might give up the demand for job sharing in exchange for flexible hours.

Another option is for some of the concerns of the women to be adjusted to be more agreeable to management. For example, they might be willing to accept lesser facilities for child minding, or accept lesser facilities for job sharing.

Another option might be to priorities some of their concerns, keeping the ones they consider most important for now and abandoning others.

Another option is for them to get all they want, but at a pace and time when the factory starts making profits again.

## **Work place bargaining-Part 2**

The management appear to be engaging unfair tactics. Dimitra must keep centred and keep her focus on the issues. She has to address the motive for such unfair tactic, (which in this case might be a display of power by management to intimidate them), and interpret it as an attack on the issue not on them. She must not be angry, and she must not make threats, but must keep the spirit of dialogue. She needs to redirect attention back to the issue. She must respond and not react. She must refocus on the issue and maintain the relationship established by any common ground established. She and the other women can take a short break to plan and review their approach, and also to give the management time to reflect and change its mind.

Then she should make more use of her creative responses to engage in more brainstorming, research, and exploration to come up with possibilities to extract the best from the situation.

She should be willing to consider other options, and should re- asses how well the options generated so far meet the needs of the parties, and try to improve them if necessary to make them more acceptable, and invite new trading on the improved options.

She could suggest a private meeting with different members of management, or some of the more flexible members of management, to try and convince them, so that in turn they could convince the other members to be more flexible.

She could also seek a private meeting with the more influential members of management to try to get them to influence others to be more flexible.

She could improve the human face of the conflict by seeking a face to face meeting between the management and all the women concerned, so that the management can hear directly from the women themselves, realise the enormity of the problem, see the emotions involved, and hopefully will be moved to recognise the need for flexibility.

She could also suggest that the women choose her alone, or together with another group of women, to give the negotiation process a different face, and new lease of life, to see if the management might respond to them more positively than before.

Or she could suggest that a third neutral party mediate to help them understand each other so that they are able to create a joint solution. A new neutral face to the process might encourage a more positive attitude from management

At any of the above meetings, she should again focus on the needs and concerns of the parties, appeal to fairness, and again emphasise interdependence, common ground, any agreement between the parties so far, and the need for them to work together as partners. She must ask open questions and ask for suggestions to maintain a dialogue. She can ask “what do you think it will take to make you change your mind?”, or “what do you think we can now do to change things and come up with a solution?”

She can divide the issue into parts and address the less contentious or easier parts first, so that a common ground will be maintained. She must be able to control her emotions and projections to be able to remain objective.

Although she must not be aggressive, retaliatory, defensive, or judgmental, she must be bold enough to clarify her concerns so that a resolution can be achieved. Appropriately asserting herself some more could elicit the necessary understanding and respect to open management to negotiation.

She must continue to steer the negotiation process in a positive direction by reframing the issues.

To reframe she can ask a question like “we need each other, what do you think the benefits will be to the factory if we resolve the problem?” or “how do you think we can work together to make the factory more productive?” By focussing on the common ground between the parties, she can reframe the issue as a mutual problem to develop a team and partnership spirit.

She must let management know the benefits of resolving and the costs of not resolving. She should emphasise that the consequences of not resolving the conflict are worse than the consequences of resolving them, because greater losses could be suffered if there is a strike, and they could lose the services of experienced valuable staff like her, and might have to spend more money, and suffer more losses and delays by training new staff.

She must urge them to weigh the options against the BATNA and the WATNA.

By maintaining a broad perspective, she could redefine a win as a compromise, and will realise that any loss the women might feel should be balanced by the knowledge that some of their most important concerns will be addressed, and they will be able to keep their jobs as the factory will be able to continue operations.

Although change is normally assured with the passing of time, in this case she might realise that she does not have too long a time frame, because management wants to take urgent steps to save costs, and some of them could lose their jobs if the negotiations are not steered and continued towards a resolution.