

## Integrating conflict resolution into EAPs

By: Sherrill Hayes

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**\*\*\*Note: Figures may be missing from this format of the document**

Conflict resolution (CR) has been known by several different names, including conflict management, dispute resolution, and alternative dispute resolution. Regardless of the name, the core skills and interventions are the same, and some of them will be familiar to employee assistance professionals.

Opportunities for collaboration between EA and CR professionals have expanded over the last few years (Margulies 2008; Porter and Sawyer-Harmon 2005; Wilburn 2006), in part because of the similarities between the two fields. Both seek to empower individuals to resolve their own problems, use similar skill sets, and encourage alternative means of resolving workplace disputes and conflicts.

This article provides an overview of some of the basic skills and interventions used by conflict resolution professionals and lists CR-specific references and resources. It also offers examples of direct applications of CR skills to EA practices.

### USING NEGOTIATION AND MEDIATION

Negotiation is a direct, face-to-face, two-party discussion that leads to a mutually agreeable, voluntary resolution. Negotiation is the foundation of all other forms of conflict resolution, since its principles underlie all "third-party" interventions (Mayer 2000).

Fisher, Ury, and Patton (1981) first delineated a set of research-based ground rules for interest-based negotiations. Because these principles can be applied to any situation where negotiation is necessary, EA professionals can use them in their direct work with clients or integrate them into trainings and workshops designed to empower clients to resolve their own disputes.

- \* Separate the people from the problem;
- \* Focus on interests;
- \* Generate options for mutual gain;
- \* Use objective criteria;
- \* Level the playing field;
- \* Negotiate in good faith; and
- \* Don't use dirty tricks or sneaky tactics.

Mediation is the intervention most often associated with CR practice. In mediation, an impartial third party facilitates a discussion between conflicting parties to help them reach a mutually agreeable, voluntary resolution (Mayer 2000).

The mediation process can take place in formal sessions conducted by trained professionals or more casual sessions managed by naturally skilled employees. As with negotiation, mediation can be incorporated into the menu of EAP services or used informally in everyday interactions in workplaces.

Although mediators do not take sides during the discussions, their involvement in the process is often much more directive than that of a facilitator. Mediators may make suggestions about communication styles and strategies, point out areas of agreement between the parties, and even intervene to stop a conversation that is becoming too emotionally conflicted. The ultimate goal of a mediator is to help the participants reconstruct their relationship by facilitating a mutually agreeable solution.

Negotiation and mediation are used primarily when disputes involve more than one individual referral and/or in cases where a supervisor or Human Resources manager requests an intervention between two or more employees with an ongoing or very visible dispute. EAP staff will assess the situation from the manager's position and, in most cases, schedule individual intake appointments for those involved.

After completing the intake process, the EAP may recommend a joint session with the employees. If so, the EA professional will use his/her negotiation and mediation skills to help the employees recognize and appreciate their shared interests and motivate them to reconcile their differences and reach a mutually agreeable solution. Expectations need to remain flexible, as all mediations and joint consultations differ according to the individual interests involved, and resolutions will vary accordingly.

If EA professionals intend to integrate mediation into their professional practice, formal training and/or certification is recommended (Wilburn 2006). Because certifications and standards for mediators vary from state to state, EA professionals are encouraged to consult the Association for Conflict Resolution and their state Bar for information about state and local regulations governing the practice of mediation.

Mediation has many work-related applications, including business partnership disputes, workplace harassment complaints, and labor disputes (Ury, Brett, and Goldberg 1988; Wilburn 2006). The U.S. Postal Service's REDRESS mediation process for Equal Employment Opportunity complaints is one of the most visible and successful mediation programs in the world (U.S. Postal Service 2008). Mediation is also widely used to help resolve family issues such as divorces (Margulies 2008), in peer settings in schools, colleges, and universities (Association for Conflict Resolution Education Section 2007; Warters 2008), and to find solutions to elder care, estate, guardianship, and end-of-life issues (North Carolina Dispute Resolution Commission 2008).

## FACILITATING GROUP MEETINGS

Facilitation is an indirect form of intervention for groups. The facilitator is a third party who helps the group stay on task and achieve its defined goals. A facilitator helps guide or manage the process of conversation but does not direct the conversation or change the content of the discussion.

A facilitator's first (and, often, most difficult) task is simply getting the group members to define the purpose of, and goals for, their meeting. Once the goals and outcomes have been established, the balancing act begins. The facilitator must maintain the group's focus and cover each agenda item while ensuring that all participants feel their voices have been heard. Most facilitators also act as record-keepers and provide some follow-up documentation for meetings as an extension of their responsibility to help groups meet their goals.

Many EA professionals are familiar with facilitation and use facilitation skills in trainings or when working with groups of employees. Events such as critical incident stress debriefings require EA professionals to bring

facilitation skills to the table, as there are often employees from different worksites (such as emergency medical personnel and firefighters) who are responding to the same emergency.

## COACHING INDIVIDUALS

Coaching is a relative newcomer to conflict resolution and the only intervention in which the CR professional engages just one party. Coaching emerged from several sources, notably Temple University's Conflict Education Resource Team (CERT), which recognized in the mid-1990s that its mediation services were being underutilized by the campus community. Coaching proved to be well suited to conflicts where only one party was seeking CERT's assistance (Brinkert 2002).

Coaching also got a boost from the growing demand for executive coaching in business settings. Many of these coaches soon recognized that several of the issues they addressed with executives related to conflict resolution (Triner and Triner 2005). Over the past five years, mediators in private practice looking to expand beyond traditional boundaries have incorporated mediation coaching, peer conflict coaching, and organizational conflict coaching (Melamed 2008). Although no standards exist for conflict coaches, knowledge of and professional experience in the conflict topic areas would generally be expected, along with some training in coaching skills.

Coaching in EAP work has developed as a result of employees requesting more personal assistance with life transitions and adapting to changes in their personal lives as well as in workplace settings. For example, coaching may be indicated in an EAP consultation when an employee requests assistance because he/she does not feel capable of handling the required job functions, reports difficulty in making decisions about a new job opportunity, or is experiencing family or personal problems and cannot overcome the resulting stress.

## DISPUTE SYSTEMS DESIGN

Dispute Systems Design (DSD) is the most comprehensive approach to managing and resolving conflict at the organizational level. In DSD, a consultant takes a broad analytical view of an organization's policies, practices, and personnel to determine the existing strengths and tensions. Through any number of research techniques, including document analysis, interviews, questionnaires, and/or standardized assessments, the consultant compiles a report identifying organizational strengths and recommending needed changes. These recommendations may include any or all of the following:

- \* Providing additional training;
- \* Changing policies and/or practices;
- \* Hiring new personnel;
- \* Creating new divisions; or
- \* Contracting with third-party organizations/professionals to help manage conflict.

Implementing DSD requires a unique combination of skills, including an understanding of organizational behavior and structures, the ability to conduct research and analysis and write reports, knowledge of the continuum of conflict resolution, and familiarity with available community resources. DSD seems to appeal to EA professionals since it draws on skills and strategies familiar to them; however, since DSD is probably the most invasive form of conflict resolution for an organization, EAPs should exercise caution before agreeing to undertake this process. Acquiring some training in DSD and clearly defining the roles, goals, and objectives of the consultant and organization are critical to Success.

## CONCLUSIONS AND IMPLICATIONS

Although the terms negotiation, mediation, facilitation, coaching, and system design may not be very familiar to EA professionals, the concepts and practices underlying them highlight the similarities between employee assistance and conflict resolution. Thanks to a multiyear partnership among several EA professionals and faculty in the Conflict Resolution Program at the University of North Carolina at Greensboro, the CR skills, interventions, and applications discussed in this article have been incorporated by local EAPs.

The partnership began when several local EA professionals enrolled in the Masters of Arts program in Conflict Resolution at UNCG. As they progressed in the program, the EA professionals and conflict resolution faculty recognized a need to gain a deeper understanding of workplace conflict and develop evidence-based training programs that could improve EAP satisfaction and retention.

To date, the partnership has resulted in training development and a research project, which found that two of the most pressing workplace issues for public service, health care, and manufacturing sector employees were interpersonal communication and conflict resolution (Hayes, Kallam, Melvin, and Middleton 2008). The results of this research project and others like it underscore the need for a closer collaboration between our two interdisciplinary professions, especially in the development of training resources and skill building.

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