

Dispute Settlement Center
o f O r a n g e C o u n t y

**Conflict
Management
Resource
Guide**

Dispute Settlement Center of Orange County

OUR MISSION

Founded in 1978, DSC was the first community mediation center in North Carolina. DSC's mission is *"to promote and bring about the peaceful settlement of disputes and to prevent the escalation of conflict through mediation, conciliation, facilitation, and training."* We accomplish our mission through these programs:

MEDIATION of disputes between neighbors, family members, separating couples, co-workers, businesses, consumers, stakeholders in public issues, and others . We also handle referrals from Criminal District Court, Superior court, Juvenile Court, schools, law enforcement, local government, and the Department of Public Instruction.

TRAINING for the general public in effective communication, conflict resolution, meeting facilitation, group consensus-building, and mediation skills. We also offer custom-tailor trainings for workplaces or organizations.

FACILITATION services for important meetings, organizational retreats, citizen participation processes, and public dispute resolution.

YOUTH skills training services in schools, camps, churches, youth groups, neighborhoods, and community organizations. Also, parent-teen communication trainings.

CONSULTATION and CONFLICT COACHING for individuals and organizations on how to deal with difficult situations and how to implement effective conflict resolutions programs.

Our services are available to Orange County residents without regard for ability to pay. Many services are free or available on a sliding scale basis. Service fees are negotiable and special rates are provided to non-profit organizations and government entities. Please contact us for more information.

302 Weaver St. • Carrboro NC 27510
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TABLE OF CONTENTS

Guidelines/Groundrules	3
Conflict is an opportunity	4
Ways to Approach Conflict	5
Collaborative Problem-Solving Model	7
Positions and Interests	8
Underlying Needs	10
Feelings Not Thoughts.	11
Skillful Listening.	13
Skillful Assertions	14
A Collaborative Attitude.	16
Assert/Defend Cycle.	17
Asking Effective Questions	18
Conflict Resolution Reminders	19
Suggested Reading.	20
Notes.	21

WORKSHOP GUIDELINES

- **LISTEN ATTENTIVELY**
- **ONE SPEAKER AT A TIME**
- **STAY FOCUSED ON TASK AND TOPIC**
- **STEP UP/STEP BACK**
- **AVOID ASSUMPTIONS, ASK QUESTIONS**
- **IT'S OK TO DISAGREE... PLEASE DO SO RESPECTFULLY**
- **KEEP OTHER'S STORIES CONFIDENTIAL**
- **MAKE THIS TIME ENJOYABLE FOR YOURSELF AND OTHERS**

Q: IS CONFLICT GOOD OR BAD?

INEFFECTIVELY MANAGED CONFLICTS CAN LEAD TO:

- Increased stress and anxiety
- Mistrust
- Factions, cliques, gossip
- Passive/Aggressive Behavior
- Decreased productivity
- Damaged relationships
- Litigation or other formal proceedings

EFFECTIVELY MANAGED CONFLICTS CAN LEAD TO:

- Reduced stress and anxiety
- Creative/innovative solutions
- Increased productivity
- More satisfying relationships
- Positive change
- Increased collaboration
- More informed decision-making

A: Neither. It's how you handle the conflict that counts.

CONFLICT IS AN OPPORTUNITY!

WAYS TO APPROACH CONFLICT



WHICH APPROACH DO YOU TEND TO USE?

THE BEST APPROACH DEPENDS ON THE SITUATION

	DEFINITION	USE WHEN:	POTENTIAL LIMITATIONS
AVOID	Not addressing the conflict.	The situation is: <ul style="list-style-type: none"> • too dangerous • not important • too 'hot' • not clear 	Issues may never get addressed
ACCOMMODATE	Yielding to another person's point of view. Neglecting your needs in the situation.	<ul style="list-style-type: none"> • You see that you are wrong • You want harmony • You want to build the relationship 	Your concerns may never get addressed and resentment may build
COMPETE	Pursuing personal concerns at another's expense.	<ul style="list-style-type: none"> • Immediate action is needed • Your values, ethics, or morals are at stake • Unpopular rules or policies need to be enforced 	Intimidates people so they may not want to admit problems or share important information with you May harm relationship when other's needs are not considered.
COMPROMISE	Seeking a middle ground	<ul style="list-style-type: none"> • You've tried everything else • You need a fast decision on minor disagreements 	Losing sight of larger issues and values; Possibly not pleasing anyone
COLLABORATE	Exploring the disagreement, generating alternatives, and finding a solution that works for both parties	<ul style="list-style-type: none"> • The relationship and/or the issue is important • Both parties stand to gain from working the problem out to everyone's satisfaction 	Takes a lot of time, energy, and communication skills

Adapted from the Thomas-Killmann conflict mode instrument

COLLABORATIVE PROBLEM-SOLVING

CONFLICT

1. CALM DOWN

It's harder to think when your emotional level is high



2. LISTEN AND TELL

Use Reflective listening and skillful assertion skills



3. IDENTIFY ISSUES

Each person's needs, interests, concerns

HOW CAN WE WORK TOGETHER TO MEET BOTH OUR NEEDS?

4. BRAINSTORM SOLUTIONS

Get as many ideas on the table as possible
Don't judge ideas as they come out



5. EVALUATE SOLUTIONS

Based on how well the various interests are met
and the feasibility of implementation

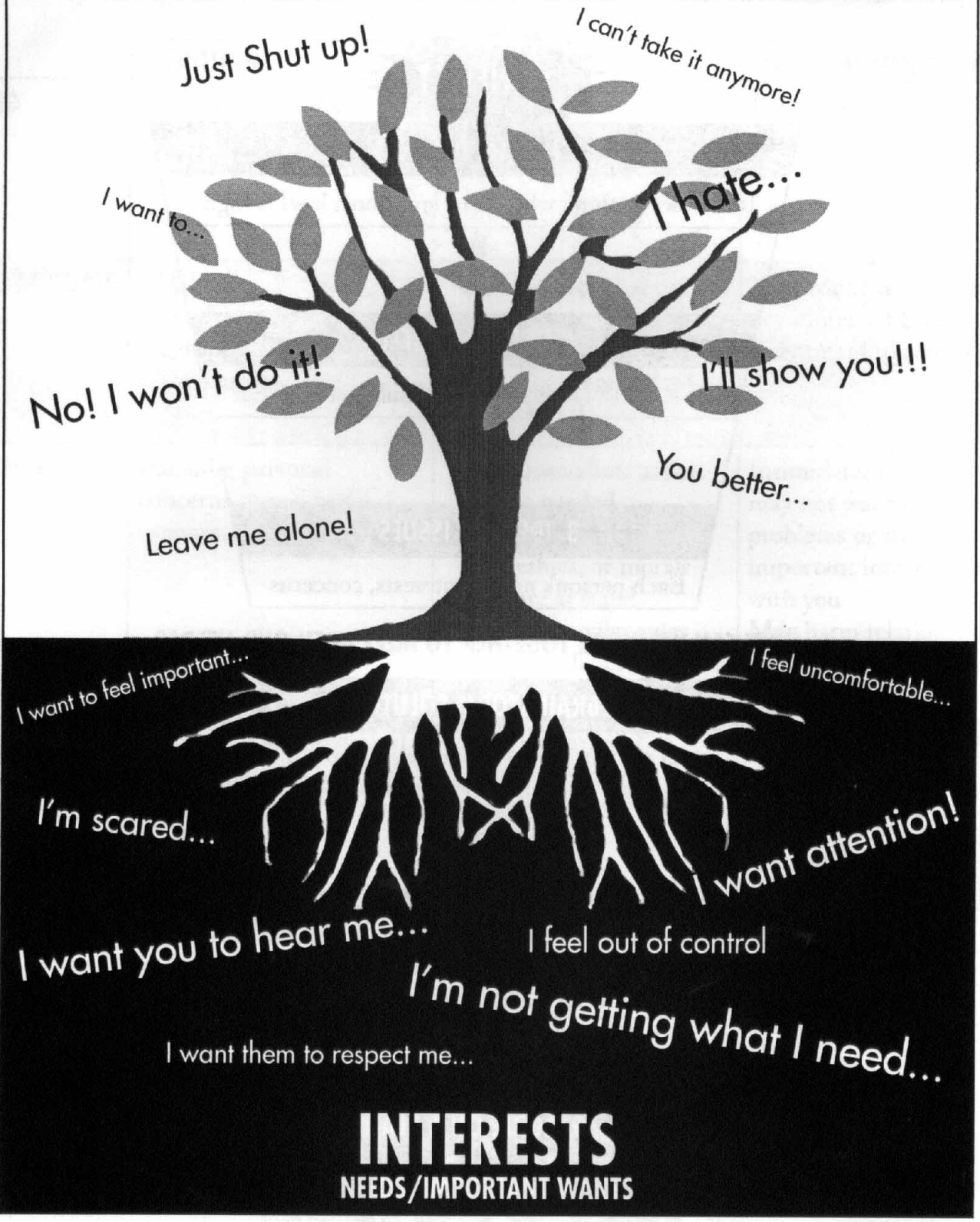


6. AGREE ON A PLAN



POSITIONS

FEELINGS/THOUGHTS/ACTIONS



INTERESTS

NEEDS/IMPORTANT WANTS

EVERY POSITION...

What someone wants
Something you have decided upon
May be an ultimatum or demand
Opposing positions create a yes/no, either/or, win/lose scenario

...HAS UNDERLYING INTERESTS

What someone needs
The reasons why you want something
The underlying concerns
The real motivations
Interests are the building blocks for win/win solutions

GET TO THE ROOT OF THE MATTER



Ask questions:

Why do you want that?
Why don't you want this?
What's important to you about that position?
How would achieving that outcome affect you?
How would not having that outcome affect you?

Introduce Needs Approach

Explain that you want to work towards a solution that allows everyone to have as many of their needs met as possible.

Shift from Solutions to Needs

When asked what they need, many people reply with solutions that they think are needs, such as "I need him to ring me when he's going to be late." The need is to know he is safe. There are a variety of solutions which meet that need. Ringing when late is only one of these.

Make sure you have understood

Use active listening skills to check what you have heard or surmised about their needs.

Look for Indicators

If a need is intangible (e.g. respect), it may be helpful to ask what would indicate or point to the need being met. Ask what sorts of things the people concerned would want to have happen. These may be then built into the solutions.

Then change the conflict into a shared problem for collaboration:

Identify the shared interests and those unique to each person.
For shared interests: "How can we both [satisfy this need]?"
For different interests: "How to satisfy [my need] while also satisfying [your need]?"
Find an over-arching purpose that both parties want to achieve.

WHAT DO YOU NEED?

CONNECTION

- acceptance
- affection
- appreciation
- belonging
- cooperation
- communication
- closeness
- community
- companionship
- compassion
- consideration
- consistency
- empathy
- inclusion
- intimacy
- love
- mutuality
- nurturing
- respect/self respect
- safety
- security
- stability
- support
- to know and be known
- to see and be seen
- to understand and be understood
- trust
- warmth

HONESTY

- authenticity
- integrity
- presence

AUTONOMY

- choice
- freedom
- independence
- space
- spontaneity

PEACE

- beauty
- communion
- ease
- equality
- harmony
- inspiration
- order

PLAY

- joy
- humor

MEANING

- awareness
- celebration of life
- challenge
- clarity
- competence
- consciousness
- contribution
- creativity
- discovery
- efficacy
- effectiveness
- growth
- hope
- learning
- mourning
- participation
- purpose
- self-expression
- stimulation

PHYSICAL WELL-BEING

- air
- food
- movement/exercise
- rest/sleep
- sexual expression
- safety
- shelter
- touch
- water to matter
- understanding

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WHAT DO YOU FEEL?

The following are words we use when we want to express a combination of emotional states and physical sensations. This list is neither exhaustive nor definitive. It is meant as a starting place for self-discovery and to facilitate greater understanding and connection between people.

When our needs are satisfied, we may feel:	When our needs are NOT satisfied, we may feel:
<ul style="list-style-type: none"> • Affectionate • Amazed • Comfortable • Confident • Engaged • Inspired • Excited • Exhilarated • Grateful • Hopeful • Joyful • Peaceful • Refreshed 	<ul style="list-style-type: none"> • Afraid • Annoyed • Angry • Confused • Disconnected • Disgust • Embarrassed • Fatigue • Pain • Sad • Tense • Vulnerable • Yearning

The following words are often used to express feelings. However, they are actually thoughts about how we are judging the actions of others or ourselves. Remember, each person has to own their own feeling.

accepted disrespected misunderstood patronized rejected unheard	attacked inadequate needed pressured taken for granted unsupported	betrayed intimidated neglected provoked threatened unwanted	cheated manipulated overworked put down unappreciated used
--	---	--	---

Feelings are not thoughts. Avoid words such as: like, as, if, pronouns, names

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HIGH RISK RESPONSES

High risk responses (A.K.A. Communication Blockers)

The following types of responses can be “risky” if the speaker is upset or highly emotional.

ordering	“Sit down and talk with me.” “You need to listen to me now.”
threatening	“You need to listen to me now.” “If you don’t shape up, everything will be ruined”
moralizing	“Think about what your saying.....”
advising	“Maybe you need to look at selling that money-pit.” “Maybe you need to sit down and talk to your teacher like an adult.”
logical argument	“The fact is.....” “You’re not making sense right now.”
questioning	“Are you sure that will help?” “How do you know that will help.”
judging	“You are always imagining things.” “You don’t really care about this do you?”
praising	“But you’re so good at that.” “You have so much going for you.”
name-calling	“Don’t be such a quitter.” “You’re really being pessimistic right now.”
diagnosing	“You know what the problem is here, it’s your low self-esteem.”
reassuring	“It’s not really that bad is it?” “Don’t worry so much, everything will be just fine.
diverting	“That reminds me of a time that the same thing happened to me.” “So a guy walks into a bar.....”

SKILLFUL LISTENING

TYPE	PURPOSE	EXAMPLES
Attend, encourage	<p>To convey that you are interested.</p> <p>To encourage the person to keep on talking</p>	<p>“I see.” “That’s interesting.”</p> <p>“Uh-huh.” “I understand.”</p>
Restate Content	<p>To check our interpretation of what’s being said</p> <p>To show that you understand</p>	<p>“As I understand it, your plan is.....”</p> <p>“This is what you have decided to do and the reasons are.....”</p>
Reflect Feelings	<p>To test your understanding of how others feel</p> <p>To help a person temper and evaluate his/her own feelings as expressed by someone else.</p>	<p>“It was very stressful for you when...”</p> <p>“You felt frustrated by.....” “So, you were angry that he....?”</p>
Clarify	<p>To get additional facts</p> <p>To explore all sides of a problem</p>	<p>“Can you tell me more about that?”</p> <p>“So, you mean that.....”</p>
Summarize	<p>To focus the discussion</p> <p>To serve as a springboard for further discussion on new aspects of a problem</p>	<p>“These are the key ideas that have been expressed.”</p> <p>“If I understand how you feel about the situation....”</p>

SKILLFUL LISTENING

WHAT SKILLFUL LISTENING DOES

- **Provides a mirror for the speaker.** Sometimes the speaker will soften or change their position/demand because the “mirrored reflection” is not what they really want to say.
- **Changes the dynamic.** What would have been an argument becomes a problem solving dialogue. Listening provides an opportunity to work together instead of against one another. Without skillful listening the opportunity to work together is often lost.
- **Puts the speaker at ease.** When someone feels heard and understood frustration decreases. They are more able to listen to your point of view AFTER it is clear to them that they have been understood.
- **Decreases miscommunication.** By genuinely listening and asking clarifying questions we gain a more accurate understanding of what the other person wants to convey. We might even begin to appreciate the merits or positive motivation of the speaker.

HOW TO LISTEN SKILLFULLY

- Provide a non-distracting environment.
- Clear your mind of distractions and focus your attention on the other person. If you cannot give your full attention to the other person, say that this is not a good time for you to listen and set up another time to have the discussion.
- Encourage the other person to share their thoughts and feelings with you.
- Restate/paraphrase what the speaker is saying (their thinking and feelings) to demonstrate your understanding.
- Ask questions if you need more information so that you can understand their point of view entirely
- Explain your point of view

SKILLFUL ASSERTIONS (“I” MESSAGES)

Assert your needs in a way that does not attack or blame the other person.

“When you ___(a)___ I felt/feel ___(b)___ because ___(c)___ and what I need is ___(d)___.”

(a) Situation

What have you actually heard [the other person say] and/or actually seen [the other person do] that is problematic? When? Where? Be as specific as possible.

(b) Emotions

What feelings are you experiencing as a result of the situation?

(c) Reason

Why do you feel that way? How is the situation a concrete or tangible problem for you? How is it affecting your health, achievement of a goal, your use of time, enjoyment of your property, etc.?

(d) Request

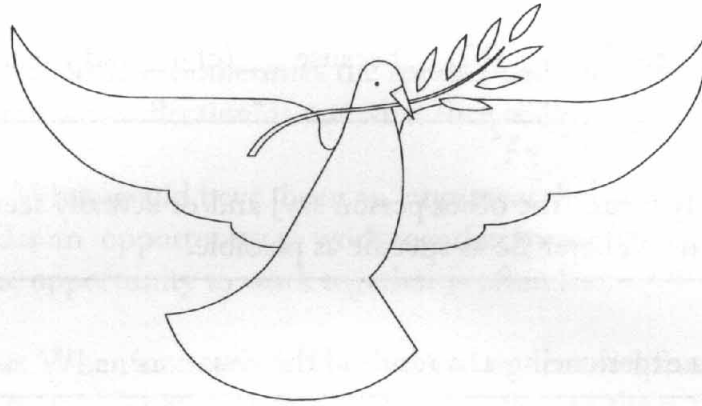
What you need to have happen to be OK? Or a request to discuss/work it out together

For example:

“When you gave me the edits a few hours before the report was due, I felt stressed and frustrated because that did not give me enough time to carefully review the changes or think about improvements. I need to have your comments a day ahead of time. Is there a way we can work together to make this happen?”

Avoid words such as “ALWAYS, NEVER, SHOULD, AND SHOULDN’T”

HOW DO YOU APPROACH SOMEONE COLLABORATIVELY?



Make it clear you come in peace, not to attack.

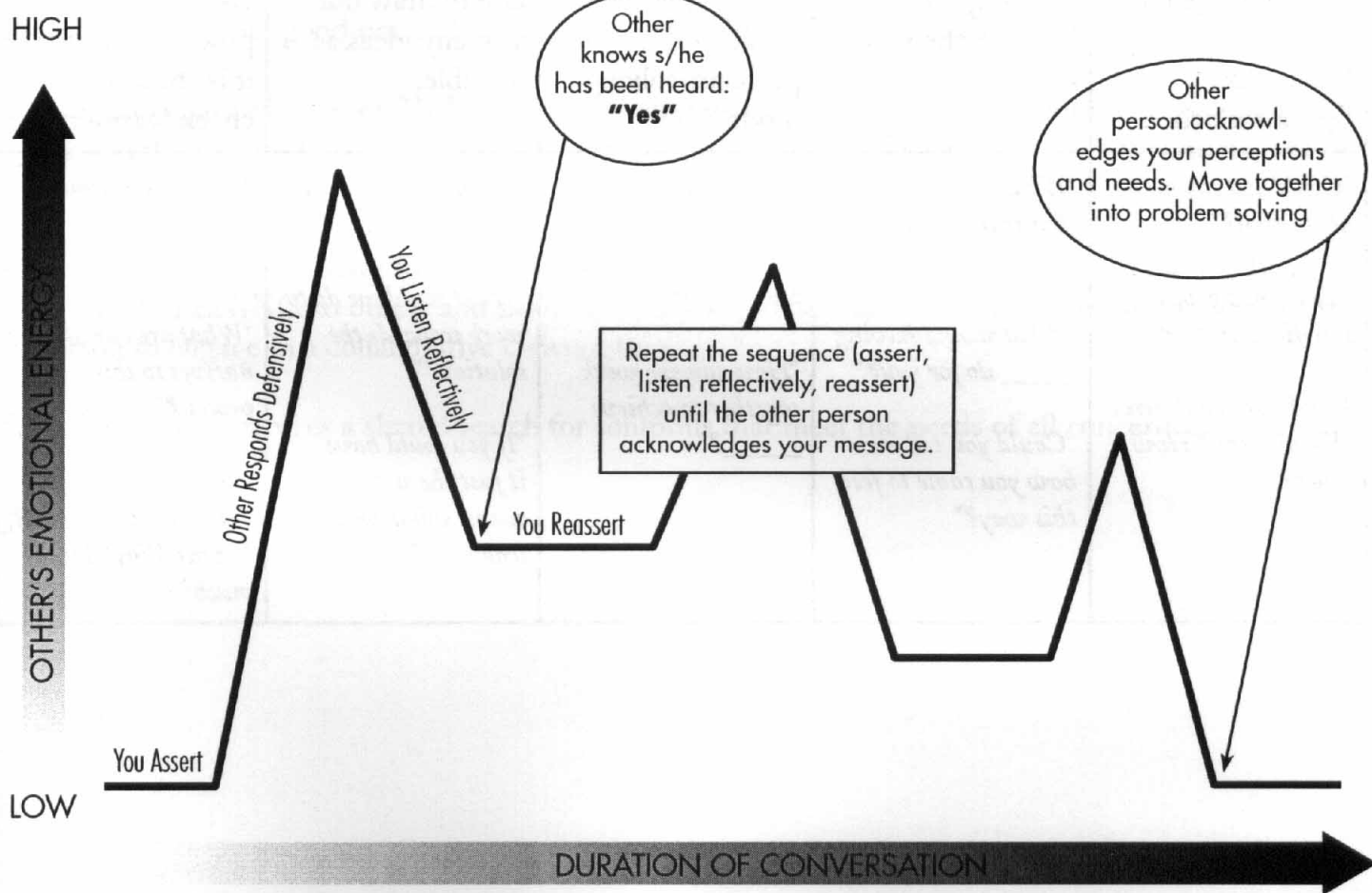
Make sure you are ready to address/consider the other person's needs.

Consider the following questions:

- How do you think you would feel in the other person's place?
- What feelings/emotions have you observed in their behavior or words regarding the situation?
- What do you think that person needs to hear in order to be open to hearing you?
- What is your intention for the conversation?
- How might this conversation benefit the other person?
- Why might hearing what you have to say be difficult for them? What can you do to address that?

DEALING WITH DEFENSIVENESS

Kats and Lawyer (1985)



ASKING EFFECTIVE QUESTIONS

DRAW OUT INFORMATION	UNCOVER NEEDS	REFRAME ISSUE	STIMULATE BRAINSTORMING	REALITY CHECK
<p>Use when people:</p> <p>Generalize</p> <p>Speak for others</p>	<p>Use to get to the heart of the matter.</p>	<p>Use to shift into a collaborative problem-solving mode.</p>	<p>Use to draw out as many ideas as possible.</p>	<p>Use to move the process forward if it is stuck and to check feasibility</p>
<p><i>"Could you say more about that?"</i></p> <p><i>"Could you give a specific example?"</i></p> <p><i>Who? What? Where?</i></p> <p><i>When? Why? How much?</i></p>	<p><i>"What is it about ___ that is important to you?"</i></p> <p><i>"What would having ___ do for you?"</i></p> <p><i>"Could you tell me how you came to feel this way?"</i></p>	<p><i>"How can we both meet your need for ___ and my need for ___?"</i></p> <p><i>"How can we work together to achieve ___?"</i></p>	<p><i>"What ideas can you come up with?"</i></p> <p><i>"What could we do to work towards the solution?"</i></p> <p><i>"If you could have it just the way you want, what would it look like?"</i></p>	<p><i>"What will happen if we don't reach an agreement?"</i></p> <p><i>"What are our alternatives to this process?"</i></p> <p><i>Workability:</i></p> <p><i>Who? What? Where?</i></p> <p><i>When? Why? How much?</i></p>

RESOLUTION REMINDERS

NEXT TIME YOU ARE FACED WITH A CONFLICT, REMEMBER:

1. Conflict is **NATURAL** and **INEVITABLE**.
2. Conflict is neither good nor bad. It can be an **OPPORTUNITY** if dealt with productively.
3. Conflict occurs when one's **NEEDS** are not being met. Ask questions to explore why someone is taking a particular position. Find out what's important to them in the situation. Ask the same questions of yourself.
4. We do not have the ability to control others, but we do have the ability to influence them. By actively **LISTENING** to others and skillfully **ASSERTING** your needs, you may encourage the other person to engage in a collaborative conversation.
5. Collaboration involves a shared search for solutions that meet the needs of all concerned.

SUGGESTED READING

Bolton, Robert. People Skills: How to Assert Yourself, Listen to Others and Resolve Conflicts. NY: Simon and Schuster (1979).

Crum, Thomas. The Magic of Conflict: Turning a Life of Work into a Work of Art. Simon and Schuster (1988).

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