

# Managing conflict - mediation to resolve workplace disputes

Case duration (Min): **45-60**

Human Resource Management (HRM)

**Managing conflict**

**Worldwide**

## Case summary:

Using mediation to resolve workplace disputes.

In this case we examine mechanisms by which organizations and workers communicate and resolve conflict within the employment relationship.

## Learning objectives:

Discuss the role of conflict in the workplace.

Provide an overview of mediation.

## Case problem:

How can organizations resolve workplace conflict?

Business Services

**Company**

Cocoabean

[www.cocoabean.uk.com](http://www.cocoabean.uk.com)

Cocoabean is a boutique recruitment consultancy based in Norwich and Ipswich. Cocoabean's mission is to be the most innovative and evolving business partner in all aspects of recruitment whilst ensuring a memorable experience for individuals and clients.

First, if you are taking a taught management course then consult with your tutor and ensure that the case has not been scheduled into a teaching class or tutorial. If it has not:

1. Play/ read the media associated with the case. You may need to access the Internet and enter a URL to locate any video clips.
2. Attempt the Case study questions.

Consider attempting the case study as a group exercise; you could form a study group with fellow students.

3. Check the suggested answers - remember these are suggestions only and there are often many possible answers.

Discuss questions and answers with other students.

4. If you feel your answer(s) were weak then consider reading the relevant suggested readings again (also see the case study suggested references).

Title/ Media type	URL/ Media description
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Here's how we use mediation to resolve workplace disputes.

<http://www.nibusinessinfo.co.uk/bdotg/action/detail?site=191&tc=EA009&type=CASE>

**Film**

Mary Pratt, Cocoabeans, suggests "Include mediation as part of a manager's training. It is business critical for your managers to understand the importance of this, to prevent an increase in turnover or low morale"

"Never dodge, cover up or ignore a dispute. Face it full on, with confidence"

"Successful mediation is where the conflicting parties come up with the answers, not you"

In the film clip she discusses workplace disputes (grievances) and conflict, their types, causes and consequences and how they can be managed and resolved through mediation.

**NOTES:**

## Case study questions...

Action	Pre/During/After class
<p><b>1</b> <b>WHAT IS WORKPLACE CONFLICT AND WHERE DOES IT COME FROM?</b></p> <p>In your discussions you should define Conflict (and consider other words that may be used in its place), and identify types and causes of conflict. Draw upon the case study film clip to enrich your answer and provide examples, where possible.</p>	During
<p><b>2</b> <b>CONSEQUENCES OF CONFLICT :</b></p> <p>Brainstorm and discuss the positive and negative consequences of conflict. Draw upon the case study film clip to enrich your answer and provide examples, where possible.</p>	During
<p><b>3</b> <b>WHAT IS MEDIATION :</b></p> <p>What is mediation and what are the types of conflict which you can resolve through mediation? Once again, draw upon the case study film clip to enrich your answer.</p>	During
<p><b>4</b> <b>THE MEDIATOR AND THE MEDIATION PROCESS :</b></p> <p>Discuss the key stages of a mediation process and list the desirable skills of the mediator – what other factors may need to be considered to make mediation a success?</p>	During
<p><b>5</b> <b>CONFLICT PREVENTION :</b></p> <p>How might organizations prevent conflict arising?</p>	During
<p><b>6</b> <b>PROCESSES :</b></p> <p>“We have had to ensure we have PROCESSES in place to minimise any conflicts, and we've used mediation to help with these disputes. Workplace disputes are very common in any business. When I founded Cocoabean, the main thing was for me to create a harmonious environment where these can be minimised”, (Mary Pratt, Cocoabean). Investigate companies you have worked for or the education institution you are currently enrolled at and review their conflict management processes – they may be termed grievance procedures or procedures for managing disputes and conflict.</p>	During

# Answers...

## CONFLICT

a disagreement through which the parties involved perceive a threat to their needs, interests or concerns

## CONFLICT

Conflict is present where there is an incompatibility of goals arising from opposing behaviours at the individual, group or organisational level. Particularly, conflict is behaviour intended to obstruct the achievement of some other person's goals.

## CONFLICT

a process which begins when one party perceives that another party has negatively affected, or is about to affect negatively, something the first party cares about.

## CONFLICT RESOLUTION

a process which has as its objective the ending of the conflict between the disagreeing parties.

## MEDIATION

a process in which a neutral third party to the conflict assists in the achievement of a negotiated solution by using reason, persuasion and the presentation of alternatives.

## Question/ Answer

### 1 WHAT IS WORKPLACE CONFLICT AND WHERE DOES IT COME FROM?

In your discussions you should define Conflict (and consider other words that may be used in its place), and identify types and causes of conflict. Draw upon the case study film clip to enrich your answer and provide examples, where possible.

**Conflict (dispute, grievance, complaint, unfair treatment) - a process which begins when one party (possibly an employee) perceives that another party (possibly their manager) has negatively affected, or is about to affect negatively, something the first party cares about; and a disagreement results through which the parties involved perceive a threat to their needs, interests or concerns. Conflict may be caused through a difference in opinion/ objectives/ values (disagreement often reflects frustration), lack of open communication, jealousy, idle gossip, feelings of being ignored - "In my opinion, the most common causes are lack of open communication within the office, through to the top ones - jealousy and back-stabbing" (Mary Pratt, Cocoabean) For example, managers may focus on efficiency whilst employees may want higher pay and longer holidays.**

### 2 CONSEQUENCES OF CONFLICT :

Brainstorm and discuss the positive and negative consequences of conflict. Draw upon the case study film clip to enrich your answer and provide examples, where possible.

**"The long-term consequence of not actioning these or just dodging the issue is lack of productivity, low staff morale, and escalated issues [worsening the situation]"**

**On the positive side, bringing things into the open can improve the situation and may encourage parties to think through their case.**

### 3 WHAT IS MEDIATION :

What is mediation and what are the types of conflict which you can resolve through mediation? Once again, draw upon the case study film clip to enrich your answer.

**Mediation - a process in which a neutral third party to the conflict assists in the achievement of a negotiated solution by using reason, persuasion and the presentation of alternatives.**

**"The type of conflict which you can resolve through mediation include areas such as gossip within the workplace and differences of opinions, through to general operational processes" (Mary Pratt, Cocoabean)**

### 4 THE MEDIATOR AND THE MEDIATION PROCESS :

Discuss the key stages of a mediation process and list the desirable skills of the mediator – what other factors may need to be considered to make mediation a success?

**A process which has as its objective the ending of the conflict between the disagreeing parties.**

**"Should there be a dispute, anything would be taken off-site to a neutral environment where confidentiality would be stressed at the beginning of any session. As we have said before, mediation is all about a voluntary process between two or more people. If for any reason one party does not wish to participate, then obviously mediation is not going to work. "We can pull two or more people together, listen to their conflicts, and where they can then come up with the answer. It's a win-win situation." Processes typically start with some form of complaint or the airing of some grievance (employees feeling they have been unfairly treated etc). Many processes may initially follow an informal route and only become formal if the matter is not satisfactorily resolved. Typically, the aggrieved/ complainant lodges a complaint (often in writing) with a third party recognised in the procedure. The third party identifies a mediator who brings the parties together and listens to the case.**

**"the correct listening skills where they do not dodge or cover up any conflicts which arise within the office. .. Must respect each other's opinions....The key for any good manager in my eyes is that there is no judgement, other than listen to both parties but always maintain control of the meeting to ensure that it does not escalate."**

### 5 CONFLICT PREVENTION :

How might organizations prevent conflict arising?

**"At the end of the day, every human being has their own values and goals, their own motivators, but any employee should be fully aware that they need to respect each other's opinions." (Mary Pratt, Cocoabean)...At Cocoabean, we put things in place such as strong team networking and strong team management meetings where everyone's voice is heard...I believe that within any business there should be no hierarchy, everyone is equal...at Cocoabean, we ensure we have weekly and monthly sessions where the managers can get to speak to the employees on a one-to-one basis providing an open forum. Here, we can review current conflicts but also put old conflicts to bed."**

## **EMPLOYMENT RELATIONSHIP**

A formal and informal relationship between the employing organization and an employee. The informal element is sometimes referred to as the psychological contract – an undocumented understanding about the nature of employment within the organization. Regarded by neo-classical economists as an exchange of labour for pay, The employment relationship is also a power relationship in which the employer has the formal authority to direct effort towards specific goals, whereas the employee can – informally – frustrate the achievements of those objectives.

## **EMPLOYMENT RELATIONS**

Concerned with the relationships between the policies and practices of the organisation and its staff and the behaviour of work groups.

## **6 PROCESSES :**

“We have had to ensure we have PROCESSES in place to minimise any conflicts, and we've used mediation to help with these disputes. Workplace disputes are very common in any business. When I founded Cocoabeen, the main thing was for me to create a harmonious environment where these can be minimised”, (Mary Pratt, Cocoabeen). Investigate companies you have worked for or the education institution you are currently enrolled at and review their conflict management processes – they may be termed grievance procedures or procedures for managing disputes and conflict.

## **Case study references**

Cole, G A. and Kelly, P P. (2011) 'Management Theory and Practice', Ed. 7. Cengage EMEA.

Price, A. (2007) 'Human Resource Management in a Business Context', Ed. 3. Cengage Learning EMEA.