Mediating disputes on the job

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Adapted from “Resolve Employee Conflicts with Mediation Techniques,” first published in the Negotiation newsletter.

If you manage people, disputes will show up at your door. The marketing VP protests that the budget cap you and your new finance VP proposed is hindering a research initiative you supported. Two young sales representatives are embroiled in a turf war. Your administrative assistant is upset because the HR director won’t approve the extra week of paid maternity leave you promised her.

In recent years, managers have begun to adopt the proven skills of professional mediators and arbitrators to resolve workplace conflict. In his book Leading Leaders: How to Manage Smart, Talented, Rich, and Powerful People (Amacom, 2006), Tufts University professor Jeswald Salacuse shows how alternative dispute-resolution techniques can defuse tensions and get everyone back to work.

Rather than imposing a decision, a trained mediator tries to help disputants reach their own voluntary solution to the conflict. As a leader, your role can be more complicated. Unlike an actual mediator, you’ll have to live with the outcome of the dispute, and you may have strong opinions about the best result for you, the disputants, and your organization.

For these reasons, leaders need to adapt mediation skills to their purposes. As long as the disputants respect your authority, you should feel empowered to try to change the behavior of one or both sides to serve the organization’s best interests, writes Salacuse. He has identified six bases of social power that will give you the leverage you need.

1. **Rewards.** As a leader, you have access to resources you can use to reward disputants for changing their behavior. Suppose you have been so impressed by your marketing VP's achievements that you're committed to funding the research initiative despite the budget cap that your finance VP wants to enforce. As CEO, you may be able to tap special funds for the project without requiring an exception to the rule. Anticipate, however, that some in your organization may view such special arrangements and rewards as a sign of weakness or as a bad precedent.

2. **Coercion.** Leaders can punish as well as reward, notes Salacuse. If you are tired of your sales reps’ constant bickering over who poached whose client, you could threaten to take away key accounts from both if they can’t work out a solution. But be careful not to be too heavy-handed with coercion tactics, lest you drive the conflict deeper and closer to home.

3. **Expertise.** Often, subordinates bring their disputes to their bosses because they expect them to apply specialized expertise to a problem. Your managerial smarts should convince your finance VP to accept your support of the marketing VP's new initiative. Lawyers, doctors, and other professionals bring unique knowledge and skills to the conflicts in their offices. Salacuse warns, however, that disputants may be dismissive of your recommendations if they perceive your expertise to be no greater than theirs.

4. **Legitimacy.** A leader's legitimacy varies by organization and by the nature of the dispute. In a top-down organization, employees will be more likely to accept the guidance of an authority figure than employees of a less-hierarchical firm will be. If your HR director is used to having a great deal of autonomy, he may fight back if you lobby for your assistant to receive an extra week’s maternity leave.

5. **Relationships.** The degree to which you can influence a disputant also depends on the nature and strength of your relationship with that person. Suppose you decide that you erred in offering your assistant a longer maternity leave than other employees. You should have a better chance of persuading her to accept this view if she has worked closely with you for 10 years than if she only joined the organization a year ago. The desire to preserve the relationship can be sufficient motivation for a disputant to follow your advice.

6. **Coalitions and networks.** Sometimes outside help is required to effectively resolve a dispute. By building coalitions and capitalizing on existing social networks, you can gain support for your proposal, Salacuse writes. For instance, if you are relatively new to your organization, you might ask a senior partner who has worked closely with at least one of the two warring sales reps to help you resolve the conflict.