CRES 610: MANAGING CONFLICT IN ORGANIZATIONS
2-3:20pm, rm 282

COURSE DESCRIPTION

This course is designed to prepare students to work in a conflict management position in or for an organization. Students will receive a basic introduction to organizational context and structure, leadership and communication styles, and sources of workplace disputes. The course also provides an overview of the processes by which organizations typically resolve disputes. Students then apply this knowledge to current organizational disputes, designing a conflict analysis and suggested resolution strategies and redesign.

Instructor: Prof. Fowler, Clare@Mediate.com, Discussion times available upon request.

LEARNING OBJECTIVES

- Identify common organizational disputes
- Identify organizational structure and culture
- Identify leadership and communication styles, their impact, and common associated conflicts
- Be prepared to define an organization's culture, analyze the conflict and its path, and create an assessment and strategies for exiting the conflict

Course Texts
- Course pack available through the bookstore.
- Additional readings will be available through links in this document.
- Schein, E. (2004) Organizational Culture and Leadership (3rd Ed) -- Optional

Assignments and Grading

Purpose of this course: to prepare you to manage organizational disputes.
When preparing your assignments, be creative, professional, and thorough. Use this time as an opportunity to develop your brand, your portfolio, and your approach to create real diagnoses, proposals, and agreements. This class is reading heavy in the beginning, allowing you to use this knowledge to prepare your assignments in the end of class.

Assignment Feedback: I will be reviewing your assignments from the eyes of a professor and a HR/hiring committee/CEO and giving you their feedback.

Format:
Professional presentation. Perfectly edited. Left-justified, space between paragraphs, think Marketing instead of Academia.

Readings and assignments are due at the beginning of each class.

Assignment	Due Date	% of Grade
1. Organizational Culture memo Select an organization (in the news or personal familiarity), prepare memo diagnosing organization: Analyze organization using the tools and concepts covered in the class, culture, key players, hierarchy, leadership style, potential concerns and conflicts. 1-2pgs.	[Class 4]	10%
2. Conflict Cost memo and presentation - Identify an organizational conflict. Outline the potential direct and indirect, immediate and long-term costs of organizational conflict. Come prepared to discuss, as if presenting to company/board. 1 pg., + mini presentation	[Class 6]	10%
3. Conflict Diagnosis Presentation and accompanying memo – (Using earlier conflict from assignment 2) Based on public information, what internal dispute systems are in place to address and resolve conflicts? Were those processes used in the conflict you identified? Provide a sample Conflict Diagnosis template, and your assessment of why those processes were used or avoided. Write them in a memo and be prepared to present your findings to the class. 5 pgs, + mini-presentation	[Class 11]	20%
4. Final assignment – Assume that you are a consultant to a company in a real-world organizational conflict of your choice. Prepare a diagnosis, conflict resolution proposal, and working plan. Apply the concepts, tools and research we have covered in the course. Assess the extent to which the company's existing processes and culture mitigate or exacerbate the conflict. Identify potential future risks the status quo imposes on the organization. Devise dispute prevention recommendations for the company to improve its approach to organizational conflict. You might also want to include a "Personal Strategies" section, outlining any potential legal considerations, key players, potential outcomes, etc. 10-20 pages of material (report, memo, website, presentation, portfolio, etc.)	[one week after the conclusion of the final class]	35%
5. Attendance, preparation, and participation—including various ad hoc in class and brief assignments	n/a	25%

Syllabus

Contents

PART I – ORGANIZATIONAL CULTURE

9/25 Class 1: Organizational Structure
Understanding the size, type, structure, and purpose of an organization helps to identify common conflict pitfalls—as well as common options for resolving those conflicts. This class will set the stage for the course by looking at a variety of organizational structures, examining what conflicts are common, and which conflicts are unique to each structure.

Discuss Assignment 1, Costs of Organizational Conflict. Students pick an organization. Identify Culture, Leadership, a real or realistic conflict, and outline costs. Be creative—use time to prep a real presentation or proposal.

9/27 Class 2: Organizational Leadership
This class will examine the different organizational leadership styles. These styles are derived from the personality of the CEO, the needs of the company, pre-existing structure, and company values. Being familiar with the leadership style often indicates what types of conflicts are likely to be present, and how the management will respond to resolution options.

Class discussion will highlight the types of conflict each leadership style might create. This will discuss the effect on structure.
1) Brainstorm leadership styles:
2) What conflict will these leadership styles create?
3) What types of organization require these leadership styles?

Organizational Communication--Introduction
Class discussion: What are the goals of communication in the workplace? What factors foster or hinder this environment? The class will examine communication styles (individually, departmentally, and organizationally). What are some practical tools for increasing the effectiveness of communication?

Reading:
1. Robbins, S. (1989) Organizational Behavior, Concepts, Controversies, and Applications, pp. **308, 310, 315, 397-402**
Optional:
1. Schein, E. (2004) *Organizational Culture and Leadership* (3d Ed), chs 1-4, Understanding Culture, **pp 1-86.**
2. Schein, E. (2004). *Organizational Culture and Leadership*, Ch. 10, 13-15, Leadership Styles, **pp 157-177; pp 219-271.**

Formal approaches to Organizational DR: Unionized Settings and Employment Litigation

These readings discuss collective bargaining, labor arbitration, discrimination, and the concept of "just cause" termination.

Reading:
1. Ury, Brett, & Goldberg, (1998). Getting Disputes Resolved, 101-133. (When reading, students pick a role—employees, union, or mine management. Prepare to role play your side.)
2. Guidance on the Americans with Disabilities Act, available at http://www.ada.gov/ada_title_I.htm
3. Price Waterhouse v. Hopkins, 290 U.S. 228 (1989) available at https://scholar.google.com/scholar_case?case=780752418377134939&hl=en&as_sdt=6,38
4. Harris v. Forklift Systems, Inc., 510 US 17 (1993) available at https://scholar.google.com/scholar_case?case=5109910086591041329&hl=en&as_sdt=6,38

   Optional:
5. Harper, Estreicher & Flynn, LABOR LAW: CASES, MATERIALS & PROBLEMS, 445-465.

1. Title VII of the 1964 Civil Rights Act available at http://www.eeoc.gov/laws/statutes/titlevii.cfm
2. The Age Discrimination in Employment Act, available at http://www.eeoc.gov/laws/statutes/adea.cfm.
3. Tippett, E. "The Promise of Compelled Whistleblowing: What the Corporate Governance Provisions of Sarbanes Oxley Mean for Employment Law" 11 EMPLOYEE RIGHTS AND EMPLOYMENT POLICY J. (2007), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=930226

Extra Credit quick answer for next class: What does at-will employment mean? What is the history of this concept?
What does "just cause" mean in grievance disputes?

10/2 Class 3: Consequences of Organizational Conflict
Extra Credit: What does at-will employment mean? What is the history of this concept?
What does "just cause" mean in grievance disputes?

Conflict can have positive or negative effects on an organization, and short- and long-term consequences. These consequences can also have repercussions on the rest of the organization. Cost of employment disputes will be examined. Long-term economic effect on companies with a history of conflict will also be studied.

Reading:
1. Slaikeu and Hasson (1998), *Controlling the Costs of Conflict*, **pp 14-19**.

2. Fowler, Clare (2013) "Workplace Conflict: A Phenomenological Study of the Types, Processes, and Consequences of Small Business Conflict." Theory of Conflict, Causes of Conflict, pp.123-195, 206-212 (online numbering. Actual page numbering on paper begins at pg 108). *Available at* http://pqdtopen.proquest.com/doc/1346686186.html?FMT=AI
3. Dana, Daniel (2001). *Conflict Resolution*, **pp. 17-37.**
4. Scott, Vivian (2010) *Conflict Resolution at Work for Dummies,* pp. 77-81

Optional:
1. Alper, Tjosvold, and Law (2000) "Conflict Management, Efficacy, and Performance in Organizational Teams", *Personnel Psychology*, 53: 3, **pp 625-642**.

PART II –ORGANIZATIONAL CONFLICT

10/4 Class 4: Conflict Entrance
The number one cause of conflict in organizations is miscommunication. This class will begin to focus on the common path of conflict in organizations, with miscommunication as the common Entrance. Additional conflict entrances will be examined (task, process, relational, role confusion, scarcity of resources, etc.) and illustrated with video snippets.

Students will look at the conflict path and will discuss the path their conflicts have taken.

Reading:
1. Fowler, Clare (2013) "Workplace Conflict: A Phenomenological Study of the Types, Processes, and Consequences of Small Business Conflict." Theory of Conflict, Causes of Conflict, pp. 32-51. *Available at* http://pqdtopen.proquest.com/doc/1346686186.html?FMT=AI

Reminder – Hand in Assignment #1 at the start of class.

Discuss Assignment 2: **Conflict Cost memo and presentation** - Identify an organizational conflict. Outline the potential direct and indirect, immediate and long-term costs of organizational conflict. Come prepared to discuss, as if presenting to company/board. Due Class 6

10/11 Class 5: Conflict Types
Internal, External, and Systemic Conflicts:
This class will examine employee to employee, employee to employer, department to department, home to office, vendor to organization, location to location, local and organization-wide systemic disputes, and economic Entrances to conflict.

Class Preparation - Discuss Assignment 2. Identify an organizational conflict in the news before the next class. Become familiar with the facts, and analyze it using the tools and concepts covered in the course. Be prepared to present your findings to the class. Diagnose the conflict, using the tools in Stitt (2003) chs 2 and 3. Create an argument for mediation, addressing the potential concerns of the organization.

Extra optional homework to be assigned at end of Class 4:
Review and answer at the beginning of Class 5
What is BFOQ?
Does Hooters have to hire men?
Does a stockroom have to hire someone in a wheelchair?
        What happens if they are hired, then become disabled?
Does an office have to hire someone with autism/Aspergers?
What should someone do if they think they are being harassed?
What is the role of the EEOC?
Give an example of a case that should be mediated.
Give an example of a case that should be litigated.

Reading

1. Stitt, Allan J (2003) ISBN: 0-88804-400-3, *Mediating Commercial Disputes*, Canada Law Book Topics in Dispute Resolution, Chapters 2,3, **pp. 11-31.**
2. Fowler, Clare (2013) "Workplace Conflict: A Phenomenological Study of the Types, Processes, and Consequences of Small Business Conflict." Theory of Conflict, Causes of Conflict, pp. 51-71**.** *Available at* http://pqdtopen.proquest.com/doc/1346686186.html?FMT=AI

10/16 Class 6: The Escalation of Conflict
Assignment 2 due at beginning of class

Miscommunication is the most common Entrance to conflict, but there are many things that make it escalate. In an organization, a personal conflict is often escalated by the betrayal of values. A departmental conflict is often escalated by a mix of loyalty and the lack of clear goals. Systemic conflict is often escalated by scarce resources. Common organizational conflicts will be examined to understand what fuels their fire.

Class project: Each student creates their own Conflict Diagnosis Worksheet

Diagnosis options: (interview, phone, survey?)
Culture,
Frequency of Conflicts,
Escalation of Conflicts,
Consequences of Conflict,
Leadership Style,
How tech savvy is organization

Number of employees, departments, and projects,
Budget: just to set up, keep someone on retainer, keep someone on staff, train existing employees to facilitate and mediate?
Purpose of meeting: reduce conflict, reduce tension, improve communication, avoid litigation?
Who is involved (external, internal, management, seasonals)
Typical conflict type (relational, interest-based, rights-based, need for clarification, systemic)
Existing DR options
Previous DR training
Acceptance of DR
What processes are voluntary? Mandatory?

Reading:
1. Noll, D. *Conflict Escalation*, here: http://www.mediate.com/articles/noll2.cfm
2. Jordan, T. Glasl's *Nine Stage Model of Conflict Escalation*, here: http://www.mediate.com/articles/jordan.cfm
3. Cloke, K. & Goldsmith, J. (2000). *Resolving Personal and Organizational Conflict*, pgs. **27-32**.
4. Friedman, R. "Conflict Escalation: Dispute Exacerbating Elements of E-mail Communication" (2003). Human Relations, 56:11, **pp 1325-1347**.
5. Andersson and Pearson (1999), "Tit for Tat? The Spiraling Effect of Incivility in the Workplace." 24:3, **pp 452-471**.

PART III –SELECTING THE RESOLUTION PROCESS

10/18 Class 7: Continuum of Organizational ADR Processes
The Conflict Resolution Continuum:
This class will compare common processes for resolving disputes within organizations: prevention, negotiation, conciliation, HR as neutral, mediation, arbitration, and litigation.

Class discussion: look at different conflicts—where should they be handled on the continuum? What is the outcome—binding, enforceable? Should the outcome be verbal or written—part of the employee record, performance improvement plan?

Reading:
1. Slaikeu, K. & Hasson, R. (1998) *Controlling the Cost of Conflict*, Chapter 2-5, **pp 24, 29-50**, 88-104.
2. Stitt, A. (1998). *Alternative Dispute Resolution for Organizations: How to Design a System for Effective Conflict Resolution*, **pg 137** (summary of binding/non-binding, formal/informal, rights/interest-based processes).
3. CADRE Continuum, available at: http://www.directionservice.org/cadre/pdf/CADRE_CONTINUUM_DR_PROCESSES_NOV12.pdf (example of education ADR options)

Turn in Assignment 2 at the start of class

Discuss Assignment 3 **Conflict Diagnosis Presentation and accompanying memo – (Using earlier conflict from assignment 2) Based on public information, what internal dispute systems are in place to address and resolve conflicts? Were those processes used in the conflict you identified? Provide your assessment of why those processes were used or avoided. Write them in a memo and be prepared to present your findings to the class.**

10/23 Class 8: Dispute Prevention: Systems Design, Handbooks, Training
The fastest way to solve a conflict is to prevent it from happening in the first place. How can dispute systems design be applied to the organizational conflict? Do ADR systems improve employee satisfaction?

Students will dissect a typical employee handbook, analyzing how each section could create systemic conflict. Then students will create a list of what items need to be included in an employee handbook, and draft new definitions designed to prevent future conflict.

Reading:
1. Stitt, A. (1998). *Alternative Dispute Resolution for Organizations: How to Design a System for Effective Conflict Resolution*, Ch. 1: Sections "Setting up an ADR System," "Goals for an ADR System," and "Incorporating an ADR System." **pp 6-14**, **53-81 (review), 139-144.**
2. Zev Eigen & Adam Litwin, Justice or Just between Us? Empirical Evidence of the Trade-off between Procedural and Interactional Justice in Workplace Dispute Resolution, Industrial & Labor Relations Review (forthcoming).
3. Wooley v. Hoffmann-LaRoche, Inc., 491 A2d 1257 (N.J. 1985)
4. HP's Open Door Policy
5. Vanderbilt University's Progressive Discipline Policy
6. Fowler, Clare (2013) "Workplace Conflict: A Phenomenological Study of the Types, Processes, and Consequences of Small Business Conflict." Theory of Conflict, Causes of Conflict, pp. 72-80, 227**.** *Available at* http://pqdtopen.proquest.com/doc/1346686186.html?FMT=AI

10/25 Class 9: Moving through the Continuum: Ombuds Offices
This class provides an overview of ombuds practices and procedures.

Reading:
1. Rowe, M. & Hicks, W. (2004) "The Organizational Ombuds" *Resource Book for Managing Employment Disputes*, available at http://ombud.mit.edu/sites/default/files/documents/organizational.pdf.
2. Bruce MacAllister (UO Ombudsman), "Is your Organizational Considering an Ombudsman Program?" available http://bizexteam.com/wp-content/uploads/2011/04/Ombuds_Model_Descriptions.pdf
3. International Ombudsman Association, IOA Standards of Practice, available at

https://www.ombudsassociation.org/IOA_Main/media/SiteFiles/IOA_Stand ards_of_Practice_Oct09.pdf.
4. International Ombudsman Association (2009), IOA Best Practices: A Supplement to IOA's Standards of Practice, available at https://www.ombudsassociation.org/IOA_Main/media/SiteFiles/IOA_Best_P ractices_Version3_101309_0.pdf.

PART IV. RESOLVING ORGANIZATIONAL CONFLICTS

10/30: Class 10: Mediating Disputes:
Preparation: Identifying Type, Culture, Leadership Style, Who Needs to be Involved, Issues, Preparing Forms, Scheduling

Reading:
1) **Stitt (2003) 181-193,** Agreement to Mediate and Mediated Agreement
2) **Ford, J. (2014).** *Peace at Work: The HR Manager's Guide to Workplace Mediation.* **159-183.**

11/1 Class 11: Organizational Communication: Impasse: Power Imbalances, Value Disputes

Turn in Assignment 3 at the start of class
Discuss Assignment 4 Final assignment – Assume that you are a consultant to a company in a real-world organizational conflict of your choice. Prepare a diagnosis, conflict resolution proposal, and working plan. Apply the concepts, tools and research we have covered in the course. Assess the extent to which the company's existing processes and culture mitigate or exacerbate the conflict. Identify potential future risks the status quo imposes on the organization. Devise dispute prevention recommendations for the company to improve its approach to organizational conflict.

Class discussion: How to manage power imbalances in the workplace, to prevent victimization/isolation of employees. Students will look at clips from popular movies and news stories and identify the prevailing power imbalance. Then students will prepare an informal analysis of the imbalance, as if they had been hired to resolve the imbalance.

Discuss options for resolving a dispute: power-based, rights-based, position-based, and interest-based. People with power prefer power-based or rights-based, but this is often a negative experience for the person without power. The person who has a position-based dispute is taking a risk, and might be preventing themselves and the other party from a better option. Position-based disputes only allow for one outcome. Interest-based allows for multiple outcomes. Example: Strawberry Fields Central Park musicians dispute. Interest-based allows for most flexibility and ownership. Try using interest-based options first—best way to combat power imbalances.

Reading:
1. Moore, C. *The Mediation Process: Practical Strategies for Resolving Conflict, 3rd ed,* skim 368-389, focus on 389-393, skim 400-424,
2. Gilbert, E. (2012) "Phrases that signal workplace hierarchy", *Proceedings of the ACM 2012 Conference on Computer Supported Cooperative Work*, available at http://dl.acm.org/citation.cfm?id=2145359.
3. Stitt, A. (1998). *Alternative Dispute Resolution for Organizations: How to Design a System for Effective Conflict Resolution* pp. 84 and 85.

11/6 Class 12: Special Issues Involving Whistleblowers
Whistleblowers raise difficult issues because their information may need to be disclosed to others inside or outside the organization. Whistleblowers are often socially marginalized, and management may be angry about the whistleblower's breach of loyalty.

Discussion of BATNAs: Many people who see a wrong do not act on it because their BATNA (best alternative to any agreement they could reach in negotiation) is good (the alternative is typically to stay and not do anything).

Reading:
1.   Tippett, E. "The Promise of Compelled Whistleblowing: What the Corporate Governance Provisions of Sarbanes Oxley Mean for Employment Law" 11 EMPLOYEE RIGHTS AND EMPLOYMENT POLICY J. (2007)
1. U.S. Department of Health and Human Services, Child Welfare Information Gateway (2013), "Mandatory Reporters of Child Abuse and Neglect," available at https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/manda/?hasBeenRedirected=1.
2. Faragher v. Boca Raton, 524 U.S. 775 (1998), available at https://scholar.google.com/scholar_case?case=15103611360542350644&hl=en&as_sdt=6,38.

11/8 Class 13: Conflict Exit—Agreements and Resolution
This class will focus on creating formal and informal resolutions to conflict. Students will analyze a formal organizational conflict resolution agreement, as well as an informal, verbal resolution.

Reading:
1. Moore, C. (2003) *The Mediation Process: Practical Strategies for Resolving Conflict, 3rd ed.*, **pp 309-367**. (when reading, identify potential exits for your organization's conflict)

11/13 Class 14: Organizational Change
Conflicts often occur within the context of organizational change. Sometimes addressing conflict may demand organizational change of its own. How can you engage the organization's leadership to improve the conflict profile of an organization?

Unfreeze, Change, Refreeze.

Reading:
1. Schein, E. (2004). *Organizational Culture and Leadership*, chs 15, 16, &17 **pp 291-365**. While reading, think about your final assignment. Use the steps outlined to prepare guidelines for moving the organization through a potential change – either to prevent a conflict or recover from a conflict.

11/15: Class 15: Prepare for Role Play
Students will pick a conflict from one of the organizations they have been studying. They will diagnose the organization and the dispute. They will prepare a proposal and a plan.

Review Conflict Terms and considerations

11/27 and 11/29 Class 16-17: Organizational Conflict Role-Play –an additional make-up class might be necessary
Students will act as a neutral in a mock organization with an escalated conflict. Students will take turns acting as neutral, assessing the organization, identifying the conflict, creating an analysis, tracing the conflict path, and suggest agreement and resolution strategies.

Together students will draft the agreement.

> ***Reminder - Final assignment due 1 week following the end of class.***
> ***Students will leave class having created their own Conflict Diagnosis***
Worksheet, analyzing the conflict path of an ongoing conflict.

COURSE POLICIES

Accessible Education for All Students: The University of Oregon works to ensure inclusive learning environments for all students. We recognize that students bring a variety of learning styles to the course, and that some learning styles may require adjustment to course structure. We are happy to talk with you about such adjustments. Please be in touch with the professor if there are aspects of the instruction or design of this course that result in barriers to your participation as a result of learning style or diagnosed disability. For more information, you are also encouraged to contact the Accessible Education Center (formerly Disability Services) in 164 Oregon Hall at 346-1155 or uoaec@uoregon.edu.

Inclusion and Collegiality: Our community that values inclusion. We are committed to equal opportunities for all faculty, staff, and students to develop individually, professionally, and academically regardless of ethnicity, heritage, gender, sexual orientation, ability, socio-economic standing, cultural beliefs and traditions. We are dedicated to an environment that is inclusive and fosters awareness, understanding, and respect for diversity. If you feel excluded or threatened, please contact Associate Dean of Students Jennifer Espinola. The University Bias Response Team is also a resource that can assist you. See http://bias.uoregon.edu or call 541-346-2037.

Academic Integrity: Students are expected to demonstrate high levels of academic integrity and professionalism, and are prohibited from committing or attempting to commit any act that constitutes academic misconduct. Plagiarism and other forms of academic dishonesty will be grounds for automatic failure in the course. If you have questions about conduct please ask your instructor or review the University Student Conduct Code (available at http://conduct.uoregon.edu) or the UO policy at http://www.uoregon.edu/~stl/programs/student_judi_affairs/conduct-code.htm

Participation and Attendance: Attendance and participation are important parts of this course and are factored into your grade.

Computer Use: You are permitted to bring your computer but may not surf the internet for purposes unrelated to the class.