

Workplace Section News

January 12, 2009 Volume 3 Number 3

Welcome to the quarterly newsletter of the ACR Workplace Section (WPS), dedicated to enhancing practice and public understanding of conflict resolution in workplace settings. As we close out 2008 and we engage 2009, we invite you to reflect upon past accomplishments and envision where you and your profession may grow! In this edition, we invite you to read Susan Connor's recap of the 2008 annual conference and prepare for next year's conference in Atlanta. Learn more about building conflict competent teams from Craig Runde and Tim Flanagan. And, find out who has emerged from the Workplace Section as our newest Advanced Practitioners. Bullies at work are a growing phenomenon and Bill Eddy outlines traits and themes to look for in workplace settings. And, as we look ahead to our future professional development, we take a look at Archie Zariski's *Beyond Training: Theory for Mediators* based on his presentation at the Austin ACR Conference. And, mark your calendars now for the 2009 Teleseminar Series. We look forward to an exciting year ahead and wish our membership the very best for 2009!

State of the Section by Susan K. Conner, Workplace Section Tri-Chair



The Austin ACR Annual Conference represented an invigorating opportunity of learning, connecting, and growing! WOW! I am still pumped!

In my role as Section Leader, I experienced

increased opportunities for exposure to a larger cross-section of participants than ever before. I was impressed with the scope of interesting, intelligent, high-achieving, accomplished, gifted, dynamic, spiritual, inspiring, multi-faceted, diverse people! Participants came from every corner of the country and from around the world. Each and every session I attended was informative, enlightening, stimulating, fascinating, or just flat out entertaining. Every bit of energy I put forth was returned to me in infinite exponents.

It seemed as if every third person I met has published. Many are nationally or internationally recognized and sought-after as presenters, consultants, and experts. I met people whose

names or faces I knew from their work. I was celebrity-struck! And, I was very impressed with the quality and diversity of our membership and the skill and enthusiasm of our leadership.

Likewise, I am in awe of the amazing efficiency and courtesy of the ACR Staff, the ACR Board, the association's Executive Director Doug Kleine, and the Conference Planning Committee. Terri Lankford and her outstanding staff simply excelled in hospitality.

Many thanks to Section Tri-Chair Vicki Knudsen, her daughter Brandi Long and mother Mary Ann Knudsen for their extensive hours planning and executing the All-Sections Fiesta (they made those passports and who-am-I tags all by themselves) and worked our Section exhibit table throughout the conference. Their collaborative family effort helped build the Section's and ACR's sense of community!

Many past Workplace Section leaders presented at the Austin conference in their efforts to continue the promotion of Workplace Mediation. Presenters included Rita Callahan, Bob Churilla, Michael Dickstein, Debra Dupree, Dick Fincher,

continued on page 5

Association for Conflict Resolution

5151 Wisconsin Avenue, NW
Suite 500
Washington, DC 20016
202-464-9700
www.ACRnet.org

Publisher

Association for
Conflict Resolution

Co-Editors

Linda Goodman
Debra Dupree

Contributors

Susan K. Conner
Tim Flanagan
Craig Runde
Billy Eddy
Archie Zariski

Layout

Jill Sarah Moscovitz

About Workplace Section News

The quarterly newsletter of the Workplace Section, ACR Workplace Section News is a publication of the Association for Conflict Resolution, a professional organization dedicated to enhancing the practice and public understanding of conflict resolution.

Editorial Policy

The views expressed in this newsletter are those of the various authors, provided for the purpose of encouraging discussion. Unless expressly noted, they do not reflect the formal policy, nor necessarily the views, of the Association for Conflict Resolution.

©2008 Association for Conflict Resolution. All rights reserved. This publication may not be reproduced in whole or in part without permission

Workplace Section News

A Publication of the Association for Conflict Resolution

A Professional Organization Dedicated to Enhancing the Practice and Public Understanding of Conflict Resolution

Table of Contents

State of the Section	1
<i>Susan K Conner, Esq.</i>	
Building Conflict Competent Teams	3
<i>Tim Flanagan and Craig Runde.</i>	
Bullies at Work	4
<i>Billy Eddy, LCWS, Esq.</i>	
Beyond Theory: Training for Mediators	11
<i>Archie Zariski, Associate Professor, Athabasca University, Canada</i>	
Workplace Section Updates	13
Obama Presidential Transition Team	
Conflict Coaching Sub-Committee	
2009 Teleseminar Series	
New Advanced Practitioners	

Mark your calendars now for the

9th Annual ACR Conference

**October 7-10, 2009
Atlanta, Georgia**

The 2009 Annual Conference Call for Proposals will open January 5, 2009. Check acrnet.org soon for more details.

Building Conflict Competent Teams

by Tim Flanagan and Craig Runde

Conflict is at the root of many teams' best ideas as well as their worst failures. Given the key role that teams play in modern organizational life, it is essential that they become more competent in dealing with the inevitable conflicts that emerge. This includes the ability to get the best out of conflict as well as minimizing its harmful effects.

Over the past fifteen years researchers have recognized two principal types of organizational conflict. One type is called *task* or *cognitive* conflict. It occurs when teams are able to address issues by staying focused on solving the problems caused by their differences. Their discussions often result in more creativity and better decision-making.

The other type of conflict, called *relationship* or *affective* conflict, occurs when team members seek to find blame rather figuring out how to solve their problems. It usually results in lower team productivity and morale.

In order to get the best out of conflict, teams must be able to discuss issues openly and candidly. Team members need to have a sense of mutual responsibility for resolving their problems. Teams can prosper from conflict if they develop the right climate to foster openness and collaboration and use constructive communication techniques to keep discussions moving in the right direction.

CREATING THE RIGHT CLIMATE

Research indicates that teams need to establish trust and safety, collaboration, and emotional intelligence in order to create the right climate for effective conflict management.

Trust and safety. To feel comfortable enough to share thoughts and feelings openly, team members must trust their colleagues. Teams need to develop

norms that promote open exchanges and discourage using someone else's comments against them. Team leaders can support the process of building trust by showing vulnerability themselves and addressing breaches of trust when they occur.

Collaboration. Team members are better able to address conflict when they feel like they are all "in this together." This sense of mutuality is reinforced when team members share information freely, make decisions together, and are recognized and rewarded collectively.

Emotional intelligence. Conflict often ignites negative emotions which can spread among team members through a process called emotional contagion. When team members are upset, managing conflict becomes especially complicated. As defensiveness rises communication becomes a challenge. When emotions fester, destructive behaviors soon follow.

Teams can improve their emotional intelligence by utilizing assessment tools that raise self awareness. Team members can also develop skills that help them maintain or regain emotional balance so they are less likely to do or say something that creates reactions in their teammates.

ENGAGING CONSTRUCTIVELY

All too often team members respond to conflict in destructive ways. In many cases, the intent is not one of malice. Avoidance, hiding emotions, and yielding are common responses intended to deflect discomfort or save face. The problem is such tactics leave the precipitating cause of the conflict unresolved and damaged emotions unattended. In

continued on page 7

Bullies at Work?

By Billy Eddy, LCSW, Esq.

Workplace bullying is a growing international problem. It is more than a one-time incident. It is a pattern of behavior between a bully and another worker which can demoralize, isolate and trigger illness in the target of the bully. What is bullying? Who does it? Is it increasing? What can you do to protect yourself? And what can employers do to promote a safe environment for employees? This article attempts to answer some of these key questions. My perspective is that of a therapist, mediator, and attorney handling “high conflict” disputes in a variety of settings.

What is Workplace Bullying?

In many ways, it is similar to playground bullying; except that as adults it should no longer be an issue. It is aggressive behavior that should be personally contained, but for some reason is not. Bullying involves more than one incident of aggressive negative behavior. It is a repeated *pattern* of negative behavior that usually involves a bully with more power or the convincing appearance of more power. Bullying can include acts that are intimidating, humiliating, and isolating and can be verbal or physical, blatant or subtle, active or passive. (Lutgen-Sandvik, 2006.)

The underlying message is that the bully can and will keep engaging in unwanted, negative behavior which you are powerless to stop. This sense of powerlessness grows and the target begins to feel bad about himself or herself, as well as frightened of the bully. Bullying appears to go on in an environment that tolerates or rewards hostile behavior without intervening. The effect on the “target” of bullying can be devastating, and there is substantial research which shows that targets can experience a wide range of related illnesses, from depression and loss of sleep to intestinal disorders and increased risk of heart disease. Productivity drops, teamwork suffers, good employees leave, and employers have increased medical and legal claims. (Yamada, 2008.) Research shows that workplace bullying has even a more negative effect on employees than sexual harassment, perhaps

because there are more procedures in place for dealing with sexual harassment nowadays but not for dealing with bullying behavior. (Bryner, 2008)

Who Are the Bullies at Work?

From my experience and interdisciplinary training, I strongly believe that bullies at work are High Conflict People (“HCPs”) with high conflict personalities. By this I mean that they bring this behavior with them, rather than that they are reacting to an external “issue” or that other people “make” them behave this way. I believe that bullying is part of “who they are”—their life-long pattern of thinking, feeling and behaving. This began before they took this job.

From my observations, there are four personality types most often engaged in workplace bullying. Each of these types is trying to overcome a sense of weakness or fear in themselves, although they are usually not aware of this. (And don’t try to point it out to them!) They are unconsciously driven to find and attack what I call their “Targets of Blame,” because this helps them briefly feel less anxious and helpless themselves by *feeling* able to hurt others. Their targets can be anyone. It’s not personal. It’s about the bully, not about the target.

“I’m Very Superior” type: These bullies are stuck trying to prove to themselves and others

continued on page 6

continued from page 1

Vicki Knudsen, Melissa Marosey, Michael McDowell, Cinnie Noble, and Patrick Westerkamp. Jill Sarah Moscowitz provided early morning movement-meditation sessions.

As I transition from the role of Chair-Elect to Co-Chair, I join returning Co-Chair Vicki Knudsen. We welcome Chair-Elect Julie Denny to the Leadership Council for 2009.

We are excited that Advisory Board member, former Tri-Chair, and human dynamo Debra Dupree plans to remain active in Workplace Section leadership. She and Co-Editor Linda Goodman put together this terrific newsletter.

We recognize with extreme gratitude Advisory Board member and Immediate Past Tri-Chair Michael McDowell for his superior leadership during a challenging ACR transition. Mike continues dialogue with Dean David Feingold of Rutgers' School of Management and Labor Relations and The State University of New Jersey to explore the possibility of an ACR Workplace Section affiliation. He remains a strong champion of Advanced Practitioner (AP) Status for mediators and arbitrators, serving as the Section's liaison with the American Arbitration Association (AAA).

Advisory Board member and past Tri-Chair Dick Fincher continues to foster the Section's affiliation with Cornell University's Scheinman Institute for Conflict Resolution. Advisory Board member and past Tri-Chair Michael Dickstein continues to provide leadership guidance, having kept us focused during challenging administrative matters in 2008. He was the main draw at our exhibit table during the All-Sections Fiesta in Austin. Whatta guy!

Cinnie Noble chairs the Workplace Section's new Conflict Coaching Subcommittee, continuing to present informative and well-attended teleseminars. Neil Bodine and Ann Martin continue in their efforts to

champion groundwork for development of the Interest-Based Negotiation (IBN) professional practice area.

Affiliations provide Workplace Section members with benefits such as personal access to academic and professional expertise, co-sponsorships or invitations to affiliated organizations' seminars, shared facilities, high-level networking opportunities, and early exposure to cutting edge developments in conflict resolution.

In Austin, the Workplace Section leadership held two highly productive planning meetings. The 2008-09 Work Plan was initiated and, yes, planning is underway for next year's Annual Conference.

Our New Member and Section meetings were well-attended and fun. We enjoyed great food! If you weren't able to join in on the festivities in Austin, make sure you calendar now to attend the Section events in Atlanta, October 7-10, 2009! There are plenty of opportunities to be part of the action. Just contact any one of the Leadership Council members to learn more on how you can get involved! Here's to an exciting, and challenging, 2009 ahead!

Susan Conner, Workplace Section Tri-Chair 2009-2011, may be contacted at skconner@verizon.net, Phone / Fax 304.345.6644, P. O. Box 3227, Charleston WV 25337-3772.

continued from page 4

that they are superior beings. They are really afraid of being seen as inferior, but this fear is not conscious and they will become very defensive if you suggest that they are worried about being seen as inferior. They show frequent disdain and disrespect towards those closest to them. This is mostly verbal, but they may engage in humiliating jokes, tricks or maneuvers to make you look bad (to make them look good, they hope). This is automatic behavior for them.

“Love-You, Hate-You” type: These bullies often seek revenge for perceived rejections from those they thought were very good friends. Once their fantasy of friendship fades, they retaliate. Even if you did nothing, they don’t check out misinformation—instead they act on it. They may spread rumors and make claims that you are an extremely uncaring or unethical person. If there was a conflict, they want others to believe it’s all your fault. They have a lot of all-or-nothing thinking and they jump to conclusions. “You’re with me or you’re against me.” They can easily fly into a rage, and sometimes they become violent or stalk their Targets.

“I Need to Dominate” type: These bullies go beyond just wanting to appear superior. They enjoy hurting other people. They fear being dominated, so they try to find someone, somewhere, who they can dominate. As long as they are harming someone else, they feel less vulnerable. They may say hurtful things, but they often do hurtful things, including stealing from those they are closest to, manipulating you into doing favors and then stabbing you in the back, and being willing to destroy your career for some short-term goal. You may feel that you are being manipulated or in danger. Be skeptical of strange schemes. They are con artists.

“I Can’t Trust Anyone” type: These bullies are highly suspicious of others and

may believe that you are taking advantage of them, when you don’t even know them personally. They bear a grudge and will attack you before (they think) you are going to attack them. They can spread rumors that you want to harm them, and they believe it themselves. They often create high conflict situations because of their excessive fears of everyone else.

All of these bullies *feel* that they are victims. They *think* that you are a danger to them, and so they believe they are justified in attacking you. While it may seem that they are enjoying bullying others, it is not true enjoyment. They enjoy the momentary feeling of being in power. Most people don’t need to have power over someone else in a negative way. But for these bullies, that is the only satisfaction in a daily struggle of *feeling* that they are everyone else’s victim. Remember, this feeling is not conscious and you will make it worse if you suggest this to them.

Are Bullies Increasing at Work?

Over the past couple decades, workplace bullying has begun to receive the same kind of attention that schoolyard bullying has received for years. Perhaps it’s the same dynamics, for people whose personality development has been stuck since childhood. Interestingly, research indicates that 16 to 21 percent of employees experience health-endangering bullying and that it’s four times greater than sexual harassment reports. (Yamada, 2008)

These statistics (16 to 21 percent) are very similar to the statistics for personality disorders in society (approximately 15-17%). Since bullies also have **enduring patterns of dysfunctional behavior**, many of them may have personality disorders. Research on family violence shows a strong correlation

between ongoing domestic abuse and personality disorders. (Dutton, 2007)

continued on page 8

continued from page 3

other cases, behaviors interpreted as trying to win at all costs, demeaning others, or retaliating are chosen. These kinds of responses are often associated with malicious intent. Therefore, the conflict worsens. Obviously, maintaining the right climate is impossible unless team members choose to communicate in constructive ways.

Instead, team members can respond constructively. We acknowledge that this is often easier said than done. We recommend and teach approaches for cooling down, slowing down, and engaging constructively. The greatest incentive for choosing constructive responses is the opportunity for unlocking the hidden potential in the differences that resulted in the conflict. Here are some tips for constructive communication:

Cooling down. Taking time to consider the kinds of situations that “set you off” or push your “hot buttons” is a great way to improve your readiness for conflict. When you are more mindful of your typical reactions, it is easier to recognize your emotions earlier during conflict. Being aware of your emotions is the first step in managing or cooling them.

Slowing down. Calling a brief time out when you realize the urge to respond destructively is a great way to help slow and defuse the process. We suggest creating a simple phrase you can use to temporarily pause a heated dialogue. For instance, “Can we pause for a moment? This deserves our best thinking and I just need a second. Thanks.” Even a brief pause provides an opportunity to consider, reflect, and calm.

Engaging constructively. One of the most powerful techniques is perspective taking. Perspective taking demonstrates understanding of the interests and emotions of one’s conflict partner. Incredible progress is possible when you are able to demonstrate to your conflict partner

that you comprehend their view, respect their position, and have empathy and regard for their feelings and values, despite seeing things differently. To begin, use phrases such as, “You really have a different view of this than I. I’d like to hear more.”

Conflict is natural and will always exist among team members. We say, “thank goodness!” Without differences and disagreements, teammates would see every problem, every opportunity, every task, the same way. Seeing things identically leads to great agreement, but offers little chance for true improvement or innovation. Teams that establish the right climate and communicate constructively have the best opportunities for leveraging conflict to their advantage.



Tim Flanagan is director of custom programs at the Leadership Development Institute at Eckerd College, a network association of the Center for Creative Leadership.



Craig Runde is director of the Center for Conflict Dynamics at Eckerd College. They are co-authors of *Becoming a Conflict Competent Leader* (Jossey-Bass, 2007) and *Building Conflict Competent Teams* (Jossey-Bass, 2008).

continued from page 6

It's also interesting that the growth of this problem in the workplace seems to have paralleled the increase in personality disorders in our modern society. They can't seem to stop themselves and many organizations seem to tolerate them. With the increase in self-centeredness and decrease in empathy, we can expect to see more of this problem in the future.

What Can You Do?

If you are being bullied, there are several things to consider.

Don't take it personally. Avoid becoming self-critical or becoming isolated. Bullying behavior is about the bully, not the target. There is nothing you could have done to deserve this behavior.

Get help. Talk to someone about the bullying, even if it's a friend, family member or co-worker. Start where it's easiest to start. You will feel stronger, rather than weaker. Don't try to stop the bully alone. That is a mistake many individuals AND organizations make.

Find out your organization's policy about bullying. There may be a resource person to whom you can report the bullying, such as in Human Resources or an Employee Assistance Person. The best policies encourage co-workers and managers to work together to halt bullying behavior and to have the bully removed, if necessary. If you are being bullied by your immediate supervisor and if your organization says you have to talk to that person, look around for someone else to talk to. Such a policy is disfavored and there may be someone else in your organization who you can speak to.

Remember you have choices. Many excellent employees leave organizations which allow bullies to run rampant. You don't have to tolerate a hostile work environment. Knowing you have choices and investigating your options (like researching other job options) will give you strength.

Remember, bullying is not about you. It's about the bully and the bully's personality problems. You don't have to be stuck. Perhaps a change of departments or supervisors may be a solution, so that you don't have to leave the organization. But don't get stuck feeling stuck.

What Can Your Organization Do?

To be honest, the problem is really a cultural problem. The workplace culture must reject bullying, as there is little the individual worker can do. Successful programs aimed at reducing playground bullying focus on the school environment. Likewise, workplace bullying needs to be addressed at the organizational level. Here are a few suggestions for a comprehensive approach:

Policies Against Bullying: Leadership in the workplace must establish clear policies against bullying and for healthy conflict resolution. Clarifying that bullying is unwanted, aggressive, negative behavior of any type will help employees begin to understand where to draw the lines. Clarifying what the consequences are of workplace bullying (and that the organization will enforce them) can go a long way to helping employees feel safe. Employees as a group should know what the policies are, as bullies often distort their understanding of the rules to allow their inappropriate behavior.

continued on next page

WORKPLACE SECTION NEWS

continued from previous page

Prevention of Bullying: Programs designed to reduce school bullying often have a committee of representatives from different parts of the school community. This committee then develops and disseminates prevention activities. By involving all levels of employees and management, such a team approach has a better chance of changing an organizational culture than simply a top down initiative. However, top management has to strongly support it in a meaningful way, or it will fail.

Staff Training: Training all workers to support each other and “set limits” on their co-workers may be more effective than just setting company policies. (Bryner, 2008) When all workers feel responsible for the quality of the workplace environment, it seems to calm down aggressive employees. In contrast, when workers feel that “anything goes” or “it’s not my problem,” there is more likely to be aggressive, bullying behavior. Practicing conflict scenarios and what co-workers can say and do is a particularly useful approach.

Confidential Lines of Communication: Many bullies are in positions of authority over their targets. Therefore, lines of communication which require reporting such problems to one’s immediate superior do not work. There needs to be independent resource people for reporting bullying to the organization and to the leadership.

Counseling: It would help employees and organizations to have a resource person for bullied individuals to use to discuss bullying experiences in confidence. This may help employees and organizations reduce the

downward spiral of self-doubt and health problems that bullying often triggers. Such a service could be of assistance to bullies as well, so that the organization may be able to keep some of these employees while assisting them in improving their workplace behavior.

Consequences: There have to be real consequences for bullies, which everyone can see. That way other potential bullies will be more careful to follow the rules and other potential victims will know that they work where they will be protected.

Healthy Workplace Laws: Some states and countries are considering healthy workplace legislation which would establish expectations for employee behavior, and also provide for legal redress for workplace bullying. This should be encouraged, because it must be part of the culture, not up to the individual victim to deal with.

In summary, bullying appears to be a growing problem. Individual targets are usually overwhelmed, especially because bullies appear to have the active or passive support of their employers. Therefore, a comprehensive approach may have the best chance of success for a company or organization attempting to address this problem. Understanding that bullying is primarily an unconscious behavior based on long-term personality patterns may assist organizations and individuals in approaching this more effectively.

Most workplace bullies may be High Conflict People (HCPs) with high conflict personalities. Realizing this helps understand that the problem is:

- A problem of long duration that won't just go away.

continued on next page

continued from previous page

- It is a deep and serious problem, rather than a minor problem.

- It is a problem that must be solved at the community level, rather than putting the burden on the individual target to stop the HCP.

Best wishes in handling this problem. Remember, you are not alone and you don't need to take any bullying personally. It is not about you—it's about the bully's pattern of behavior, and everyone's willingness to set limits on it.

High Conflict Institute provides training and consultations regarding High Conflict People (HCPs) to professionals dealing with legal, workplace, educational, and healthcare disputes. Bill Eddy is the President of the High Conflict Institute and the author of "It's All Your Fault!" He is an attorney, mediator, and therapist. Bill has presented seminars to attorneys, judges, mediators, ombudspersons, human resource professionals, employee assistance professionals, managers, and administrators in 25 states, several provinces in Canada, France, and Australia. For more information about High Conflict Institute, our seminars and consultations, or Bill Eddy and his books go to: www.HighConflictInstitute.com or call 602-606-7628.

References

Bryner, J., Workplace Bullying 'Epidemic' Worse Than Sexual Harassment, article from the LiveScience website: <http://www.livescience.com/health/080308-workplace-bully.html>, March 8, 2008.

Dutton, D., *The Abusive Personality: Violence and Control in Intimate Relationships* (2nd ed.). New York: Guilford Press, 2007.

Lutgen-Sandvik, P., Tracy, S.J., & Alberts, J.K. Burned by Bullying in the American Workplace, *Journal of Management Studies*, Vol. 44, No. 6, pp. 837-862, September 2007.

Yamada, D., The "Healthy Workplace Bill," from the Bullying Institute Website: <http://www.bullyinginstitute.org>, August 2008.

Bill Eddy is the President of the High Conflict



Institute and the author of several books, including the new book: "It's All YOUR Fault! 12 Tips for Managing People Who Blame Others for Everything" (2008).

Beyond Training: Theory for Mediators

by Archie Zariski, Associate Professor, Athabasca University, Canada

Introduction

There are many good training programs today that teach the skills and techniques needed to mediate. Most, however, do not adequately address the theory underlying the available interventions for conflicts and disputes. I would suggest that an understanding of such theory is necessary and critical to the delivery of quality mediator practices. This article examines the types of theory that should be taught and advocates establishing undergraduate programs in higher education as another route to becoming a mediator.

The practicality of theory

Mediators take on disputes that are complex, uncertain and dynamic, promising to treat their clients' problems as unique. Mediation offers the possibility of creative solutions as an alternative to routine processing by courts or down-the-middle compromises by arbitrators. In order to make good on this promise of mediation, mediators need theory for true effectiveness and understanding of the process they deliver.

Donald Schön, the "guru" of reflective practice, points out the need for "overarching theories" that help guide practitioners in making sense of "messy" situations. Such theories do not provide formulas for intervention, but they are sources of models, metaphors, and frames that help in problem setting and conflict analysis – the first steps towards solutions. Without theory, the dispute resolution practitioner is adrift with little to rely on but intuition or conventional wisdom. Both are insufficient guides to practice and fail to meet the standards of professionalism.

What types of theory may be useful? The behavioral sciences offer insights into cognition and the role of emotions. The psychology of decision-making is a

well developed field, identifying numerous deficits and "illusions" that impact disputes. Social psychology studies people in conflict and offers insights into the dynamics of interactions such as persuading, negotiating and bargaining. Communications theory provides useful ways to analyze how parties connect or disconnect with each other. The field of organizational dynamics is particularly relevant for workplace mediators. Intergroup conflicts are studied by peace theorists who offer new ways of looking at variables such as ethnicity, culture and language.

Theories at all levels – individual, interpersonal, and intergroup as well as those with differing focal points - transactional, process, and structural abound. Through reflection on theory, mediators are better equipped to generate unique, creative responses to conflict as well as demonstrate artistry and mastery in their practice.

The paucity of theory

There is little mention of theory in the curricula and materials of mediator training programs according to studies conducted over several decades. One such study found that the connection between theory considered important by trainers and the actual program content was "tenuous". Time constraints are an obvious obstacle to teaching theory in training programs of 40 or even 100 hours duration. It is well recognized that the key communicative and intervention skills and techniques of mediators require immersive learning and intensive practice, leaving little room in training programs for attention to theory.

Graduate programs for mediators provide exposure to theory but it remains limited in breadth. The focus

continued on next page

continued from previous page

is often on particular fields of practice and their corresponding theoretical frameworks. Such programs may produce specialized mediators who are unable to integrate a wide variety of theoretical approaches into their practice, limiting their flexibility and adaptability to unique situations.

Theory meets practice in the academy

If a wide range of theory is valuable for mediators, such as familiarity with areas of psychology, social psychology, organization and communications theory, then an undergraduate degree program is one viable vehicle for providing these foundations. The academy has centuries of experience as a nexus of theory and practice. Trainers would be welcome as “clinicians” in programs designed to educate reflective, creative mediators. Research would be facilitated and encouraged by such interaction between practitioners, students and academics.

An undergraduate university degree for a mediator may be an easier, clearer path to follow for the disadvantaged aspiring mediator than the present confusing system of diverse training programs, multiple disciplines, certificate programs, graduate degrees and diplomas. Furthermore, if a degree program included supervised clinical work, it would provide a mechanism for generating volunteer mediators for community mediation services, creating a mutually beneficial arrangement.

In 2006, the organizers of the ACR Environmental and Public Policy Section experimented in bringing together practitioners and academics through a series of dinner meetings. They reported significant learning and benefits from the joint interaction. An undergraduate degree program for mediator development would foster an ongoing structure for productive exchanges of ideas like this.

As with law and medical schools, a system of accreditation of academic programs for mediators would be beneficial. Accreditation provides a coherent way of ensuring quality mediator education

without stifling variety and experimentation. The Association for Conflict Resolution (ACR) is well placed as a leading body to coordinate such program accreditation.

Conclusion

Mediation promises creative responses to unique problems. In order to deliver on this promise, mediators need more than a toolkit of skills and techniques. Without theory, a mediator is like a surgeon who operates without knowing physiology. Without theory, a mediator is like a lawyer who sues without knowing the law of contracts.

Theory is not an option or a frill for mediators; it is the source of artistry and mastery in practice. It provides the ideas and concepts used by mediators to help frame problems and generate potential solutions. A range of theoretical constructs serve as the educational and practical foundation for mediators and is best achieved through an undergraduate degree program that combines these intellectual foundations with sound training in skills and techniques.



Archie Zariski is an Associate Professor of Legal Studies at Athabasca University in Alberta, Canada. He is a Chartered Mediator with experience in family, community and workplace disputes. Archie has created and taught courses in dispute resolution, negotiation and mediation for law and legal studies students. Archie also moderated a panel at the 2008 ACR Conference in Austin, TX on

the subject of credentialing for mediators. Joining him on the panel were Vicki Knudsen, Tri-chair for the Workplace Section; Frank Mosz, Former Co-Chair for the Family Section; Debra Dupree, former Tri-Chair for the Workplace Section and Advanced Practitioner in Workplace Mediation; and Tania Sourdin, Professor of Conflict Resolution at the Australian Centre for Peace and Conflict Studies, The University of Queensland.

Workplace Section News

ACR Workplace Section is proud to announce one of its own on the Presidential Transition Team!

Nancy Peace, former ACR President and Workplace Section Chairperson, spent an exciting two weeks working alongside MIT Professor Thomas A. Kochan as a member of the two-person team charged with assessing the Federal Mediation and Conciliation Service (FMCS). Under the Labor-Management Act of 1947, FMCS provides free mediation services in contract negotiation disputes between employers and their unionized employees. It also provides a number of other services, including grievance mediation, interest-based bargaining training and facilitation and labor arbitrator training and panel administration. Peace was nominated to join the team by Kochan, with whom she has taught. She was approved by the transition team for her background as a mediator and arbitrator with the Massachusetts Board of Conciliation and Arbitration, the Massachusetts equivalent to FMCS.

"It went well," Peace said Monday. "I felt very honored to be asked."

Nancy serves on the board of the Labor and Employment Research Association, is a member of the National Academy of Arbitrators and an associate member of the Boston Bar Association. In 2008, Gov. Deval Patrick appointed her to the Massachusetts Division of Labor Relations Advisory Council.

Nancy Peace has been in private practice as a labor arbitrator, mediator and fact finder since 1993. Prior to that, she was an arbitrator and mediator with the Massachusetts Board of Conciliation and Arbitration.

Nancy was the founding president of the New England Chapter of what was then the Society of Professionals in Dispute Resolution. For several years a loosely organized group of dispute resolution colleagues, led by Rick Reilly and Susan Brown, had been meeting as the SPIDR Irregulars because they did not have official chapter status. Nancy was willing to do the paperwork to become a recognized chapter and thus became its first president.



In addition to her private practice in dispute resolution, Nancy is president of the YWCA Greater Newburyport and is currently serving on the Obama Transition Committee.

Workplace Section News

Conflict Coaching Committee

The Conflict Coaching Committee continues to thrive, with increasing interest from WPS members. The Committee's first hour long teleconference for 2009 is scheduled for Wednesday, January 14 at 5:00 p.m. ET, 712-580-8020, access code 496839. On this call, Stephanie West Allen, a mediator, speaker, trainer and writer speaks on the subject, "From Reactive Brain to Reflective Mind: A Recommended Journey for Conflict Coaching Clients and Coaches"..

Stephanie is a mediator, speaker, trainer and writer who looks at conflict, business development and client relations through the lens of neuroscience. Visit her web-site for more information and references regarding range of resources: www.brainsonpurpose.com.

For further information on the Conflict Coaching Committee and this teleconference, please contact Chair, Cinnie Noble at cinnie@cinergycoaching.com,

Monthly Workplace Teleseminars

We've just completed a great year of monthly workplace Teleseminars with a broad range of topics and an array of excellent speakers from across the country.

Our recent online survey requesting feedback from Workplace Section members generated a host of enthusiastic responses. We received helpful comments about past seminars, and many excellent suggestions for future programs. In particular, members expressed a great deal of interest around the topics of diversity/cross-cultural conflict, group facilitation, bullying, and ethics.

continued next page

Advanced Practitioner Announcements

The ACR Workplace Section's Advanced Practitioner Review Committees are pleased to announce that four ADR professionals have recently achieved Workplace Advanced Practitioner Designations. **Sally Griffith Cimini, Esq.** of **Pittsburgh, PA**, **Julie Denny** of **Princeton, NJ** and **Barbara Bryant, Esq.** of **Berkeley, CA** have met the requirements of the Workplace Mediator Advanced Practitioner Designation, and **Lynne Marie Gomez** of **Bellaire, TX** has met the requirements of the Workplace Labor and Employment Arbitrator Advanced Practitioner Designation.

CONGRATULATIONS!

Have you considered becoming an Advanced Practitioner (AP)? To learn more about requirements and benefits of Mediator AP status, follow this link: <http://www.acrnet.org/referrals/ap-workplace.htm>. Follow this link to learn more about Arbitrator AP status: http://www.acrnet.org/referrals/ap-workplace_arb.htm

Visit the ACR WORKPLACE Section website to learn more about the details on the benefits of the AP Designation:<http://www.mediate.com/acrworkplace/pg87.cfm>

continued from previous page

We're still solidifying our lineup for the coming year. Here is a list of tentative topics we plan to host:

- The Intergenerational Workplace
- Group Facilitation
- Bullying
- Organizational Conflict Management
- Ethical Conduct
- Trust in Organizations
- Integrated Conflict Management Systems

These Teleseminars are normally scheduled at 12:00 noon Eastern Time (9:00 am Pacific Time) the third week of each month, provided at no charge as a service to Workplace Section members. Watch your inbox for announcements on these programs.

Have a peaceful and constructive New Year,
Jill Sarah Moscovitz and Maggie Sloane

P. S. The survey is still open, for anyone with additional thoughts or suggestions: http://www.surveymonkey.com/s.aspx?sm=3ce8Jp4EVbBQrcKIOZ2E2A_3d_3d

Call For Articles

The ACR WORKPLACE Section Newsletter is a quarterly publication dedicated to enhancing the practice and public understanding of conflict resolution in workplace settings.

We invite your submission of relevant articles to support the mission of the Section.

Timeline

<i>Publication</i>	<i>Articles Due</i>
<i>March 15</i>	<i>February 15</i>
<i>June 15</i>	<i>May 15</i>
<i>September 15</i>	<i>August 15</i>
<i>December 15</i>	<i>November 15</i>

Article Guidelines *Article Length: Short articles: 350-500 words; featured articles: 950-1200 words. Author's release required; ACR Workplace Section retains editorial rights for final selection and editing.*

To submit your article, please forward to Linda Goodman, Newsletter Co-Editor at lgoodman@ihrc.idaho.gov.

Call For Volunteers

Volunteers are needed in the following areas:

Newsletter layout - on a quarterly basis, assist with layout of Newsletter **Website**

Update - as necessary, at least once a month.

Interested in helping? Contact Debra Dupree or Linda Goodman, Newsletter Co-Editors to volunteer by emailing: debradupree@relationshipsthatmatter.com or lgoodman@ihrc.idaho.gov.