

EMPLOYMENT DISPUTE RESOLUTION

T. Zane Reeves, PhD
Spring Semester, 2017
PUBLIC ADMINISTRATION 528

“Violence is the last refuge of the incompetent.”
---Isaac Asimov, US author [Russian born], 1920-1990

COURSE OVERVIEW

This course is an overview of conflict and dispute resolution in the workplace. The first part of the course explores the origins of conflict in humans with particular attention to the emotions surrounding dispute resolution and prevention. Issues of aggression, bullying, and violence are analyzed in depth. Conflicts are examined in the context of inherent physiological facets of the brain, the influence of cultural and social values as well as socialization by family, peers, and organizational culture. Conflict as a functional and dysfunctional dynamic is compared, with attention to why conflict is sometimes positive and at other times destructive in work teams. Particular attention is given to power of emotion and the application of various personal styles in resolving disputes.

The final part of the course looks at formal structures and techniques for resolving disputes and grievances in the workplace. The underlying assumption is that negative conflict is most effectively addressed as soon as it emerges, rather than waiting until grievances evolve into disputes, aggression, violence, litigation or concerted job actions. In this regard, the course will analyze the appropriate uses ADR techniques, i.e., enhanced communication, negotiation strategies, as well as third-party neutral approaches such as mediation, conciliation, facilitation, fact finding, ombudsmen, and arbitration.

REQUIRED READINGS

T. Zane Reeves, *Employment Dispute Resolution* *handout* (available in UNM Bookstore)

AGENDA

January 21: Employment Dispute Resolution

- Syllabus review
- Concepts and terminology
- Approach and expectations

January 28: Practicing with the heart as metaphor

- Heart metaphor for emotions
- Brain reality for emotional conflict
- Conflicts and disputes
- Positive conflict of teams

Negative disputes and resolution
Read: Preface, pp. i-xi
Complete two self-assessment exercises, p. xi

February 4: Communicating to avoid negative conflicts

Listening intently
 Keeping conflicts from becoming disputes
 Cultural misunderstandings
 Gossiping and labeling tendencies
Read: Chapter one, pp. 1-25
Complete three self-assessment exercises p. 25

February 11: Seven deadly causes of workplace disputes

Lying and false news as conflict sources
 Committing to core values
 Abuse and Racism as sources of conflict
 Understanding and elevating your emotions
 Encouraging creativity and honesty
Read: Chapter two, pp. 26-56
Complete self-assessment exercises #1, 4, 6, p. 56

February 18: No class

February 25: Responsibility and self-discipline to reduce conflict

Differences between team and group behavior
 The Mutual trust network
 Abilene Paradox
 Dominicans do time
 Responsible and irresponsible bosses
Read: Chapter three, pp. 57-80
Complete self-assessment exercises, exercises #2, 3, 4, p. 80

March 4: Work as Mitzvah

Workplace bullying & psychological violence at work
 When conflict in the workplace escalates to emotional abuse
 Cubicle bullies: Mobbing at work
 Guidelines for healthy confrontation
 Leaving a legacy
 Conflict and happiness
Read: Chapter four, pp. 81-104
Complete three self-assessment exercises, #1, 3, 4, p. 104

March 11: Evaluating performance, appreciating people

Handling differences and disagreement
 Reframe your thinking
 Apprising without appraising

Positive, non-judgmental feedback
 Encouragement
Read: Chapter five, pp. 108-144
Complete three self-assessment exercises, #1, 2, 4, p. 143

March 18: Spring break

March 25: Discipline to resolve disputes

Resignation in lieu of discipline
 Disciplinary practices that really work
 The Use of employee-based grievance systems
 Corrective actions to reduce conflict
Read: Chapter six, pp. 144-169
Complete self-assessment exercises #3, 4, pp. 167-169

April 1: Harmony and peacemaking at work

Stress reduction and management
 The Hidden messages in disciplinary memos,
 Styles of resolving conflict and your dominant style
 Practicing peacemaking
Read: Chapter seven, pp. 170-191
Complete self-assessment exercises #1, 2, 4, p. 191

April 8: Professional ethics in conflict resolution

Role of professional ethics in conflict reduction
 Conflict between personal and professional ethics
 Conscience as a guide
Read: Chapter eight, pp. 192-212
Complete self-assessment exercises #1, 3, p. 212

April 15: Creating family at work

Read: Chapter nine, pp. 213-232
Complete self-assessment exercises #1, 2, 3, p. 232

April 22: Balancing mental health

Cultural barriers to mental health
 Work stress as a cause of conflict
 Work/home balance as stressors
Read: Chapter ten, pp. 233-258
Complete self-assessment exercises #1, 5, 6, pp. 256-257

April 29: Negotiation and crisis management

General guidelines for negotiation
 Successful negotiating skills
 Resolving conflict through 'win-win' negotiating

Developing crisis management skills
Read: Chapter eleven, pp. 258-282
Complete self-assessment exercises #1, 2, 3, p. 282

May 6: Alternative dispute resolution techniques

Stages of mediation & mediation process,
 Mindset for mediation & mediator principles and beliefs
 Pitfalls in conducting fact-finding investigations
 Mediating disputes
 Phoenix food fight
 Mediating custody
Read: Chapter twelve, pp. 283-315
Complete self-assessment exercises #1, 2, 3, p. 313 & 314

May 13: Arbitrators and arbitration

Principles and practice of employment arbitration
 Assessing just cause in arbitration disputes
 The Last straw: Before you fire an employee,”
Read: Chapter pp. 316-347
Complete self-assessment exercises #1, 2, 3, 4, p. 416

GRADE DETERMINATION

Because this is a graduate course, students will be eligible to earn one of the following grades:

- A+ Truly outstanding performance on all self-assessment exercises and through insightful participation in classroom discussion. No more than 3 absences/tardies.
- A Excellent contribution on all self-assessment exercises and solid participation in classroom discussion. No more than 3 absences/tardies.
- A- Excellent contribution on most self-assessment exercises and consistent participation in classroom discussion. No more than 3 absences/tardies.
- B+ Excellent contribution on a majority of self-assessment exercises and through consistent participation in classroom discussion. No more than 4 absences/tardies.
- B Solid contribution on a majority of self-assessment exercises and through consistent participation in classroom discussion. No more than 5 absences/tardies.
- B- Solid contribution on at least half of self-assessment exercises and through participation in classroom discussion. No more than 6 absences/tardies.
- C Unacceptable level of performance on most self-assessment exercises and inconsistent participation in classroom discussion. No more than 7 absences/ tardies.

For purposes of grading, the following factors will be weighed in the final grade:

Self-assessment answers (timeliness)	40%
Self-assessment answers (content)	40%
Attendance and participation	20%

Answers to Self-assessment questions are due on the dates indicated and must be sent via WebCT to the instructor. Answers must be lucid, cogent and thoughtful. Do not answer in outline or bullet formats. These are essay answers and ***must include references to assigned and outside readings***, relevant examples from your own experience as well as definition of all terminology and concepts. All sources cited in your answer must be included as complete citations in a References section for each answer. You can reach me at tzane@unm.edu or following class to schedule appointments.