

EMPLOYMENT DISPUTE RESOLUTION

T. Zane Reeves, PhD
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PUBLIC ADMINISTRATION 528

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

“Peace does not mean an absence of conflicts; differences will always be there. Peace means solving these differences through peaceful means; through dialogue, education, knowledge; and through humane ways.” — Dalai Lama XIV

“Hold tight to your anger, don’t fall to your fears.”
---Bruce Springsteen, “Wrecking Ball”

Holocaust study: “Two-thirds of millennials don’t know what Auschwitz is”

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* (2019). Book package may be purchased from Outcomes, Inc., located at 1503 University Blvd., NE (behind the red Blood Bank Building) or call (505) 243-2551 to arrange shipping (\$45) or pick up in person (\$40).

AGENDA

January 25: Employment Dispute Resolution

Syllabus review
 Concepts and terminology
 Approach and expectations

February 1: Heart, brain & guts in conflict resolution

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

Read: Chapter 1

Prepare: Discussion questions #1 & #2 on p.14

February 8: Communicating to avoid negative conflicts

Listening intently
 Keeping conflicts from becoming disputes
 Cultural misunderstandings
 Gossiping and labeling tendencies

Read: Chapter 2

Prepare: Discussion questions #1, #2 & #3 on p. 39

February 15: 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 3

Prepare: Discussion questions #4, #6, #7 on pp. 70-71

February 22: Practicing 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 4

Prepare: Discussion questions #2, #3 & #4 on p. 95

February 29: 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 5
Prepare: #1 & #2 on p. 119

March 7: Evaluating performance, appreciating people

Handling differences and disagreement
 Reframe your thinking
 Apprising without appraising
 Positive, non-judgmental feedback
 Encouragement
Read: Chapter 6
Prepare: Discussion questions #1 & #3 on p. 155

March 14: Developing 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 7
Prepare: Discussion questions #1, #3 & #4 on pp. 180-182

March 21: Spring break

March 28: Promoting 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 8
Prepare: Discussion questions #1, #2 & #4 on p. 205

April 4: Professional ethics in conflict resolution

Role of professional ethics in conflict reduction
 Conflict between personal and professional ethics
 Conscience as a guide
Read: Chapter 9
Prepare: Discussion questions #1 & #2 on p. 227

April 11: Creating family at work

Read: Chapter 10
Prepare: Complete self-assessment exercises #1, #2 & #3 on p. 248

April 18: Balancing mental health

Cultural barriers to mental health
 Work stress as a cause of conflict
 Work/home balance as stressors

Read: Chapter 11

Prepare: Discussion questions #1, #2 & #5, on p. 273

April 25: Negotiation and crisis management

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

Read: Chapter 12

Prepare: Discussion questions #1, #2 & #3 on p. 299

May 2: Alternative dispute resolution techniques

Stages of mediation & mediation process,
 Mindset for mediation & mediator principles and beliefs
 Mediating disputes
 Phoenix food fight
 Mediating custody

Read: Chapter 13

Prepare: Discussion questions #1 & #2 on p. 340

May 9: ADR techniques: Fact Finding

Read: Chapter 14

Prepare: Discussion questions #4 & #5 on p. 389

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 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 to schedule appointments following class.