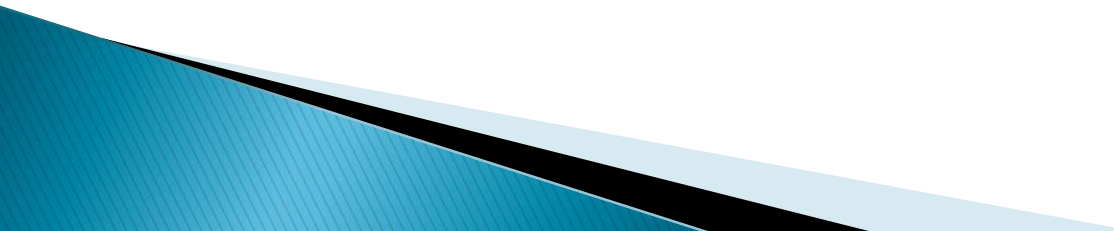


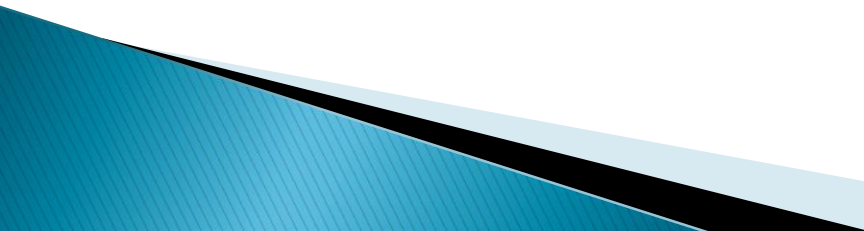
# Causes of Conflict

## DATA CONFLICTS

- Lack of information
  - Misinformation
  - Differing views of which information is relevant
  - Different interpretation on the meaning of information
  - Different procedures or approaches to assessment of information
- 

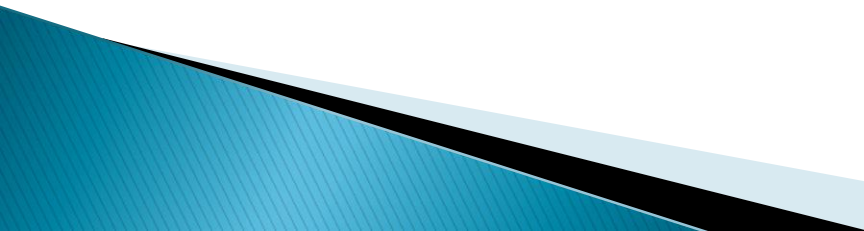
# Causes of Conflict

## **INTEREST OR GOAL CONFLICTS**

- Perceived or actual differences in hoped for outcomes
  - Substantive interests (What substantive issues need settlement?)
  - Procedural interests (How will the decisions be made?)
  - Psychological interests (Respect, good faith, etc.)
- 

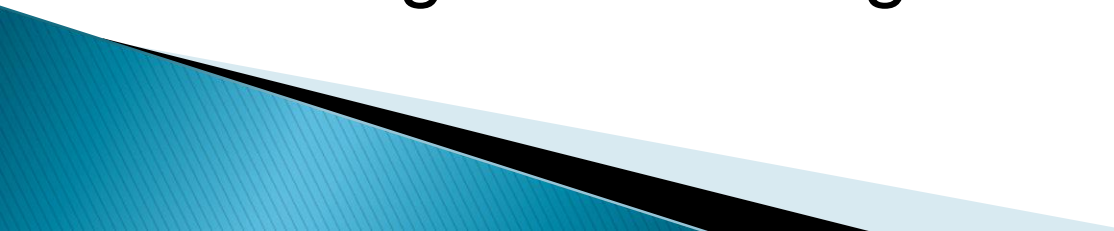
# Causes of Conflict

## **STRUCTURAL CONFLICTS**

- Unequal control, ownership, or distribution of resources
  - Unequal power and authority
  - Geographical, physical or environmental factors
  - Time constraints
  - Destructive patterns of behavior or interaction
- 

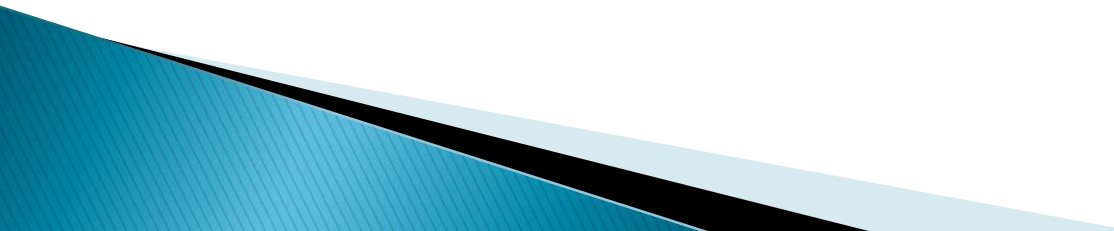
# Causes of Conflict

## VALUE CONFLICTS

- Different criteria for evaluating ideas and goals
  - How to achieve valuable and intrinsically good goals
  - Different life styles
  - Ideological and religious differences
- 

# Causes of Conflict

## RELATIONSHIP CONFLICTS

- Strong emotional reactions to each other
  - Misperceptions or stereotypes about the other party
  - Poor communication
  - Miscommunication
  - Repetitive negative behavior
  - Patterned cycle of nonproductive, escalating interaction
- 

# Third – Party Negotiations

- ① Mediator
  - ② Arbitrator
  - ③ Conciliator
  - ④ Consultant
- 

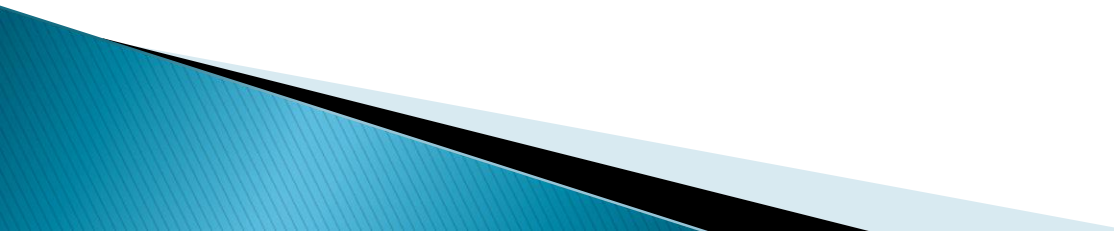
# Mediation: A Definition

Mediation is a *PROCESS* in which  
an *IMPARTIAL* third party *ASSISTS*  
disputants in finding a *MUTUALLY ACCEPTABLE*  
*SOLUTION* to their conflict.

It is both


*VOLUNTARY* and *CONFIDENTIAL*



- ▶ The Mediator facilitates the negotiations between the parties, **enabling** them to find their own, mutually acceptable solutions
  - ▶ Mediation problem-solving involves looking at needs, interests, values and goals and the solutions, which will meet them
- 

# I: ORIENTATION

GOAL: DEVELOPING TRUST IN THE MEDIATOR AND THE PROCESS

- 1. Welcoming, introductions, making initial connections**
  - 2. Outlining how the process works along with procedures**
  - 3. Describing the role of the mediator**
  - 4. Cover ground rules, confidentiality, etc**
  - 5. Go over Agreement to Mediate**
- 


# II: IDENTIFYING ISSUES & UNDERSTANDING PARTIES

GOAL: GETTING THE ISSUES AND PERSPECTIVES ON THE TABLE

- 1. Hearing the perspective of each party without interruptions from the other party**
  - 2. Paraphrasing by the mediators**
  - 3. Summarizing by the mediators**
  - 4. Accepting and responding to intense emotions and feelings**
  - 5. Open ended questions**
  - 6. Listing the issues**
- 

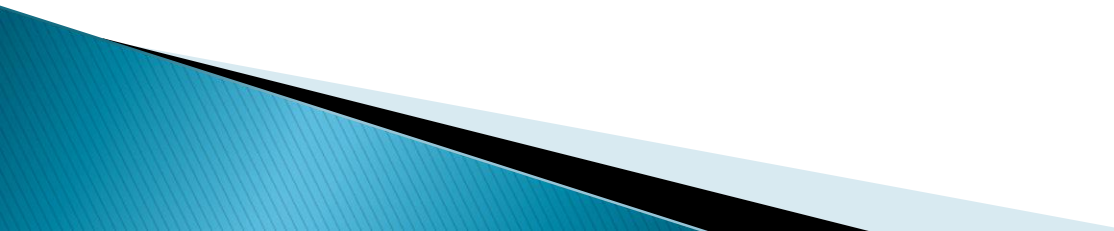
# III: PROBLEM-SOLVING

## GOAL: GENERATING AGREED UPON SOLUTIONS

- 1. Assist parties in clarifying and prioritizing issues to be resolved.**
  - 2. Assist parties in generation of possible options for each issue.**
  - 3. Help parties in evaluating options and selecting the one that will work the best.**
  - 4. Assist parties in moving from positions to interests.**
  - 5. Help parties identify short and long-term issues and associated solutions.**
  - 6. Mediators will reframe, launder language, paraphrase, summarize.**
- 

# IV: WRITING THE AGREEMENT

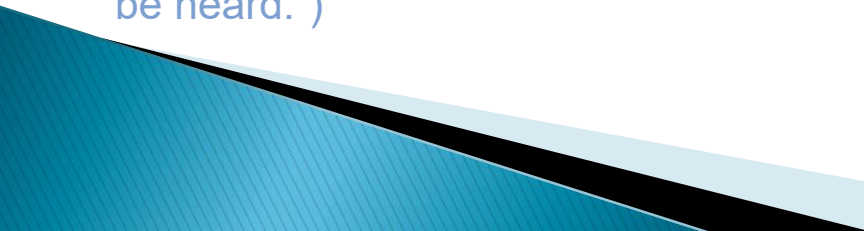
GOAL: RECORD THE SELECTED SOLUTIONS INTO A WRITTEN DOCUMENT

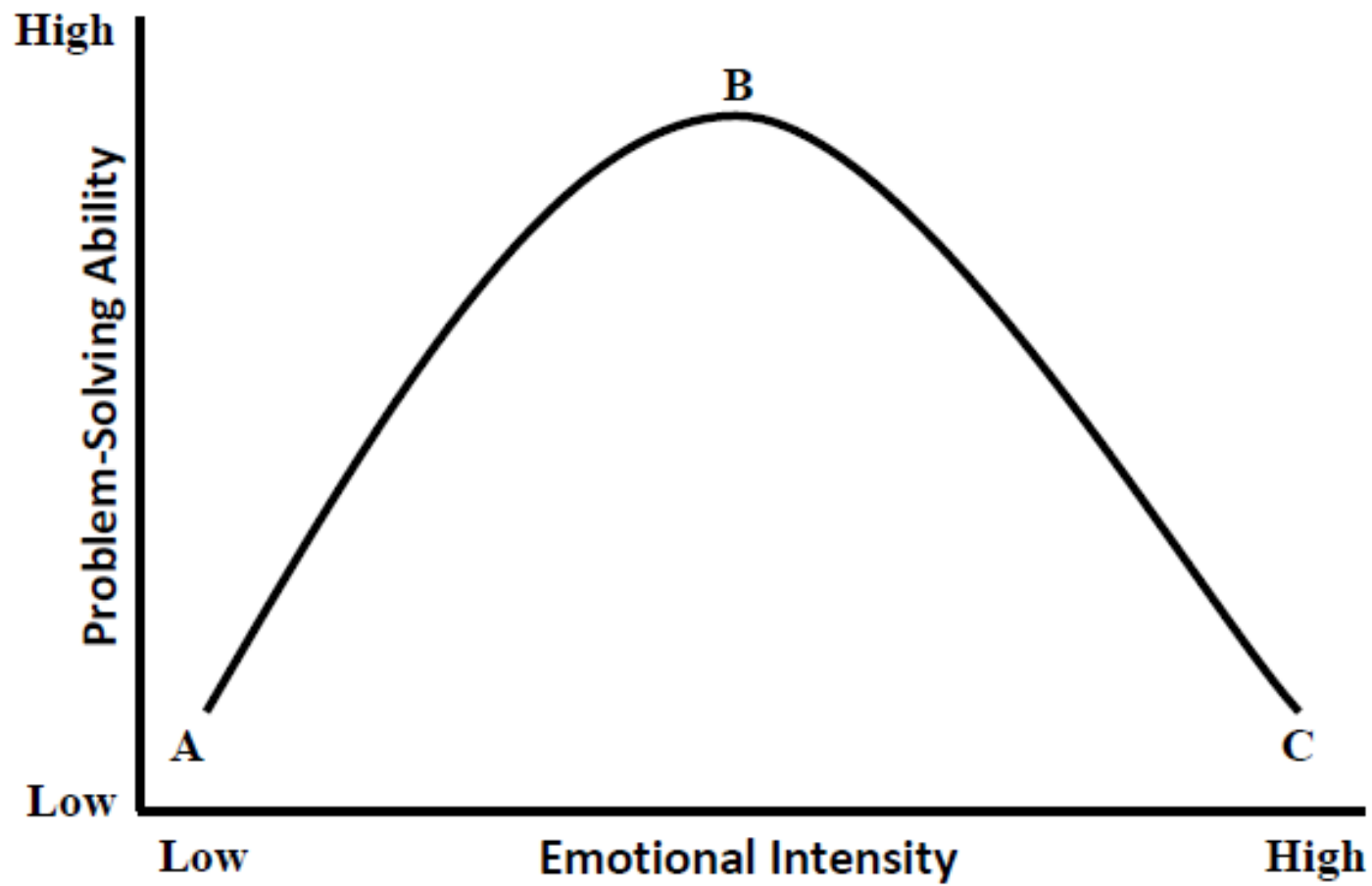
- 1. Serving as scribe in composing an organized, professional looking document**
  - 2. Assisting parties to include the important specifics they may need**
  - 3. Assisting parties in planning next steps after the memo of agreement is completed**
  - 4. Preparing parties for explaining the document to others who may be affected**
- 

# Reframing

Reframing is restatement or paraphrasing words, phrases or ideas into neutral, nonjudgmental or even positive terms

# Examples of Reframing

- ***From negative*** (“she is never there when I need her.”) ***to positive*** (“You would like to have her help.”)
    - ***From past to future***
  - ***From a focus on the other person to focus on the speaker***
  - ***From a focus on a problem*** (“The problem is the bad performance evaluation she gave me.”) ***to focus on the issue*** (“The issue is the outcome of the performance evaluation.”)
  - ***From a position*** (“He has to pay me \$5,000.”) ***to an interest*** (“You want to be compensated for your efforts.”)
  - ***From a complaint*** (“He doesn’t listen to me.”) ***to a request*** (“It sounds like you want to be heard.”)
- 



# Handling Anger and Other Strong Emotions

## Before Mediation

- ❑ **Prepare the Space**
- ❑ **Center yourself**

## During Orientation

- ❑ **Build Rapport**
  - ❑ **Establish Ground Rules**
- 

# Handling Anger and Other Strong Emotions

## During Mediation

- ❑ *Know and understand your own emotions*
- ❑ *Allow people to have and express their emotions*
- ❑ *Paraphrase their emotions as well as substantive content*
- ❑ *Set boundaries (ground rules) and use them*
- ❑ *Use Separate Sessions*
- ❑ *Take a break*
- ❑ *Consider the source*
- ❑ *Avoid personal attacks*