

# Dispute Resolution for Workplace Conflict:

*When we can't all just get along*

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# Today's Agenda

- What are the real costs of unresolved workplace conflict?
- Is all workplace conflict bad?
- Best Practices in navigating workplace conflict
  - Preventing avoidable and disruptive workplace conflict
  - Assessing existing conflict
  - Options in addressing and redressing workplace conflict

**Do Any of These  
Look Familiar?**

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# The Science Fair Volcano

- These employees are great individually...
- But positively combustible together



<https://study.com/academy/lesson/how-to-make-a-paper-mache-volcano-project.html>

# The Headliner

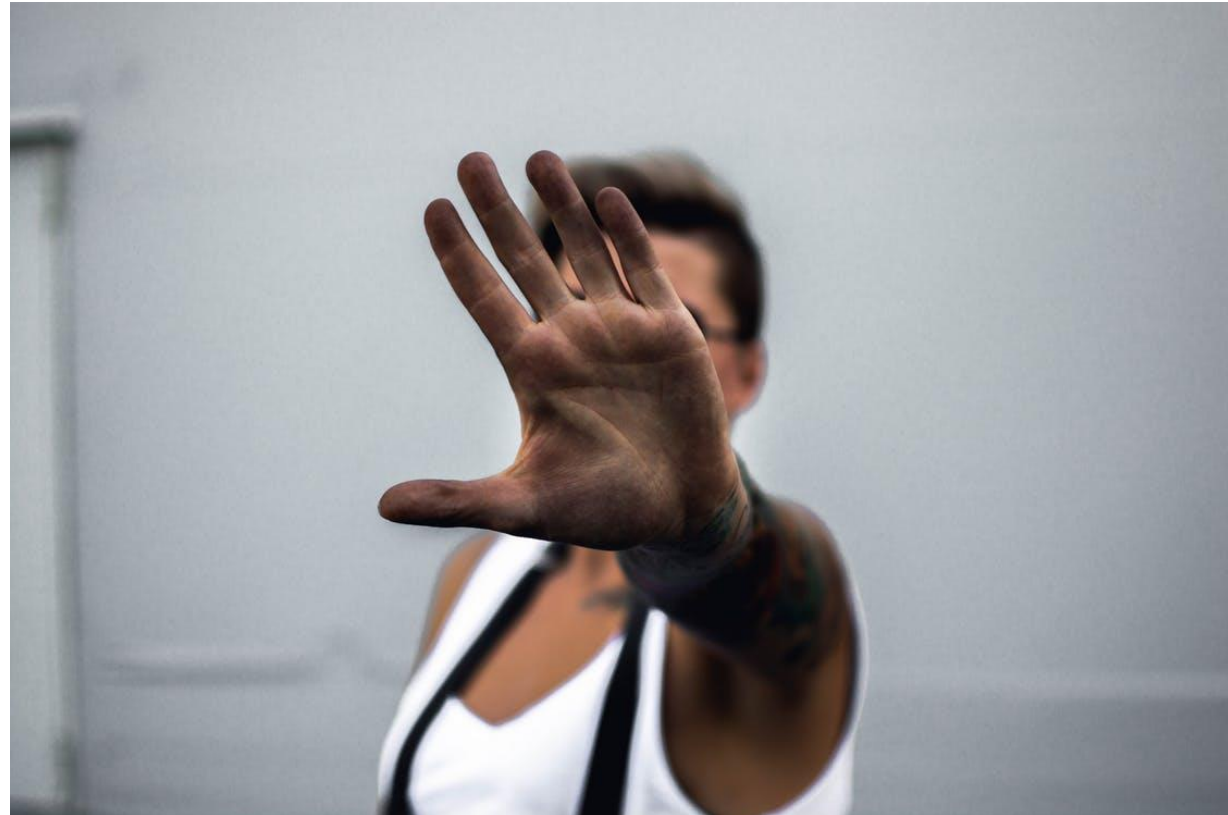
- This employee is indispensable to you on a regular basis...
- But insufferable to everyone else



<https://images.app.goo.gl/X5rpZnFnQPShuG9M6>

# The “That’s Not in My Job Description”

- This employee thinks doing his or her own job is where the buck stops...
- To the detriment of being a team player



<https://images.app.goo.gl/tk8S582kZ1V6uYSH7>

# The Sycophant; see also The Puppetmaster; The Alpha

- This employee's most valuable workplace skill is endearing himself or herself to the boss—which sometimes affords undeserved authority

to the  
V  
**ASSISTANT REGIONAL  
MANAGER**

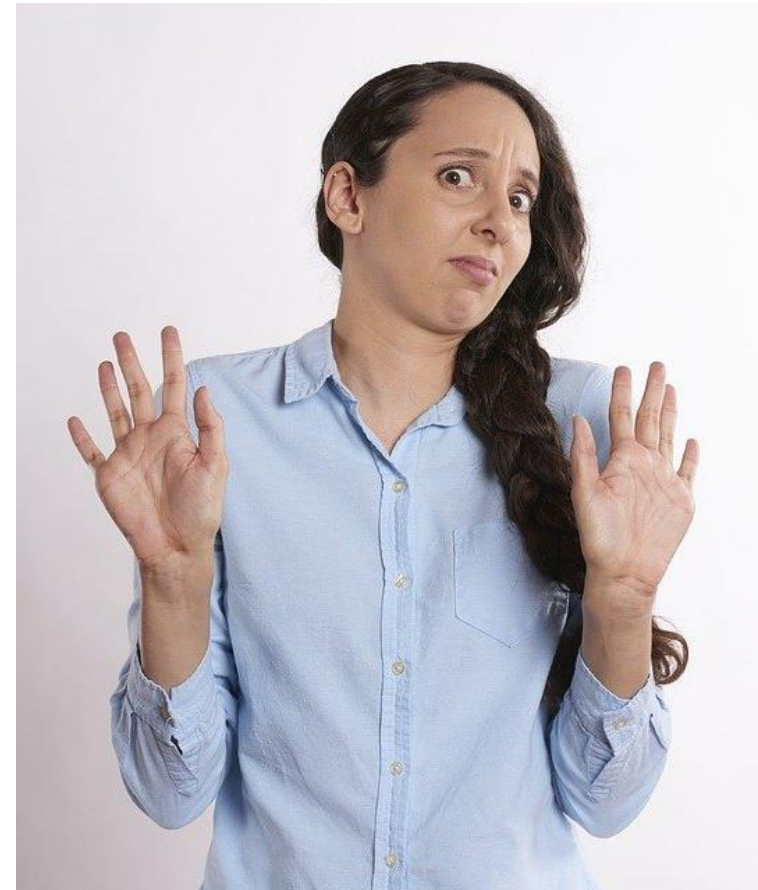


<https://www.irishexaminer.com/breakingnews/lifestyle/features/appliance-of-science-why-does-it-feel-good-to-scratch-an-itch-911580.html>

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# The “I’m Just a Hugger”; *see also* The TMI and The Comedian

- This unsolicited hugger also initiates “world-famous shoulder massages” without invitation
- And/or s/he shares intimate details of his or her personal life without reciprocation
- And/or s/he “doesn’t mean anything by it,” but regularly makes offensive jokes or comments





# The Gossip (See also The Stuff-Stirrer, The Bully, and The Perpetual Junior High Schooler)

- Telegram
- Telephone
- Tell-a-Jennifer  
(or Tell-a-Jim)



<https://images.app.goo.gl/526RjFmqwxCrgwur9>

# The Unofficial Part-Timer

- This employee is supposed to be working 40 hours per week...
- But spends 20 of those hours shopping online, checking social media, and texting friends



<https://images.app.goo.gl/MGEs5CRJzVf5kzwDA>

# The Scorekeeper; see also The Martyr

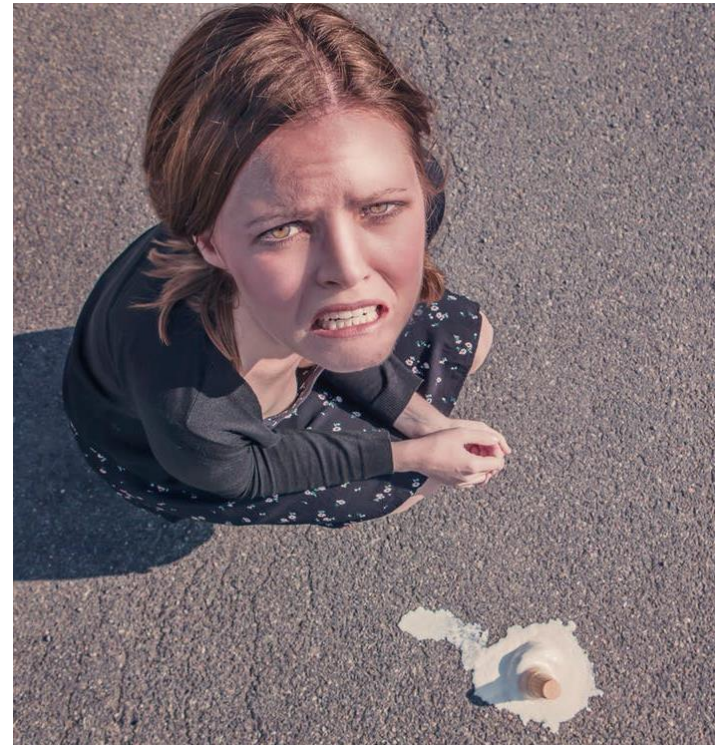
- The employee who can tell you exactly who is doing what; what time everyone arrived to work; and the length of every lunch break and personal phone call. On average, this employee is always convinced s/he is getting ripped off
- This employee might help others—if s/he perceives it as fair or justified



<https://cupertinotimes.com/5-reasons-it-is-better-to-go-for-bookkeeping-services/>

# The Debbie (or Dudley) Downer

- The world is their oyster...
- But, you know, eating raw oysters will make you sick



<https://images.app.goo.gl/MNbriYqcsGTYAhuj9>

**What other personalities and factors have contributed to conflict in your workplace? How have you handled it?**

*What has worked?*

*What hasn't?*

# Workplace Conflict: *Who cares?*

What are the *real* costs of unresolved  
workplace conflict?

# How big a problem is workplace conflict?

- Variable
- Tends to run on a continuum
- Seldom static
  - Changing dynamics can dramatically (de)escalate an existing issue

# Common responses to workplace conflict

- **Avoidance**

- “I didn’t get into management to run a daycare center. They’re all grown-ups—they’ll figure it out.”

- **Unilateral Pressure**

- “You fix it or I’ll fix it—and you won’t like the way I fix it.”

- **Triangulation**

- Saying to each side what’s necessary to keep the peace



# The Cost of Workplace Conflict We Know

- Annoyance



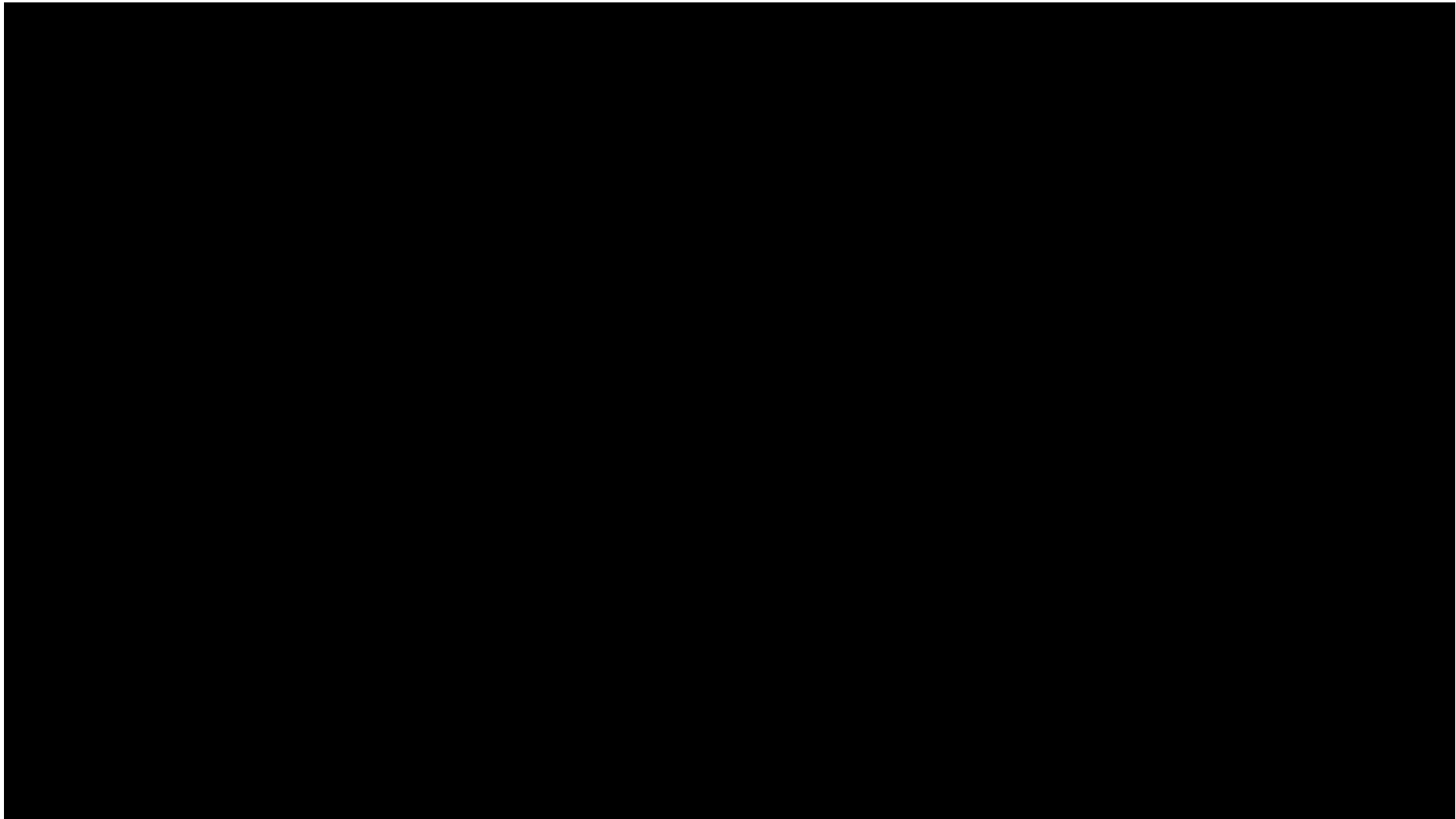
<https://images.app.goo.gl/19HeDYRx3nTz19xf6>

# Common Costs of Workplace Conflict We Miss

- Time and Attention
- Morale and Group Dynamics
- Increased Medical and Mental Health Costs
- Lost Community Street Cred / Diminished Public Confidence
- Efficiency and Productivity
- Absenteeism
- Turnover – Lost Institutional Knowledge, Succession Plans, and Sunk Training Costs
- Potential Legal Exposure

# Workplace Conflict:

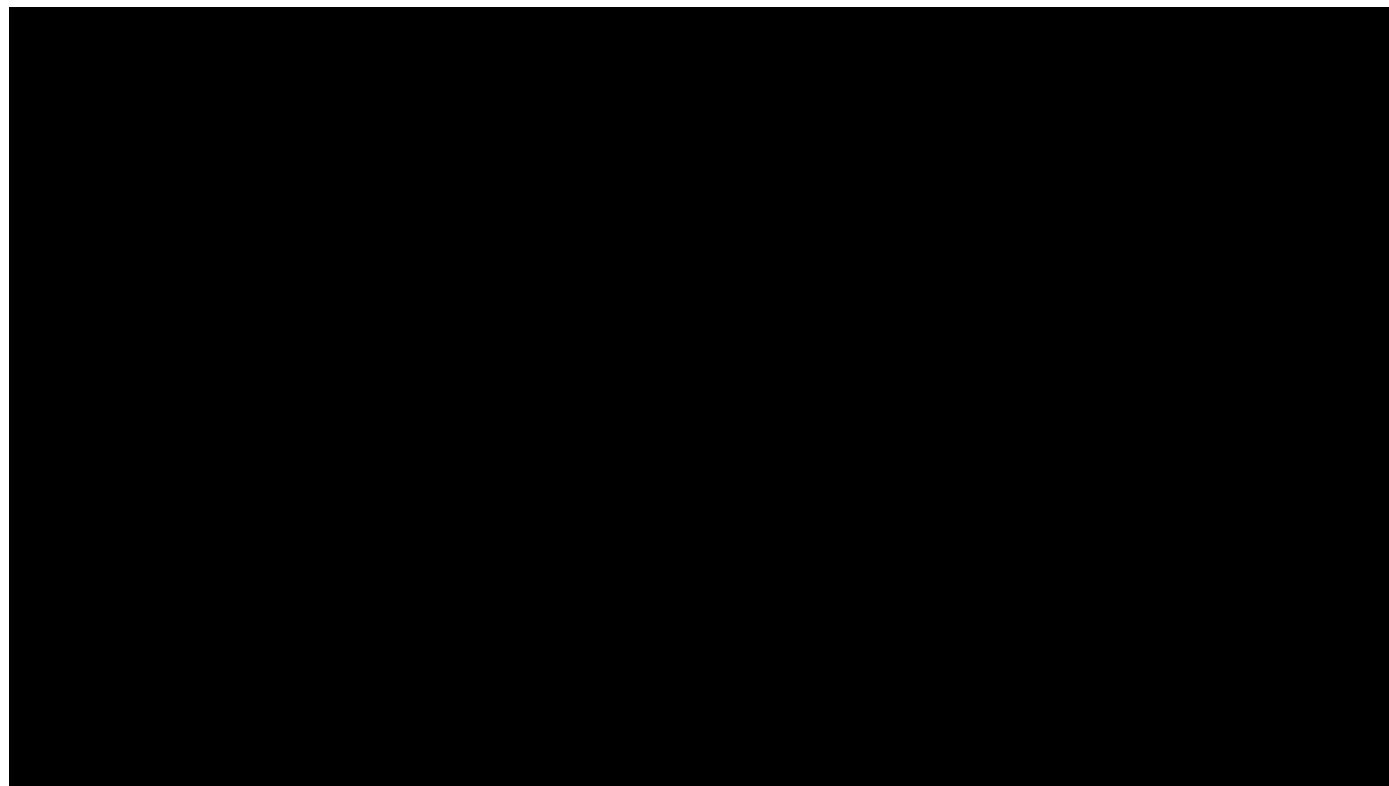
*Is it all bad?*



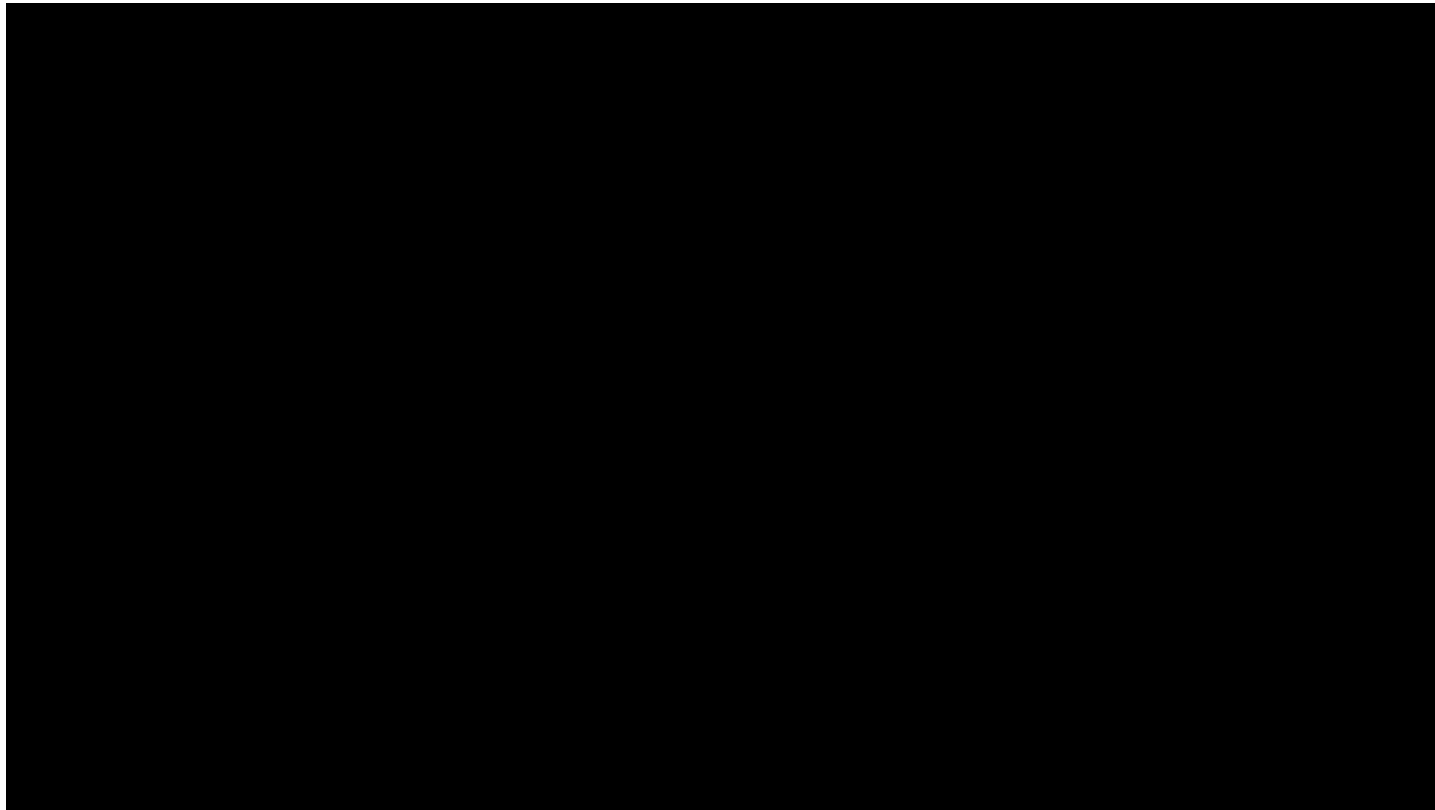
# *Pursuing* conflict when it's appropriate

- Discord vs. Dissent
  - Discord – disruptive, harmful to productivity
  - Dissent – can positively cause re-examination of ideas/issues, promotes dialogue
- Some conflict is benign, or the costs of failing to address it are low; other conflict has the potential to have larger costs if left unaddressed
- Some conflict *looks* benign, but it has an underlying basis that isn't
- Depending upon the circumstances, inviting dissent (or even addressing problems by *pursuing* conflict) can be the best approach

# Compare:



**With:**



# Best Practices in Navigating Workplace Conflict

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# Preventing Avoidable & Disruptive Conflict: *The Beginning*

Job Descriptions	Job Interview	Onboarding	Workplace Policies
Robust Training: Job Duties, Employer Culture/Mission, Workplace Harassment, Workplace Civility/Professionalism, Conflict Management (!), and Bystander Intervention			
Anticipate vulnerabilities, but avoid triangulation in preempting them			

# Preventing Avoidable & Disruptive Conflict

## *When the Honeymoon's Over (1 of 3)*

- Focus on creating a positive work environment that advances the employer's interests/mission
  - **Assess your culture**—does your dynamic prioritize team dynamics? Does everyone know/support the organization's mission/vision? Does everyone see the value in their contribution? Are you using team projects, collaboration, group input to enhance group dynamics? Are you recognizing successes or just shortcomings? Do “unofficial” hierarchies or subcultures exist?
  - **Assess your communication**—are you talking the talk (and walking the walk)?
  - **Assess your example**—change starts from the top; no “do as I say, not as I do”

# Preventing Avoidable & Disruptive Conflict

## *When the Honeymoon's Over (2 of 3)*

- Encourage healthy communication / culture of resolution by creating:
  - As much transparency in your processes as possible
  - Neutral, private spaces & times for respectful communication about differences. Change your paradigm—respectful disagreement can be valuable
  - “Safe” spaces to honestly, but professionally, relay concerns without fear of blowback
  - Open channels in the hierarchy:
    - Don't assume the direct supervisor is always in the know
    - Employees may not trust the process or players, may not follow a narrow chain of command

# Different types of conflict expression yield different results

- High directness/high intensity—Opposition is unambiguous, but expressed with behavior like shouting, aggressive language, and eye-rolling
- ***High directness/low intensity—Opposition is unambiguous, but expressed through discussion/debating and deliberating***
- Low directness/high intensity—Opposition is ambiguous, and expressed with ignoring/discounting others' perspectives, mean-spirited teasing, social undermining to third parties, back-stabbing, or mobilizing a blocking coalition
- Low directness/low intensity—Opposition is ambiguous, expressed through withholding information, teasing, incivility, passive-aggression

Academy of Management, Vol. 40, No. 2 (Apr 22, 2014)

# Preventing Avoidable & Disruptive Conflict

## *When the Honeymoon's Over (3 of 3)*

- Ensure you're clear about what matters are up for negotiation—and what matters aren't
- Hold employees accountable *before* conflict begins
- Initiating constructive feedback, coaching, discipline, and negative performance reviews may feel like conflict in the short-term
- In the long-term, their net effects most often *prevent* conflict
  - Much workplace conflict arises from perceptions that the employer isn't operating fairly, consistently, or authentically

# Assessing Existing Conflict in the Workplace

## Internal Factors to Consider

**How long have we tolerated this issue before now?**

**What prior efforts have we made to resolve the problem?**

**Is this the result of a lack of training?**

**Is this burn-out? Boredom?**

**Single out one bad actor or stress importance of a cohesive team? Choose a side?**

**Meet individually or together?**

**How to address micro-aggressions?**

## External Factors to Consider

**Personality**

**Personal Life**

**Practical factors (impending departure, retirement)**

**Suspected/confirmed disability**

# Options in Addressing & Redressing Conflict

- Directives
- Coaching / Evaluation / Discipline / Termination
- Dispute Resolution

# Directives



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# Directives

- Few conflicts ever resolve by fiat, especially when the imposed solution leaves one side (or both sides) completely disenfranchised
- “You fix it or I’ll fix it” also doesn’t tend to work
  - It is likeliest to cause the conflict to manifest in more subversive ways
- Only advisable for very minor conflicts

# Coaching/Evaluation/Discipline

- This “old school” method is sometimes still the best—but with a modern twist:
  - Where possible, explain why it matters
  - Strive for buy-in and contributions to resolution
- Clearly communicate and document expectations—define success
- Provide unambiguous explanation of consequences if situation isn’t remedied
- Consistency, fairness, no disparate treatment/discrimination/harassment/retaliation
- **Consider ADA/FMLA**

# Termination

- Last resort
- Should seldom be a surprise—especially arising out of interpersonal conflicts
- Not the time for negotiation
- Clear communication and documentation
- Consistent and fair; vetted with counsel, HR for legal compliance
- Consider best practices to permit the least amount of escalation possible (including the option to resign/release)

# Dispute Resolution

- Is it a viable option? A better option?
  - Sometimes it is—but not always
  - Depends upon the nature of the conflict
    - Some issues are fully non-negotiable
    - Some issues have a hybrid of negotiable and non-negotiable items
    - The easiest to relay to a DR process = fully negotiable (e.g., personality conflicts, distribution of workload, operational concerns where the employer is amenable to a flexible solution)

# Dispute Resolution – Format?

- In-house or outside facilitator?
- Anticipate/recognize obstacles in pursuing this route
  - Implicit bias (generational, socio-economic, race/gender/religious, etc.)
  - Past history
  - By the time many employers consider this option, things may have reached dire straits

# Dispute Resolution-Best Practices

- Establish and clearly communicate ground rules
  - Strive for respectful discretion, but ensure you convey your inability to rigidly follow all traditional tenets of mediation confidentiality; no “Fight Club” Rules
  - Is there a certain consequence if this process is unsuccessful?
- Convey your purpose
  - Looking for solutions, gaining buy-in, seeking collaborative and proactive approach to problem-solving
- Assign tasks/timeframes: Who is responsible for what?
- Recognize/commend advances. Know when you’re at impasse

# Collaborative Decision-Making

Identify the Conflict & Collectively Identify/Gather Important Information

Analyze the Situation & Obtain Input on Possible Solutions

Discuss Feasibility of Ideas & Contributions to Improve Chances of Success

Reach Agreement on a Plan; Develop, Memorialize, & Implement the Plan

Conduct Pruning Check-ins; Recognize Advances / Efficacy of the Process

# Contact Information

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