TAKING A FRESH LOOK AT CONFLICT RESOLUTION WHEN WORKING WITH PUBLIC ENTITIES

Pam Whitmore, Collaboration & Mediation Manager
Dan Greensweig, Administrator
League of Minnesota Cities Insurance Trust
WHO ARE WE?
COLLABORATIVE PROBLEM SOLVING PROCESS...

...better for bridging divides – internally or within elected bodies
IN GENERAL

• Type of conflict is relationship based, not money based
• Arriving at decision together, after understanding each other, makes more sustainable
• Need to be heard

ELECTEDS, SPECIFICALLY

• No oversight other than election or appointment
• Public decision makers
• Egos /issue-based campaigns
• Open Meeting Law (Sunshine Laws) at play
• Media present/sensationalizing

GOAL: Sustainable resolution of matters of conflict
CONFLICT IN LOCAL GOVERNMENT CAN DISRUPT

Video here
**Corey Stewart**, in news conference, called Republican state House members liars, cowards, "pathetic," "useless" for supporting Medicaid expansion. He called them "flimsy" and "weak."

**President Trump** tweeted "Truly weird Senator Rand Paul of Kentucky reminds me of a spoiled brat without a properly functioning brain. He was terrible at DEBATE!"

Democratic state Rep. **Stephanie Kifowit** stated on Illinois House floor she wanted to pump "broth of Legionella" bacteria into family water supply of GOP Rep. Peter Breen.

**President Trump** tweeted "@MeghanMcCain was terrible on @TheFive yesterday. Angry and obnoxious, she will never make it on T.V. @FoxNews can do so much better!"
COLLABORATION GOALS

- Solutions that do not split the difference, but make a difference
- Solutions that the parties, not a third party, arrive at so they sustain
- Relationships that develop to rebuild underlying trust and to extinguish assumptions
WHAT THE PROCESS LOOKS LIKE

Preliminary Consultation
• Facilitator prework to understand the various parts of conflict and to develop relationships

Get Groups into a Problem Solving Mindset
• Participants with Facilitator Present

Interest-Based Identification
• Participants with Facilitator Present

Problem-Solving Process
• Participants with Facilitator Present

Sustainable Agreement
• Participant Derived recorded by Facilitator
PRELIMINARY ASSESSMENT: UNDERSTANDING THE CONFLICT

<table>
<thead>
<tr>
<th>Human Need</th>
<th>Appropriate</th>
<th>Inappropriate</th>
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</thead>
<tbody>
<tr>
<td>Freedom</td>
<td>Doing job, bringing ideas to table</td>
<td>Micro-managing</td>
</tr>
<tr>
<td>Belonging</td>
<td>Involvement</td>
<td>Our community, not yours</td>
</tr>
<tr>
<td>Security</td>
<td>Equal treatment</td>
<td>Bias-racism</td>
</tr>
<tr>
<td>Power</td>
<td>Delegate or integrated decision</td>
<td>Dictate or always win</td>
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Facilitator talks with participants individually to identify underlying issues and to help frame conversation.
PREWORK ASSESSMENT: SEE BEYOND THE CONFLICT

What you see or hear:
- The conflict situation

What lies underneath:
- Human needs
- Underlying emotions
- Generational experiences
- World view
- Past experiences
A MINDSET IS A BELIEF THAT ORIENTS THE WAY WE HANDLE SITUATIONS

GET GROUP INTO PROBLEM SOLVING MINDSET

... it’s the way we sort out what is going on and what we should do.
PROBLEM SOLVING MINDSET

Traditional approach
Goal: win
Participants are adversaries
Attack problem and people
Assume negative intentions
Want to prove yourself right

Problem solving approach
Goal: wise outcome
Participants are joint problem solvers
Concentrate on problem
Presume positive intent
Want to understand other position
Commit to listening with curiosity
PROBLEM SOLVING DISRUPTORS

- Physical symptoms of fight or flight – racing heart, clenched fists, sweaty palms
- Use of superlatives – always, never
- Finding fault with the character of the people involved rather than their position
- Dismissing evidence that contradicts negative portrayals of the other side
- Unconscious bias
AFTER MINDSETTING, START THE CONVERSATION
At a start to facilitated conversations and as a tool to work towards integrative solution, it can be helpful to do an activity as a reminder of:

- Commonality
- Perspectives
- Importance of listening
REMINDER OF PERSPECTIVE

REMINDER OF LISTENING

- Video here
GOAL: Frame the problem so both sides agree with description

AGREE ON THE PROBLEM(S)

• Remove judgment – neither side is “right or “wrong”
• Acknowledge each story as legitimate
• Have a willingness to explore their perception
IDENTIFY INTERESTS:
NECESSARY DIALOGUE

- Uncover needs behind issues – what stakeholders wish to see satisfied
- The real “why” behind position stated
- To find out, participants ask questions & listen with curiosity
How to ask those questions

DIALOUGE TO UNDERSTAND NEEDS & INTERESTS

• Get curious
• Question assumptions
• Seek to understand their story
• Identify mutual contribution
IMPORTANCE OF UNDERSTANDING INTERESTS

IDENTIFY “PROBLEMS” IN PREWORK

USE ACTIVITIES TO GET BEYOND ISSUES & UNCOVER UNDERLYING INTERESTS

TALK OF UNDERLYING INTERESTS LEADS TO BETTER UNDERSTANDING

ARRIVAL AT UNDERSTANDING LEADS TO DISCUSSION RATHER THAN DEBATE

AUTHENTIC DISCUSSION RESULTS IN AGREED ON NEXT STEPS TOGETHER
OFTEN HAVE TO REFRAME STATEMENTS TO UNDERSTAND INTERESTS

Reframing is translating toxic, positional, threatening or unclear statements into statements that others can respond to productively.

Why reframe? People want constructive responses to their statements. Reframing statements sets the stage for constructive responses.

Sometimes that means listening hard to dig out underlying interest or concern.
# Process for Reframing

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>Listen</strong></td>
<td>Listen with curiosity</td>
</tr>
<tr>
<td><strong>Identify</strong></td>
<td>Identify interests, needs, concerns</td>
</tr>
<tr>
<td><strong>Remove</strong></td>
<td>Remove problem language</td>
</tr>
<tr>
<td><strong>Paraphrase</strong></td>
<td>Paraphrase statement using constructive language</td>
</tr>
<tr>
<td><strong>Stick</strong></td>
<td>Stick with it until the other person lets you know you got it right</td>
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REFRAMING TIPS

1. Use neutral language to replace toxic language, blame, fault
2. Phrase in terms of interests rather than positions
3. Emphasize the commonality of interests
4. Define the issues jointly, rather than from one participant’s perspective
5. Phrase in light of the future, not the past
6. Phrase in behavioral terms, rather than character or personality
7. Move away from non-negotiables such as values, attitude, feeling to negotiables such as behaviors or systems
8. Highlight as an individual component of problem
OFTEN HAVE TO SYNTHESIZE BEFORE DISCUSSION

- Helps group members see how each idea connects to the whole
- Helps build sense that all needs matter and they can coexist symbiotically
- Generates movement toward strategies that meet multiple needs
Here’s what I’ve heard so far…

The common thread seems to be…

Here’s how I see the connection between all that has been said…

What is really important seem to be…
GENERATE OPTIONS & DEVELOP SOLUTION
GOAL FOR DISCUSSION OF OPTIONS: INTEGRATION

Integrative problem solving

Domination  Compromise  Integration
TIPS WHEN GENERATING OPTIONS

Avoid judgment; monitor verbals and non-verbals

Be creative

Accept all ideas

Ask questions as facilitator about the options

Acknowledge there is no RIGHT answer; multiple possible solutions
GENERATE OPTIONS

- Space: Seat people next to each other in a circle, around a table, so they can see written problem on chart.
- Time: Avoid stopping the brainstorming too early (set a time and stick to it, even if it feels like energy has run out).
- Accept: Avoid “either/or” thinking.
- Build: Let the thoughts come quickly - build on ideas of others.
- Record: Record ALL ideas somewhere for all to see as process occurs.
DEVELOP INTEGRATIVE SOLUTIONS

Things to consider before making final decision:

- From brainstormed list of shared interests, create shared goal.
- From brainstormed list, select top options.
- Consider problem and possible options from different points of view.
- Consider what is legal and perceived as fair, honorable, etc.
- Is there a precedent from the organization that might be followed?
- Consider how option, if selected, might be perceived by other person/organization's worst critic.
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<tr>
<td>1</td>
<td>Create safe space for dialogue</td>
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<tr>
<td>2</td>
<td>Agree on problem or decision to be made</td>
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<tr>
<td>3</td>
<td>Engage in dialogue to exchange info &amp; to increase understanding of diverse views</td>
</tr>
<tr>
<td>4</td>
<td>Generate options for mutual gain based on shared interests</td>
</tr>
<tr>
<td>5</td>
<td>Develop integrative solution</td>
</tr>
<tr>
<td>6</td>
<td>Reach final agreement that all parties can accept</td>
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COLLABORATIVE PROBLEM SOLVING BENEFITS

• Makes efficient use of public and private resources
• Develops high quality solutions
• Accelerates pace of a project
• Bridges differences
• Deal productively with shared power for decision-making
WHY IT HELPS?
CONFLICT TRAINING CYCLE

Increased understanding

Increased positive interactions

Reduced stress & tension (self, other, environment)

Increased productivity
JAY

Video here
DEVELOPING AN EFFECTIVE COLLABORATION & MEDIATION PROGRAM: TAKING A FRESH LOOK AT CONFLICT RESOLUTION FOR LOCAL GOVERNMENT

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