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Four Reasons Why Your (Supposedly-Lousy) Boss Avoids Conflicts* Vivian Scott**

Is it just me or do some managers have a special knack for looking the other way when it comes to bad behavior and conflict on the job? Managing people isn't easy for a whole host of reasons but when we as employees bring our little red wagons to work chock full of "issues" from the past and don't play well with others it can be overwhelming for some bosses. Of course it's not fair when we dump the wagon's contents at a manager's feet and expect him to fix everything, but that shouldn't give those who supervise us a free pass to ignore what's right in front of them. So why do they do it? One answer that may come to mind is that they simply have no business managing people. But in reality, the truth is probably closer to one of these four possible motives:

1. Can't find starting line

"I just don't know where to start!" Straightening out personnel problems in the office is much like taking a handful of chains and lockets that have been lost in the bottom of the jewelry box and trying to figure out which [locket] goes with which chain. It's easier to toss them back in and move on. The same is true when managers can see that something should be done, but feel overwhelmed with the complicated details. Sorting through who said what and who did what to whom and why they did it when they did it takes time. Add to that the expectation that he needs to make a wise, Solomon-like decision and even the strongest leader will want to run the other way. Rather than spinning [their] wheels it's better for [them] to gather information one piece at a time. It doesn't really matter where [the boss] starts just as long as he sets off with an open mind and listens to what his employees tell him--which includes reading between the lines. Deciphering that "always" and "never" may not really mean every single time or that an employee's seething over a co-worker's corner office is probably more about feeling excluded than it is about seniority issues is key to figuring things out.

*Reprinted from <http://www.Mediate.com> (May 2010)

**Vivian Scott is a professional; certified mediator, wrote "Conflict Resolution at Work for Dummies" and, among other honors, in 1999 developed the "America at Work" video series, which received the Silver Screen Award from the International Film and Video Festival.

ADR and OCAP Monte Montesanto

The Office of Resolution Management, Organizational Climate Assessment Program (OCAP) conducts climate assessments, which include pre-assessment surveys, pre-briefings with senior facility management, on-site interviews and focus groups, post-assessment briefings and reports. OCAP pre-assessment surveys include a 10-Question survey to solicit information regarding employees' perceptions of, among other things, Alternative Dispute Resolution (ADR) awareness, participation in mediation and other ADR processes through the facility ADR Program. About a third of the facility's employees normally take the 10-part OCAP questionnaire.

Before a facility assessment, OCAP requests an ADR report for the past two fiscal years and the current fiscal year to-date. The report shows ADR use and resolution rates reported in the ADR Tracker System. VA's ADR Program Director also provides her insight into the ADR activities at the facility and any other information that may provide the OCAP team with assistance in conducting the on-site assessment.

The OCAP assessment is designed to identify, among other things, trends in facility ADR, particularly its use, resolution rates, and program satisfaction. Through the 10 part questionnaire, on-site interviews, and focus group sessions, OCAP evaluates the employee's awareness of ADR/mediation, satisfaction with the ADR program, employees' willingness to use it, and training and other resources available to employees to encourage ADR use.

From the assessment's data, OCAP may identify the strengths and weaknesses of a facility's ADR program and make recommendations to facility management, particularly directors and ADR coordinators. Historically, management has carefully considered and implemented many OCAP recommendations.

If you would like to request an OCAP visit to your facility, please contact monte.montesanto@va.gov, rose.chambers@va.gov or chad.fenton@va.gov

Note: Mr. Montesanto has been the OCAP Manager since OCAP's inception in 2004, has participated in over 20 OCAP site visits, and developed OCAP's standard operating procedures.

The Role of Counsel in Mediation Earl E. Parsons

Note: Mr. Parsons is the Regional Counsel for VA General Counsel Region 10 and was asked to offer his views on the role of counsel in mediation. He provided the following:

1. It is counsel's role to be sure you know what the authority for settlement is and that your client actually comes with authority to settle.
2. Counsel needs to understand the mediation process and the role of not only the mediator, but the client and themselves as counsel.

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Asking open-ended questions is an effective method to gain understanding about what motivates employees. It's also a great way to sift through convoluted issues involving people, systems, and policies.

2. Doesn't want to look bad

Some managers think that if they keep quiet about the problems on their team no one will be the wiser. That's like putting green paint on a dying plant and asking colleagues to believe its thriving. You might call that spineless or wimpy but what's driving him to ignore a conflict is his fear that the situation will reflect poorly on him and his management skills. What he may not realize is that a supervisor in denial's reputation suffers because others, especially those looking for something to criticize, can clearly see what he thinks he's hiding and they can also see his attempts to cover things up. I once had a manager who sat our department down and said, "What happens with this team stays within this team; we tell no one." I'm not sure who he thought he was kidding, but it certainly couldn't have been any of us nor was it any of his peers. Everyone, and I do mean everyone, in the office could see our dysfunction and he was let go shortly after his announcement.

Much like our support for the celebrity or politician who has fallen from grace, we love contrition and often find it difficult to walk away from someone who admits his shortcomings. Helping a colleague when he's down makes us feel better about ourselves and helping out a struggling boss has the potential in the long-run to benefit our own careers. Does that mean we should help our manager hide conflicts? No. What it means [is] we should find a private and confidential moment in which to let him know there's no shame in getting the right help for the right problem and, in fact, it's a smart move. Find a way to let him know that putting a plan together to resolve conflicts actually paints him as a leader, a problem-solver, and a manager who has the capacity to fix just about anything. Who wouldn't want that reputation?

3. Has "real work" to do

Concentrating too much on negative emotions during a conflict can make your boss feel like a babysitter and respond with a stern, "You two just have to work it out!" When faced with the pressures of balancing an impossible budget or overseeing every detail of a large project, your manager may feel that any personnel squabbles are secondary to his success and what he should put his energies toward is the important work his boss expects him to get done. Talking about how someone hurt your feelings will only make him feel like a psychiatrist, a parent, or an unwilling confidante--all of which he sees as being outside the scope of his responsibility to the bottom line.

What he may not understand, though, is that managing people well does reflect on the end product. The costs associated with ongoing conflict can be staggering and it would

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be in his best interest to solve problems before they escalate to the point where valuable employees leave, production screeches to a halt, or customer service suffers. A company's reputation is an aggregation of its products, people, and its culture. If two organizations provide a community with identical services and one has employees who let their internal strife leak to customers, it's not unreasonable to think that current or potential clients will choose the one with good conflict management approaches. Describing personal conflicts as events that affect business success may make it easier for a boss to digest. Saying, "I'm concerned about the quality of my reports because I'm having a difficult time getting timely information from Joe" is a more productive way of stating a concern than saying, "Joe's a jerk and every time I try to talk to him about his numbers he makes me cry."

4. Can't see the problem

Remember when you were a kid and someone would say something you didn't want to hear, so you'd put your fingers in your ears and sing, "La la" to drown them out? There may be days when you think your boss is doing the grown up version of that song because he really doesn't seem to get that there's a problem at all. Truth is, there may be an issue that's affecting you but for him it's not an issue because he can't see it from your perspective. Responses like, "Can't you tell he's kidding?" or, "Just get over it" or even, "It's really not that big of a deal" are typical responses for managers who may not understand the depth to which a co-worker's actions or words can affect another.

There may be times that no matter how often you try to point out a conflict to your boss he shakes her head in bewilderment. What he may need is for you to find a different way to explain it. Giving him concrete (and unemotional) examples of how specific behaviors affect the job at hand could be something he could relate to. Stating the issue in terms of decreased productivity, fractured communication flows, or simply that the department isn't reaching it's potential for greatness (and how well it will reflect on [the boss] if it did!) might be just what [the boss is] looking for.

So, what can you do if you've tried approaching your boss with what you believe to be viable solutions to a workplace conflict and nothing changes? If you believe you've sincerely tried to understand his motives for not acting, looked at it from [the boss'] perspective, and approached the discussion from a non-emotional standpoint, then turning to HR or an outside conflict resolution professional may be the answer. Both can point you to resources and tools such as conflict coaching and neutral mediators to calm the situation down and improve working relationships. And, if that doesn't work, you have a choice to either continuing functioning within the confines of the current environment or plan for a graceful exit. If you choose to stay, work to control your own reactions to the conflict and if you choose to exit, as tempting as it might be to shout from the rooftops that you're thrilled to be leaving this lousy, clueless boss in the dust, choose your words carefully during the exit process so you can move on to greener pastures with your reputation and integrity intact.

Word Challenge

Note: Please email gregory.burke@va.gov upon completion of the Word Challenge. The first person to complete and give notice of the Word Challenge will be recognized in the next edition of the ADR Newsletter

Clue

Answer

A. ADR process that may require caucuses

A.

B. Regional organization in VHA

B.

C. To use ADR process for large group

C.

D. VA official in Secretary’s office working with non-governmental organizations

D.

E. At least two needed for any settlement

E.

F. Representative from General Counsel

F.

G. Management partner in successful ADR programs

G.

Answer:
B4 A2 D4 E4 G6 H2 C5

The Role of Counsel in Mediation —continued from Page 2

3. Counsel has the obligation of being a reality check for the client whether the client does or does not want to settle.

4. Finally, counsel has the obligation for educating the client to be sure the client understands:

A. What mediation is and is not.

B. What the client’s role is in the process - to participate as fully and honestly as they can and to come to the table with some authority, however slight, to resolve and settle the case.

C. What will happen if the case does not settle.



Workplace ADR Program

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Mediation:

A Solution to Workplace Disputes

The Workplace ADR Program solicits articles for VA's quarterly ADR newsletter. The purpose of the newsletter is to communicate information relating to the use of ADR in workplace disputes and serve as a resource for those interested in learning more about ADR and its application within VA. We invite you to submit ideas and articles for the newsletter through your respective administrations: VHA to Rita Reese (10A2E), VBA to Johnny Logan (20M2), NCA to Nicole Maldon (40A), VACO staff offices to your VACO ADR Liaison, and labor organizations to your ADR Council Representative. We are looking for ideas and articles on ADR-related topics, noteworthy activities, initiatives, accomplishments, best practices, or other items designed to educate and inform VA employees and managers on ADR and its benefits in addressing workplace disputes. We hope the VA community will find the newsletters a useful resource for obtaining interesting and helpful information representing ADR activity throughout VA. For more information, visit our website at:

<http://www1.va.gov/adr/Newsletter.asp>

ADR at the Movies: "Uncle Buck" (1989) starring John Candy Amy Madigan and Macauley Culkin

In this movie, the reconciliation between a groveling boyfriend and his skeptical love is facilitated through the use of a precocious facilitator with a bias. Buck Russell (John Candy), an irresponsible bachelor, is asked to babysit Miles and Maizy Russell (Macauley Culkin and Gaby Hoffman), his brother's two children, at their home in an emergency. Chanice Kobolowski (Amy Madigan), his girlfriend, thinks the babysitting is a ruse for Buck to go for a get rich scheme and ends their relationship. Maizy escapes Uncle Buck's restrictions to attend a party with her predatory boyfriend. Uncle Buck must find her, choosing between his next scheme at the racetrack and his niece. Uncle Buck calls Chanice and persuades her to babysit Miles while he goes after Maizy. He finds and comforts Maizy, appropriately punishes the boyfriend, and returns to his brother's home and asks Chanice's forgiveness. Chanice initially will not take Buck back. Buck uses Miles as a facilitator to speak with Chanice. As a result, Buck persuades Chanice that he is a changed man and she again lets him into her heart, which he had not really left. (Cue tears.)

A principle of ADR is that neutrals must be independent and disclose conflicts of interests to allow the parties to the ADR process to determine if they wish to proceed using a neutral with a prior relationship to one of the parties. Facilitator Miles was Buck's close relative and wanted him to succeed in getting Chanice back. Chanice was aware of this conflict of interest but accepted Miles' services as a facilitator. It suited her interests in resurrecting her relationship with Buck, which she had only reluctantly ended.

While all is fair in love and war, neutrals should be independent and disclose prior relationships to the parties to an ADR process to allow the parties to determine whether they wish to proceed with that neutral. Every party is not a Chanice.