

**Technology Policy Negotiations and
Dispute Resolution
ESD.933 – Session 3a**

**Conflict Resolution
Systems**

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Conflict Resolution Systems

- What are examples of conflict resolution processes in organizations?
- How are they inter-related with one another?
- Key principle: Multiple Redundant Systems

Selected Mechanisms for Dispute Resolution in Organizations

- Ad hoc meetings
- Open door policy
- Telephone/electronic hot line
- Ombuds person
- Grievance procedures and complaint programs (union and nonunion)
- Appeals procedures
- Mediation and arbitration (internal and external)

Layers in a System for Workplace Dispute Resolution

**External
adjudication**

**Grievance procedures
and other dispute resolution forums**

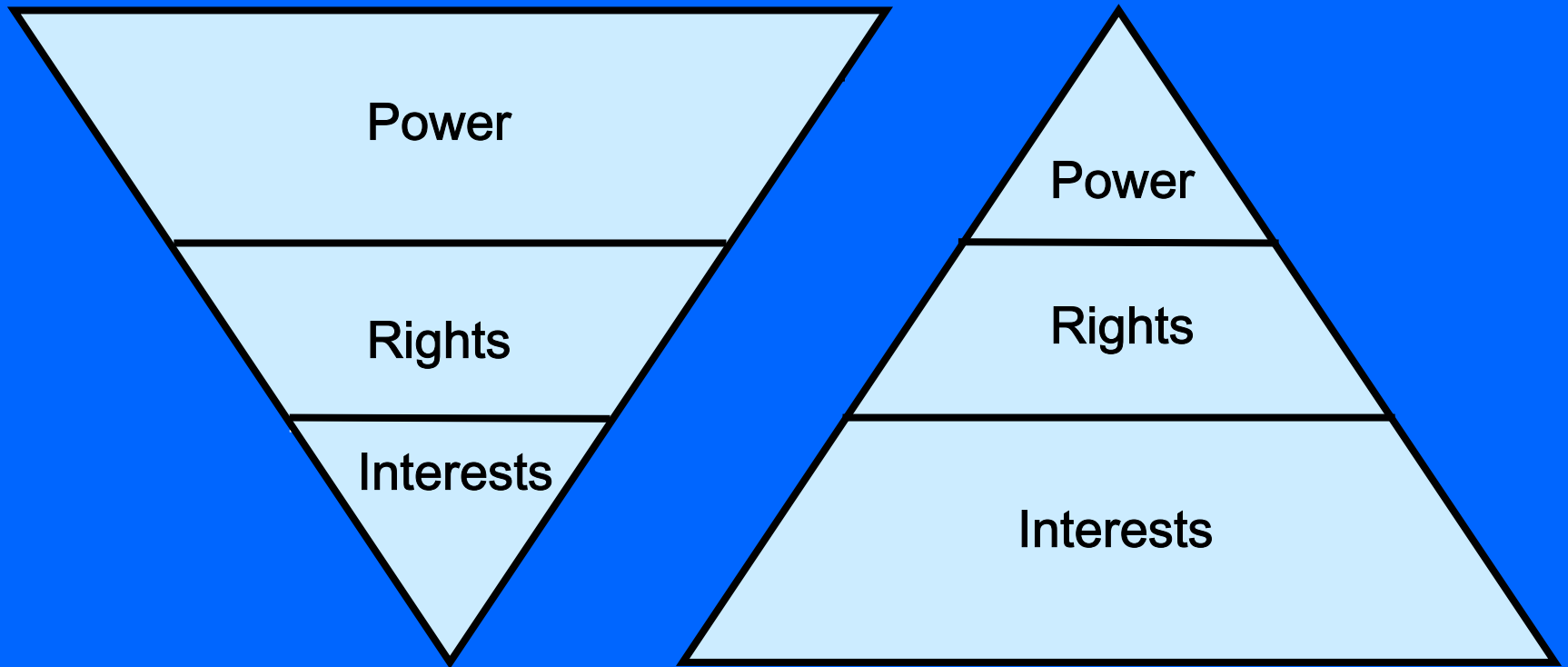
**Formal leadership efforts at all levels to
anticipate and prevent difficult situations**

**Informal efforts by co-workers, supervisors, union representatives
and others to address the issues in these difficult situations**

Countless inappropriate, disrespectful, complicated, and conflictual situations

Dispute Resolution Systems: Functional and Dysfunctional Systems

A Dysfunctional System A



For more information, see *Getting Disputes Resolved: Designing Systems to Cut the Costs of Conflict*, by William Ury, Jeanne Brett and Stephen Goldberg (Jossey-Bass, 1988)

An Unfair Discharge?

Susan Warner, a Press Machine Operator, has been working for the Coatings Company for eleven years. She is on the 10 PM to 6 AM night shift. Approximately one year ago, another employee whom she knew slightly, Matthew Roberts, came to her work area around 2 AM and opened his pants to show his private parts to her. He then left rapidly without a word.

Ms. Warner reported the matter to the company. It made an investigation and could find no substantiation of her accusation. A couple of months later, the incident was repeated, and Ms. Warner again reported the incident. The company checked other employees, and, finding no other support for her accusation or other such behavior in the past by Mr. Roberts, decided not to pursue the matter further.

A month went by and another of the same type of incident occurred. Ms. Warner decided not to report the matter to the company, but she started carrying a camera to work. When Mr. Roberts showed himself again, Ms. Warner took his picture and had the roll developed. Two days later, she brought the picture in and showed it to company officials. They fired Roberts and then told Warner she was also being dismissed.

The Company has a secret production process, and a company rule is that no pictures may be taken on company property. Their concern is that the production process is secret, and photos may provide competitors with information which they should not have. The Company asks that the discharge be upheld and notes that there were other prior instances where employees took pictures and in each case they were dismissed. In neither case were the individuals later reinstated. One case went to arbitration, and the grievance was denied.

The Union argues that Ms. Warner's well being was threatened, and she tried to cooperate with the Company. They point out that the pictures were not shown to anyone before the company saw them. They argue that she was aware of the rule and took the pictures reluctantly when there was no other way to prove her case. The union asks that she be restored to duty with all back pay and benefits.