

Conflict Management

Conflict within an organization happens. And it's said that a certain amount of conflict is healthy, especially when it brings about open discussion and results in positive change. The challenge with conflict is to manage it properly so that it doesn't get out of hand.

Policies, or lack of policies often are the initial reason for conflict. Personality clashes, clumsy communication and lousy dispute resolution techniques are often why conflicts escalate.

Listening Can Resolve A Conflict

As Ralph Waldo Emerson once said, "It is a luxury to be understood." How often do we allow an unresolved conflict to continue? Many times this is because someone wasn't listening and what resulted was a breakdown in communication. Here are some suggestions on how to fix it:

"L.I.S.T.E.N.":

L – Look.	Watch the other person's body language and maintain eye contact.
I – Involve.	Stay active in the dialogue and make sure that every exchange is clear for both parties.
S – Steady.	Avoid being nervous and keep control of your emotions.
T – Translate.	Interpret the meaning of people's remarks. Put yourself in their shoes.
E – Excursions.	Avoid mental excursions; stay tuned to what the other person is saying.
N – Needs.	That's what it's all about. Give people what they need.

One of the best ways to defuse a conflict is to address it openly. Put the problem on the table where everyone can see it. This will start the process. The differences that created the conflict can only go away when we ask and listen without judgment.

Source: <http://www.selfmarketing.com>

Dispute Management Tools

When conflict can't be cured through communications skills other dispute management techniques need to be used. Any organization can be improved through the development of policy tools that keep a dispute from spiraling out of control.

Effective dispute management and effective governance consists of four elements.

1. Prior planning – ensuring that all governance policies are sound – Bylaws that give the Board the power to implement policies for dispute resolution.
2. Proper execution of policies – clearly written policies that are interpreted and implemented properly.
3. Appeals - Providing reviews when appropriate – by implementing a legally sound internal appeals policy.
4. Outside intervention – when needed obtaining services or an independent investigator, mediator or arbitrator.

The First Response to a Complaint:

How an organization responds to a complaint or an emerging dispute is extremely important.

- Failure to respond properly at the very outset of a complaint can lead to problems and errors further along in the process.
- All complaints should be received and handled in a professional, respectful and timely manner. It is very intimidating for a person to speak out about an issue if they feel there may be repercussions, especially for young athletes.
- The initial response to complaints will influence how your members and the public perceive your organization.

Your organization should identify an individual in your organization to receive complaints. They need to know how to respond using appropriate policies of the organization as a guide, good communication skills, sound judgment and common sense.

The membership should also understand where complaints should be directed. The roles and responsibilities for receiving and handling complaints should be clearly identified and communicated to your members.

The Initial Issues of a Complaint

Once a complaint has been received there are some issues that must be dealt with immediately. They include:

- Disclosure of Information – The person against whom an allegation is made is entitled to know the facts of the complaint.
- Confidentiality – The complaint must be dealt with discreetly, professionally and in confidence with the parties.
- Neutrality – The person receiving the complaint must act with complete neutrality, impartiality and consistency.

Source: Findlay, Hilary A. and Corbett, Rachel, “So you’ve got a Complaint – The Hearing process from Start to Finish”, Copyright 2000, Hilary A. Findlay and Rachel Corbett.

Sport Manitoba Resource Library

Feature Resource: So you’ve got a Complaint - The hearing process from Start to Finish, By Hilary A. Findlay and Rachel Corbett.

The Centre for Sport and Law’s handbook series has ten volumes of practical legal and risk management information for sport administrators.

Come visit Susan Stastook at Sport Manitoba to borrow these books.

5 Keys to Help Sweeten a Sour Relationship

1. Rephrase what the other person said to you. Play back the message.
2. Edit your comments. Phrase your response.
3. Ask open-ended questions.
4. Listen. Research shows that we often listen with 13% efficiency.
5. Disarm. Help the other person see it as a mutual challenge that you’re in it together.

Source: <http://www.selfmarketing.com/article31>

What Makes a Dispute Situation Fair – or Unfair?

The extent to which an organization must go to ensure ‘fairness’ depends on the situation: What’s required in one situation may not be necessary in another, or may be insufficient in yet another.

Sport organizations are legally entitled to develop and implement their own procedures. There are limitations or constraints but they vary depending on the circumstances. It is safe to say a sport organization must use “fair” procedures. But what constitutes “fair” depends on the nature of the organization, the nature of the dispute and the nature of the dispute resolution procedure.

As a bare minimum, “fairness” requires reasonable notice of the allegations against one and an opportunity to respond to these allegations before an unbiased decision-maker. The format of the notice and the opportunity to reply will depend on the circumstances.

For example, notice can be in the form of a letter or a formal announcement. Disclosure of a complaint may provide every detail and the names of people providing information, or simply a summary of the details. A party may be entitled to any information or document remotely relevant to the issue, or only to those documents the decision-maker will use. The hearing can be an oral one before a panel with witnesses and the opportunity to cross-examine or simply a written response to the allegations. The decision-maker can be an individual or a panel and can be chosen from within the organization or be completely independent of it.

Every situation is different and the procedural requirement to be “fair” will vary from minimal to very detailed. Whatever the case, it is important to know what process your organization has set out in its policies and/or by-laws.

Remember there is legal precedence that says you must exhaust the internal remedies of the organization, before the courts will consider intervention. Thus, it’s better to establish policy and know and implement the dispute management procedures of your organization.

Source: Corbett, Rachel, Coaches Report – Fall 1997, Volume 4 Number 2, Copyright 2002 Canadian Professional Coaches Association.

Surf the web for additional resources:

www.sportlaw.ca
www.coach.ca

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