

# Introduction

**THIS LEADER'S MANUAL** offers a step-by-step approach to conflict-resolution and dispute-resolution training that will make it easier for leaders to teach participants about the best ways to operate as communicators, negotiators, mediators, and arbitrators. In addition to presenting the contents of a training program in conflict-resolution communication, negotiation, mediation, and arbitration, the focus is on helping people to understand what they are doing, as well as how to do what they are doing, skillfully.

## Intended Users

This product is intended to be useful to many readers. Some of them are

- People who have no formal background in training but who have been asked to present training in conflict-resolution communication, negotiation, mediation, or arbitration
- New leaders who wish to know more about how to present these topics
- Experienced leaders who are looking for new perspectives, exercises, role plays, and other activities in the area of conflict resolution
- College, university, and law-school instructors who will be presenting courses in negotiation, mediation, or arbitration
- Individuals who need to know more about conflict resolution for professional development
- Individuals who want to know more about conflict resolution for personal development

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The lessons in this program are designed to be applicable in a wide variety of occupations, including: human resource specialists; training and development professionals; managers and supervisors; customer-service representatives; educators; hospital personnel; mental-health professionals; social-service personnel; attorneys, judges, and other people who work in the criminal-justice system; and conflict-resolution professionals, such as negotiators, mediators, facilitators, and arbitrators. These lessons can help individuals to solve problems more effectively, be better third-party representatives, and become more skillful in dealing with conflict at home, at work, and in the community.

### Organization of Program

Each part of this program contains conceptual information to be presented to the training participants as well as activities and/or role plays. The program content proceeds from the general to the specific and is organized to be as helpful as possible to users. It is grouped thematically and ordered in a progressive sequence that builds on the knowledge of each successive lesson.

*Part I: Background for Leaders* discusses the important elements to be considered in creating a training plan and presents a general training plan that covers all topics in this program. Part I also includes a sample twenty-hour training plan.

*Part II: The Introductory Phase* focuses on introducing the topic, explaining the methodology and norms of the training, and getting to know the participants. It provides four introductory activities to help achieve these ends.

*Part III: The Dispute-Resolution Continuum* introduces the various dispute-resolution processes and distinguishes between them based on desired results and the level of control of the parties involved. It also introduces the multi-option dispute-resolution approach.

The next parts stress concepts and skills useful in all dispute-resolution processes.

*Part IV: Conflict and Conflict Management* presents information on crisis, the nature of conflict, styles of conflict management, and impasse and includes lessons on how to deal with each of these.

*Part V: Conflict-Resolution Communication* covers various aspects of communication, personal communication styles, listening skills, types of questions and questioning skills, word associations and target words, nonverbal communication, and using “I” statements.

*Part VI: Values, Perspectives, and Power* explains how values and beliefs influence interpretations and explores the issues of stereotyping, perspectives, and power.

*Part VII: Creativity* describes how creativity is important in resolving conflict and disputes. Like the other parts, it contains activities to allow training participants to practice their skills in this area.

*Part VIII: Consensus* describes the consensus-seeking process and tells why the ability to achieve consensus is one of the most important conflict-resolution skills.

*Part IX: Negotiation* defines the process of negotiation, the skills required, and the stages of the process. It tells how to distinguish between positions and issues and reviews questioning skills relevant to negotiation.

*Part X: Mediation* defines the various types of mediation, the stages of the process, the skills and attributes required of successful mediators, and the brainstorming procedure used to create options for resolution. It also describes how to teach the stages of mediation and how to use role plays in mediation training.

*Part XI: Arbitration* defines the processes of arbitration and mediation-arbitration and presents the stages of the arbitration process and the key skills involved. It also discusses how to use role plays for demonstration and skills practice.

*Part XII: Role Plays* includes a description of how to introduce and use role plays (sometimes called behavioral rehearsals) to help participants to develop better understanding of how to apply particular process steps and skills. It contains nineteen role plays that may be used for practicing a variety of conflict-resolution and dispute-resolution skills.

For each activity and role play, the authors provide the purpose, the timing, a list of the materials needed, step-by-step procedural instructions, any required instruction sheets and worksheets, answers to questions (where needed), and notes to the trainer (where appropriate). Copies of the materials are included as full-size so they can be copied and handed out if necessary or used as transparency masters.

The *Participant's Workbook* that accompanies this *Leader's Manual* includes all instruction sheets needed to participate in activities and role plays and all worksheets, handouts, and other materials needed by the training participants. Some highlights of the reading material that will be discussed during the training is also provided so that the participants will be able to take notes and refer back to the text at a later time.

## How to Use This Manual

All leaders should read Part I: Background for Leaders. Those who are teaching mediation are advised to go through the rest of the program sequentially. For training in other areas (for example, communication skills, negotiation, or conflict resolution in an organizational setting),

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leaders are expected to select the parts of the program that best meet their objectives.

### Issues for Leaders

There are certain things that almost all leaders want to accomplish during a training session. In short, these are

- Clarifying and establishing participant's expectations by discussing the goals of the training
- Outlining the training plan and describing the methods to be used
- Creating an open, enjoyable environment for learning
- Balancing cognitive input (lectures and printed information) with experiential learning (exercises, role plays, practice sessions)
- Infusing the training with humor and laughter as a means of creating an enjoyable learning experience and reducing participant resistance
- Encouraging participants' questions and comments while focusing on the topic at hand
- Acknowledging and tapping into the experiences and insights that individual participants bring to the training setting
- Acknowledging that some information may not be new and encouraging participants to look at "familiar" information and practices with fresh eyes
- Creating an atmosphere of trust by modeling the principles and practices of the training in one's own behavior
- Attending to group dynamics and being able to modify the training plan as appropriate

### Definitions of Terms

*Negotiation* is the act of dealing with or bargaining with others, through mutual discussion, in order to arrange the terms of a transaction or agreement, as in the preparation of a contract or treaty. The purpose of negotiation is to arrange for or bring about settlement of terms by means of discussion.

*Mediation*, taken from the word for "to be in the middle," is the act of serving as an intermediary in order to help settle a dispute. Mediators act as third-party neutrals between the conflicting parties to effect an agreement or a reconciliation. Their job is not to tell the parties how to solve the situation but to guide the parties, by means of structure and communication, to generate their own solutions.

*Arbitration*, from the word for “to decide or judge,” is the act of hearing a dispute between opposing or contending parties and determining the settlement. Generally, an arbitrator is chosen by or legally agreed to by the disputing parties and is empowered to decide the matters at issue. In most cases, the arbitrator’s decision is final. Arbitration often is used to settle contract terms involving labor and management. The communication skills called for in negotiation and mediation often are required in arbitration as well.

All three of these terms imply that there is more than one point of view on an issue. Often it is a legal dispute. Although the interchanges among parties may be polite, there are conflicting points of view.

*Conflict resolution* is the settling of a disputed issue in a manner that all parties can agree to. It usually involves specific communication skills and may also involve consensus, “horse trading,” conciliation, and other techniques. Mediation and negotiation are important conflict-resolution processes.



## Part I

# Background for Leaders

### Creating a Training Plan

**IT IS VERY IMPORTANT** to create a detailed plan for any training session, no matter what its length. Such a plan generally includes the following factors:

*The purpose.* To give trainees a clearer understanding of conflict-resolving communication, negotiation, and/or mediation processes, the stages of each, and the skills appropriate to each stage. (Most of the skills presented in this program are useful in all of these applications.)

*The group size.* The optimum size of a training group depends on several factors, including the physical site, the furnishings and other materials needed, the complexity of the material to be presented, the number of trainers available, the experience levels of the trainers, and the degrees of emotion likely to be generated by the session. For the training presented in this program, with one trainer, a group of twenty-five or fewer participants is best. This allows for careful monitoring of practice sessions in mediation, negotiation, and communication. The skills of listening, questioning, and observing body language often are practiced in such sessions.

If there is a co-trainer or an assistant who has been trained in past sessions to help monitor the new trainees, the group can be larger. With two trainers, we suggest no more than forty participants. We have trained up to seventy participants with the help of eight assistants whose job was to observe the trainees and help them to practice appropriate skills.

*The goals.* Learning goals should be stated in achievable, observable, behavioral terms. This allows you to monitor progress as the training

proceeds and to assess the effectiveness of the training afterward. Typical goals for this training are

- To provide an intellectual and experiential understanding of conflict-resolving communication, negotiation, mediation, and/or arbitration processes and the stages of each
- To provide appropriate skills training and feedback to the participants
- To help participants to understand the similarities and differences in the processes

*The norms.* Principles of adult education involve encouraging learning by doing and building on the knowledge and skills that participants bring to the group as well as teaching new attitudes, knowledge, and skills. (More detail about this is provided in Part II.) To enable participants to “open up” and be receptive to the training, an environment must be created that encourages risk taking and openness without fear of ridicule. It is important to establish basic training norms at the beginning of the session; to summarize, these include

- Participants’ taking responsibility for their own learning
- An atmosphere of experimentation and risk taking
- Mutual support and encouragement without ridicule
- Useful, behaviorally specific feedback
- Participant involvement in discussions of what happened, generalizations to what tends to happen, implications of insights, and applications to the “real world”

Other practical norms may include: arriving on time for all sessions and after breaks and meals, not smoking or using alcohol or other drugs during the event, not disclosing what other participants say or do to persons outside the training event, turning off cell phones and pagers while in the training room, and so on.

*The methodology.* To provide the latest theoretical and practical training methodologies in communication, negotiation, and mediation. To combine lectures with worksheets, instruments, and activities (including exercises and role plays), so that participants learn through participation. The focus is on process, not on procedures. The training is a method of teaching process utilizing the four Ds:

Activities are	Described and Demonstrated
Skills are	Developed
Experiences are	Discussed

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*The training sequence.* When planning a training event, one must select activities, discussion topics, and other interventions that, in a sequence designed to aid learning, will meet the training objectives of the event. Typical introductory activities include

- Welcoming the participants and introducing oneself and any co-trainers
- Introducing the training event (why the participants are there, the learning goals, possible benefits of completing the training ) and giving an overview of the event
- Taking attendance, correcting the roster, describing the facilities available, and describing facility regulations
- Establishing training norms
- Having the participants introduce themselves
- Clarifying participant expectations
- Presenting a brief discussion of adult education and the emphasis on practice
- Presenting the terminology, background, and benefits of conflict-resolution communication, negotiation, mediation, and/or arbitration
- Discussing conflict and conflict management, especially in regard to communication skills
- Presenting an outline of the basic steps of the process being taught and a description of the skills involved

The participants are then asked to engage in a variety of activities designed to help them understand the skills involved and the likely consequences of various behaviors. Modeling of the desired behavioral skills allows them to see, hear, and better remember what they are being asked to learn. Discussion helps them to link what they are hearing, seeing, and doing to general principles and to apply these to real-life situations. Practice sessions enable them to hone their skills in a relatively safe environment and to receive helpful feedback.

The activities and discussion topics presented in this manual will help you to plan a training event that is appropriate for your group of participants. It is a good idea to plan for some variation in the sequence, to allow for differences in participant groups, their styles of learning, and their skill levels.

*The time.* The minimum length of a training event in conflict resolution is three hours. The purpose of a three-hour event generally is to stimulate the participants to pursue the topic more deeply and to suggest reasons for further training. Certainly, we want each participant to walk away with



something that clicks as useful, but we also hope that opening the door to this knowledge will encourage more in-depth training at a later date.

In even such a short program, there must be modeling of desired skills and an opportunity for participants to practice a few skills themselves. For example, in a session on mediation, a brief, mock mediation would be conducted and discussed so that lessons about processes and skills could be presented. Participants then could be separated into triads to practice mediation skills.

In some states, a twenty-five-hour session is the minimum required for certification. This allows time for in-depth learning and for practice of processes and skills. This is a typical time schedule. In addition, our contract often specifies three three-hour follow-up sessions. This provides people who have applied their new skills in the real world a setting in which practical questions about particular problems or situations may be addressed.

A forty-hour training program has distinct advantages for the trainees. It provides time for more comprehensive learning, with more practice in processes and skills, and it affords opportunities for deeper analysis of the results of practice. Each session in such a program should be two and a half to three hours long, with built-in breaks of approximately twenty minutes each. There should be at least one morning break and one afternoon break. If lunch or dinner will be part of the day, the times to travel to, accomplish, and return from these must be factored in.

In a college setting, each session is usually one hour and fifty minutes, with one ten-minute break.

A variation that we have used in court settings is that the court administrator conducts a three-hour preliminary session with the participants a week or two before the skills training. Then we conduct two eight-hour sessions on Thursday and Friday and a five-hour session on Saturday. There are two homework assignments: the first is to fill out the conflict instrument in Part IV; the other is for the participants to write about disputes they might like to mediate or negotiate.

*The space.* The experiential training described in this book requires a larger space than does schoolroom-style instruction. One-fourth to one-half of a ballroom is the typical size requirement, depending on how many participants are being trained. Chairs are placed in a semicircle (variations are described below). If the chairs are arranged in one of the oval configurations, there are no tables for the participants; they use their workbooks as writing surfaces.

Space to break out into small groups also is required. It is preferable for breakout spaces to be outside the training room so that each subgroup

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is not distracted by other subgroups. Such spaces may be adjoining rooms or otherwise-unused hallways.

*The equipment.* A basic room setup requires name tags for the participants, sign-in sheets, pens or pencils and blank paper for the participants, chairs and tables or other writing surfaces for the participants, additional chairs and tables for breakout groups (subgroups), a display table for learning materials, a table for water and other refreshments, a round table with three chairs to be used for demonstrations, and evaluation forms.

Audiovisual equipment and other means of presenting the learning topics also are required. The basics include two to three newsprint charts on easels; and/or an overhead projector, screen, transparencies, and transparency marking pens; and/or a video recorder and large television screen. If you are using computer-generated images, you will need a display monitor.

*The refreshments.* Most training venues provide the following:

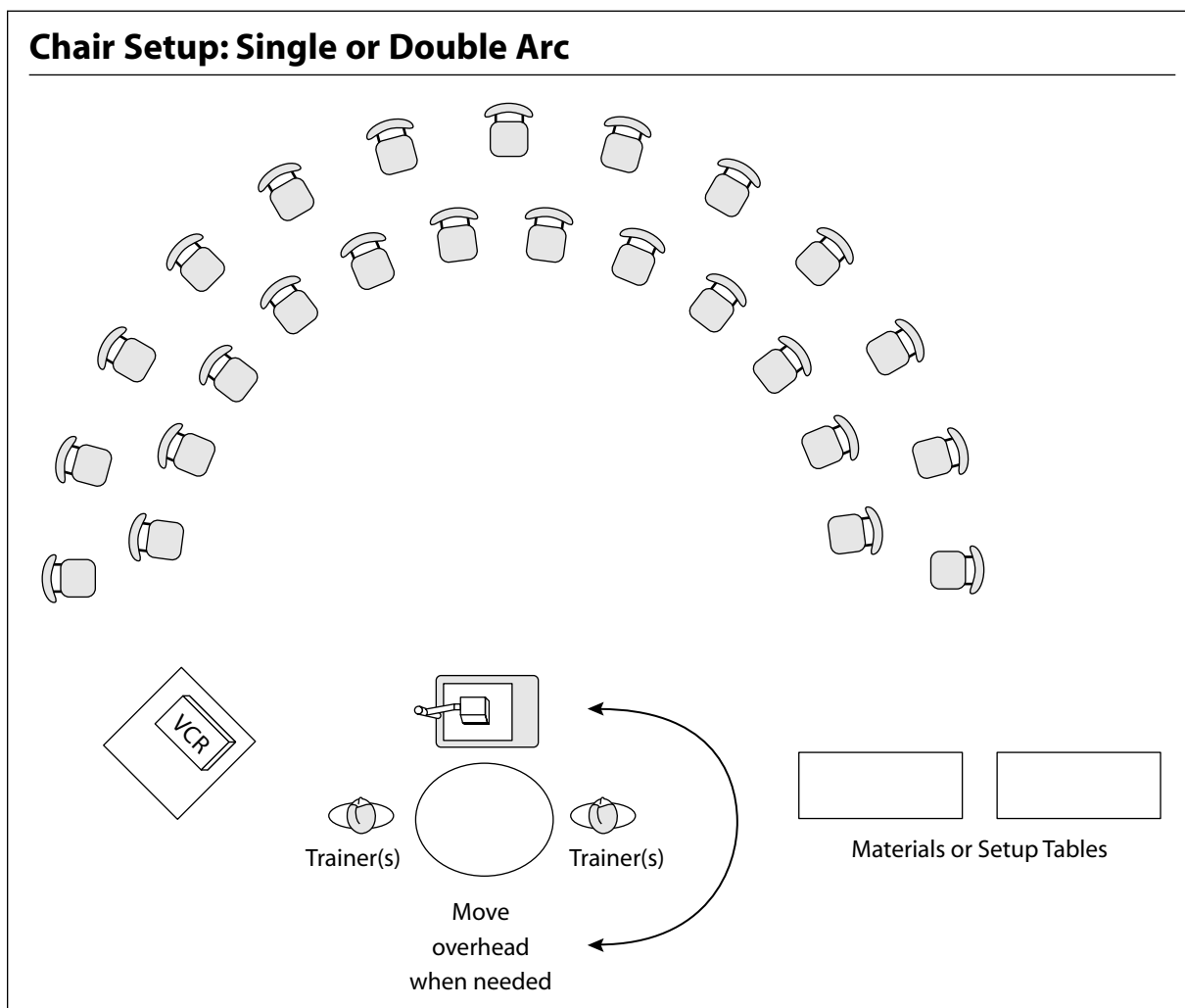
- *Morning:* coffee (including decaf), hot water and tea bags (including decaf), juice, and muffins or breakfast pastries
- *Throughout the day:* iced water, coffee, hot water, and tea bags. Juice and/or sodas are optional, as are cookies at the afternoon break

Participants usually have lunch at nearby restaurants that provide quick service. If no such lunch facilities are available, the trainers may provide box lunches or smorgasbord sandwich fixings.

*The physical setup.* Whenever possible, create an informal, flexible environment for training, in which movement is encouraged. The chairs may be set in an oval or a half-moon configuration, in either single or double rows, so that there can be flexibility in the ways in which people participate. If that is not possible, arrange the chairs in rows that are like the feathers on the end of a bow. If you are required to have schoolroom-style tables, arrange them at angles from the place where the trainer will be standing while lecturing. If the participant group is small, you may arrange the seating in a circle or open square.

The handouts table and the refreshments table are placed in the back of the room to avoid having them be distractions during the sessions. The round table and three chairs to be used for demonstrations are placed where they can be seen by all participants—often in the “front” of the room.

The viewing screen (for overhead transparencies) or television or display monitor should be placed where all participants can see it easily. This usually is the “front” of the room. We also use several newsprint charts,



markers, and easels throughout the training. With these, you can record lecture or discussion points. With masking tape, you can post these, as well as sheets that are prepared in advance, on the walls around the room. These can be changed during the different phases of the training.

Post the training plan or agenda on a wall in the training room. We do not recommend putting times by each segment; we believe that leaving the times open encourages adaptability and creates the opportunity to change the timing, based on observations during introductory activities and feedback from the participants. Some trainers need to set times for all activities in their plans. Some only list times for breaks and lunch. If the plan calls for homework, that should be listed.

You also may want to create some posters to hang in the training room before the participants enter and as the sessions proceed. On a newsprint

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### Chair Setup: Feathered Rows

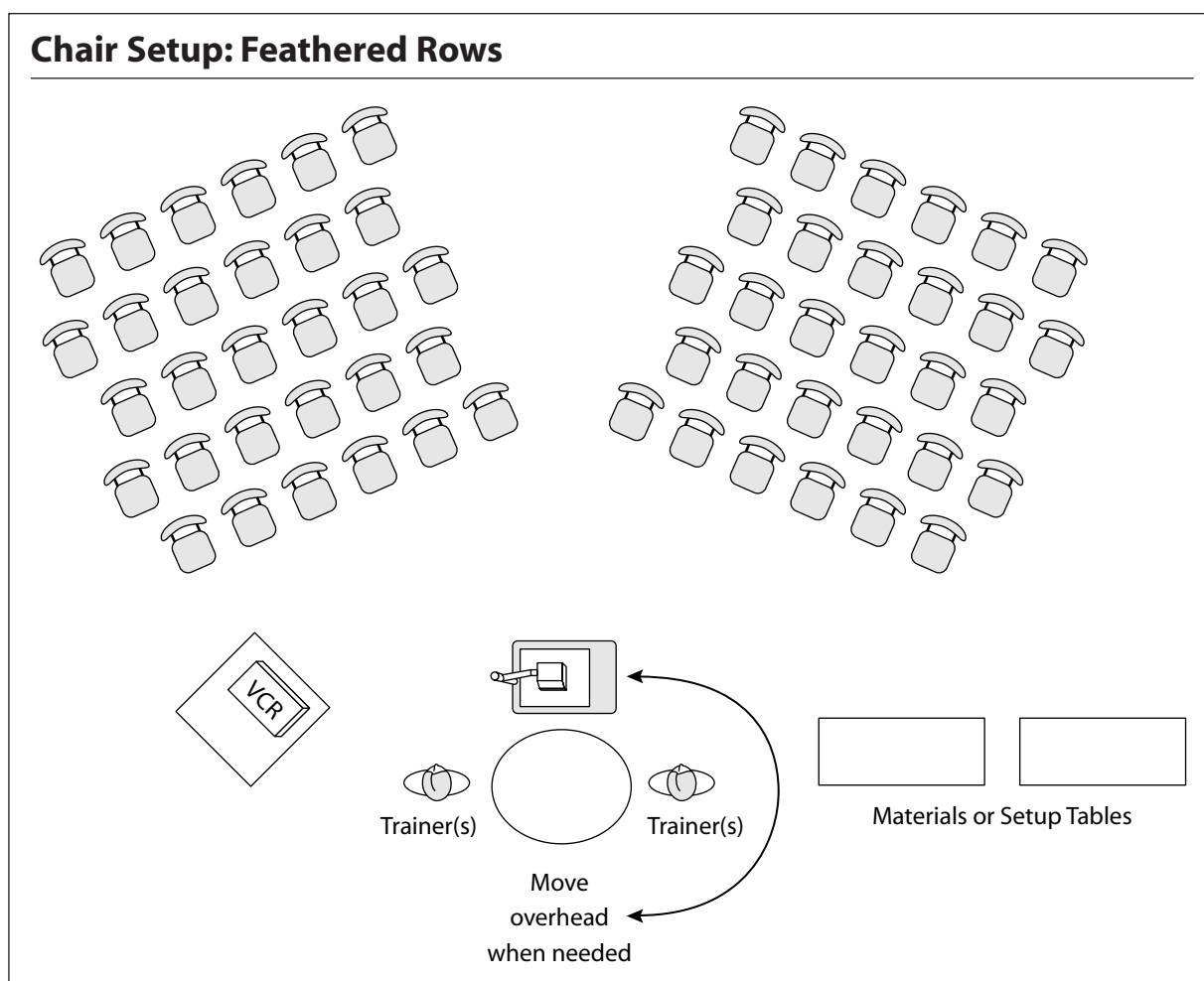


chart or overhead transparency, we greet the participants as they enter the training room with these or similar words:

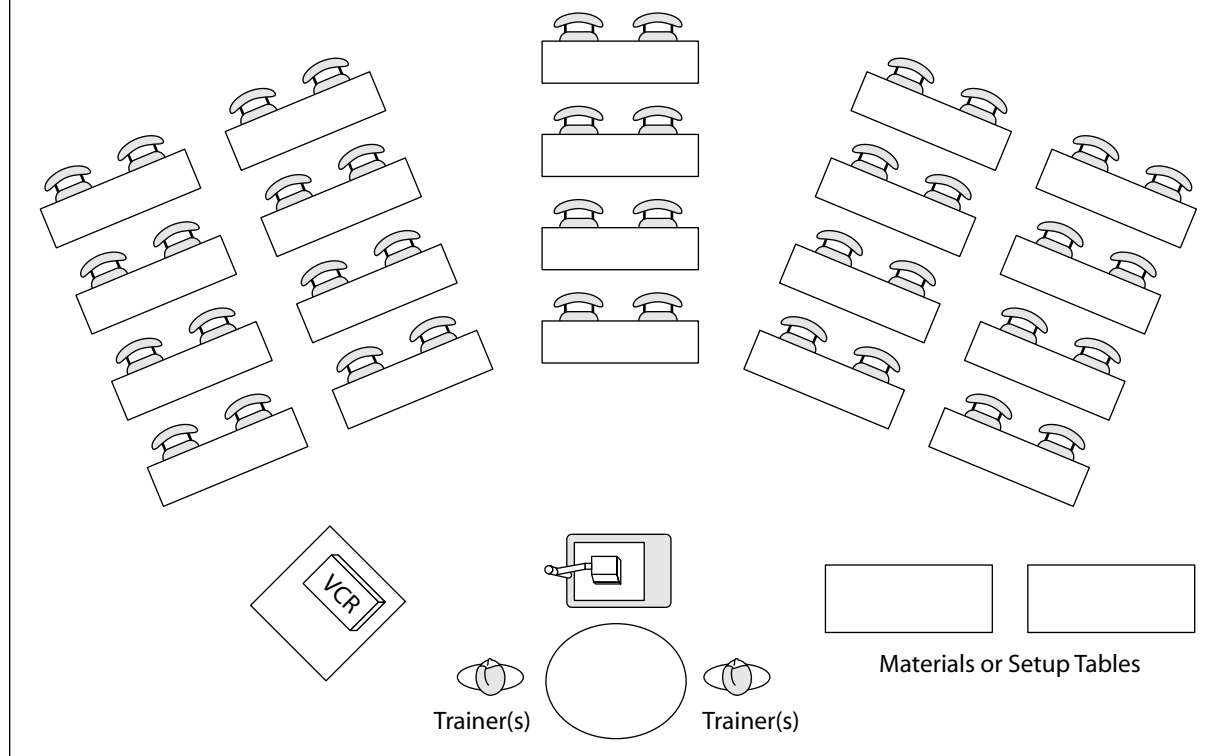
*Welcome to the World of  
Negotiation/Mediation/Arbitration/Communication*

We use the following phrases for the first phase of the training, and you may want to make posters of them.

*If Your Only Tool Is a Hammer, Everything Looks Like a Nail*

*Flexibility  
50–50  
Creativity  
Mutually Agreeable Outcome*



**Chair Setup: Schoolroom Style at Angle**

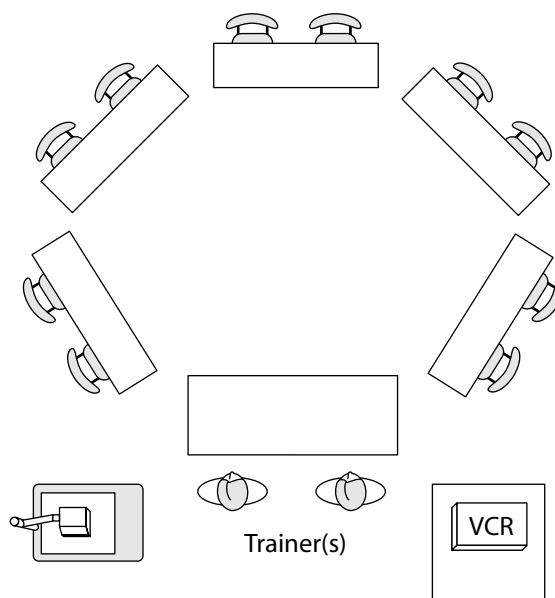
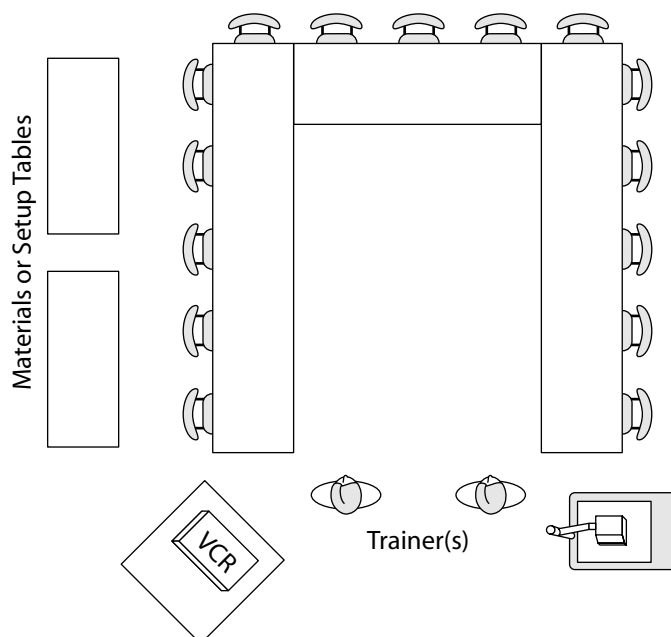
*The Cost of Conflict Is Greater Than the Price of Peace*

*Describe*  
*Demonstrate*  
*Develop*  
*Discuss*

Of course, anything posted on a wall can also be presented by means of an overhead transparency or computerized PowerPoint slide.

**Sample Training Plan**

This sample training plan is designed to help you plan and implement the lessons described in this book. The complete program contains more material than can fit into a twenty-five-hour or even a forty-hour program, so you will need to choose what you want to include based on your goals and objectives. You may want to tailor your agenda as needed for training in specific areas, such as communication, mediation, negotiation, or arbitration.

**14** The Conflict Resolution Training Program: Leader's Manual**Chair Setup: Small Oval****Chair Setup: Open Square**

The sample plan is designed for twenty hours, broken into thirteen one-and-a-half-hour sessions and a half-hour wrap-up session. The training is scheduled over three days and includes two homework assignments. The timing is approximate, with times for giving lectures, leading activities, and filling out worksheets included in parentheses to help you decide what to use. Recommended breaks can be fifteen minutes or full lunch hours, depending on how the lessons are scheduled. Extra breaks should be scheduled before and after role-play practice.

### **Day One**

#### **Lesson 1: Opening Remarks and Activities (90 minutes)**

Introduction of Trainers and Training Plan Lecture (15 minutes)

Getting Acquainted Activities

Activity: Visual Biosketches (60 minutes)

Activity: The Problem Mill (15 minutes)

Break (15 minutes)

#### **Lesson 2: Introduction to the Training Lecture (40 minutes)**

Principles of Adult Learning (5 minutes)

Methodology (5 minutes)

The Four Ds (5 minutes)

Four Elements of the Conflict-Resolution Process (10 minutes)

Feedback Versus Criticism (5 minutes)

Plus/Delta (10 minutes)

#### **Lesson 3: The Dispute-Resolution Continuum (50 minutes)**

Overview Lecture (15 minutes)

The Multi-Option Dispute-Resolution Approach Lecture  
(5 minutes)

Activity: Dispute-Resolution Continuum (15 minutes)

Activity: Dispute-Resolution Options (15 minutes)

Meal Break

#### **Lesson 4: Conflict and Conflict Management (90 minutes)**

Crisis Lecture (10 minutes)

Activity: Crisis (15 minutes)

Conflict and Conflict-Management Overview Lecture (15 minutes)

Activity: Identifying Response Styles (15 minutes)

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Activity: Adjusting One's Conflict-Management Styles  
(15 minutes)

Impasse Lecture (5 minutes)

Activity: Impasse (15 minutes)

Break (15 minutes)

Lesson 5: Conflict-Resolution Communication—Part I  
(90 minutes)

Activity: Were You Listening? (10 minutes)

Communication and Listening Skills Lecture (10 minutes)

Activity: Active Listening (20 minutes)

Activity: Ineffective Listening (20 minutes)

Questioning Lecture (10 minutes)

Activity: Questioning Skills I (10 minutes)

Activity: Types of Questions (10 minutes)

Adjourn

Homework: Personal Conflict-Management Styles Worksheet  
(30 minutes)

### Day Two

Lesson 5: Conflict-Resolution Communication—Part II  
(90 minutes)

Word Association and Target Words Lecture (10 minutes)

Activity: Word Association (10 minutes)

Activity: Target Words (10 minutes)

Nonverbal Communication Lecture (10 minutes)

Activity: Using "I" Statements (15 minutes)

Activity: Listening When Under Stress (20 minutes)

Activity: Communication Can Cause Conflict (15 minutes)

Break (15 minutes)

Lesson 7: Values, Perspectives, and Power (90 minutes)

Values Lecture (10 minutes)

Activity: Values and Beliefs (25 minutes)

Activity: Stereotyping I (15 minutes)

Perspectives Lecture (5 minutes)



Activity: Perspectives (15 minutes)

Activity: Squares (5 minutes)

Power Lecture (5 minutes)

Activity: Power (10 minutes)

Meal Break

Lesson 8 Creativity and Consensus (90 minutes)

Creativity Lecture (15 minutes)

Activity: Sign Walkers (15 minutes)

Activity: The Water Tower (10 minutes)

Activity: The City Sign (10 minutes)

Consensus Lecture (10 minutes)

Activity: Reaching Consensus (30 minutes)

Break (15 minutes)

Lesson 9: Negotiation—Part I (90 minutes)

Negotiation Lecture (15 minutes)

Activity: Introductory Negotiations (40 minutes)

Stages of Negotiation Lecture (25 minutes)

Positions and Issues Lecture (10 minutes)

Adjourn

Homework: Ask participants to draft a dispute for practice mediation (30 minutes)

### Day Three

Lesson 10: Negotiation—Part II (90 minutes)

Questioning Skills Relevant to Negotiation Lecture (20 minutes)

Activity: Negotiation (70 minutes)

Break (15 minutes)

Lesson 11: Mediation—Part I (90 minutes)

Overview of Mediation Lecture (10 minutes)

Attributes of Successful Mediators Lecture (10 minutes)

Stages of Mediation Lecture (10 minutes)

Role Play: Use any role play to practice the stages of mediation (60 minutes)

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Meal Break

Lesson 12: Mediation—Part II (90 minutes)

Review of Active Listening Skills as Applied to Mediation Lecture  
(10 minutes)

Review of Questioning as Applied to Mediation Lecture  
(10 minutes)

Role Play: Use any role play to practice the skills of mediation  
(70 minutes)

Break (15 minutes)

Lesson 13: Arbitration (90 minutes)

Overview of Arbitration Lecture (10 minutes)

Stages of Arbitration Lecture (10 minutes)

Activity: Arbitration Role Play (30 minutes)

Activity: Skills Practice (30 minutes)

Review of Dispute-Resolution Contractual Clause (10 minutes)

Break (15 minutes)

Wrap-Up and Evaluations (30 minutes)

Review of Training Philosophy (5 minutes)

Participants' Assessment of Training Using the Plus/Delta Formula  
(10 minutes)

Activity: Filling out the Evaluation Form (10 minutes)

Trainer's Final Words (5 minutes)