


The Texas A&M University System
Conflict Resolution Training
(Facilitation – bridge training)

System Ethics and Compliance Office
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Presented via Webex by
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Conflict Resolution Training

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Section One

Introduction to the Training Program



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- Introduction (overview)

- What we have covered so far:
 - Conflict Resolution Training (7.5 hours)
 - Facilitation Training (7.5 hours)
- Today begins a “bridge training session” on skills and issues associated with facilitation, mediation, and restorative practices
- Program designed for all conflict resolution practitioners across The Texas A&M University System
- Serves as a practical application for both facilitation and shuttle facilitation; requires basic conflict resolution and facilitation knowledge (as covered in previous training sessions)



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- **Our Agenda:**
 - **Day One**
 - Poisons in Communication
 - Direct Exchanges
 - Disputant Challenges
 - Reframing
 - **Day Two**
 - Culture and Conflict
 - Power and Conflict


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Poisons in Communication



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It is important to be listening for toxic communication that may stall or block progress in any conflict resolution process...



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Poisons:

- Are toxic elements of language that inhibit effective communication and can block progress towards an agreement

When you hear these poisons:

- Restate and reframe the language to put the focus on the behavior without the toxicity
- Seek definitions to help the speaker identify a more realistic (less toxic) view of the situation
- Find out what is underneath the emotions and/or position that is driving the negative language



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Types of Poisons:

Commands

Attempts to dictate actions by the other party through verbal force; typically spoken as absolute statements

Examples:

- You should...
- You shouldn't...
- You will....
- You won't...
- You can't...
- You must...

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Types of Poisons:

Comparisons

Attempts to either compare another in an unfavorable manner or compare oneself in a favorable manner; typically unfair and irrelevant

Examples:

- You're just like...
- You're not anything like...
- (Third person) would never (or would always)...
- If I were in your position...

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Types of Poisons:Exaggerations

Attempts to cast people and/or situations in negative light by making situations bigger/worse than is true; often helps speaker unfairly vilify the other party

Examples:

- Always/Never
- Everybody/ Nobody
- Hundreds of times (when it was twice)
- Weeks or months (when it was days)



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Types of Poisons:Other Poisons

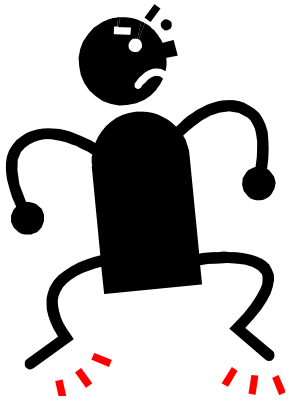
Other popular types of poisons include:

- Shaming
- Name Calling
- Threatening
- Blaming
- Ignoring
- Anger (Let's explore managing anger...)




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What is Anger?

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Managing Anger:

Anger is:

- A physical or psychological defense against something
- A response to not getting what we want
- A response to our belief that we are being violated in some way

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Managing Anger:

How does anger become manifested in conflict resolution?

- Hostile remarks/threats made by one or both parties (anger used as a weapon)
- Denial of own responsibility while making accusations towards other party
- Emotions are “front and center” and are not managed appropriately
- Anger used as a justification to block genuine discussion of interests and any progress towards agreement



Managing Anger:

How should a facilitator respond to anger?

- Check your own emotions and don't get angry; maintain calm voice and body language
- Let party “talk themselves out”; sometimes a party needs to purge feelings before they can move forward
- Acknowledge the anger (VALIDATE)
- Restate/reframe to eliminate toxicity and focus on issues
- Ask probing questions to get at source of anger
- Move on to another subject (if possible)
- Take a short break or schedule another time to meet
- Point out costs of not moving past anger
- Terminate the session and refer the case



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Please get out a separate sheet of paper and do not consult your training materials. Over the next five minutes create effective responses to the following statements:

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Statements

1. John: Michael has to pay me \$75 immediately, or I am going to take him to court.
2. Marcia: He doesn't know anything about relationships. If he was like my new boyfriend, he would know what it means to trust and respect someone.
3. Juan: This has been going on forever, and in all this time Heather has never bothered to listen to a single word that I have to say.
4. Keisha: How dare you say that. You should have your mouth washed out with soap.
5. Clyde: Michael, if you say that one more time I am going to beat your ass.

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Statements

1. John: Michael **has to** pay me **\$75 immediately**, or I am going to **take him to court**.

Possible Responses

John, it sounds like it is important for you to be repaid, and that you need the money soon. What kind of time constraints are you facing right now?

Would going to court accomplish what you are after?

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Statements

2. Marcia: He doesn't know **anything** about relationships. If he was **like my new boyfriend**, he **would know** what it means to trust and respect someone.

Possible Response

Marcia, I hear that you value trust and respect in a relationship. How does someone demonstrate these qualities to you?

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Statements

3. Juan: This has been going on **forever**, and in all this time Heather has **never bothered** to listen to a **single word** that I have to say.

Possible Responses

Juan, I am not sure what you mean by “forever”. When did this conflict begin, and how have you tried to communicate your feelings to Heather?

What would you like Heather to understand?

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Statements

4. Keisha: How **dare you** say that. You **should** have your mouth **washed out with soap**.

Possible Response

Keisha, I sense that Barb's last comment really upset you. What is your specific concern? (also, possibly review ground rules)

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Statements

5. Clyde: Michael, if you say that one more time I am **going to beat your ass**.

Possible Response

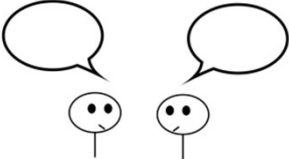
Clyde, while I respect that Michael's comment upset you, I need to remind you that we agreed at the beginning of this session that no threats would be made and that inappropriate language would not be utilized. Are you willing to continue under the ground rules that were established? (then check in with other party)
(or terminate session)


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Direct Exchanges



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Purposes of direct exchanges:

- Allow the disputants to provide missing information
- Provide for open discussion between the disputants
- Provide an opportunity for disputants to express feelings

**Characteristics** of direct exchanges:

- Can be an unmoderated conversation between the parties, with the facilitator entering the discussion only to summarize and advance the exchange forward, or...
- Can be a moderated conversation in which the facilitator continually summarize in order to advance ideas from one party to another, or...
- Can be an unmoderated opportunity for parties to share sensitive information without interruption from the other party; this is particularly useful when trying to introduce information from a Caucus into a joint session

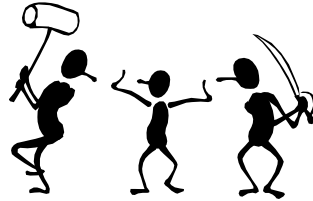


Cautions for direct exchanges:

- Direct Exchanges can be counterproductive if one or both parties have not been communicating effectively with the facilitator, or have had a difficult time following the ground rules
- Direct Exchanges are often more effective the deeper you are into a session; as the parties advance into the process and move away from the past, exchanges focusing on the future can be productive
- Direct exchanges are typically best in small doses, as gains that come from them tend to be incremental, and those gains can be quickly lost if the parties revert to less productive tactics and language

**Let's take a five minute break.....**

Disputant Challenges



Types of Challenges

- Challenges to non-partisanship
- Challenges to non-directiveness
- Challenges to non-involvement with content
- Challenges to being non-judgmental
- Challenges to credibility
- Challenges to control of the process



Challenges to non-partisanship

Disputant: People like us... (implying that the mediator is included)

Facilitator: You are saying that you have found...

Disputant: Don't you think that anyone would...?

Facilitator: How do you see it?

Disputant: Do you listen to your music loud?

Facilitator: My experiences are not relevant to your dispute. What has your experience been?



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Challenges to non-directiveness

Disputant: What do you think we should do?

Facilitator: I think you should decide what best meets your needs.

What options do you think you have?

Review Ground Rules

Disputant: It's a fair offer, isn't it?

Facilitator: I don't have an opinion on that. What do you think?

Does the offer meet your needs?

Do you think it's a fair offer?

I am not here to determine what is and isn't fair.



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Challenges to non-involvement with content

Disputant: Shouldn't I be concerned about this...?

Facilitator: You clearly seem concerned about this.

Are you concerned about this?

What is your concern?

Disputant: Don't you think this is a big issue?

Facilitator: Do you think it is a big issue?

That is for you to decide.

**Challenges to being non-judgmental**

Disputant: See what I mean? They're all alike.

Facilitator: What do you mean by that?

Disputant: Don't you think she's acting a little weird?

Facilitator: I'm not sure what you mean by "weird."

What do you mean by that?



Challenges to (facilitator) credibility

Disputant: You're just an administrator. What do you know about...?

Facilitator: Tell me what you think I need to know.
Whatever you explain to me today.

Disputant: Are you a lawyer or counselor or something?

Facilitator: I am a facilitator. You are both the experts about your situation.

Disputant: What are your credentials?

Facilitator: I am a facilitator for the (program), trained by certified mediators. What is your concern?

**Challenges to (facilitator) control of the process**

Disputant: I want to meet individually right now.

Facilitator: I will meet with you both when it seems helpful, but first I need to...

Disputant: They can go first.

I demand to go first.

Facilitator: As a matter of habit, I always begin to my left/right.




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Challenges to (facilitator) control of the process

Disputant: Inappropriate physical behavior (stands up, rolls eyes, sighs heavily, laughs, etc.)

Facilitator: De-escalate by acknowledging concerns of the disputant
Reiterate that each disputant will have an opportunity to talk in turn
Review ground rules
Confront through caucus
Take a break
Terminate the session

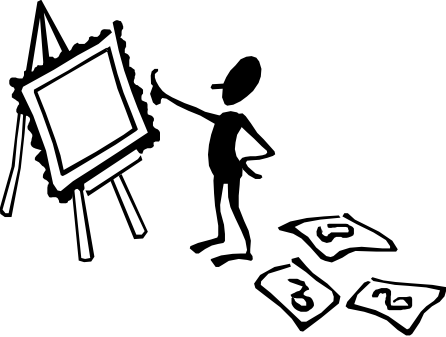
Disputant: You aren't treating me with respect.
Facilitator: What leads you to say this?


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Reframing



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What is Reframing?

- Restating what someone says while also removing negative (toxic) language and seeking to promote resolution; a difficult skill because we generally do not speak this way
- Reframing = Restating + Deescalating
- Looking for an opportunity to seek definitions or turn “mental tables”



Example: Using reframing to de-escalate

- Party A: He's a liar! He said he would give me 50 dollars and then he only gave me 10.
- Toxicity: Name calling, Amount
- Facilitator: It sounds like you are upset because you did not get the amount you thought you deserved. Let's talk more about what led to this.




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Example: Using reframing to turn the mental tables

Disputant: I'm so fed up with all of this I'll do anything.

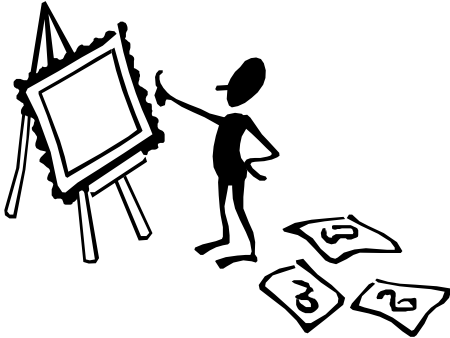
Toxicity: Frustration

Facilitator: It sounds like you really want to resolve this and put it behind you. Agreeing to talk and listen today is a great step towards finding a resolution that will satisfy you.


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Please get out a separate sheet of paper and do not consult your training materials. Take the next five minutes to identify toxic language and develop re-framing statements to each of the following examples:

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Reframing Activity

1. Every time he has made promises to me he has broken them. I can't trust him.
2. She is just so irresponsible.
3. He is telling you that he didn't take it, but I know for a fact that he is lying (spoken to mediator).
4. She is always being unfair to me.
5. He doesn't care about what this has done to me.
6. I should have know this would happen; she acts just like her mother.
7. He showed a lot of nerve going to my boss without talking to me first. Only a coward would do that.
8. She's a racist.



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1. Every time he has made promises to me he has broken them. I can't trust him.

Toxicity: "Every" (generalization), accusation, absolute statement (can't versus won't)

Response: You are concerned that because previous agreements haven't gone well that this one might not succeed either. What could he could do that would help you trust him?



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2. She is just so irresponsible.

Toxicity: Attack, generalization

Response: What does responsible mean to you? What could she do to demonstrate that she is responsible?

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3. He is telling you that he didn't take it, but I know for a fact that he is lying (spoken to facilitator).

Toxicity: Accusation, seeking to influence mediator and "win" a point

Response: You feel that he is not being honest with you. I know it is important to you that the truth is told today, but I need to remind you that I am not here to determine what took place. Let's discuss the impact that not having the computer has had on you.

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4. She is always being unfair to me.

Toxicity: Generalization, undefined term (“unfair”)

Response: I am not sure what you mean by “unfair.” Please tell me what you believe is unfair in this particular situation, and how you would like to be treated.

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5. He doesn't care about what this has done to me.

Toxicity: Assumption, undefined term (“what this has done”)

Response: Let's talk about the impact that this has had on you, and how you believe people can demonstrate caring.

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6. I should have know this would happen; she acts just like her mother.

Toxicity: Generalization, self-pity, name-calling, comparison

Response: I am not sure what you mean by that. Let's talk specifically about this situation as it applies to you and Sarah.

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7. He showed a lot of nerve going to my boss without talking to me first. Only a coward would do that.

Toxicity: Indignation, name-calling (as form of blame)

Response: You are upset that Michael chose to speak to your boss before speaking to you. What do you think might have been different if Michael approached you directly?

(also – review ground rules)

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8. She's a racist.

Toxicity: Accusation, name-calling

Response: What is it that makes you feel this way?

Special note: Racist simply represents an undefined term. Focus on specific behaviors in order to determine whether or not this matters within the broader context of the dispute.

Don't "freak out" or become defensive when terms like this are thrown around

If the term is being used as a weapon, review ground rules

Don't feel an automatic impulse to resolve the issue as to whether or not someone is behaving in a racist way

Substitute any "ism" in this case and treat the same way

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- Parking Lot

Are there questions about any of the material covered so far?



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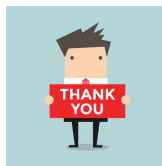
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- Closure Activity

Please write down one piece of information to heard in this session (from anyone) that was either new to you, or made you think about something you already knew (or thought you knew) differently?



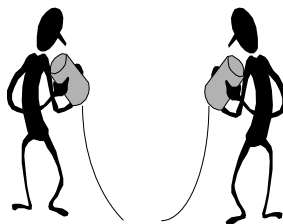
We will ask for 3-5 people to share their reflections



See you tomorrow...!



Terminating a Session



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Terminating a Session

Conditions for termination

- The facilitator becomes aware of felony-level criminal activity/other behavior where the program requires termination
- The facilitator becomes aware of any type of child/elder abuse
- The ground rules have been consistently ignored by one or both disputants
- Threats of violence or harassment are made by any party
- The facilitator feels that one or both disputants is no longer acting in good faith
- One or both disputants walks out of the session



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Terminating a Session

Tips for termination

- When co-facilitating, always discuss the decision to terminate with your partner prior to announcing a termination.
- Never demonstrate anger or allow the disputants to see that you are taking the situation personally. Maintain the same tone of voice you have used throughout the session.
- State the reason that you are terminating the session to both disputants in a clear and firm voice. Take ownership of the decision and do not negotiate with the disputants.
- Place the responsibility for the action where it belongs. Do not apologize for your decision.



Terminating a Session

Tips for termination

- State the consequences of your decision. In cases of felony behavior or child/elder abuse, indicate to the disputants that you are required to report this information. If these conditions do not exist, indicate to the disputants how they may go about reinitiating the resolution process if later desired.
- If possible and desired, develop a partial agreement over any points that have been successfully resolved by the disputants.
- End on a positive note. This may seem difficult to do, but even in the worst sessions it does no good to leave the disputants feeling that the situation is hopeless. Even if future facilitation or mediation is out of the question, you may wish to review other options that the disputants may pursue.



Terminating a Session

Sample termination (student relationship case)

Situation: Mike and Darice are involved in a mediation session to assist them in resolving a dating relationship dispute. Mike has been continuously disorderly since Darice indicated her desire to cease the dating relationship. Mike is making angry comments towards Darice and the mediator interrupts.

Mediator: "Mike, I must interrupt and ask both of you for your attention. As you know, my role here is to assist both of you, and I have attempted to remain objective and neutral throughout this session. I reviewed the ground rules with both of you at the beginning of this session and reminded you of them several times when there were interruptions and name calling. Mike, your continuous interruptions and sarcastic comments throughout the session demonstrate to me that you are not acting in good faith in this process. I am unable to effectively carry out my responsibilities and am therefore terminating this session."



Terminating a Session

Sample termination (student relationship case)

Mike: "You can't do that!"

Mediator: "You will recall that during the introductory statement I made it clear that I do have this authority. I am now choosing to exercise it. There will be no negotiation of this decision and I will report the reasons for this termination to my supervisor. You may then address any concerns that you may have about me with her."

Mike: "Aw, come on....I'll be quieter from now on."

Mediator: "You have had sufficient opportunities to demonstrate your good faith and have failed to do so. As a result, I no longer believe that I can effectively carry out my role as your mediator."

Darice: "So where does this leave me? He has been harassing me for over a month."



Terminating a Session

Sample termination (student relationship case)

Mike: (yelling) "I have not been harassing you!"

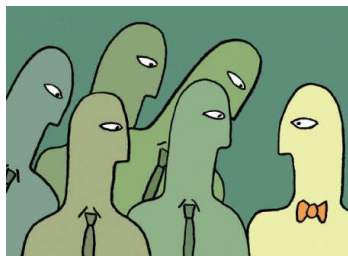
Mediator: "I will be happy to assist both of you in making an appointment with the case manager to review your options. Darice, it is my understanding that because this case is a deferral of disciplinary action, the formal process will be reinitiated."

Darice: "Okay."

Mediator: (to both) "Although I am disappointed by today's outcome, I am encouraged by the fact that you had both entered the mediation process in the first place. I appreciate your participation and hope that you found some value in having this opportunity to meet. Thank you for coming."



Culture, Intersectionality, and Conflict



“Greetings. I am pleased to see that we are different. May we together become greater than the sum of both of us.”

- Vulcan greeting from Star Trek
(Vulcan philosophy celebrates IDIC –
Infinite Diversity in Infinite Combinations)



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What is Culture?

- Culture is a compilation/combination of:
 - A collective’s demographic characteristics/traits
 - A shared ethnicity and/or national origin
 - A shared language
 - A collective’s values, beliefs, customs, mannerisms, and traditions
 - A collective’s achievements in arts, literature, music and other human intellectual manifestations
- Cultures can vary from small groups to very large groups of people



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What is Culture?

- Culture is a combination of seen and unseen things
- We are all part of many different cultures and subcultures, and we are all members of both dominant and subordinated groups
- We all have stories to tell
- Those stories are not always (or even usually) stories that we would expect
- Our brains naturally make assumptions in order to help us make sense of the world in an efficient way. Making assumptions about people based on their appearance is called stereotyping. Stereotyping is natural but must be guarded against... **DON'T ASSUME** that you already know someone else's story before they have a chance to tell it.



What is Intersectionality?

- Intersectionality is an analytical framework for understanding how aspects of a person's social and political identities combine to create different modes of discrimination and privilege
- We want to understand that any person coming into a facilitation or mediation session brings their entire being with them into the room, and this affects how they interact with the other party, as well as how they interact with the facilitator



What is Intersectionality?

- While we cannot “level the playing field” and remove privilege or discrimination, we can strive to understand how it affects the way that people communicate, as well as how they process information (through a lens)
- Further, as the facilitator we should strive to not commit “microaggressions” that trigger and/or reinforce elements of perceived oppression/discrimination



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Exercise

- We will move into breakout rooms
- Open Handout #1 and review the twenty-two categories
- Quietly take five minutes to identify from each category whether you consider yourself to be in the privileged or marginalized group.
- Please share what you are comfortable sharing. Please understand we are not trying to trigger and negative feelings as a result of your privileged or marginalized status in any identity or combination of identities.
- After 5 minutes, work with the members of your group to answer the following questions:



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Exercise

- How many privileged and marginalized groups do you belong to?
- What seen or unseen regular/daily privileges do you enjoy for being a member of any of your group identifications?
- How do you experience regular/daily discomfort for being a member of any of your marginalized groups?
- Would most people be able to identify your identities? What implications does this have in your life?
- Briefly describe one instance in your life where you were treated as “lesser” based on a marginalized status?

We will provide twenty (20) minutes for discussion, then a 10-minute break, before we process the exercise back in our large group.

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Large Group Questions

- What seen or unseen regular/daily privileges do you enjoy for being a member of any of your group identifications?
- How do you experience regular/daily discomfort for being a member of any of your marginalized groups?
- Would most people be able to identify your identities? What implications does this have in your life?
- Are you having any reactions to this exercise that are “light bulb” moments --- anything that informs you? Surprises you?

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Privileged and Marginalized Group PatternsPrivileged Groups

- Greater access to power and resources
- Make the Rules
- Define what is normal, "right," the "Truth"
- Assumed to be leader, smarter, competent...
- Given the benefit of the doubt
- Often unaware of privilege group membership and privilege
- Less aware about uninclusive and discriminatory treatment of marginalized group
- Are more comfortable with members of marginalized groups who share similar behaviors, appearance, and values to them
- Hold to privileged cultural beliefs, often without examination
- Collude, and if challenge, risk being ostracized/punished
- Focus on "how far we've come"

Source: Kathy Obear

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Privileged and Marginalized Group PatternsMarginalized Groups

- Less access to power and resources
- Often seen as less than, inferior, deficient...
- Often assimilate, collude, abide by the rules, try to fit in...
- Track the daily indignities they experience; very aware of oppression
- Punished if challenge the status quo
- Have their truth and experiences questioned and often invalidated
- Know more about members of privileged groups than privileged group members know about them
- Often struggle with finding a balance between who they are and who they are told they need to be to be "acceptable"
- Often struggle with finding their voice and speaking up to challenge
- Focus on "how far we need to go"

Source: Kathy Obear

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Privileged and Marginalized Group Patterns

Key Concepts of Privileged/Marginalized Group Dynamics

- Not always about numbers
- Visible and Invisible; Innate and Chosen
- Multiple Group Memberships
- Not always about individual behaviors or feelings
- You didn't ask for it and you can't give it back

Source: Kathy Obear

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What are Microaggressions?

- “Microaggressions are the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.”

- Dr. Derald W. Sue, as cited by Kathy Obear

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What are Microaggressions?

Microaggressions: Characteristics

- Everyday actions that occur all around us
- Committed by people who believe they are fair-minded, without prejudice
- Possibly done without any conscious intent or malice
- Usually unaware of how their comment, tone, or behavior negatively impacts others
- May be considered “no big deal”
- Few recognize the cumulative, long-lasting impact of constant barrage of microaggressions
- Some may not even recognize they experienced a microaggression until later



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Microaggressions

Potential impact and emotional toll on members of marginalized groups

- Uncertainty – never knowing when they will experience another microaggression
- Constantly vigilant, always mindful of their surroundings
- Self-doubt ~ given the ambiguous nature of some situations, some might obsess over questions like, “Am I over-reacting? Being too sensitive? Misinterpreting what just happened? Just being paranoid?”
- If they bring it up to the member of the privileged group, often met with denial, defensiveness; fear that this could hurt their relationship, career path
- Left feeling “I don’t belong, I can’t be successful here”



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Microaggressions

Potential impact and emotional toll on members of marginalized groups

- May change their behavior in hopes that this may lessen their experiences of microaggressions; may come across as overly friendly, helpful, passive, soft-spoken, ingratiating...
- Feel pressure to “act right” or their actions could be used to reinforce stereotypes about their marginalized group; carry the group on their shoulders
- Damages the respect they may have for members of privileged groups; may not use them as resources in the future
- Often invest time and energy trying to diagnose what happened, manage the impact and feelings, decide if and how to respond
- If choose to “let it go,” may judge self as supportive of bad behavior; feel guilty for not stepping up

(Developed by Kathy Obear)

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Microaggressions

How to be cognizant of microaggressions committed by you or a disputant

- Method called PANNING
 - **PAN = PAY ATTENTION NOW**
- Intentionally observe and notice behaviors, comments, feelings, patterns of treatment...
- Ask yourself: Is this an isolated incident or a possible pattern of experience?
- AVOID making a SNAP JUDGMENT or creating a story about what you see
- PAN the specific details and facts of what you see, feel, hear...
- Describe what you PAN without any assumptions, interpretations, conclusions, or prejudgments
- Notice the group memberships of people involved as you PAN, and describe the behavior if this information is useful to the discussion...

(Developed by Kathy Obear)

The Texas A&M University System



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How does all of this affect our work as facilitators?

- Language issues lead to miscommunication and/or misinterpretation
- Incorrect assumptions cause and/or exacerbate conflict
- We want and/or expect others to be familiar with our norms
- Our brains are wired to be biased against the unfamiliar
- Values often drive our feelings and reactions in conflict; anything that is outside of our own value system create internal conflicts that may manifest in the external conflict



How does all of this affect our work as facilitators?

- As facilitators we strive to create a physical and emotional space that provides a level playing field; in truth, there is rarely such a thing
- Be aware of the visible identities of the parties, as well as listening for the invisible identities that may affect someone's perspective; what may look like someone being "obstinate" may in fact be someone seeking to protect themselves based on past experiences
- Identities do not make negative behaviors acceptable, but do provide a context – it is within the context that we may find seeds for resolution



How does all of this affect our work as facilitators?

- Physical space considerations (formal v informal)
- Time sense
- Personal greetings, names, and pronouns
- Eye contact
- Direct v indirect communication (high context v low context; group v individual)
- Dealing with emotions
- Don't "diagnose" and assume; listen for cues and know how and when to ask about matters that may affecting your ability to reach a resolution
- Resolutions and agreements



• Parking Lot

Are there questions about any of the material covered so far?



- **Closure Activity**

Please write down one piece of information to heard in this session (from anyone) that was either new to you, or made you think about something you already knew (or thought you knew) differently?



We will ask for 3-5 people to share their reflections

