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TAKING A FRESH LOOK AT CONFLICT RESOLUTION WHEN WORKING WITH PUBLIC ENTITIES



WHO ARE WE?

WHY MORE EFFECTIVE THAN TRADITIONAL MEDIATION?

IN GENERAL

- Type of conflict is relationship based, not money based
- Arriving at decision together, after understanding each other, makes more sustainable
- Need to be heard

ELECTEDS, SPECIFICALLY

- No oversight other than election or appointment
- Public decision makers
- Egos /issue-based campaigns
- Open Meeting Law (Sunshine Laws) at play
- Media present/sensationalizing

**GOAL: Sustainable resolution of matters of
conflict**

CONFLICT IN LOCAL GOVERNMENT CAN DISRUPT

Video here

OTHER INFLUENCERS ON CONFLICT?

Corey Stewart, in news conference, called Republican state House members liars, cowards, "pathetic," "useless" for supporting Medicaid expansion. He called them "flimsy" and "weak."

President Trump tweeted "Truly weird Senator Rand Paul of Kentucky reminds me of a spoiled brat without a properly functioning brain. He was terrible at DEBATE!"

Democratic state Rep. **Stephanie Kifowit** stated on Illinois House floor she wanted to pump "broth of Legionella" bacteria into family water supply of GOP Rep. Peter Breen.

President Trump tweeted "@MeghanMcCain was terrible on @TheFive yesterday. Angry and obnoxious, she will never make it on T.V. @FoxNews can do so much better!"

**Current
Political
Rhetoric**



COLLABORATION GOALS



Solutions that do not split the difference, but make a difference



Solutions that the parties, not a third party, arrive at so they sustain



Relationships that develop to rebuild underlying trust and to extinguish assumptions

WHAT THE PROCESS LOOKS LIKE

Preliminary Consultation

- Facilitator prework to understand the various parts of conflict and to develop relationships

Get Groups into a Problem Solving Mindset

- Participants with Facilitator Present

Interest-Based Identification

- Participants with Facilitator Present

Problem-Solving Process

- Participants with Facilitator Present

Sustainable Agreement

- Participant Derived recorded by Facilitator

PRELIMINARY ASSESSMENT: UNDERSTANDING THE CONFLICT

**Facilitator
talks with
participants
individually to
identify
underlying
issues and to
help frame
conversation**

Human Need	Appropriate	Inappropriate
Freedom	Doing job, bringing ideas to table	Micro-managing
Belonging	Involvement	Our community, not yours
Security	Equal treatment	Bias-racism
Power	Delegate or integrated decision	Dictate or always win

PREWORK ASSESSMENT: SEE BEYOND THE CONFLICT

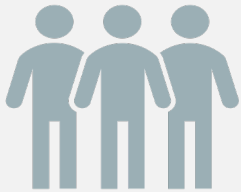
What you see or hear:

- The conflict situation

What lies underneath:

- Human needs
- Underlying emotions
- Generational experiences
 - World view
 - Past experiences

PROBLEM SOLVING MINDSET



Traditional approach

Goal: win

Participants are adversaries

Attack problem and people

Assume negative intentions

Want to prove yourself right



Problem solving approach

Goal: wise outcome

Participants are joint problem solvers

Concentrate on problem

Presume positive intent

Want to understand other position

Commit to listening with curiosity

PROBLEM SOLVING DISRUPTORS

HELP PARTICIPANTS NOTICE:

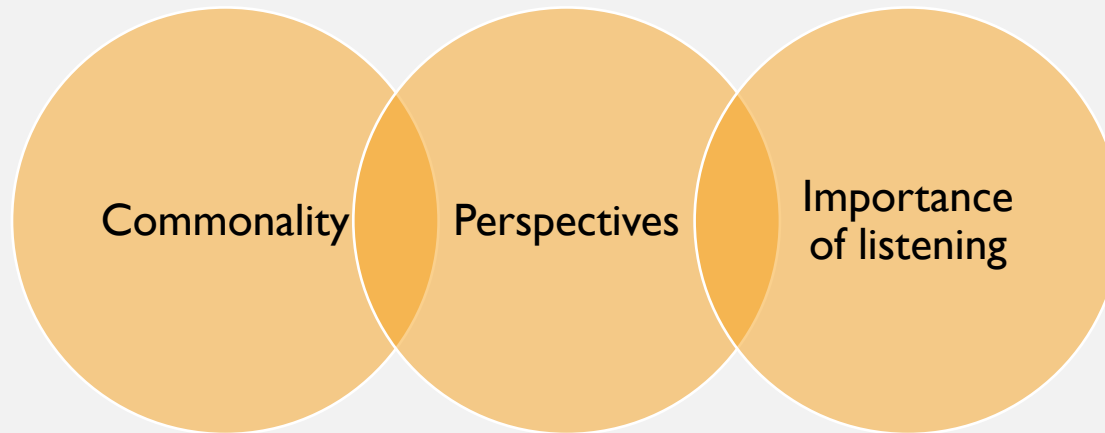
- **Physical symptoms** of fight or flight – racing heart, clenched fists, sweaty palms
- Use of **superlatives** – always, never
- Finding **fault** with the character of the people involved rather than their position
- **Dismissing** evidence that contradicts negative portrayals of the other side
- **Unconscious bias**



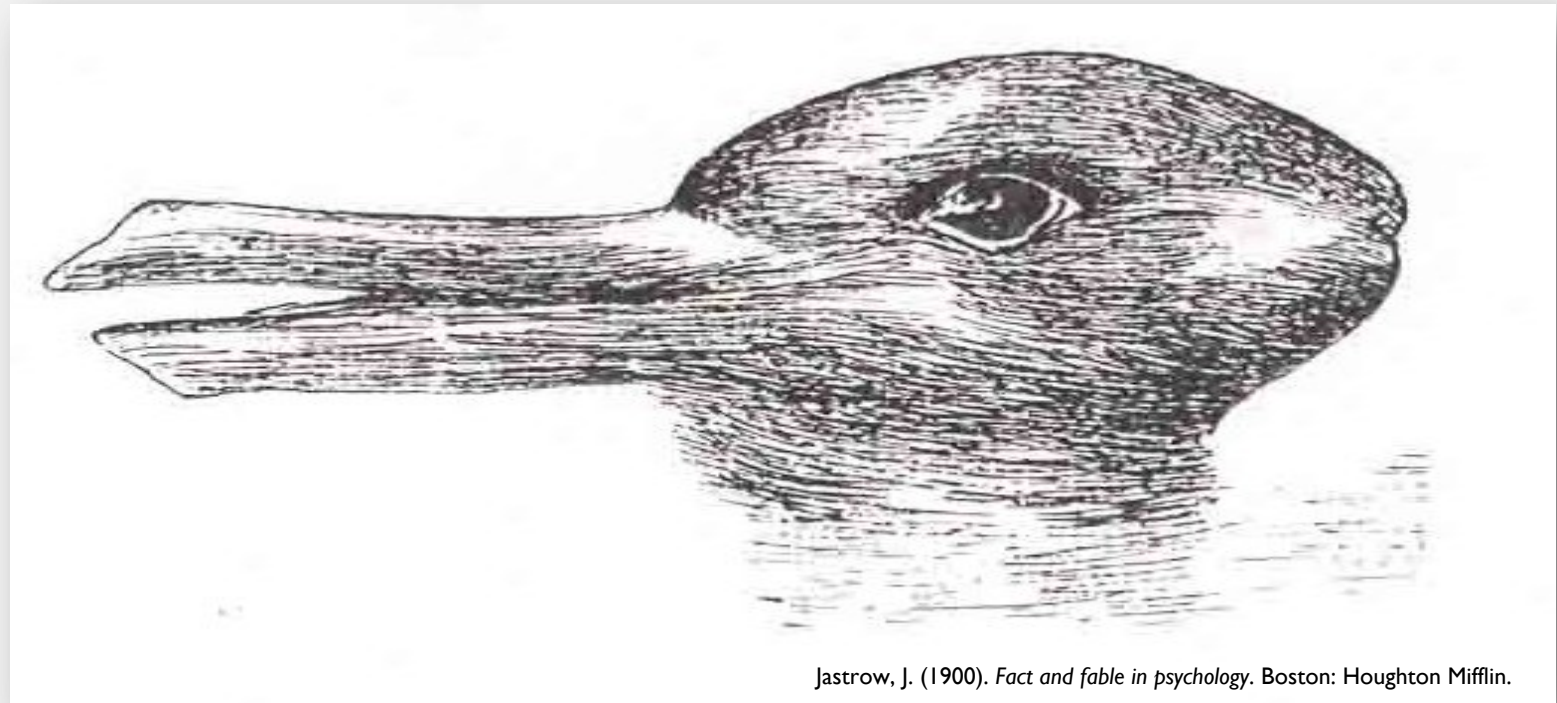
AFTER MINDSETTING, START THE CONVERSATION

AT START OF DISCUSSION

At a start to facilitated conversations and as a tool to work towards integrative solution, it can be helpful to do an activity as a reminder of:



REMINDER OF PERSPECTIVE



REMINDER OF LISTENING

- Video here

GOAL:
**Frame the
problem so
both sides
agree with
description**

**AGREE ON THE
PROBLEM(S)**

- Remove judgment – neither side is “right or “wrong”
- Acknowledge each story as legitimate
- Have a willingness to explore their perception



IDENTIFY INTERESTS:
NECESSARY DIALOGUE

- Uncover needs behind issues –what stakeholders wish to see satisfied
- The real “why” behind position stated
- To find out, participants ask questions & listen with curiosity

How to ask those questions

DIALOGUE TO UNDERSTAND NEEDS & INTERESTS

- Get curious
- Question assumptions
- Seek to understand their story
- Identify mutual contribution

IMPORTANCE OF UNDERSTANDING INTERESTS



IDENTIFY
“PROBLEMS” IN
PREWORK



USE ACTIVITIES
TO GET
BEYOND
ISSUES &
UNCOVER
UNDERLYING
INTERESTS



TALK OF
UNDERLYING
INTERESTS LEADS
TO BETTER
UNDERSTANDING



ARRIVAL AT
UNDERSTANDING
LEADS TO
DISCUSSION
RATHER THAN
DEBATE



AUTHENTIC
DISCUSSION
RESULTS IN
AGREED ON
NEXT STEPS
TOGETHER

OFTEN HAVE TO
REFRAME STATEMENTS
TO UNDERSTAND
INTERESTS



Reframing is translating toxic, positional, threatening or unclear statements into statements that others can respond to productively.

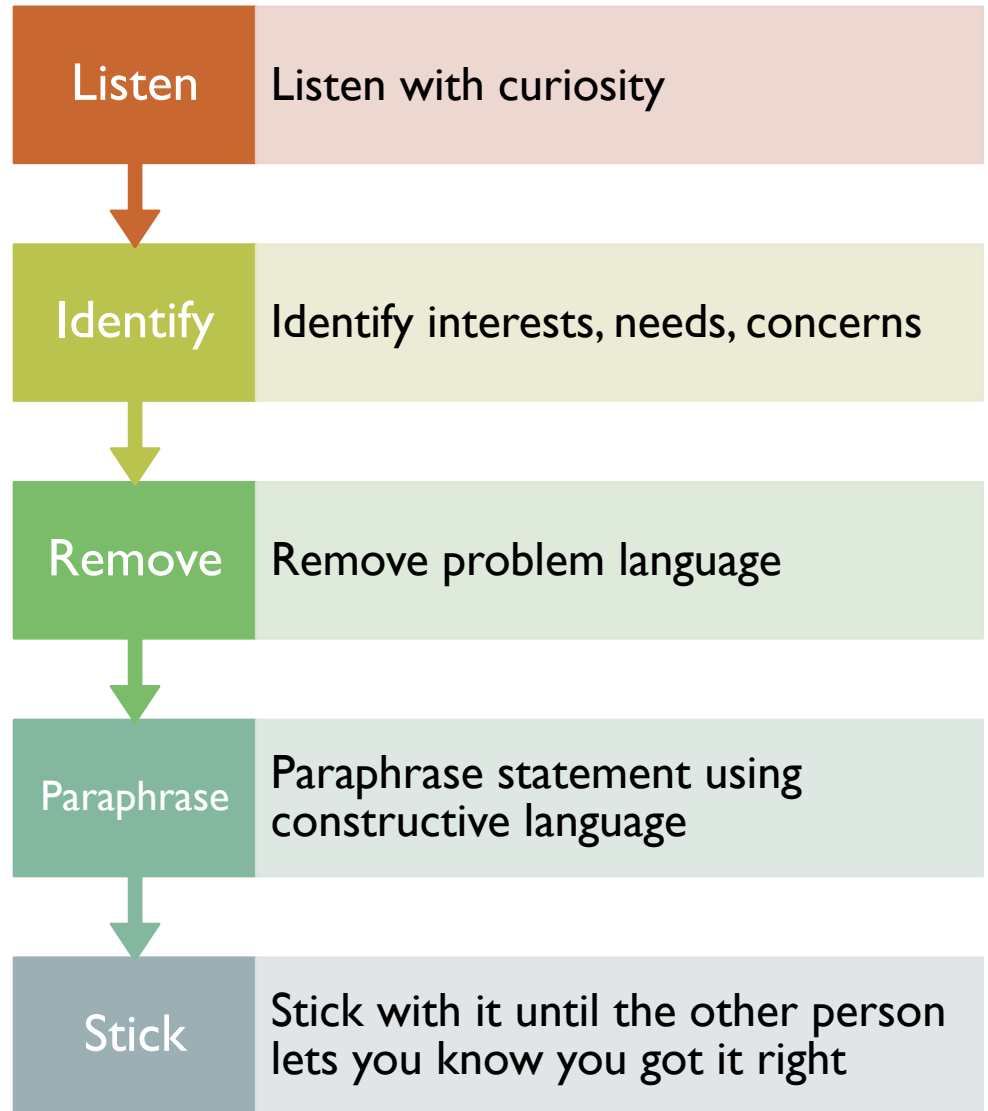


Why reframe? People want constructive responses to their statements. Reframing statements sets the stage for constructive responses.



Sometimes that means listening hard to dig out underlying interest or concern.

PROCESS FOR REFRAMING



REFRAMING TIPS

1. Use neutral language to replace toxic language, blame, fault
2. Phrase In terms of interests rather than positions
3. Emphasize the commonality of interests
4. Define the issues jointly, rather than from one participant's perspective
5. Phrase in light of the future, not the past
6. Phrase in behavioral terms, rather than character or personality
7. Move away from non-negotiables such as values, attitude, feeling to negotiables such as behaviors or systems
8. Highlight as an individual component of problem



OFTEN HAVE TO SYNTHESIZE BEFORE DISCUSSION

- Helps group members see how each idea connects to whole
- Helps build sense that all needs matter and they can coexist symbiotically
- Generates movement toward strategies that meet multiple needs

TIPS FOR
SYNTHESIZING

Here's what I've heard so far...

The common thread seems to be...

Here's how I see the connection between all that has been said...

What is really important seem to be...

GENERATE
OPTIONS &
DEVELOP
SOLUTION



GOAL FOR DISCUSSION OF OPTIONS: INTEGRATION

Integrative problem solving



Domination

Compromise

Integration

TIPS WHEN GENERATING OPTIONS

Avoid judgment;
monitor verbals
and non-verbals

Be creative

Acknowledge there
is no RIGHT
answer, multiple
possible solutions

Accept all ideas

Ask questions as
facilitator about
the options

GENERATE OPTIONS

Space

Seat people next to each other in a circle, around a table, so they can see written problem on chart

Time

Avoid stopping the brainstorming too early (set a time and stick to it, even if it feels like energy has run out)

Accept

Avoid “either/or” thinking

Build

Let the thoughts come quickly - build on ideas of others

Record

Record ALL ideas somewhere for all to see as process occurs

DEVELOP INTEGRATIVE SOLUTIONS

Things to consider before making final decision:

- From brainstormed list of shared interests, create shared goal.
- From brainstormed list, select top options.
- Consider problem and possible options from different points of view.
- Consider what is legal and perceived as fair, honorable, etc.
- Is there a precedent from the organization that might be followed?
- Consider how option, if selected, might be perceived by other person/organization's worst critic.

1

2

3

4

5

6

Create safe space for dialogue

Agree on problem or decision to be made

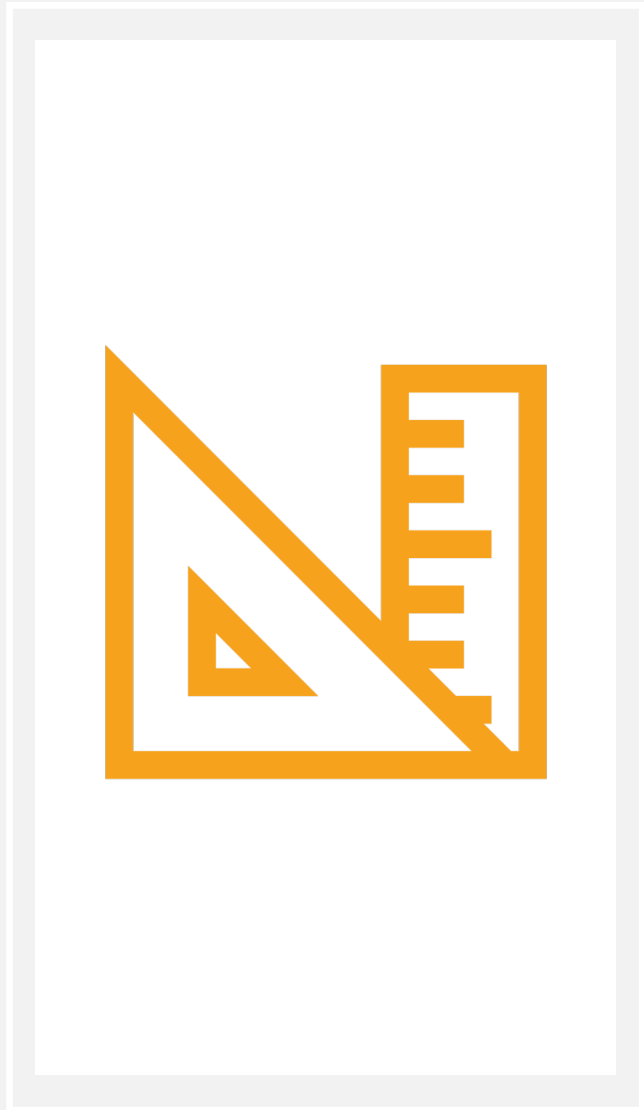
Engage in dialogue to exchange info & to increase understanding of diverse views

Generate options for mutual gain based on shared interests

Develop integrative solution

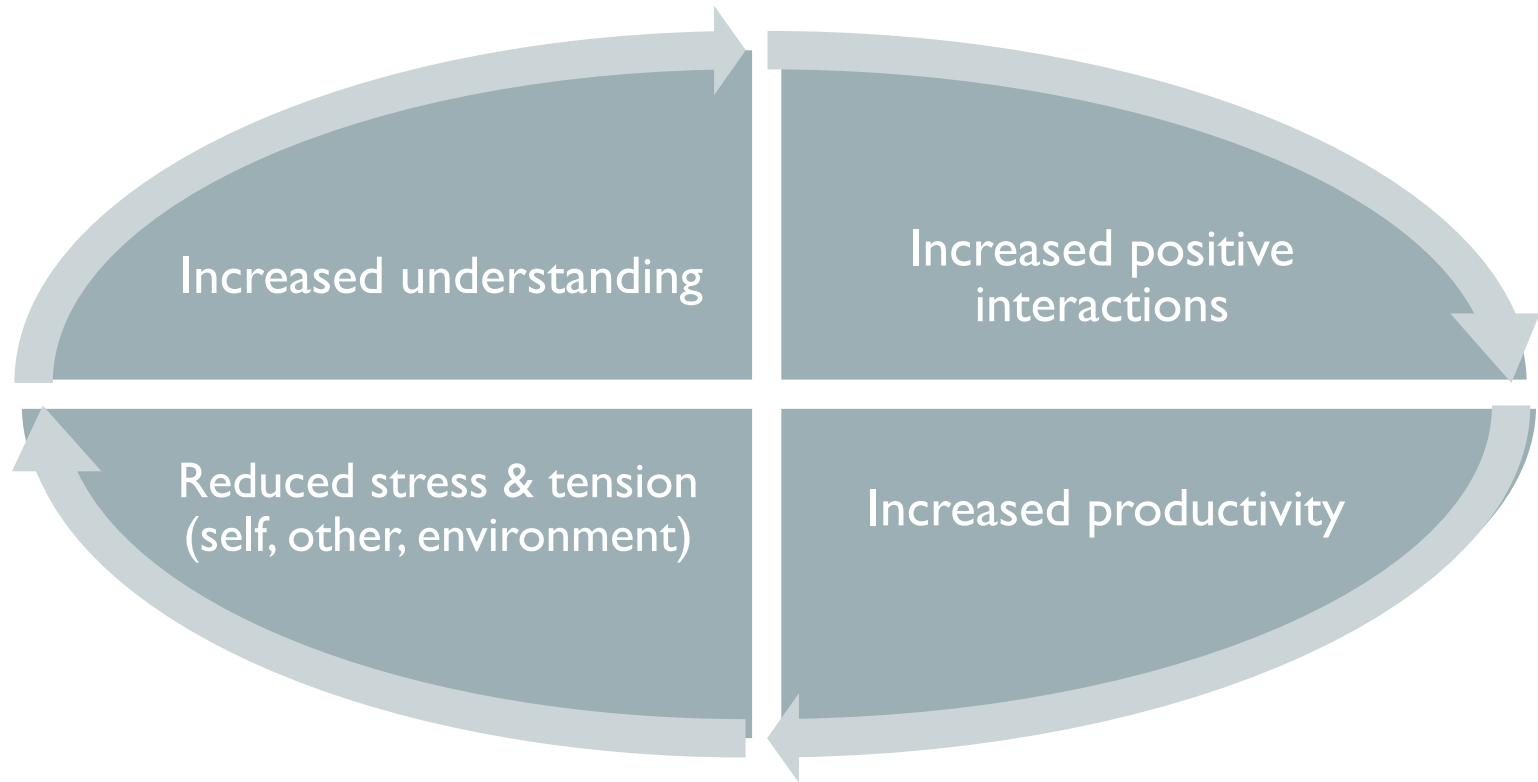
Reach final agreement that all parties can accept

PROCESS SUMMARY



COLLABORATIVE PROBLEM SOLVING BENEFITS

- Makes efficient use of public and private resources
- Develops high quality solutions
- Accelerates pace of a project
- Bridges differences
- Deal productively with shared power for decision-making



**WHY IT HELPS?
CONFLICT TRAINING CYCLE**

JAY

Video here

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