

# PROCESSES FOR RESOLVING CONFLICT

The following table describes various processes available for resolving disputes. It contains common processes such as negotiation and litigation. It also includes other processes that are less focused on a win-lose paradigm and more focused on the parties having a chance to share their perspectives in order to create a mutually beneficial outcome to the dispute.

Process & Description	Notes:
<p><b>NEGOTIATION</b> – A process where the parties involved in the conflict communicate in order to resolve the dispute between them. Negotiation occurs whenever there is a communication/interaction with another person where one party has a particular goal in mind.</p>	<ul style="list-style-type: none"> <li>• Negotiation can be formal or informal.</li> <li>• The disputants control the process and the outcome</li> </ul>
<p><b>CONCILIATION</b> – A voluntary process where disputants use the assistance of a third party. Often the party is known to the disputants and may have a vested interest in the outcome. Conciliation can occur when the conciliator works with each disputant separately or with both disputants together. The disputants decide the outcome of the dispute. Examples of conciliators are co-workers, supervisors, managers, etc.</p>	<ul style="list-style-type: none"> <li>• Conciliation can be formal or informal</li> <li>• Some union agreements have conciliation clauses specified</li> </ul>
<p><b>MEDIATION</b> – A voluntary process where disputants involve the assistance of a third party. The mediator is typically an outside party and provides a process by which the dispute can be explored and hopefully resolved. The disputants decide the outcome of the dispute.</p>	<ul style="list-style-type: none"> <li>• Mediation can be formal or informal</li> <li>• Typically the mediator provides a process &amp; disputants determine the outcome</li> </ul>
<p><b>ARBITRATION</b> – A process where the disputants provide information on their perspective to a third party. An arbitrator or person in a position of authority decides the outcome of the dispute.</p>	<ul style="list-style-type: none"> <li>• Typically the process is determined by the arbitrating party/authority</li> <li>• The arbitrator decides the outcome</li> </ul>
<p><b>LITIGATION</b> – A process that involves the police and/or the court process. It also can involve lawyers, judges and juries. The outcome is decided by the legal system.</p>	<ul style="list-style-type: none"> <li>• This process involves a judge, lawyers &amp; sometimes a jury</li> <li>• Types of law include criminal, civil &amp; family law</li> </ul>

<b>Other Processes or Approaches that Can Help:</b>	
<p><b>EMPLOYEE ASSISTANCE PROGRAM (EAP)</b> – Sometimes individuals cannot engage in the above processes because of emotional, psychological or illnesses issues. EAP may help them identify issues.</p>	<ul style="list-style-type: none"> <li>• Many companies provide this type of assistance to employees &amp; their families</li> <li>• Using this process can help a person identify issues and then decide if and what action can be taken</li> </ul>
<p><b>CHANGE</b> – Sometimes the time, energy and resources required to resolve circumstances and a relationship are not possible at the time. Therefore another option to deal with issues is terminating or changing a relationship. Examples would include: ending a friendship, divorcing a spouse or changing jobs.</p>	<ul style="list-style-type: none"> <li>• This can be formal or informal.</li> <li>• It also includes when others make the choice to end their relationship with us.</li> </ul>