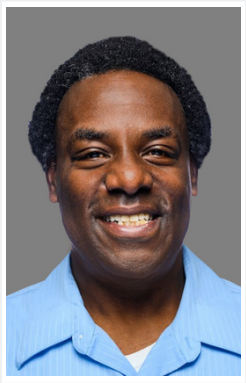


# CONFLICT SOLUTIONS

## Expert Advice to Resolve Workplace Discord

Volume 8, Issue 6

### Don't Demand Preconditions



**Anthony Jackson**  
Mediator

Workplace relationship mediators love cases that go well, and we become especially animated when they end with agreements, handshakes and the rare hug. Yet, as we know from life in general, we learn a lot from failure. Here's one that didn't end well. It didn't start well, either, which epitomizes this tale.

HR referred Olivia (the employee) and Tyler (the supervisor) to mediation because Olivia had raised concerns about being treated poorly. She and Tyler also had a history of failed communication efforts. The culminating moment for Olivia was when Tyler "stared at [her] for five minutes." When she confronted him, he rebuffed her with an emphatic "What the hell are you talking about?!" While this was their most overtly tense moment, their log of woes held a dozen other entries describing soured interactions. In fact, Olivia arrived at the meeting with a thick folder of concerns while Tyler had a blank notepad. Olivia was eager to review old slights while Tyler conveyed imperturbability.



**Chris Sheesley, MA**  
Conflict Resolver

Up to this point, it was a regular day at our office. Then it lurched from merely difficult to impossible when Olivia

declared that Tyler had to admit he'd been intentionally harassing her. Seeing the brick wall toward which they were headed, I began an elaborate mediation dance to avert an impasse. Even after my best puppet show, waving of semaphore flags, and lighting off spectacular pyrotechnics, nothing worked and the mediation session died on the table.

This happened because Olivia required that a precondition be met before she would engage in discussions and negotiations. Let's first praise her sense of clarity. Every good negotiator should reflect on what they want from the negotiation process and from the other person. Skilled participants in our relationship-building and let's-get-back-to-work sessions are encouraged to advocate for what they need and how they want to be treated. However, the wrecking ball in Olivia's approach was holding the possibility of dialogue hostage with the demand that

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Tyler capitulate at the start. Her position meant that in order to begin a discussion, he had to have a wholesale agreement with her one-sided interpretation of the conflict. This is fatally flawed logic because the goal of workplace mediation is to create an exchange in which people begin to understand each other, learn how each experiences the conflict, and, ultimately, evoke shared empathy for the mutual harm it has caused.

When Olivia insisted on Tyler's prima facie admission of guilt, she eliminated the far more meaningful possibility that they could engage in a mediated conversation that had - statistically speaking - a high likelihood of leading to resolution. Compare the coerced, likely false mea culpa Tyler might have (but didn't) convey at the beginning to what he might have said at the end of a real discussion. If their case had unfolded like most, they would probably have shared sentiments like "I'm sorry for X" or "I wish we'd talked about this sooner" or "I'm glad we had the opportunity to hear each

other's points of view." Those outcomes would have had far more heft than value for Olivia if Tyler had submitted to her opening demands. A gauntlet of preconditions as a barrier to negotiation might make sense when you don't really want to work it out, when lives are in jeopardy, or if you're just posturing for a larger political audience. But if you hope to heal a fractured working relationship with someone with whom you share interdependencies (and the same coffee pot in the break room), then preconditions are counterproductive. It's a way to win a skirmish but lose the peace.

