

# *Leech Lake Band of Ojibwe Employee Assistance Program*

## *Supervisor's Manual*



### **MISSION STATEMENT**

*“The Employee Assistance Program has been established to identify, interpret and address employee concerns regarding personal and/or organizational situations that affect job performance and productivity and to meet the challenges of seeking workable and satisfying solutions for employees, their families, and the organization.*

*We strive for the highest standards of employee work relations in order for our reservation programs to continue to operate at their fullest potential in a safe and healthy work environment.”*

***Bobbie Reed, E.A.P Associate***

***(218)-335-8377 or toll free at 1-800-631-5528***

***Fax (218) 335-4429***

## **Employee Assistant Program Policy Statement**

The EAP staff is concerned with an employee's personal problems and how they affect his/her as a person, as well as how the employee's well-being affects his/her work performance.

This policy applies to all employees of the Leech Lake Band of Ojibwe, which includes all levels of the Leech Lake Band of Ojibwe Organizational structure.

The Employee Assistance Program is available to the Leech Lake Band of Ojibwe employees and their families on a self-referral basis, since problems at home can affect the job. If Leech Lake Band of Ojibwe employees or family members have personal problems that may benefit from assistance, they are encouraged to use the Employee Assistance Program.

Participation in the Employee Assistance Program ***will not*** jeopardize an employee's job security, promotional opportunities or reputation.

All records and discussions of personal problems will be handled in a confidential manner. The records kept by the Leech Lake Band of Ojibwe Employee Assistance Program will ***NOT*** become part of the employee's personnel file.

Leech Lake Band of Ojibwe employees will be encouraged to seek assistance to determine if personal problems are causing unsatisfactory job performance. If performance problems persist, the employee will be subject to the normal disciplinary procedures as outlined in the Leech Lake Band of Ojibwe Personnel Policies and Procedures.

All levels of the Leech Lake Band of Ojibwe management are encouraged to use this program when appropriate, to assist in resolving job performance problems related to personal problems.

***The Employee Assistance Program does not alter or replace existing LLBO Personnel Policies and Procedures, but serves to assist with those policies.***

\*\*Please make copies of this manual for all supervisors in your department\*\*

Save a *master copy* for future use.

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## INTRODUCTION

The Leech Lake Band of Ojibwe has implemented an Employee Assistance Program. The EAP provides assessment, short-term counseling, referral and follow-up for employees and their family members who may be experiencing difficulty or are concerned with personal issues, such as (but not limited to):

**\*Job Related Concerns\* \*Employee Concerns\***

**\*Conflict Management\* \*Alcohol/Drug Abuse\***

**\*Employee/Family Issues\* \*Health Issues\***

**\*Safety Issues\* \*Emotional Issues\***

*(Please keep in mind we are a short-term counseling and referral agency)*

Confidentiality is a high priority and will be maintained. No personal information will be shared unless written authorization by the employee or family member is given.

The Employee Assistance Program serves as an important resource, assisting management in resolving performance and other staff problems, in which, causes are not easily defined. As a manager or supervisor, you are in a unique position of observing human behavior, and you are charged with the responsibility of the performance of employees. Dealing with the human condition is never easy, consistent or simple, especially in these times of great change. We are a resource to help supervisors and managers deal with their greatest job stress – difficult employees.

If you ask most supervisors and managers about their biggest job stress, they will tell you that it is dealing with problem employees. These are the problems they often bring home and the ones that keep them up at night. This manual provides practical help about how to deal with the employee who is not performing on the job, and how to encourage the employee to seek help. We outline a **four – step process in problem resolution**.

- 1. Identifying the employee's problem behavior;**
- 2. Documentation of these behaviors;**
- 3. Intervention;**
- 4. Referral to Employee Assistant Program (EAP)**

The Employee Assistant Program is designed to help employees and their families deal with personal problems. Left untreated, personal problems can lead to low productivity, absenteeism, accidents, low morale, violence, and health problems. Most employees struggling with problems will take advantage of the EAP. However, sometimes individuals are unaware that they have a problem, or don't want to confront it. When employees experience a decline in their ability to perform at work, it can be helpful to encourage them to seek help. In fact, encouragement from a supervisor is among the most effective way to motivate an employee in seeking help.

These situations are simple. They are usually time consuming and stressful for you as the supervisor. The natural tendency is to avoid confronting the problems and the discomfort of suggesting to someone that they may need help. However, problems left unattended often get worse. You have the right and obligation to intervene when a employee's performance is slipping. ***The EAP is a management tool, a resource of the supervisor in dealing with a troubled employee.*** *(In no way does the EAP supersede or preclude any of the responsibilities of the supervisor.)*

## **Step 1: Identify**

The first step is to identify the patterns of job performance deterioration. We often assume that performance pertains only to specific job tasks, rather than more general behaviors that can impact performance of the individual or group. Look for behaviors that are continuing and repeated. This will require documentation. You can use this checklist as a guide when documenting problem situations.

### **1. PRODUCTIVITY:**

- Clear refusal to do assigned tasks
- Missed deadlines/procrastination
- Decrease in decision-making ability
- Decrease in volume work

### **2. ATTENDANCE:**

- Excessive unauthorized absences
- Excessive use of sick leave
- Frequent absences or other patterns
- Excessive extension of breaks or lunch
- Frequently leaves work early
- Major change in physical health
- Major change in emotional status

### **3. QUALITY OF WORK:**

- Inconsistent 'up and down' quality of work
- Uses poor judgment
- Not performing up to job expectations
- Increase in errors
- Repeated errors
- Repeated errors despite guidance

### **4. ACCIDENTS:**

- Involved in job accidents
- Safety offenses
- Co-workers expressed concern about safety of an employee
- Accidents off the job, which may affect the job performance or attendance

### **5. RELATIONSHIPS:**

- Significant change of relationships with co-workers or others
- Frequent or intense arguments or outbursts
- Verbal abusiveness
- Physical abusiveness
- Persistently withdrawn or less involved with people
- Intentional avoidance of supervisor
- Expression of frustration or discontent
- Complaints by co-workers or subordinates
- Unusual sensitivity to advice or critique
- Passive-aggressive attitude or behavior
- Makes unfounded accusations towards others
- Frequently demanding, rigid, or inflexible
- Concerns about sexualized behavior at work
- Defensiveness, frequent unsupported explanations of poor performance

### **6. DISRUPTIVE WORK PATTERNS:**

- Behavior that disrupts work flow
- Requires more than usual supervision
- Is increasingly irritable or tearful
- Engages in detailed discussions of death
- Unpredictable displays of emotion
- Displays unusual fear
- Engages in detailed discussions about obtaining or using drugs and/or alcohol
- Displays memory problems
- Comes to work smelling of alcohol
- Makes unreliable or false statements
- Concerns about sexual harassment
- Negative impact on morale of whole group

## **Step 2: Document**

As a supervisor, when you are faced with a declining or erratic performance, you need to document observable variable facts. Good documentation serves two purposes: 1) It gives you a picture of what the patterns are over time, 2) It prevents a 'my word vs. your word' confrontation.

Keep to the specifics; avoid interpretation.

*Examples:*

**OK:** *“Miss Barker was late three times this week and she has left work early twice. She also has fallen behind on two projects and the work she presently is doing is very sloppy. Today she asked if she could get her paycheck early in the day.”*

**NOT OK:** *“Miss Barker asked for an early paycheck. I think she wants to leave early again. I think she is drinking heavily and partying late at night. She will probably come in late again in the morning and her work seems sloppy.”*

## **Step 3: Intervene**

After an employee's deteriorating job performance has been identified and documented, schedule a private meeting with this person. More than one meeting may be necessary. The object of each meeting is to:

1. *Communicate to the employee the facts about his/her deteriorating job performance.*
2. *Note the changes from a previously good record.*
3. *Review the standards of acceptable work performance.*
4. *Outline your expectations for improved performance.*
5. *Set a timetable for reviewing performance again.*
6. *Discuss the steps you will take if the performance does not improve.*
7. *Inform the employee about the availability of the EAP as a resource to help him/her identify and resolve any personal problems that are affecting their job performance.*

The goal of intervening is to help the employee to return to acceptable work performance – disciplinary action and referral to EAP may be part of accomplishing this.

## **Step 4: Referral to EAP**

There are two different ways the employee can be referred to the EAP:

### ***1. Employee Referral:***

When you are concerned about an employee's personal welfare, but job performance is not an issue, you might make an employee referral to the EAP.

It usually is as simple as saying, "Why don't you call EAP? They are here to help with difficult personal situations."

### ***2. Supervisory Referral:***

Supervisory referrals are used when an employee demonstrates on-going job performance problems. Personal problems often affect job performance. By recommending that an employee meet with EAP, you can continue to focus on job performance issues while encouraging the employee to privately deal with personal problems.

### **To make a Supervisory Referral:**

- Consult with EAP. This consultation will also provide useful information to the EAP so that we can better help the employee, and if appropriate, provide feedback to you about the employee's follow up with our program (*See Feedback Section*).
- Explain to the employee that you are referring him/her to EAP. Tell the employee how to contact the EAP.
- Remind the employee that any disciplinary measures previously discussed will take place regardless. EAP participation is no excuse for poor performance but a tool for clarifying, improving and moving forward.
- Make it clear that what the employee discusses at the EAP office is strictly confidential, and that the supervisor has no right to know the employee's personal business, but that you do expect to hear from the EAP Associate as to whether or not the employee is following through with the EAP visit(s) and their recommendations if any.
- Remember, on some level, people are asking for help. If they could have fixed the problem on their own, they would have done so by now.
- You don't need to make presumptions about what's interfering with job performance. It could be as simple as a childcare situation or change in his/her life style.

### **SEEKING HELP IS A POSITIVE STEP.**

It can be uncomfortable to refer someone for help; there is no perfect way to say it. All you can do is to indicate your concerns and provide resources to help them. It's up to the employee to make use of that resource. Here's an example of how to talk to the employee about the referral process:

*“John, as we discussed before, I have some concerns about your job performance. I'm encouraging you to contact EAP so that they can help you with whatever is getting in the way of doing your job better. The EAP will ask you to sign a form that allows them to let me know whether you are following through with the visit(s) and any recommendations. That's all they can tell me; they will not say anything about your problems or what you're doing about them. If you have any questions, feel free to call EAP and ask how the program works. Here's the number: 335-8377”.*

### **FEEDBACK:**

If the employee is formally referred, the EAP Associate will ask if the employee is willing to sign a referral form called: *“Consent to Disclose Information to Supervisor”*

If signed, this allows the EAP to provide feedback about whether the employee is following through with the EAP and its' recommendations.

It is the employee's decision on whether he/she will sign this form. If the employee *chooses not* to sign, then no written or verbal information is transmitted and there will be no disciplinary action taken toward that employee due to not signing the form. Employees will generally sign, realizing that it is to their advantage to show the supervisor that they are taking action to correct the problem. The EAP will follow up with the employee, and if any, recommended employee treatment.

If it is a supervisory referral and the employee never contacts the EAP Associate, the EAP Associate will inform the supervisor within a designated time.

The four strategies for dealing with the employee job performance or attendance affected by personal problem(s):

1. IDENTIFY
2. DOCUMENT
3. INTERVENE
4. REFERENCE:

*\*NOTE: (There is no information communicated about any problem(s) or kind of treatment recommended as this is confidential information. However, any required employee treatment that conflicts with individuals working hours must be a collaborative effort with all appropriate personnel and time away from the job must be pre-approved by their program administrative personnel.)*



# **CONFLICT RESOLUTION** ***WORKING IT OUT TOGETHER***

## **Conflicts Happen**

Conflicts are a normal part of life. How we deal with these conflicts can make a big difference. Often when people resolve conflicts, one person ends up a winner, and one loses out. This may solve the problem for a moment, but resentments and bad feelings can cause more problems later.

## **Everybody Can Win**

Another way to look at conflict is to try to find a WIN-WIN solution, in which both sides can benefit. In this way, conflicts are turned into opportunities to grow and make things better than before. The approach is the cornerstone of “conflict resolution” – one of the most important tools for bringing peace into our personal lives, our communities and to our world.

## **CONFLICT RESOLUTION BASICS**

### **1. Attack the problem not the person**

- a.* Define the problem
- b.* Explore each person’s perception of the problem
- c.* Try to understand and respect each point of view with out judging
- d.* Use good communication skills including, ***LISTENING, SUMMERIZING AND CLARIFYING.***

### **2. Concentrate on interests, not positions**

- a.* The position is the outcome you are interested in getting
- b.* The interest is why you want that outcome
- c.* Interests that are involved in conflicts are usually related to our basic needs. When we focus on interests instead of positions we can start to find solutions.

### **3. Come up with options in which both sides win (win-win options)**

### **4. Cooperate together to solve the problem fairly**

- a.* A fair solution respects the interest of both sides



# **PROBLEM SOLVING TERMS AND TOOLS**

## **COMMUNICATION**

Conflicts are often caused by problems in communication. One person may have misunderstood what the other person has said. Or the other person may not have said what they meant to say. Sometimes when we're angry we don't hear what the other person is saying. Sometimes when there is a conflict, people do not tell each other, which may cause even more conflict. Good communication skills are an important part of resolving conflicts.

## **LISTENING**

It's important to listen carefully. Your "body talk" sends a message that you are listening. Keeping eye contact, leaning closer, nodding your head when you understand a particular point, and ignoring distractions that are going on around you are some of the ways to send the right body message.

## **SUMMARIZE**

When a person is finished expressing a thought, summarize the facts and emotions behind what they have said so that they know you have understood what they've said and how they feel.

## **CLARIFY**

Ask questions to clarify or make clearer different parts of the problem to make sure that you fully understand the other person's perspective.

## **GOOD SPEAKING SKILLS**

When you speak, try to send a clear message, with a specific purpose, and with respect to the listener. Speak about how you are affected by the problem.

## **COMMUNICATION SIDE TRACKERS**

Don't interrupt, criticize, or laugh at the person, offer advice or bring up your own experiences, or change the subject.

## **WIN-WIN OPTIONS**

An idea or suggestion in which both sides can benefit is called a Win-Win option. The idea should help both sides.

## **BRAINSTORMING**

The first step in problem solving is to come up with as many ideas as possible. This is called brainstorming. During this process, any idea that comes to mind should be expressed and written down. Don't judge whether the ideas are good or bad, or even discuss the ideas. Just try to come up with as many solutions as possible.

*Continued...*

## **FIND A FAIR SOLUTION**

Then go through the ideas using fair criteria to see which idea might be best. Using fair criteria means to judge each idea with both people's interests in mind. Try to use reason and not emotion to judge an idea, and with respect to each person's differences in perception.

## **WAYS TO PRACTICE CONFLICT RESOLUTION**

### **NEGOTIATION**

Negotiation is a communication process in which people try to work their conflicts in a peaceful way using conflict resolution techniques.

### **MEDIATION**

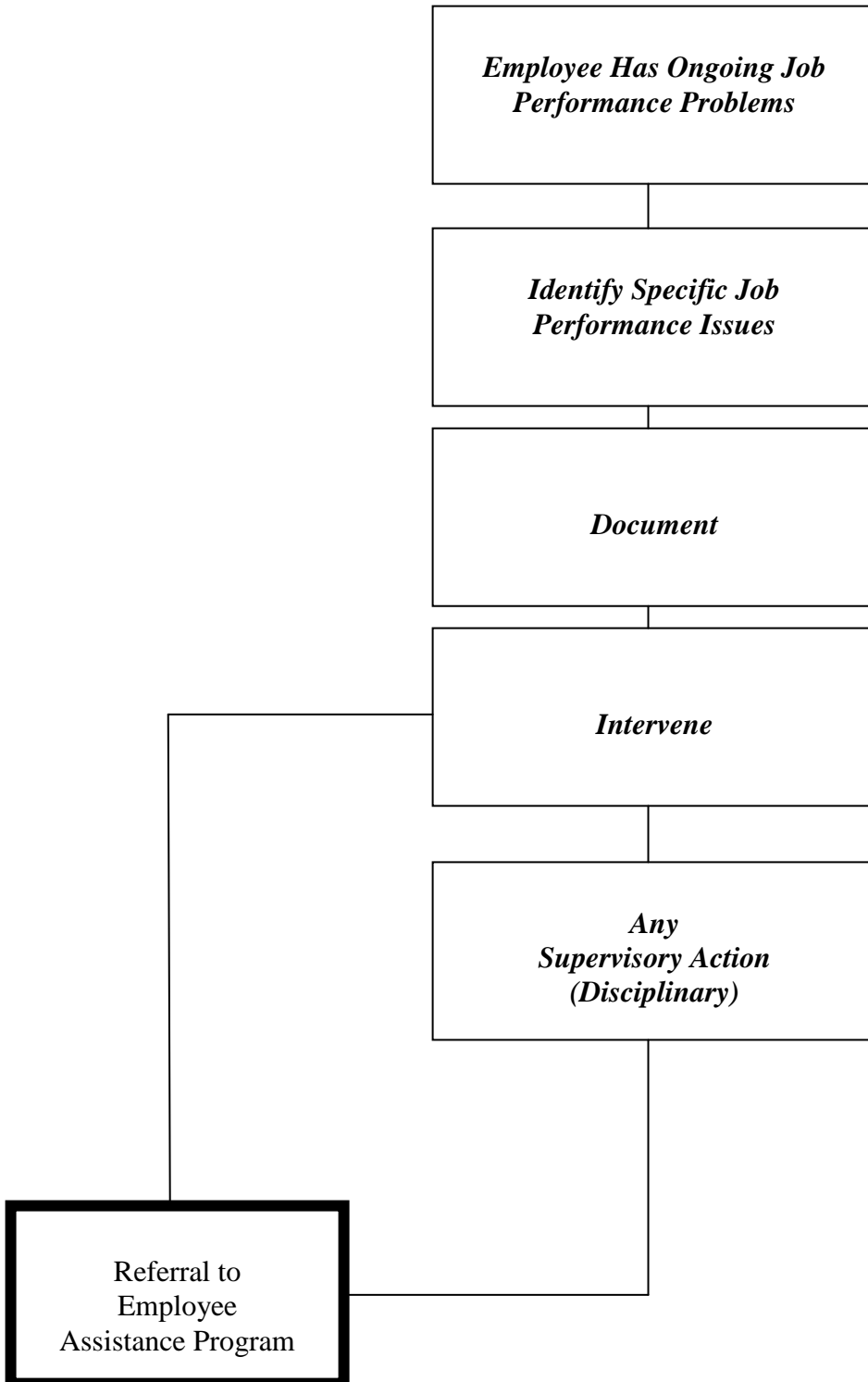
Sometimes when people want to work out a conflict they just can't seem to agree on a way to work it out. They may want another person to help them resolve their problem. A mediator is a person who helps two sides to work out their problems peacefully. The mediator helps those in conflict to focus on the problem at hand and not blame the other person, to understand and respect each others views, to communicate their feelings and what each is really saying, and to cooperate together in solving the problem. Mediators are peacemakers.

### **GROUP PROBLEM SOLVING**

Problems can also be worked out together in a group. Often group problem solvers sit in a circle, so that all members are equal. The same conflict resolution principles are used, they focus on the problem not on assigning blame to any person; they take turns sharing their point of view, and listening (*without interrupting*) to all of the other points of view; all members must show respect and not criticize other members or their ideas.



**EAP**  
**Performance Referral Process**



# Employee Assistance Program

## **FORMS**

### **1. Supervisory Referral**

*Supervisory referral to the EAP, pertinent information regarding employee's reasons for being referred may be conveyed to the EAP Associate for assistance in addressing employee issue(s).*

### **2. Employee Referral**

*Employee notice to his/her referral to EAP indicates to employee reasons for referral this form is given to the employee by the supervisor before visiting with the EAP Associate.*

### **3. Follow Up Report (departmental employee personnel file copy)**

*Supervisor's referral of an employee to EAP services*

### **4. Statement of Grievance/Complaint**

*EAP does not write grievances for employees, but assists in providing LLBO personnel policy and procedures in all areas; this form is included to assure that employees begin the grievance through the proper chain of command.*

### **5. Mediation Request form**

*To be completed by division director/supervisor, then faxed to EAP*



Employee Assistance Program  
**SUPERVISORY REFERRAL**

Date: \_\_\_\_\_

Employee Referral (*name*): \_\_\_\_\_ Job Title: \_\_\_\_\_

Departmental/Job Site: \_\_\_\_\_

Referred by: \_\_\_\_\_ Job Title: \_\_\_\_\_

***Reason for Referral:***

- Excessive Absenteeism (*attached attendance documentation*)
- Excessive Tardiness, Leaving Early, Calling In, Late Call-Ins (*attached documentation*)  
Past 6 months \_\_\_\_\_ Past year \_\_\_\_\_ Previous years \_\_\_\_\_
- Unusual Excuses for Absenteeism (*specify*) \_\_\_\_\_
- Unacceptable Conduct (*list past years' disciplinary actions*) \_\_\_\_\_
- Leaves Work Place Frequently
- Extends Lunch Periods, Breaks, Vacations
- Other: \_\_\_\_\_

***Job Performance:***

- Low Quality of Work
- Erratic Work Patterns
- Lack of Concentration
- Missed Deadlines
- Excessive Errors
- Bad Judgment
- Decreased Output
- other (*describe*) \_\_\_\_\_

***Supervisors Evaluation:***

Summarize and give a date of latest evaluation of employee's job performance.

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***Behavior on the Job:***

- |   |  |
|---|--|
| <input type="checkbox"/> Avoids Supervisor/Co-Workers | <input type="checkbox"/> Usually Critical of Others                    |
| <input type="checkbox"/> Disregards Safety            | <input type="checkbox"/> Moody   |
| <input type="checkbox"/> Lack Interest/Enthusiasm     | <input type="checkbox"/> Unusually Sensitive to Constructive Criticism |
| <input type="checkbox"/> Does not communicate         | <input type="checkbox"/> other ( <i>specify</i> ) _____                |

Physical Appearance/Grooming (*explain*)

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**Comments by referring supervisor:** (*you may attach separate sheets*)

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Have the above observation been discussed with the employee  YES  NO

If yes, when: \_\_\_\_\_

Describe employee's current status, conditions for continued employment, disciplinary action to be taken ect.

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\_\_\_\_\_  
*Supervisors signature*

\_\_\_\_\_  
*Date*





Employee Assistance Program  
**EMPLOYEE REFERRAL**  
*(Employee's copy)*

Date: \_\_\_\_\_

**TO:** Employee Name: \_\_\_\_\_ Job Title: \_\_\_\_\_  
Departmental/Job Site: \_\_\_\_\_

**FROM:** Supervisor's Name: \_\_\_\_\_

*You are officially referred to the Employee Assistant Program*

***Reason for Referral:***

- Excessive Absenteeism (*attached attendance documentation*)
- Excessive Tardiness, Leaving Early, Calling In, Late Call-Ins (*attached documentation*)  
Past 6 months \_\_\_\_\_ Past year \_\_\_\_\_ Previous years \_\_\_\_\_
- Unusual Excuses for Absenteeism (*specify*) \_\_\_\_\_
- Unacceptable Conduct (*list past years' disciplinary actions*) \_\_\_\_\_
- Leaves Work Place Frequently
- Extends Lunch Periods, Breaks, Vacations
- Other: \_\_\_\_\_

***Job Performance:***

- Low Quality of Work
- Excessive Errors
- Erratic Work Patterns
- Bad Judgment
- Lack of Concentration
- Decreased Output
- Missed Deadlines
- Other (*describe*) \_\_\_\_\_

I am requesting you meet with the EAP Associate by 4:30 p.m. on \_\_\_\_\_, 2008, so that issues can be addressed that are negatively affecting your work performance. This program offers short-term counseling, and resources and referral of program and community services. *All personal issues discussed with the EAP associate are CONFIDENTIAL.*

*The EAP Associate will contact me to verify my scheduled meeting.*





## Leech Lake Band of Ojibwe General Administration Personnel policies

### **300.6 Grievance and/or Complaint Process**

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- a. The LLBO is committed to providing the best possible working conditions for its employees. The purpose of the grievance/complaint process is to provide a uniform and equitable method of resolving grievances in a timely manner at the lowest possible level of supervision not to exceed ***five (5) working days***.
- b. The grievance process is intended to assure an employee's grievance/complaint will be heard and that corrective action taken will be without reprisal or discrimination against the employee submitting the grievance.
- c. Any employee may file a grievance at the lowest level of supervision, as the first step, following the chain-of-command, regarding any violations of LLBO policies and procedures or regarding unsafe or unhealthy working conditions. (*see 100.10*)
- d. The Human Resources Division will review employee's submitted grievance and determine the validity as the last step of the grievance process.

### **Grievance Procedure:**

- a. All employees are encouraged to bring concerns that affect their attitude or ability to perform their jobs to the attention of their supervisor. Open communication between supervisors and their staff should solve most concerns, that arise, in a timely manner.
- b. The employee presents written documentation of the grievance to the supervisor. The supervisor must answer within ***five (5) working days***. If the employee is dissatisfied with the outcome he/she can take the grievance to the next level. No response from a supervisor will be grounds to take it to the next level. Administrative action will be taken against the supervisor for failure to address the grievance. If the supervisor is involved with the grievance, the supervisor will be given the opportunity to review the grievance and respond to the employee no more than ***five (5) working days***. Grievances that do not follow the chain of command will not be considered. Grievances that have been submitted through the chain of command and not resolved will be forwarded to the Employee Relations Manager of Human Resources.
- c. Once a grievance is received by the Employee Relations Manager, it will be reviewed and a Human Resources designee may meet with the complainant's division management staff and discuss any recommended actions that may need to take place. The employee will be notified of the results as soon as a decision has been made, ***not to exceed fifteen (15) working days***. *If the process exceeds fifteen (15) working days, the employee will be notified that an extension of time is required which will not exceed fifteen (15) additional working days.*

**COMPLAINT:** A complaint is when an employee's formal expression of disagreement or dissatisfaction with aspects of employment such as working conditions, hours of work, environment, relationship, with supervisor or other employees, policies, or decisions of the department considered by the employee to be inappropriate, harmful, or unfair.

**GRIEVANCE:** A grievance is an employee's formal expression of disagreement or dissatisfaction with adverse personnel action involving alleged discrimination under law, a decrease in salary, demotion, or suspension without pay.

***Make a copy of this for your file and submit to your supervisor.***







## MEDIATION REQUEST

(To be completed by Division Director/Supervisor, then faxed to EAP)

Please fill in all areas completely. \_\_\_\_\_  
(Date)

Division: \_\_\_\_\_

Program: \_\_\_\_\_ Dept. \_\_\_\_\_

Background of dispute/issues:  
\_\_\_\_\_  
\_\_\_\_\_

I have informed the participants of the roles and responsibilities of participants and mediators by giving them a copy of "Information about the Mediation Process" and "Tips for Successful Mediation Participation" and how to contact EAP for further information. \_\_\_\_yes \_\_\_\_no

### MEDIATION REQUEST (TWO-PARTY DISPUTE)

#### FIRST PARTICIPANT:

Name: \_\_\_\_\_

Division/Working Title: \_\_\_\_\_ Work Phone: \_\_\_\_\_

#### WORKING RELATIONSHIP TO THE SECOND PARTICIPANT:

- \_\_\_\_ Supervises the other party
- \_\_\_\_ Supervised by the other party
- \_\_\_\_ Does not supervise the other party directly, but is in the other party's chain of command
- \_\_\_\_ Co-worker

#### SECOND PARTICIPANT:

Name: \_\_\_\_\_

Division/Working Title: \_\_\_\_\_ Work Phone: \_\_\_\_\_

#### WHO REFERRED THE PARTICIPANTS TO MEDIATION?

- \_\_\_\_ Self
- \_\_\_\_ Supervisor
- \_\_\_\_ HR Staff Member
- \_\_\_\_ other (specify)

The participants are choosing mediation:

- \_\_\_\_\_ as early intervention (there is no plan at this time to file a grievance)
- \_\_\_\_\_ in lieu of initiating a grievance at this time and putting the grievance on hold until mediation is concluded
- \_\_\_\_\_ after the conclusion of a grievance process

**PROVIDE AT LEAST FIVE DATES, MUTUALLY AGREED UPON BY THE PARTIES, FOR THE MEDIATION SESSION** (mediation sessions typically last 3-8 hours): **NOTE: THE DATES SHOULD BEGIN NO SOONER THAN 5 WORKDAYS FROM THE DATE REQUEST FORM IS SENT TO EAP.**

**MEDIATION REQUEST  
(GROUP DISPUTE)**

**BACKGROUND:**

Number of employees in work group: \_\_\_\_\_

Type of work performed: \_\_\_\_\_

Length of time issues have existed: \_\_\_\_\_

Avenues management has pursued to resolve issues:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PARTICIPANTS:**

(name & title)	(name & title)
(name & title)	(name & title)
(name & title)	(name & title)
(name & title)	(name & title)
(name & title)	(name & title)

*(use back of this page if more space is needed)*

**READINESS FOR MEDIATION:**

Is the department staff committed to provide the time and support needed to complete the process?  
\_\_\_yes \_\_\_no

Has management informed the participants of the request for group mediation? \_\_\_yes \_\_\_no

If so, what was the response? \_\_\_\_\_  
\_\_\_\_\_

**I acknowledge the issues and concerns have been addressed by all above parties and agree with the recommendations presented to me.**

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**Employee signature/Date**

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**Supervisors signature/Date**

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**Division Director signature/Date**

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**Human Resources representative signature/Date**

Attached: **Conflict Resolution basic tools**

Updated 12/09



**CONFLICT RESOLUTION BASICS TOOL-WORKING IT OUT TOGETHER**

**Conflicts Happen**

Conflicts are a normal part of life. How we deal with these conflicts can make a big difference. Often when people resolve conflicts, one person ends up a winner, and one loses out. This may solve the problem for a moment, but resentments and bad feelings can cause more problems later.

**Everybody Can Win**

Another way to look at conflict is to try to find a WIN-WIN solution, in which both sides can benefit. In this way, conflicts are turned into opportunities to grow and make things better than before. The approach is the cornerstone of “conflict resolution” – one of the most important tools for bringing peace into our personal lives, our communities and to our world.

**CONFLICT RESOLUTION BASICS**

**4. Attack the problem not the person**

- a. Define the problem
- b. Explore each person’s perception of the problem
- c. Try to understand and respect each point of view without judging
- d. Use good communication skills including, *LISTENING, SUMMARIZING AND CLARIFYING.*

**5. Concentrate on interests, not positions**

- a. The position is the outcome you are interested in getting
- b. The interest is why you want that outcome
- c. Interests that are involved in conflicts are usually related to our basic needs. When we focus on interests instead of positions we can start to find solutions.

**6. Come up with options in which both sides win (win-win options)**

**4. Cooperate together to solve the problem fairly**

- a. A fair solution respects the interest of both sides

**Conflict/Resolution Meeting Process**

- 6. Set a meeting time for everyone involved.
- 7. Have all parties involved bringing copies of specific issues that need to be addressed.
- 8. Be clear and precise with list of issues
- 9. Use “I” statements when talking about issues. Examples: When you do or say this. I feel.....and when I feel this way.....This is how I react.
- 10. What is my part in resolving these issues?
- 11. Listen, be open-minded and be willing to communicate what it is you are willing to do to resolve the issue.
- 12. Notes: \_\_\_\_\_

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## **PROBLEM SOLVING TERMS AND TOOLS**

### **COMMUNICATION**

Conflicts are often caused by problems in communication. One person may have misunderstood what the other person has said. Or the other person may not have said what they meant to say. Sometimes when we're angry we don't hear what the other person is saying. Sometimes when there is a conflict, people do not tell each other, which cause even more conflict. Good communication skills are in important part of resolving conflicts.

### **LISTENING**

It's important to listen carefully. Your "body talk" sends a message that you are listening. Keeping eye contact, leaning closer, nodding your head when you understand a particular point, and ignoring distractions that are going on around you are some of the ways to send the right body message.

### **SUMMARIZE**

When a person is finished expressing a thought, summarize the facts and emotions behind what they have said so that they know you have understood what they've said and how they feel.

### **CLARIFY**

Ask questions to clarify or make clearer different parts of the problem to make sure that you fully understand the other person's perspective.

### **GOOD SPEAKING SKILLS**

When you speak, try to send a clear message, with a specific purpose, and with respect to the listener. Speak about how you are affected by the problem.

### **COMMUNICATION SIDE TRACKERS**

Don't interrupt, criticize, or laugh at the person, offer advice or bring up your own experiences, or change the subject.

### **WIN-WIN OPTIONS**

An idea or suggestion in which both sides can benefit is called a Win-Win option. The idea should help both sides.

### **BRAINSTORMING**

The first step in problem solving is to come up with as many ideas as possible. This is called brainstorming. During this process, any idea that comes to mind should be expressed and written down. Don't judge whether the ideas are good or bad, or even discuss the ideas. Just try to come up with as many solutions as possible.

### **FIND A FAIR SOLUTION**

Then go through the ideas using fair criteria to see which idea might be best. Using fair criteria means to judge each idea with both people's interests in mind. Try to use reason and not emotion to judge an idea, and with respect to each person's difference in perception.

## **WAYS TO PRACTICE CONFLICT RESOLUTION**

### **NEGOTIATION**

Negotiation is a communication process in which people try to work their conflicts in a peaceful way using conflict resolution techniques.

### **MEDIATION**

Sometimes when people want to work out a conflict they just can't seem to agree on a way to work it out. They may want another person to help them solve their problem. A mediator is a person who helps two sides to work out their problems peacefully. The mediator helps those in conflict to focus on the problem at hand and not blame the other person, to understand and respect each other's views, to communicate their feelings and what each is really saying, and to cooperate together in solving the problem. Mediators are peacemakers

**GROUP PROBLEM SOLVING**

Problems can also be worked out together in a group. Often group problem solvers sit in a circle, so that all members are equal. The same conflict resolution principles are used: they focus on the problem not on assigning blame to any person; they take turns sharing their point of view, and listening (without interrupting) to all of the other points of view; all members must show respect and not criticize other members or their ideas.