Conflict Resolution Skills Training For HR Managers

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John Ford Trainer

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Course Description and Objectives

Conflict is inevitable. It can present an opportunity when handled well, and be a costly disaster when handled poorly. Learn how you can resolve conflict situations early before they escalate into intractable disputes using proven responses and techniques that work. This is a practical hands on training that will provide a road map for conflict resolution in the workplace and beyond.

Course Objectives

By the end of this workshop, participants will be able to:

- 1. Identify conflict as an opportunity for clarity and learning
- 2. Minimize the impact of perception on interpretations about motive
- 3. Define conflict to recognize it early
- 4. Recognize criticism, blame, defensiveness, and stonewalling as warning signs
- 5. Respond using an appropriate conflict handling strategy
- 6. Demonstrate an ability to set a positive tone and to listen with the intention to understand
- 7. Focus on underlying needs to generate potential solutions through brainstorming
- 8. Consider both standards and alternatives to motivate the resolution of conflict
- 9. Demonstrate an ability to resolve conflict for lasting resolution by managing a conflict resolution conversation
- 10. Calculate the cost of conflict

"The goal is the creation of an environment that fosters and sustains a culture of conflict competence, where all who experience conflict feel comfortable to raise it, knowing it will be dealt with respectfully and

responsibly." Jennifer Lynch

Canadian High Commissioner for Human Rights

The Cost of Conflict

Legal fees

In 1986 the Rand Corporation estimated that it cost \$100 000 to defend a wrongful termination suit. Today, employer defense fees are much higher. How much do you think it costs today?

Time Spent Dealing with Conflict

It is estimated that Fortune 500 senior HR executives spend up to 20% of their time in litigation activities. Studies show that up to 30% of a typical manager's time is spent dealing with conflict. How much time was spent on your biggest conflict situation ever?

What did it cost? _____Consider salary/benefits per hour/day X number of employees impacted.

Absenteeism

Employees avoid coming to work when conflicts go unresolved. Experts suggest that your absenteeism goal should be 3% or lower rather than the current average of 6% percent per annum.

Absenteeism Rate = Number of lost working days due to absence / (Number of employees) x (Number of Workdays) x 100 What is your absenteeism rate?

Turnover

Figures vary, but the turnover cost of one employee can be anywhere from 30% to 150% of the employees annual salary.

Restructuring

Consider inefficiency of work redesigned to accommodate conflict.

Health costs

Consider stress related insurance premiums and direct medical costs.

Theft and sabotage

Consider equipment and work product damaged, destroyed or stolen in retaliation to a conflict.

Reputation Damage

Consider the damage to your company and personal reputation if there is public defamation, or just customer dissatisfaction.

The Problem With Perception

"We don't see things as they are, we see things as we are." Anais Nin

"Assumptions create a template through which we view the world." Sue Annis Hammond

Perception is the process whereby we acquire information about our environment through our five senses: hearing, sight, touch, taste and smell.

Perception is an active rather than passive process and is structured by emotion, language, and culture, which tell us what to notice and how to interpret it.

When we observe behaviors, we make assumptions and draw conclusions, especially about motive and intent. The assumptions and conclusions we have about each other influence the action we take and the behavior we exhibit.

In addition to assigning a negative intention to behavior that impacts us negatively, we often also make what is referred to as the fundamental attribution error.



The Fundamental Attribution Error

The fundamental attribution error is the attribution of the causes of others' behaviors to personal (dispositional) factors (e.g., "He failed the test because he was lazy and didn't study") while attributing the causes of your own behavior to environmental (situational) factors (e.g., "I failed the test because questions were vaguely worded.")

Simply put, we make negative personal assumptions about the other person's reasons for whatever happened, while blaming the environment when it's our behavior that is in question. In essence, we give ourselves the benefit of the doubt!

The Related Challenge of Intent and Impact

We often assume a negative intention when there is a negative impact.

It helps to separate the intent from the impact, and recognize that even when the intent is positive (not malicious) feelings are valid and need to be acknowledged.

Recognize Conflict

To Nip It In The Bud!

Conflict Defined

Conflict is an expressed struggle between two interdependent parties about how apparently incompatible goals and needs for scarce resources will be met accompanied by a perception of interference and strong negative emotions.

Key Elements:

- Between two interdependent parties
- Struggle expressed through flight, fight and collaborative strategies (Behavioral)
- Perceived incompatibility, scarcity, and interference over needed resources(Mental)
- Manifestation of strong negative emotions (Emotional)

Dispute

A dispute begins when someone makes a claim or demand on another who rejects it. Essentially a formal disagreement.

Levels of Incompatibility

Complaint/Dispute	1.0
Overt Conflict	0.8
Disagreement	0.6
Differences	0.4
Latent tension	0.2



Waiting until you have a dispute is not nipping it in the bud!

Warning Signs!

Emotional awareness, especially of 'negative' **emotions** such as anger, contempt, fear, tension, guilt, envy, jealousy, shame and sadness serve as an early warning sign that you have a conflict. The most toxic is contempt!

A perception that any of the following four **behaviors** are being exhibited also serves as a red flag: Criticism, Blame, Defensiveness, and Stonewalling. (Adapted from: John Gottman)

The key insight from research on relationships is **the importance of restraining a negative reaction**, even when you perceive yourself to be attacked. If the reactive conflict cycle is not broken, it will escalate toward more aggressive and even violent means.

The goal is not to eliminate conflict or negative emotions or behaviors. Rather, it is to recognize their inevitability, and **create a mutually supportive way of talking that is not destructive but rather fosters learning**.

Not all conflict can be problem solved. Identity and relationships needs typically create challenges that resist simple resolutions, and persist as nagging conflicts.

The best thinking suggests that addressing workplace problems, including relational and identity issues through direct dialogue and positive emotions such as care, affection, interest, humor, and joy and positive behaviors such as listening, collaborative negotiation, apology and forgiveness is the way forward.

1. Criticism

Criticizing is a comment to the effect that something is wrong with a person's character or personality, e.g. : *"You are an idiot!"* It invites defensiveness. Criticism attacks to the core of a person's sense of self, and is often global and personal. It is different from a complaint which provides behaviorally specific feedback that is helpful. It often starts with YOU!

Examples of criticism:

- Statements with 'you always' or 'you never'
- Questions using "why are you so..." and also, "what is wrong with you?" and "why would you do a thing like that?"
- Put down statements, such as "You are stupid!", "You are insensitive!"

Solution:

Discuss issues as and when they arise.

Focus on the behavior that is bothering you, not the integrity of the person.

If the critique or complaint is necessary, be kind and considerate, and use an "I" statement rather than a "YOU" statement.

An example of a complaint using an I statement format:

"I was frustrated when you were running late and didn't call me. I thought we had agreed that you would call so I could start the machine's cycle and get the product out on time."



2. Blame

When we blame we make a judgment and hold the other person responsible for a situation from the past based on our interpretation of the facts. Like criticism, it elicits defensiveness. It reduces the likelihood of learning about what is really causing the difficulty or from doing anything helpful about it.

Solution:

Discuss issues as and when they arise.

Use "I" statements to express how you feel.

Focus on understanding the respective contributions that have been made by all to create the undesirable situation. Work together to learn lessons to apply moving forward into the future.

"What is my contribution to the situation?"

"What did we each do, and what can we learn?"



3. Defensiveness

Defensiveness starts as a desire to protect or defend when we perceive an attack (criticism, blame) to our identity or for something we do not believe we are responsible. We want to explain why we are not responsible, but that is perceived as an excuse. A defensive response is seen as 'attack back' and often leads to a power struggle.

Solution:

Work to create an environment that is supportive and conducive to learning. Don't take things personally. Put your attention on your contribution to the situation rather than on why the speaker is wrong. Restrain the tendency to react. Acknowledge their concern fully and own what you are responsible for before sharing your perspective. Be willing to be vulnerable.

Example:

"Did you call to let them know that *we* are not coming today, as you said you would?"

"I was just too darn busy today. As a matter of fact you knew how busy my schedule was. Why didn't you just do it?"

Not only is the statement critical, the response defensive, but blame has been added.

A non-defensive response would have been: "My Bad! I forgot. I should have asked you this morning to do it because I knew my day would be packed. Let me call them right now."



4. Stonewalling

We stonewall when we withdraw from the conversation, while remaining physically present. We look away, are evasive, don't talk much, display stiff and controlled facial expressions, while using none of the reassuring sounds and signs to convey that we are engaged. We communicate that we have no desire to be involved, other than to monitor in a destructive way. When we stonewall it is either because we are afraid to be influenced or because we are so angry we no longer wish to engage.

Solution:

Not engaging, is not the solution. If we can't stay present in the conversation it is better to take a "time out" with a view to having the conversation at a later time. Then, when we return, we need the courage to speak up and say what is going on. Using I statements, and setting appropriate boundaries is the way forward.



5. Contempt

Contempt is an emotion that conveys that we have put our self on a higher plane than another. It involves put downs, mockery, hostile corrections and nonverbal expressions of contempt. The person feels judged, worthless and despised as a being. Contempt is toxic and cannot be replaced with anything. It must be eliminated.

Solution:

Focus on the behavior that bothers you not the integrity of the person. Find constructive ways to express frustrations before they tempt the expression of contempt.

If you are on the receiving end, communicate clear and firm boundaries and be willing to escalate until a solution is found.

Example: "I've been running around like mad to keep things going forward and all you do, when you finally get here is to find fault and complain, even though you don't know what you are talking about. You are pathetic!"



Conflict Resolution Skills Training For HR Managers

Respond

To Set Yourself Up For Success!

First, Consider Your Attitude To Conflict:

What do you think/feel/sense when you hear the word 'conflict'?

Write down the first words that come to your mind.

1.
2.
3.
4.
5.



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Second, Choose A Wise Strategy:



Third, Schedule Time To Talk:

Although some conflicts erupt so suddenly that we must deal with them immediately, most conflicts offer a chance to choose when we begin the conflict resolution process. Here are some tips for expressing the need for a conversation:

- Prepare and do some groundwork before jumping in
- Be courteous and respectful (it is a request not a demand)
- Describe the topic in neutral language
- Suggest enough time to allow for effective interaction
- Choose a time that maximizes concentration and communication skills
- Set a time and place



At A Neutral Venue:

Except in cases for which there is no choice, determining where a conflict will be worked on should be a conscious decision:

- Choose a place that is non-threatening and promotes collaboration
- Choose seating arrangements that promotes collaboration
- Choose a place that does not offend cultural mores or favor one party over the other
- Limit outside distractions (consider cell, phone, computer)



Conflict Resolution Skills Training For HR Managers

Resolve

To meet the needs of all

Conducting the Conflict Conversation

- 1. Set A Positive Tone
- 2. Take Turns Sharing And Listening
- 3. Do The Two Step! (Needs Then Options)
- 4. Negotiate And Document A Deal



1. Set A Positive Tone

The way you start a conversation to resolve a conflict is significant. Your goal should be to set an open, relaxed and positive tone:

- Express appreciation for the opportunity to talk
- Describe the topic at stake in neutral and inclusive terms
- When trust is low and emotions are high, suggest establishing ground rules to support the conversation
- Start slowly and seek to build rapport and commitment to the working something out through collaboration
- Be friendly!

Sample Statement:

"Thank you for taking the time to meet today. I know we are both busy, and I appreciate the opportunity to talk about what has happened and what is important to both of us. As I see it, our challenge is to reach agreements on the status of the IT project and how best we can respond to changes the CEO has mandated. We've struggled talking about this in the past. Would it help to talk about how we are going to have this conversation first? And then, with those agreements to support us, start exploring things. I'll be happy to listen to your perspective first, and then share myself. How does that sound?"

Sample Ground Rules:

- 1. No interruptions
- 2. No blame, attacks, or critical put-downs
- 3. We will listen to understand
- 4. We can agree to disagree
- 5. We will focus on the future

2. Take Turns (A) Sharing and (B) Listening

A. Sharing Your Perspective

It's always wise to prepare and think how best you can share your perspective. As difficult as it may be, try to share your perspective in a manner that a neutral observer without a 'dog in the fight' would:

1. What happened

- Don't present your conclusions as truth
- Share where your conclusions came from
- Don't blame
- Separate intent from impact
- Own your 'contribution' to what happened

2. How you felt and still feel

- Express the full range and intensity of your feelings
- Use "I" statements
- Don't bottle and don't explode!

3. The impact on the relationship and identity

- Know what your and their identity issues are
- Beware of all or nothing thinking: always, never.
- Watch for the fundamental attribution error

4. What you need moving forward

- Identify your needs in advance
- Know what is most important to you
- Focus on the future
- Invite joint problem solving

"I" Statement:

An "I" statement is an effective way of sending a message about something that is not working well.

LONG FORM:

I feel (annoyed, bothered, concerned, frightened, frustrated, insecure, interested, irritated, pleased, productive, sad, scared, serious, uneasy, unhappy, unproductive, worried, etc.)

When (describe your observation of the behavior in specific, not fuzzy terms without the use of YOU, if possible)

Because (describe the impact of the behavior on your needs)

Make a positive behavior request (describe what you need)

SHORT FORM:

When (describe your observation of the behavior in specific, not fuzzy terms without the use of YOU, if possible)

I feel (annoyed, bothered, concerned, frightened, frustrated, insecure, interested, irritated, pleased, productive, sad, scared, serious, uneasy, unhappy, unproductive, worried, etc.)

B. Listen To Understand

"Seek first to understand, then to be understood." Steven Covey

1. Be Present

Listening begins by giving your full physical attention to the speaker. Your body language communicates the careful attention you are paying to the person who is talking. This is how you show you are engaged.

- □ Make eye contact (if culturally appropriate)
- Lean slightly forward
- □ Face the speaker squarely (soften it slightly)
- Open body posture
- □ Focus on the speaker

2. Follow

Communication is like a dance - the speaker is the leader and the listener is the follower. Resist the temptation to take control. Ideally, the speaker should have 80% of the speaking time, and listener, 20%. Allow the speaker plenty of time to complete the message without jumping in to add your own opinions and experiences. *Allow the pause!*

3. Encourage

Let the speaker know you are connected and interested:

- 🛛 mm-hmm
- □ I see
- □ And?
- Yes
- Go on
- □ Tell me more
- □ And then?

4. Acknowledge and Validate

Create a neutral zone to acknowledge and validate the speaker's point of view. Remain objective and do not judge. Keep an open mind. Say "Yes, and . . . "or "Sure, how?" rather than "yes, but. . . "Remember that the goal is to understand, not agree, advise or correct.

5. Empathize

Empathy calls upon us to empty our mind and listen to others with our whole being. When we empathize, we demonstrate with respect that we understand what the speaker is experiencing through words and nonverbals. Our goal is to reflect their emotions and their intensity accurately.

- □ Listen for feeling words.
- Observe body language for feeling cues.
- □ Ask, "What would I be feeling?"
- Don't say: "I know just how you feel."
- Don't say: "I understand."
- **□** Reflect the degree of emotion.

6. Clarify

Questions are powerful tools to establish focus and relevance. However, they can take a speaker off track. Use questions sparingly, and have a reason beyond curiosity to ask. Avoid double or multiple questions and leading questions. Open and focused questions are both effective ways to clarify if the intention is to understand.

7. Summarize

Paraphrasing or summarizing are the key ways we demonstrate that we have understood the speaker. It does not require a restatement of every word, rather an overview or outline of what has been said. Importantly, it accurately condenses the content (facts) and feelings of what has been stated. It is an opportunity for the speaker to determine whether he or she has been heard and understood. For example, *"These seem to be the main points you have covered so far..." (facts) and: "I hear that you are very troubled about not knowing what to expect...." (feelings)*



3. Do The Two Step!

Guide the conversation to share with one another your respective needs (STEP ONE) before generating potential solutions (STEP TWO) that meet your mutual needs with the resources at your disposal in the best manner possible.

FIRST: Focus on Needs, Not Demands!

Demands are pre-determined outcomes. They are specific and definite, require justification, are often seen as threatening and lead to defensiveness.

Needs are the underlying reasons for a demand being made. There are four types of needs:

- Topic or Substantive Needs (The situation that you want to address)
- Relationship Needs (What you need from one another?)
- Identity or Reputation Needs (How you like to be seen?)
- Process Needs (What is important about how the process is conducted?)



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SECOND: Brainstorm Options (Potential Solutions)

Solutions are best generated through use of a brainstorming session together with your counterpart. They are potential options that are **O**n the proverbial negotiating table.

Resist accepting or rejecting options one at a time, as they are proposed. Rather, assess all the proposed solutions together, and evaluate them against the needs articulated or against some acceptable standard.

When generating solutions, remember:

- Generate lots of options before evaluating them
- Avoid making premature judgments about solutions
- Broaden options rather than look for a single answer
- You share the problem!



Needs Inventory:

TOPIC	RELATIONSHIP	IDENTITY/	PROCESS
		REPUTATION	
What do I want?	What do we need from one	How do I like to be	What is important about
	another?	seen?	the process?
Assignments	Affection	Adventurous	Balance
Accuracy	Accountability	Authoritative	Consistency
Benefits	Acceptance	Compassionate	Confidential
Compliance	Appreciation	Competent	Clarity
Customer Satisfaction	Approval	Consistent	Certainty
Efficiency	Apology	Considerate	Clear decision rule
Expectations	Autonomy	Dependable	Disclosure
Equipment	Acknowledgement	Enthusiastic	Efficiency
Information	Belonging	Expert	Equality
Job Security	Care	Fair	Equal air time
Lawful Treatment	Comfort	Friendly	Equal treatment
Money	Commitment	Fun	Fairness
Office location	Communication	Generous	Honesty
Performance	Conciliation	Intelligent	Involvement
Productivity	Control	Kind	Notification
Promotion	Ease	Lawful	Opportunity to speak
Relationship	Fair Treatment	Leader	Participation
Requirements	Forgiveness	Logical	Precedent
Roles	Inclusion	Organized	Private
Saving Face	Independence	Powerful	Punctuality
Safety	Loyalty	Reliable	Safe
Specifications	Love	Responsible	Timely
Salary/Money	Morale	Reputable	
Time	Motivation	Reasonable	
Title	Power	Sensitive	
Training	Respect	Serious	
Quality	Reliability	Strong	
Work	Recognition	Thoughtful	
	Saving Face	Well Regarded	
	Security	Victim	
	Support		
	Trust		
	Understanding		
	Vindication		

1. Identify your Needs/Goals (What is important to each of you)

Person A	Person B
What do I want? (SUBSTANTIVE TOPIC)	
What is important about this relationship?(RELATIONSHIP)	
How is my reputation at stake?(IDENTITY)	
What is important about the process?(PROCESS)	
2. Brainstorm Options (Potential Sol	utions)
*	
*	
*	
*	
*	
*	
*	

4. Negotiate And Document A Deal

- Knowing who is going to do what, when prevents disputes in the future.
- It always makes sense to summarize new understandings in writing.
- Consider a trial period and also how future conflict will be addressed.

Make sure that any agreement you reach is better than your **alternative**what you could do on your own without this person. Also, be principled and seek to use and apply an **acceptable standard** of fairness.



Alternatives

Alternatives are the things you can do to for yourself without getting an agreement with the other side. Ideally any agreement should exceed what you can get away from the negotiating table, what is referred to in Getting To Yes as your BATNA. (Best Alternative to a Negotiated Agreement)

Alternatives are what you plan to do if you don't reach an agreement:

- They only require you-what you can do on your own
- They represent your "fall back" position aka Plan B
- They often involve flight or fight

To Prepare:

- Know both best and worst case alternatives
- Take steps to strengthen good alternatives
- Consider the other side's alternatives

Suggested Language:

- "What will we each do if we don't reach an agreement?"
- "If we don't agree, I can always....."
- "What alternatives do you have?"
- "What are the natural consequences of our choices if we don't agree?

Warning:

• Talk about alternatives with care. You may not want to go to court, but to the person you're having a conversation with it sounds like an act of war, or at best, a threat. Build rapport first and use tact.

Acceptable Standards

Finding standards or norms that are acceptable to all involved and then applying them, avoids a contest of wills, and facilitates a more rational debate. It addresses the fear of being treated differently or unfairly. It is a strong motivator to the extent that the standard is seen as authoritative.

Rather than looking for an objective standard, the idea is to find something that is relevant, legitimate and ultimately **acceptable** to both. All things being equal, people like to be seen as consistent and rational in the way they make decisions.

Suggested Language:

- "I wonder what others have done in a similar situation?"
- "Is there a standard or reference point that would make sense to apply to our situation?"
- "If you were me what would you do?"
- "What did you do last time?"
- "What does the contract/policy/regulation/law say?"
- "Is there a benchmark we could refer to?"
- "What is customary?"
- "Why don't we Google that?"

Examples of Standards:

- Accepted Principles, Rules, Laws
- Benchmarks: "Others in the industry do...."
- Efficiency
- Equal Treatment
- Market Value
- Moral Standards
- Precedent: "The last time this happened we...."
- Prior Practice
- Professional Standards
- Reciprocity
- Tradition
- What A Court Would Decide
- Google!

Conflict Resolution Skills Training For HR Managers

Reflect

To Keep Learning!

Reflective Practice

Reflection is taking the time to review what happened (thoughts, feelings, actions, decisions, reasons for actions) with a view to improving future practice. Reflection can occur before, during and after the doing.

Core Concepts

1. Reflecting on our interventions, before, during, and after implementing action.

- 2. Reflecting on the dynamics of conflict at multiple levels.
- 3. Knowing that making mistakes is part of our development.
- 5. Articulating intuitive thought, or "gut" feelings.
- 6. Understanding our own values and biases.
- 7. Ensuring that our work is informed by theory and research.
- 8. Participating in practical training.
- 9. Learning from our experience.

10. Knowing that moments of frustration, uncertainty, and sheer surprise contain the seeds of the greatest learning.

Further Reading

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Key Insights and Next Steps

What is your key insight as a result of your participation in today's training?

What are you willing to commit to do differently in the future?

John Ford



John Ford studied law at the University of Cape Town before moving to Namibia where he practiced in the oldest and largest law firm, Lorentz and Bone, from 1988 to 1995. Initially he focused on the representation of survivors of human rights abuses, before maintaining a practice that focused on employment and family law after Namibian Independence in 1991.

After moving to the California in 1996, John set about getting trained as a mediator, and while much of his focus has been on workplace dispute resolution, he has always kept his interest and skills in supporting separating couples alive. Currently he mediates divorces with Liaise Divorce Solutions in downtown San Francisco.

In addition to mediating divorces, John has successfully helped employees and managers to resolve difficult problems in the workplace. He has also worked with numerous teams that are held back by the inability to deal with conflict. He has mediated for the Equal Employment Opportunity Commission and currently specializes in the mediation of informal EEO disputes in the Federal Sector.

John has provided training to thousands of employees in the workplace, at all levels, across a wide range of industries, especially healthcare. Some of his training clients include: Abbott Pharmaceuticals, Ghirardelli, Genentech, Coventry Health Care, John Muir Health System, Kaiser Permanente, Central Contra Costa Sanitation District, Zone 7 Water Agency and the Department of the Interior. He is the current trainer of the two day Mastering Workplace Mediation seminar to members of the <u>Northern</u> <u>California HR Association</u>.

John teaches negotiation at <u>UC Hastings School of Law</u> and mediation to graduate business and psychology students at <u>Golden Gate University</u>. Mr. Ford is a past president of the <u>Association For Dispute Resolution of</u> <u>Northern California</u>. He was the editor of <u>www.mediate.com</u> from 2000 to 2011.