

Course Syllabus¹

Conflict and Conflict Resolution in the Workplace



Course No:

37:575:312 (undergraduate)

38:578:515 (graduate)

fall semester, 2022

Professor William Dwyer

Email: wmd3@smlr.rutgers.edu

Classes meet on Wednesdays from 5:40 pm to 8:40 pm
in room 133 in the Labor Education Center, Cook-Douglass campus

General: In recent years, the field of alternative dispute resolution (“ADR”) has grown dramatically for resolving a wide range of conflicts, including those that arise in the workplace. As the presence of labor unions in the workplace has declined, many non-union employers have opted to provide their employees with a forum to resolve disputes that otherwise would go unresolved or would require lengthy and expensive litigation. As a result, grievance and other ADR procedures, long used in the unionized sector, have increased exponentially in the non-union sector. This course will explore the reasons for workplace conflict and compare the types of dispute resolution procedures that are used in both the union and non-union workplaces.

In this course we will examine dispute resolution in the non-union workplace as well as the processes used to resolve disputes in the union sector. Although the class is focused on processes that are used to resolve labor and employment disputes there will also be an emphasis on substantive laws and collective bargaining agreement provisions that often are the sources of conflict. Some background and knowledge of employment or labor law is useful but not required.

The class will also include a focus on communication and negotiating skills that are beneficial regardless of your major or career path. We spend nearly a third of our lives at work and experience a variety of workplaces, supervisors and co-workers who have different methods of addressing or avoiding conflict. Dispute resolution skills are also beneficial in our everyday lives where disagreements may range from selecting a place to go to dinner to serious interpersonal conflicts.

¹ Note, this syllabus is subject to changes based on unforeseen circumstances

Textbook: There is one textbook that is required for this course: The Complete Guide to Conflict Resolution in the Workplace M. Masters and R. Albright. Paperback: 368 pages. Publisher: AMACOM (May 13, 2002). ISBN-10: 0814417183 ISBN-13: 978-0814417188

Additional required reading assignments will be posted at no cost.

Topics:

Sources of workplace conflict, escalation and de-escalation, conflict management approaches, understanding and diagnosing workplace conflict, employment at will, just cause, litigation, alternative dispute resolution (mediation, labor and employment arbitration, facilitation, etc.), ombuds, conflict management system design, conflict management self-assessment, strikes and lockouts, workplace bullying, disciplinary systems, workplace violence, the role of government agencies in workplace conflict resolution

Readings:

From the assigned textbook (M. Masters and R. Albright, Conflict Resolution in the Workplace):

- Understanding Workplace Conflict
- Diagnosing Conflict
- Potpourri
- Negotiation
- Mediation
- Arbitration
- Dealing with Conflict
- Establishing an Integrated Conflict Management System
- Confronting Workplace Violence
- Resolving EEO Disputes

Other assigned readings provided:

- The Growing Use of Mandatory Employment Arbitration. Colvin, Alex
- The Employment at Will Doctrine – Three Major Exceptions. Muhl, Charles J.
- The Rise of Alternative Dispute Resolution. Lipsky, David
- Forces of Change. Lipsky, Seeber and Fincher
- Getting Disputes Resolved – Interests, Rights and Power. Ury, Brett and Goldberg
- Conflict Management Systems. Lipsky, Seeber and Fincher
- Negotiating an Agreement. Carrell and Heavrin
- Grievance and Disciplinary Systems. Carrell and Heavrin
- Dispute Resolution Procedures. Katz and Kochan

Academic Integrity: Students are expected to be familiar with the University's Policy on Academic Integrity and follow it: <http://academicintegrity.rutgers.edu>

Assignment Deadlines: In this class, as in real life, deadlines matter. If you have an emergency that prevents you from meeting a deadline, please contact me.

Absences: Your presence is necessary for everyone's success in this course. Absences may impact your engagement with content and ideas shared in class, so I encourage you to remember this. Please be proactive in situations where you will be absent, if you experience an emergency, or anticipate a prolonged absence for any reason.

Absences MUST be reported by using the university absence reporting website <https://sims.rutgers.edu/ssra> to indicate the date and reason for your absence. An email will be automatically sent to me.

Communications: If you need to reach me for any reason, email is the best method (wmd3@smlr.rutgers.edu).

Grades (Undergraduate Students): For grading purposes, there are three components:

1. Assignments. (33.4%)
2. A mid-term exam. (33.3%)
3. A final exam that focuses primarily on material covered during the second half of the semester but also including processes/principles from the first half of the semester. (33.3%)

Grades (Graduate Students): For grading purposes, there are four components:

1. Assignments. (25%)
2. A mid-term exam. (25%)
3. A mock-arbitration exercise with the grade based upon a written arbitration opinion and award in a case involving an employee who was suspended from work. (25%)
4. A final exam that focuses primarily on material covered during the second half of the semester but also including processes/principles from the first half of the semester. (25%)

Use of Electronic Devices: Electronic devices are encouraged in class to support learning. Please be mindful that they do not serve as a distraction to you or those around you.

Office Hours: All students are strongly encouraged to take advantage of contacting me to discuss any matters of concern or interest. I am willing to meet with you before or after class as well as to meet by arrangement or to hold discussions via Zoom or phone.

Final Exam: The final exam for this course has been scheduled by the University for Wednesday December 21 at 8:00 pm.

The Fine Print

Learning Objectives. The student is able to:

Labor Studies and Employment Relations Department:

- Apply concepts from employment relations, and substantive institutional knowledge, to understanding contemporary developments related to work. (Goal 2).

School of Management and Labor Relations:

- Professional Development- Demonstrate an ability to interact with and influence others in a professional manner, and to effectively present ideas and recommendations

Additional Course Objective(s) from the Instructor:

- Demonstrate an understanding of the reasons for workplace conflict, the types of dispute resolution procedures that are used in both the union and non-union workplaces and integrated conflict management systems.

Other Resources:

- a. Student resources – this link directs students to the appropriate resources if they are in need of help in the areas of (a) mental health, (b) academic coaching, and (c) financial assistance: <https://smlr.rutgers.edu/about-smlr/fall-2022-information-smlr-students>
- b. Scholarships – to ensure that all students are aware of SMLR’s scholarship offerings, we encourage you to include a link to our scholarships on your syllabi: <https://smlr.rutgers.edu/academic-programs/scholarships>

Academic integrity

Academic integrity requires that all academic work be wholly the product of an identified individual or individuals. Joint efforts are legitimate only when the assistance of others is explicitly acknowledged and permitted by the assignment. Ethical conduct is the obligation of every member of the University community, and breaches of academic integrity constitute serious offenses. Any such issues will be submitted to the Dean of the Labor Studies and Employment Relations Department, as appropriate. Students must assume responsibility for maintaining honesty in all work submitted for credit and in any other work designated by the instructor of the course. Students are also expected to report incidents of academic dishonesty to the instructor or dean of the instructional unit. Students are expected to abide by the Rutgers University Code of Student Conduct. They are to conduct themselves with honesty and integrity.

http://studentconduct.rutgers.edu/files/documents/AI_Policy_9_01_2011.pdf

From the Office of Disability Services:

Rutgers University welcomes students with disabilities into all of the University's educational programs. In order to receive consideration for reasonable accommodations, a student with a disability must contact the appropriate disability services office at the campus where you are officially enrolled, participate in an intake interview, and provide documentation: <https://ods.rutgers.edu/students/documentation-guidelines>. If the documentation supports your

request for reasonable accommodations, your campus's disability services office will provide you with a Letter of Accommodations. Please share this letter with your instructors and discuss the accommodations with them as early in your courses as possible. To begin this process, please complete the Registration form on the ODS web site at: <https://ods.rutgers.edu/students/registration-form>.

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