

Course Syllabus
Rutgers University School of Management and Labor Relations
Conflict and Conflict Resolution in the Workplace
Course No: 37:575:312:82 19780
Fall, 2019
Mercer County Community College
Business Building (BS) Rm. 206
Monday-6:00pm-8:40pm
Prof. Anthony Bagliore
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General Objectives: 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 role of 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.

The first half of the course will examine both the various types of job-related conflicts, and what causes workplace conflicts in general. 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 agreements that are the source of many conflicts. In addition, another portion of the course will be dedicated to comparing the use of transferable dispute resolution skills, such as those facilitated by neutrals in Conciliatory Processes (Mediations, Conciliations, Fact-Findings, & Arbitrations). 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 more serious interpersonal conflicts. We will learn how to resolve them all.

Specific Objectives:

- Using the textbook, posted Sakai Readings, in-class discussions, and lectures, students should gain an in-depth understanding of the differing employment sectors and the disputes that most commonly arise in each.
- Students should also gain a NEW understanding of the various types of conflicts in each type of workplace setting.

- A more detailed understanding of the complete ADR system and how each can be utilized to facilitate settlement and increase job productivity should also be learned in this course.
- Lastly, through assigned coursework and preparation each student should gain a further understanding of how to recognize and resolve any impasse, whether job-related or in everyday life.

Format: The class will be comprised of lecture, group work and readings. In addition, a labor arbitration simulation will be assigned where students will experience what it is like to analyze a case and to write an award and opinion as a labor arbitrator.

Readings: The required text is, "Resolving Conflicts at Work – Ten Strategies for Everyone on the Job." 3rd Edition. By: Kenneth Cloke & Joan Goldsmith. Additional Readings may be posted on Sakai.

Class Prep/Participation: Class will include lectures, group work, readings, exams, 1-Arbitration Simulation, and in-class discussions. Student participation is very important in this class and therefore you are expected to:

- read the assigned material before class and be prepared to discuss it.
- attend, and participate in every class. Because dispute resolution skills are developed throughout the course, attendance is very important.
- be familiar with the University's Policy on Academic Integrity and follow it: <http://academicintegrity.rutgers.edu>
- You are encouraged to exert your own views, and participate in class discussions as much as possible. However, as with any successful dispute resolution, YOU MUST BE TOLERANT & RESPECTFUL OF YOUR CLASSMATES OPINIONS. If you cannot have a conversation without offending those around you, achieving mutual admiration and resolution is an impossibility.

Absences: Attendance is required. Please report any absence in advance unless you have a sudden and unexpected illness or emergency. You are expected to email me at the address listed above, prior to any anticipated absences. In the event that an emergency occurs, it is your responsibility to obtain the class notes, lectures, and assignments from a classmate. I would encourage each one of you to exchange contact information with a colleague in class, so if an emergency does arise, you already have someone that you can rely upon for the missed information.

Communications: I will communicate class announcements via Sakai or email. If you need to reach me email is the best method (abaglio.perc@gmail.com).

Grades: For purposes of grading there are four components of the course:

1. Attendance, class participation, individual and group assignments. (25%)
2. One in class mid-term exam. (30%)
3. A mock-arbitration exercise with the grade based upon an arbitration opinion and award in a case involving an employee who was suspended from work. (20%)

4. A final exam or final resolution exercise concentrating on material covered during the second half of the semester but also including processes/principles from the entire course. (25%)

Office Hours: By Appointment Only. However, I strongly urge any student to speak to me during class breaks, after class, or to contact me to discuss any matter of interest relating to this course.

Equal Student Opportunity: 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>.

Schedule of Classes:

Class 1 – September 9, 2019:

Overview of the course/Begin "Conflicts Course.ppt"

- Introduction to the course and course requirements
- Introductions, student backgrounds, expectations & objectives
- Sources of conflict
- Readings (to be discussed next class):
 - M. Masters and R. Albright, Conflict Resolution in the Workplace, Ch.1 "Understanding Workplace Conflict" and Chapter 2 "Diagnosing Conflict"

Class 2 – September 16, 2019:

Review of "Conflicts Course.ppt" and Begin "Sixers and 3's.ppt"

- Review reading assignment from previous class
- Readings (to be discussed next class):
 - K. Cloke, Intro & Strategy 1 (Intro-pg. 28).

Class 3 – September 23, 2019:

Continue with Previous Class until finished.

Overview of Processes Used for Alternative Dispute Resolution

- Review reading assignment from previous class
- Readings (to be discussed next class):
 - W. Ury, J. Brett and S. Goldberg, Getting Disputes Resolved, Ch. 1 "Three Approaches to Resolving Disputes:" Interests, Rights and Power
 - K. Cloke, Strategy 2 (pgs. 29-62).

Class 4 – September 30, 2019:

Begin “You know the what, now the why and how”:

- Review reading assignment from previous class
- Readings (to be discussed next class):
 - K. Cloke, Strategy 3 (pgs. 63-92).
 - R. Masters, M. Albright, The Complete Guide to Conflict Resolution in the Workplace, Ch. 4 “Negotiation”

Class 5 – October 7, 2019:

Continue “You know the what, now the why and how”

Discuss Negotiations Reading Exercise

Begin ADR in the Workplace – “Origins, Which Processes are Which”:

- Review reading assignment from previous class
- Discuss briefly the multiple processes in both public and private sector
- Compare the use of the ADR Processes when used for Negotiations, and Grievances – Emphasis on Mediation and Arbitration
- Readings (to be discussed next class):
 - K. Cloke, Strategy 10 (pgs. 301-331).
 - M. Masters and R. Albright, The Complete Guide to Conflict Resolution in the Workplace Ch. 6 “Mediation”
 - Download and Print Out Mediation Steps Chart .pdf file off Sakai

Class 6 – October 14, 2019:

Discuss Negotiations Reading Exercise

Continue ADR in the Workplace – “Origins, Which Processes are Which”

ADR in the Workplace: “Mediation-1st Step to the Process”

Finish the Details of the Mediation Steps

Continue to Discuss the Comprehensive Conflict Information

- Review reading assignment from previous class
- Discuss how Mediation is at the Center of all ADR Processes
- Utilize the Mediation Steps Chart to illustrate the 2 Sections, and Multiple Steps
- Mid-term Review
- In-class Discussions

Class 7 – October 21, 2019:

MID-TERM EXAM

- Reading Assignments for next class:
 - D. Lipsky, R. Seeber, and R. Fincher: Emerging Systems for Managing Workplace Conflict, Ch. 2 “Forces of Change” pp. 29-32 and Ch. 3 “The Rise of Alternative Dispute Resolution”
 - K. Cloke, Strategy 5 (pgs. 131-168). Yes, Strategy 5, not 4.

Class 8 – October 28, 2019:

ADR in the Workplace: Separating the Noise, Getting to what Matters

Review of covered material and concepts before the mid-term

Refresh Mediation as the center of ADR; Begin Discussing the other Processes

- Review reading assignment from previous class
- Readings (to be discussed next class):
 - R. Masters, M. Albright, Conflict Resolution in the Workplace, Ch. 7 “Arbitration”
 - M. Carrell & C. Heavrin, “ Ch. 12 “The Arbitration Process”

Class 9 – November 4, 2019:

“Employment/Labor Arbitration Process.ppt”

Discuss in Detail-What is Arbitration?

- Review reading assignment from previous class
- Discuss the Different Types of Arbitration
- The Arbitration Process itself

Class 10 – November 11, 2019:

“You are the Chosen one”

Armed with your newly acquired skills and knowledge from the Semester, You become the Arbitrator

- Discuss Expectations of Arbitration Simulation Exercise
- Mock Grievance Arbitration Assignment and Film
- Watch Film
- Reading Assignment (to be discussed next class):
 - R. Masters, M. Albright, Conflict Resolution in the Workplace, Ch. 13 “Establishing an Integrated Conflict Resolution System
 - K. Cloke, Strategy 7 (pgs. 204-240).

Class 11 – November 18, 2019:

“Trying To Avoid the Conflict”

- Review Mock Grievance Arbitration Assignment and Film from previous class
- Review Assigned Readings – Behaviors to avoid, pre-conflict
- Readings (to be discussed next class):
 - M. Carrell & C. Heavrin, Labor Relations and Collective Bargaining, Ch. 5 “Negotiating an Agreement” pp. 215-232

Class 12 – November 25, 2019:

- NO CLASS – TUESDAY CLASS IS CANCELLED FOR SWITCH DAY –NO CLASS. Enjoy.

Class 13 – December 2, 2019:

- Review All Relevant Material left from last class.
- Review for final exam or Begin In-Class Final Exercise???

Class 14 – December 9, 2019:

- Review All Relevant Material left from last class.
- Review for final exam or Begin In-Class Final Exercise???
- Continue In-Class Final Exercise

- (Will be determined by Progress of Semester and Course Material)

Class 15 – December 16, 2019:

- Final Exam or Continue In-Class Exercise

Revised 7/22/18