
Conflict Management : **& The Military Leader**

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“One of the best ways to persuade others is with your ears.”
Dean Rusk
Former Secretary of State

If problem-solving processes or negotiations come to an impasse, a leader may resort to using a more direct approach and/or simply tell someone what to do. This type of conflict management may be effective, at times even necessary, but it may not be the most appropriate method to solve all issues. This article explores the concept of Alternative Dispute Resolution (ADR), but focuses predominately on the mediation, facilitation, and the assisted negotiation process. We are not suggesting these processes should be used for all dispute resolutions or conflict management; however, when used appropriately, they can help manage conflict at the lowest level.

When former Chief of Staff of the Air Force, Gen. David L. Goldfein announced

his initiative to revitalize squadrons he recognized, “the squadron is the beating heart of the Air Force. We succeed or fail in our missions at the squadron-level because that is where we develop, train, and build Airmen.” This statement, taken from the Chief of Staff Focus Area document should still remind us why managing conflict is so important. When one considers why damaging conflict develops, it often stems NOT from vindictive leaders, but leaders who are busy trying to accomplish the mission. Under constant pressure to succeed, leaders at all levels may fail to recognize ineffective communication styles or intrinsic bias that creates a perception that people are not valued or critical to the organization. Recent studies show almost every office conflict can be traced back to a lack of communication.

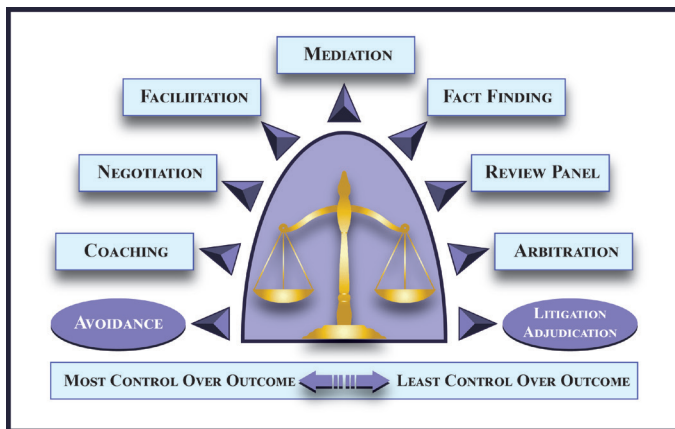
The University of Navarra's IESE Business School writes for Forbes, "Good internal communication helps employees feel trusted and connected to each other." So, what happens when communication falters and conflict is unresolved?

Unresolved or unmanaged conflict can damage trust, create disengaged employees, and as a result, reduce productivity. CPP Inc.-publishers of the Myers-Briggs Assessment and the Thomas-Kilmann Conflict Instrument-commissioned a study on workplace conflict. They found U.S. employees spent more than four hours per week dealing with conflict. This amounts to \$359 billion dollars in lost productivity or the equivalent of 385 million lost workdays. In addition, Defense Equal Opportunity Management Institute (DEOMI) surveys have shown less than 50% of employees who have dealt with workplace conflicts such as "claims of discrimination," report these incidents. The surveys state the reason most people do not report is a fear the incident would not be taken seriously, fear of reprisal, and/or a perceived lack of support from the Chain of Command.

A process the Department of Defense (DoD), Air Force, and Space Force use to help manage unresolved conflict is called Alternative Dispute Resolution or (ADR). ADR encompasses many different means to resolve or manage conflict. The term "alternative" comes from the Administrative Dispute Resolution Act (ADRA) of 1996 which states, ADR is an alternative to litigation in the Federal courts. This is critical considering

the average Equal Employment complaint can take up to 3 - 5 years to resolve. During this waiting period, employees may suffer under the weight of unresolved conflict while leaders are walking on eggshells, concerned that any legitimate disciplinary action, directed at the party who filed a complaint, might be perceived as a reprisal. Not to mention the stress of unreported and unmanaged workplace conflict.

The Department of the Air Force (DAF) ADR program is officially titled the "Negotiation and Dispute Resolution" program or (NDR). This program is based on federal, DoD, and service guidelines intended to assist leadership, at all levels with conflict management support. Leaders can benefit from maintaining a productive work environment in which disputes are prevented or settled quickly and at the lowest possible level. To reach this goal, DAFI 51-1201 *Negotiation and Dispute Resolution Program states*: "MAJCOM, FLDCOM, DRU and FOA Commanders will ensure adequate resources are provided, including dedicated personnel resources, necessary to fulfill the command NDR responsibilities." The DoD also recognizes the benefit of early intervention. DoD Instruction 5145.05 *Alternative Dispute Resolution (ADR) and Conflict Management directs*: "each DoD Component to establish and implement ADR program(s) to resolve disputes at the earliest possible stage. Any conflict or dispute, regardless of subject matter, is a potential candidate for ADR." (Para 1.2 POLICY b.)



Alternative Dispute Resolution Sample Spectrum

The above graph provides a visual example of the ADR spectrum and highlights different problem-solving processes. Beginning on the left side of the graphic, each process gives participants a level of control over resolution outcome. As you move to the right, whether by law or choice, participants start to give up some or all outcome control. For example, in litigation the parties have the least amount of control, giving up that power to a judge who has the ultimate authority to decide the outcome. Although every process has value when dealing with conflict, this article focuses on the DAF Negotiation and Dispute Resolution program and how skills derived from this program can resolve conflict at the lowest possible level.

We begin with the term mediation; a formal dispute resolution process where parties retain control of the outcome while relying on a trained third party neutral to assist with communication. In mediation, the Administrative Dispute Resolution Act (ADRA) defines a neutral as someone who has “no official, financial, or personal (conflict of interest) with respect to the issues.” In other

words, the neutral has nothing to gain or lose and is there to help the disputing parties discuss their concerns and develop their own resolution. In an official mediation, a neutral serves at the will of the parties. If participants in a mediation, whether perception or reality, believed the mediator was biased, pushed for a resolution, or favored one party over the other, trust in the mediation process would break down and the process would become ineffective.

A trained mediator/neutral is an individual who meets specific criteria for mediating workplace disputes. Training includes complying with ethical standards such as self-determination, impartiality, confidentiality, and competence. These standards are fundamental to the success of the mediation program and have been adopted by the American Bar Association, the American Arbitration Association, and the Association for Conflict Resolution. The primary goal of these standards is to guide the conduct of mediators, to protect the mediating parties, and to promote public confidence in mediation as a process for managing and resolving disputes.

Facilitation is a flexible process for working out interpersonal conflicts at the earliest possible stage, with the help of a certified neutral. Neutrals conducting facilitations are bound to the same standards of conduct, such as confidentiality, but can work informally within an organization. The conflict need not be part of an official complaint process, rather a leader can benefit from

getting ahead of the problem with early intervention. For leaders unfamiliar with this process, it can feel daunting to seek outside support or even seem too time consuming. Yet, early intervention saves time in the long run and supports resolution of workplace conflict before it can negatively impact the mission. Reaching out to a trained neutral for their expertise is no different than calling on the help of a health care provider or financial advisor. And leaders can have peace of mind knowing the neutral is required – by law – to keep these conversations confidential.

Leaders can benefit from learning and applying the same facilitation skills of a certified neutral. These skills can help mitigate conflict in their organizations, but since the leader has an interest in resolving the conflict, they cannot act as a true neutral. As they use facilitation skills to engage their team in early conflict management, they can begin to build trust, accountability, and help ensure lasting resolutions. To distinguish between the facilitation work done by neutrals, which is subject to the standards of conduct, and a leaders' general use of facilitation skills, DAF introduced the term “**assisted negotiation**.”

Leaders looking to assist their organization in managing conflict at the lowest level can use facilitation skills to help people open lines of communication, understand each other's positions, and uncover their true underlying interests. Leaders can learn how to help people recognize biases, see blind spots, and identify when they may be relying on power to force a resolution. It is important to recognize

that the leader may very well be acting with a level of neutrality in assisting the parties, but the statutory protections of the ADRA, such as confidentiality, do not apply to this **assisted negotiation process**. Why? Because of the leader's personal interest in resolving it.

During an assisted negotiation, leaders learn to use interest-based problem-solving techniques to help the parties understand why the other person wants what they want. Positions, or what someone wants, are not ignored, but the leader can dig deeper by asking a series of critical thinking questions to uncover what is driving the positions. These questions encourage an open exchange of information, helping guide the parties towards a mutually beneficial resolution. In this role, a leader can serve as a buffer, ensuring both parties are heard, respected, and not judged as wrong or right.

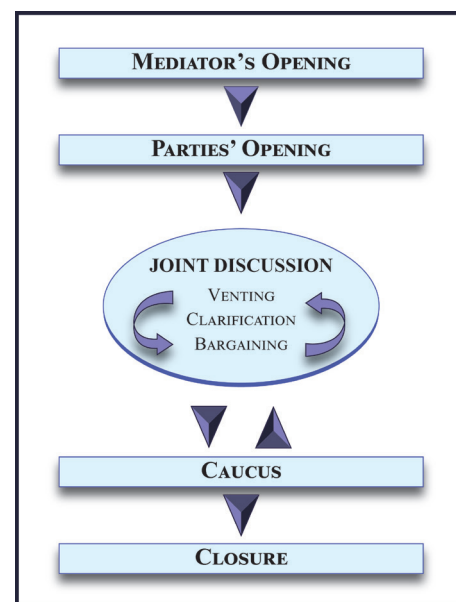


Figure 2 (Air Force Mediation Copeudium)

A leader can learn to use a defined process (See Figure 2) to discuss what happened in the

past, but then move the discussion to a focus on the future. Like mediation, a leader can open the session by setting clear ground rules that include mutual respect (no interruptions,) and explain the process from beginning to end. Leaders who use these skills learn how to encourage the parties to explain their views about the problem and explore ideas to best resolve the issue. As process control is maintained, a psychological movement unfolds... the parties shift from anxiety, fear, and/or distrust, toward a mutual trust in the process. This takes time, but as the parties start to understand underlying biases and sense someone is actually listening, tensions often ease, and the parties are usually willing to open up and discuss issues. With help, the parties can begin to move from speaking to the leader, to communicating with each other in what is called a joint discussion.

The key to this process for the leader is to **not impose** a solution. The goal is to help the parties explore underlying issues and guide them to a solution using active asking and active listening skills. Power lies in process control and although a leader may suggest a solution or, provide some coaching, the parties need to know they do not have to accept the recommendation. Leaders applying these skills are not neutral practitioners, but they can maintain a neutral perspective to the issue at hand and protect self-determination. Self-determination is allowing the participants to have a say in the outcome or way forward.

During the process of an assisted negotiation,

the leader may speak with one party at a time, attempting to build trust and find common ground among the parties. This private one-on-one session is called a caucus and is used to allow more direct questioning. The same direct questions in a joint session could inadvertently give the perception of favoritism. In a caucus the leader begins to learn more about underlying interests as the parties begin to open up and share unspoken concerns. Then they typically encourage the parties to come back together in joint session to discuss the issues, often resulting in movement toward resolution.

These skills have value for leaders. Knowing when and how to use these skills could improve your ability to assist subordinates or coworkers in negotiating lasting solutions to workplace conflict. For example, when two people, with your support, work together to find a solution, the solution often has a better chance of succeeding because it is their solution, not one that has been imposed on them. This is not an easy process, but with training and practice leaders can gain another tool to manage conflict and reduce workplace hostilities.

Understandably, mediation, facilitation, or even an assisted negotiation is not the answer to all disputes. Obviously, there are appropriate times to use your authority to accomplish your will, but overuse, or misuse of this approach can damage a person or an organization. Circumstances may require advanced tools to help manage conflict at the

lowest level, while maintaining an employee's trust in you and the organization.

The goal of this article is to help you understand the value of learning and implementing these skills in the workplace and to help you know when to reach out to and what to expect from a well-trained mediator. A key trait of effective, engaged leaders is knowing when outside support is necessary and how that support could benefit an individual and the organization. When appropriate, a trained mediator can assist any organization to resolve or manage conflict at the lowest level. It may also bring some comfort to a commander knowing that a mediator/facilitator is bound to confidentiality.

Finally, consider learning how to assist with a negotiation in your organization. With so much organizational conflict stemming from poor communication and employees feeling unheard, an individual with appropriate training could make a difference. Early intervention could dramatically improve communication and improve employee performance.

(NOTE: You can learn more about the DAF NDR program by contacting the Air Force Negotiation Center. You may never serve as a neutral or assist with a negotiation, but understanding the value of and how to access a trained mediator could help you and your organization manage conflict at the lowest level.)

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