

# Faculty Dispute Resolution

Seeking Resolutions to Workplace Disputes

## Another Successful FDR Mediator Training!

The goal of FDR mediation training is to increase the presence of the mindfulness and practice of constructive conflict resolution on the UNM campus. This spring, FDR's mediation training involved a group of energetic, dedicated, and fun faculty who spent four days learning the content, theory and practice of mediation. Jean Civikly-Powell instructed and coached, and was supported by other noted mediators who helped coach the practice sessions. At the close of the training, the faculty came up with very thoughtful ways to describe a successful mediation.

### Mediation is successful when...

- the disputants feel heard by each other.
- the disputants feel they have been acknowledged.
- an agreement is reached.
- the disputants feel understood.
- communication is enhanced.
- there is movement and less tension.
- mediators stay neutral.
- personal integrity is honored
- the parties take the lead and talk to each other.
- relationships are improved or re-created.
- the parties have the confidence to work through future conflicts
- options are considered.
- litigation is avoided.
- dignity is preserved.

## CONGRATULATIONS to the FDR Mediation Class, Spring 2007!

Rosa Auletta  
Developmental Sts, Learning  
Communities, UNM-V

Joseph Barbour  
Social Studies, UNM-V

Patricia Covarrubias  
Communication & Journalism

Corey Ford  
Neurology, Office of Research

Shuhong Guo  
Pharmacy Basic Sciences

Miriam Gustafson  
English, UNM-V

Prasad Mathew  
Pediatrics Hematology Oncology

Leslie Morrison  
Neurology/SOM Academic Affairs

Bruce Neville  
University Libraries

Lee Orosco  
Civil Engineering, Intel

Steven Yourstone  
Anderson Schools of Management

Matthew Dahlsten and  
Kerstin Schuhfleck  
FDR Graduate Assistants

## THANK YOU to our Faculty Mediator Coaches!

William Buss, Neurosciences, emeritus  
Jean Civikly-Powell, FDR  
Zina Daniels, Orthopedics Physical Therapy  
Mark Emmons, University Libraries  
Wanda Martin, English

Karl Hinterbichler, Music  
Bruce Noll, Educ. Ldshp. & Org. Learning  
Laurie Schatzberg, ASM  
Virginia Seiser, Univ. Libraries, Emerita

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The FDR logo is a Triskelion design from the late Bronze Age. A lively symbol, it gives a distinct impression of movement, always ongoing, fully connected, expressing

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Anger always goes  
together with  
confusion, with  
ignorance.

Thich Nhat Hanh

“Happier Ever After: Re-authoring Conflict Stories”  
by John Winslade and Gerald Monk

Two recent movies, *Stranger Than Fiction* and *The Number 23*, follow normal every-day characters whose lives suddenly seem to directly parallel stories written by others — their lives seem to come under the control of the writer. These movies explore the anxiety that may result from consciously being trapped in someone else’s story of conflict.

In a similar manner, narrative mediation envisions the persons involved in a conflict as having become trapped in a conflict story from which they can see no way out. However, unlike the protagonists in the movies, the persons involved in narrative mediation have access to a mediator who, with skill and sensitivity, can assist them in re-authoring their story into one with a more successful conclusion. With narrative mediation, if not a “*happily ever after*” ending, then at least a “*happier ever after*” ending may be achieved.

Narrative mediation arises out of the postmodern theory of cultural constructivism. This theory proposes that people’s experiences of the world are directly influenced by the stories and values of their culture. Each person creates his/her own life narrative, influenced by the stories and values of the culture, which gives life its meaning and direction. When two or more individual’s narratives bump into each other in an incompatible way, a new narrative of conflict may arise.

This perspective is a shift from common assumptions about conflict which often emphasize inner drives, interests, facts and causes. The narrative mediator is more interested in facilitating the expression of disputants’ stories and uncovering their meanings within these stories. Winslade and Monk identify three broad goals for narrative mediation: “a) the creation of an alternative relationship story; b) the deconstruction of the dominance of the conflict story; and c) the opening of space for people to make discursive shifts.” (p. 12)

*The dominance of the conflict story may overshadow alternative stories of cooperation, understanding and mutual respect.* In order to create an alternative relationship story, narrative mediation focuses on the relational conditions between the two parties. The narrative mediator may facilitate subtle positive shifts in the relationship by inviting disputants to relate times when their relationship was characterized by greater collaboration and acceptance. These previous positive relational attitudes may then provide a new context and perspective on the current conflicted relationship.

The process of deconstructing the dominance

of the conflict story includes exposing narrative assumptions and externalizing the conflict. During the construction of conflict stories, assumptions are often made that include entitlement claims and the power relations involved. It is important that the narrative mediator help explore these assumptions in the conflict narrative so that they can be considered and challenged during the process of mediation.

A concrete way of weakening the dominance of a conflict story is to facilitate the process of “externalizing the conflict”. In this process, the mediator helps the disputants to speak about the conflict “as if it were an external object exerting an influence on the parties but not identified solely with either party.” (p. 13)

The goal of opening space for shifts can be realized by facilitating the use of different descriptors for conflict issues and allowing parties to reposition themselves within the conflict narrative. *When these shifts occur, the potential for re-storying occurs.* Re-storying gives the parties the opportunity to co-author a new narrative in which they are freed from the traps of the conflict story. A new type of story, and relationship, can begin.

Winslade and Monk emphasize that every conflict story contains contradictions that can be used as openings by a skilled mediator to pave the way to a new “happier ever after” story.

More information about narrative mediation can be found in Winslade and Monk’s book *Narrative Mediation: A New Approach to Conflict Resolution* (available at the FDR office).

Winslade, J. & Monk, G. (2007). Narrative Mediation: Re-authoring Conflict Stories, ACRResolution, Volume 6, Issue 2, pp. 12-13.

Prepared by Matthew Dahlsten, FDR Graduate Assistant

It is not fair to ask of others  
what you are unwilling to do  
yourself.  
  
Learn from the mistakes of  
others. You can’t live long  
enough to make them all  
yourself.

—Eleanor Roosevelt

## — FDR Faculty Mediators —

These are the UNM faculty who have completed the FDR 36-hour mediation training. The FDR program may call upon them to assist with faculty-faculty, faculty-administrator, faculty-staff, or faculty-student disputes (with the approval of all parties involved). Faculty mediators may also assist informally with difficulties that might arise in campus interaction settings, e.g., teaching and research interactions, and faculty and committee meetings. Some mediators pursue additional mediation training and may also volunteer their mediation services in their communities, at Metro Court, and in other arenas.

Their service to the University and to the community is of great value.

They contribute to a climate of constructive communication.

Andrea Allan	HSC Neurosciences	Helen Muller	ASM, Emerita
Rosa Auletta	Dev. Sts, Learning Comm., UNM-V	Bruce Neville	University Libraries
Joseph Barbour	Social Sciences, UNM-Valencia	Bruce Noll	Educ. Ldshp. & Org. Learning
Marsha Baum	Law	Eric Nuttall	Chemical & Nuclear Eng., Emeritus
Gloria Birkholz	Nursing, Emerita	Leslie Oakes	ASM
Steven Block	Music	John Oetzel	Communication & Journalism
Lisa Broidy	Sociology	Daniel Ortega	Law
Stephen Burd	ASM	Patricia Payne	Nursing
William Buss	Neurosciences, emeritus	Susan Pearson	Theatre & Dance
Jean Civikly-Powell	Faculty Dispute Resolution	Mary Power	English
Dorothy Clough	Nursing, Emerita	Ric Richardson*	Architecture & Planning
Gene Coffield*	Indiv., Family & Community Educ.	Deborah Riftenbary*	Indiv., Family, & Community Educ.
John Cornish	Extended University, English	John Rinaldi*	Education, Emeritus
Cara Lea Council-Garcia	Biology	Sherry Rogers	Cell Biology & Physiology
Patricia Covarrubias	Communication & Journalism	Susan Romano	English
Janet Cramer	Communication & Journalism	Randy Rosett	Anesthesiology
Terry Crowe	Occupational Therapy	Barri Sanders	UNM Taos
Gary Cuttrel	Dental Services	Laurie Schatzberg	ASM
Zina Daniels	Orthopedics Physical Therapy	David Scott	Sports Administration
Susan Deese-Roberts	CASTL, Univ. Libs., Emerita	Virginia Seiser	University Libraries, Emerita
Gloria Dyc	Arts & Letters, UNM Gallup	Virginia Shipman	Indiv., Family, & Community Educ.
Mark Emmons	University Libraries	Anne Simpson	Internal Medicine, Geriatrics
Santa Falcone	Public Administration	Brian Solan	Family and Comm. Medicine
Corey Ford	Neurology/Office of Research	Patricia Stall	Education, Emerita
Barry Gaines	English	Pamela Stovall	UNM Gallup
Patricia Gillikin	English, UNM Valencia	Ellie Trotter	Biology
Tim Goldsmith	Psychology	John Trotter	School of Medicine, Emeritus
Maria Dolores Gonzales	Spanish & Portuguese	Tim Wadsworth	Sociology
Cathy Gutierrez-Gomez	Indiv., Family & Community Educ.	Howard Waitzkin	Sociology, Fam. & Comm. Med.
Miriam Gustafson	English, UNM Valencia	Jackie Weeks	Health Careers, UNM Gallup
Mary Harris	Education, Emerita	Olaf Werder	Communication & Journalism
Gary Harrison	English	Sherman Wilcox	Linguistics
Karl Hinterbichler	Music	Ebtisam Wilkins	Chemical & Nuclear Eng., Emerita
Scott Hughes*	Law	Fran Wilkinson	University Libraries
Dubra Karnes-Padilla	UNM Valencia	Amy Wohlert	Vice Provost &
Kate Krause	Economics		Dean, Graduate Studies
Marsha Lichtenstein*	Institutional Research	Carolina Yahne	CASAA, Emerita
Vonda Long	Counselor Education, Emerita	Steven Yourstone	ASM
Wanda Martin	English		
Estella Martinez	Indiv., Family, & Community Educ.		
Prasad Mathew	Pediatrics Hematology, Oncology		
Virginia McDermott	Communication & Journalism		
Sarah Morley	Health Sciences Center Library		

\* Trained Mediator, with program other than FDR

"You got to be careful if you don't know where  
you're going, because you might not get there."  
-- Yogi Berra

**"A Facilitative Mediation Process"**

by Ann Milne

Today there are many different mediation styles and models of practice. Ann Milne discusses the importance of finding one's own style and model. She proposes consideration of the facilitative approach to mediation.

In facilitative mediation, the focus is to manage the processing of the issues so that the parties can be in charge of the outcome or product. There are three main categories that a facilitative mediator attends to: personal issues, relationship issues and topical issues. When parties have found a strategy for dealing with the personal and relationship issues, the topical issues are likely to be resolved.

A facilitative mediator manages the mediation *process* and the parties decide the *outcome* of their discussion. Managing the process includes explaining the dispute resolution process and its effectiveness to the parties. Other techniques that can be helpful during facilitative mediation are separating the person from the problem, reminding parties to focus on their future, focusing on the parties' interests rather than their positions, and discussing effective communication dynamics.

Ann Milne reminds us that, "Having choices is what mediation is all about."

Milne, A. (2007) A Facilitative Mediation Process. ACResolution, Volume 6, Issue 2, pp. 10-11.

Prepared by Kerstin Schuhfleck, FDR Graduate Assistant

**Graduate Student Mediators**

Jennifer Bowe	Counselor Education, FDR
Varda Brahms	COE, LLSS/ETSS
Christopher Brown	Communication & Journalism
Susan Clair	Public Administration, Comm. & Regional Planning
Matthew Dahlsten	Individ., Family & Comty Educ.
Melissa Heap	Psychology
Holly Kawakami	Communication & Journalism
Sharon Pearson	Counselor Education, FDR
Vicente Quevedo	Comm. & Regional Planning
Leslie Rettinger	COE, OLIT
Andrea Salazar	COE, OLIT
Kerstin Schuhfleck	Individ., Family & Comty Educ.

**FDR Spring 2007 Workshops****Moving from Harm to Value:  
Four Slogans for Mediators**

Kathy Domenici and Stephen Littlejohn (Adjunct Professors, Communication and Journalism) recently led a FDR workshop, providing the group with information and experiences about managing difference. Their work focused on the challenges of conflict. They also described four keys for helping people transform harmful patterns into valuable ones.

FDR thanks Kathy and Stephen for their valuable expertise and lively discussion.

**Ready for Mediation? Ready for Change?  
Lessons Learned from  
Motivational Interviewing.**

Presenter: Carolina Yahne, Ph.D., Psychologist,  
FDR Mediator,  
Professor Emerita, CASAA

DAY/DATE: Wednesday, April 4th  
TIME: 12:00-1:30 pm  
PLACE: UNM Faculty & Staff Club  
1923 Las Lomas NE  
Room 101

Carolina will lead the group in a discussion of readiness for mediation and the processes involved in making changes. Carolina will draw on her expertise and experiences in mediation and motivational interviewing, and from the conceptual model set forth by Prochaska and DeClemente. Carolina is a vibrant speaker and avid listener who models the behaviors and responses she describes.

We look forward to an engaging time!  
Please join us!

**R.S.V.P.** no later than Monday, April 2nd, to  
jcivikly@unm.edu or 277-3212

**Please Note**

Lunch and drinks are available for purchase  
at the Faculty and Staff Club.  
No outside food or drinks are permitted.