Workplace Informal Resolution Services

Tal Lieber
Director of Informal Resolution Services

Phone: 205-348-0510
email: tlieber@ua.edu
Three Conflict Management Systems

- Informal System
- Automatic System
- Formal System

Director of Informal Resolution Services

Human Resources, Grievance Procedures, Litigation

Ordinary Social Skills
My Role

– A designated **neutral** conflict resolution practitioner who provides *confidential, informal, independent, and impartial* assistance to faculty, staff and students through dispute resolution and problem-solving methods.

– Serves as an **alternative and/or supplement to, not a replacement of**, other University resources and procedures.

*Confidentiality and exceptions will be discussed in slides 9 & 10
My Responsibilities

Informal Resolution Services:
1. Workplace Conflict
2. Title IX Alternative Dispute Resolution

Training:
3. Workplace Conflict Resolution Training
1. Workplace Conflict
How Can I Help?

Listen
- Listen to complaints, concerns, problems and issues

Answer
- Answer your questions or refer you to someone who can

Research
- Conduct (anonymous) research on your behalf

Clarify
- Clarify policies or processes

Options
- Help you identify and evaluate options
How Can I Further Help?

- **Coach**: Manage a challenging situation or engage in a difficult conversation.
- **Mediate**: Mediate disputes or facilitate communication between individuals in conflict.
- **Train**: Workplace conflict resolution training.
- **Refer**: Refer you to the appropriate office should you wish to file a formal complaint.
- **Surface**: Surface trends or patterns of complaints that might be systemic.
What Don’t I Do?

Accept Notice
Accept notice of claims against the University or any formal complaint

Formal Process
Conduct, testify, or participate in formal investigations or processes

Legal Advice
Provide legal advice

Rules
Make or change University decisions, rules, or policies
Confidentiality

Your **identifying information** and **information you share** with me will be kept confidential, unless you give permission to reveal specific issues to specific persons for the purpose of resolving the conflict.
Exceptions to Confidentiality

- Imminent risk of harm to self or others.
- Title IX & Sexual Misconduct allegations.
- Illegal activities.

Requests for mediation will require a conflict-check with designated officials, and any agreement reached may require approval by appropriate officials.
Information you share with me, either in person or in writing, is:

– **Strictly off-the-record** and does not constitute a formal report of wrongdoing.
– **Not a step in any grievance** process.
– **Not a notice to the University** of any claims you may have.

Anyone who wishes to put the University on notice should invoke a formal grievance process, and I can provide referral information about whom to contact.
2. Title IX Alternative Dispute Resolution (ADR)
What is The Title IX ADR Process?

- An opportunity for Complainant & Respondent to reach an agreement on how to resolve the case.
- An alternative to the Formal Process (investigation)
- The facilitator is neutral and impartial and does not issue findings.

Goal: Mutually Acceptable Resolution
Do I Have to Participate?

– No. The ADR Process is voluntary.

– Either party may withdraw consent at any time until the ADR Agreement is signed by all parties.

– Title IX Coordinator must deem the matter appropriate for ADR.

– Title IX Coordinator or Mediator can terminate if no longer appropriate.
Who Can Participate?

Any Complainant and Respondent, except:

Student Complainant and Employee Respondent
Is it Confidential?

The ADR Process is confidential, subject to some *exceptions.*

– The facilitator will not relay information between parties without their permission.
– The facilitator will not testify or share information in the Formal Process.

*Exceptions to confidentially on slide 17
Exceptions to Confidentiality

• Imminent risk of harm to self or others.

• New Title IX & Sexual Misconduct allegations.

• Illegal activities.

• The agreement requires Title IX Coordinator’s approval.
Can I Appeal the Outcome?

– No. Once the agreement is signed by all parties, the parties are bound by its terms, the ADR Process is deemed final, and the Formal Complaint is considered resolved.

– Exceptions:
  • If otherwise provided in the agreement itself.
  • If a party induced the agreement by fraud, misrepresentation, or other misconduct.
  • Where required to avoid a manifest injustice to either party or to the University.
3. Workplace Conflict Resolution Training
Training Opportunities

– Necessary Knowledge
  • Learn a new way of thinking about and approaching conflict

– Successful Conflict Conversations
  • Learn a practical communication tool to resolve conflicts between yourself and others

– Third Party Resolution
  • This seminar will prepare managers/supervisors to take a proactive role to resolve conflicts between two other individuals under their supervision

– Conflict Dynamic Profile (CDP)
  • A resource to increase self-awareness and improve conflict management skills
Training Opportunities

– Training is available every month for individual enrollment on the Learning Management System.

– Contact Tal Lieber or Teresa Faulkner, Manager of HR Learning and Development, to schedule training for your department and/or team.
Thank you!

Questions?
Call: 205-348-0510
Email: tlieber@ua.edu