
UNIT 4 PROCESS OF CONFLICT MANAGEMENT

Structure

4.0 Objectives

4.1 Introduction

4.2 Collective Bargaining

4.2.1 Meaning

4.2.2 Aims and Objectives

4.2.3 Advantages

4.2.4 Prerequisites

4.2.5 Characteristics

4.2.6 Related Issues

4.3 Grievance Procedure

4.3.1 Characteristics

4.3.2 Advantages

4.3.3 Steps

4.4 Negotiation

4.4.1 Methods of Negotiation

4.4.2 Process and Outcome

4.5 Collaboration

4.5.1 Purposes

4.5.2 Principles

4.5.3 Outcome

4.6 Let Us Sum Up

4.7 Answers to Check Your Progress

4.0 OBJECTIVES

At the end of this unit you will be able to:

- define collective bargaining;
- discuss the purposes, functions, characteristics and principles and related issues of collective bargaining;
- explain the meaning of grievances and steps for resolving conflict through settling grievances in organization; and
- discuss the role of negotiation and collaboration as process of conflict management.

4.1 . INTRODUCTION

In Unit 3 of this block you have gained basic understanding of conflict, collective bargaining, conflict process and areas of conflict in Nursing. We have **also** discussed classification and types of conflicts in previous unit. Now we are going to acquaint you with process **of** conflict management. In your day to day life while working in ward with patient and **co-workers** and also hospital staff, you may face conflict. If conflict does not **resolve**, you **may have** frustration, so conflict management is the resolution.

Thus, the previous unit gave you the history of conflict management, process classification, and approaches of conflict situation. In this unit we shall be **concentrating** on process of **conflict management**. By now all of you are familiar as to, why it is **necessary to resolve** conflict? It is **therefore** necessary for maintaining good working relationship in hospital or any **organisation**.

Many of you **might be working** in conflicting situations. We shall however first discuss **Collective Bargaining, Grievance, Procedure, Negotiation and Collaboration**. The concluding **sections** as usual will deal with summing up and answer to check your **progress**.

4.2 COLLECTIVE BARGAINING

4.2.1 Meaning

Conflicts and frustrations are usually resolved through a process of collective bargaining. **Personnel** or individual needs to have freedom to bargain for **himself/herself** to preserve his/her own **values and interests** and to fulfill desires.

A collective bargaining by a group of members or an association tries to achieve the **interest of the members** easily comparing to a single individual's bargaining for better prospects.

4.2.2 Aims and Objectives

Collective bargaining aims at **equalizing** the power distribution between workers and management. Its **objective** is to create peace and harmonious relations between the employees and the management. The main feature of collective bargaining is to **initiate** equality in bargaining power between employee and management in which the security and safety of the **worker** force is protected. A single individual's bargaining may make **him/her** vulnerable to **threats** and reprisals from the employer. The main purpose of this is to **improve working conditions** and to prevent workers from getting into unfair treatment.

Functions of Collective Bargaining

- 1) As a **legislative** process, it develops terms and conditions to be observed by both the management and **employees** to function smoothly in an organization for a **specified period**.
- 2) It facilitates as an executive process to implement the agreement/contract by the **unions as well as the management**.
- 3) It **supplies** clear cut **explanation** in each and every collective agreement and provides **definite direction** to the followers for implementing the **agreement/decisions**.
- 4) It facilitates formulation of policies or guidelines for future actions to minimize and to **prevent conflicts**

The process of collective bargaining is based on some principles such as:

- 1) **Increase in number has increased strength**. Till whole thing comes to an agreement depends wholly on groups actions.
- 2) It is **based on the philosophy of progressive management** and strong trade unions which **believe strongly on worker related policies**.
- 3) The management should provide **sufficient opportunities** to the workers to put forward their **grievances** and allow their active participation in decision making.
- 4) The employees should be treated as employees not as subordinates by the management **e.g. nurses** should be treated as nurses or professional colleagues but not as physician's helpers or subordinates, which disturbs cordial relationships.
- 5) The **employees** should get due respect and privilege along with the responsibilities in

conflicts and reduces turnover which in turn increases the efficiency and quality of work.

- 6) There should be definite procedures followed for handling and reducing grievances. The nurses should be well-aware of the procedures and **should** be confident enough to approach the right persons in need. The channel **followed** for getting their conflicts resolved should be clearly mentioned preferably in writing.
- 7) The management needs to have frequent supervisory rounds, staff **meetings etc.** to find facts as a preventive step to minimize grievances and conflicts.
- 8) The management in order to reduce number of conflicting situations **should try to see** that:
 - The channels of communication are kept open.
 - There is allowance for 'open-door' policy for discussions in need.
 - There is a provision for adequate opportunities for **negotiations** with groups instead of only individuals.
 - There is a chance to suppress the ideas and power of a **single individual whereas** a group would be in a position to exercise its power.
- 9) The workers representative or the trade union members are to be selected by the workers but should not be according to the managements desire or **need**.
- 10) The trade union remarks should aim at improving the quality of work **instead** of encouraging disputes with **the** management.
- 11) The members of the **working** group should be realistic in their **negotiations** following the limitations and resources of the organizations.
- 12) The members of the working group should sincerely feel that they are the part of the organization who should assist the **employer(s)** to find workable solutions to problems to improve the quality of work or production.
- 13) They also should put more time and effort for negotiations with a **positive attitude** to compromises instead of quickly deciding for 'strikes' etc. which **needs careful** planning. 'Strike' should **not** be selected as an easy solution for settling the **dispute** unless and until other methods fail after repeated negotiations.
- 14) The process of collective bargaining should be considered as a means of finding the best solution by both the parties.
- 15) The representative from both the groups should have a serious and honest **commitment** to their leadership to create a meaningful and useful **collective** bargaining process. •

4.2.3 Advantages

In spite of having negative repercussions, bargaining and negotiations do have **some merits** if it is taken in an objective and democratic way. The purpose should be clearly **understood** by both the parties, and is easy to negotiate a contract. The parties should aim at win-win policy with a sound problem solving approach. No party should feel bad for giving in or compromise as long as agreement or the contract does not endanger the survival or growth of the employees and the organization.

The advantages of collective bargaining are:

- 1) Prevents unfair treatment of workers.
- 2) Improves working conditions.
- 3) Permits equalization of power between management and workers.
- 4) Improves quality and efficiency of work.
- 5) Helps to promote professionalism

In Nursing, nurses entering into **collective** bargaining with the management with the help of associations is a **common** feature to resolve their conflicts.

4.2.4 Pre-requisites

- There should be clarity of the indifference and the need for negotiations.
- Representatives should be thorough with the management **policies**, rules, regulations of the union and the management.
- No external pressure on the employer or on the employees is to be exerted to reach an agreement.
- Objective and democratic approach should be allowed for adequate expressions in discussions for negotiating a contract.
- There should be allowance for equality of bargaining **power between management and trade union/workers** representations.

4.2.5 Characteristics

The main characteristics/features of collective bargaining are:

- 1) It is a **collective** activity where a group of members are involved actively instead of a **single** individual.
- 2) It allows **ample** opportunity to both the parties **i.e.**, management and union (workers) to **exercise power** in negotiating dialogues.
- 3) It has a **scope** for compromise and understanding with a view to solve a problem.
- 4) It **encourages** fact finding skills and 'give and take' attitude and an order to resolve indifference or conflicts.
- 5) It **permits flexibility** which is agreed upon by both the groups or their representatives.
- 6) It **helps** to sustain the mutual and continuous relationship between the trade unions and management.
- 7) It is a continuous, dynamic, scientific and systematic process of problem solving approach.
- 8) It maintains **democratic** values and **atmosphere** in the industry.

Collective bargaining is a joint endeavor undertaken by the employer and the employees with an **aim** to improve the working conditions, staffing, economic benefits, in order to **improve** the quality of work. The employees actively get involved to negotiate with their **employer(s)** to find facts to solve their problems and difficulties to bring peace and harmony in the **organizations**.

Nurses with an aim to achieve maximum job satisfaction by increasing the level of **patient/consumers satisfaction** are entering into collective bargaining through their associations which is not considered anymore as unethical or unprofessional. **The** ultimate goal is improving standards of care through improved job satisfaction and working with minimum conflicts and grievances in a **democratic** set up. **Well** framed policies and well designed grievance procedures are expected to minimize the conflicts among professional nurses, for which the **nurse administrators** have a great responsibility to update their knowledge and fact finding skills to **help** the nurses in their organizations.

4.2.6 Related Issues

It is a bargaining and negotiating activity, **that** represents the indulgence in agreements which become **prominent figures** and sometimes may face unpleasant consequences. It may raise problems such as:

- 1) Division of **members** between group: Some members who favour only the **management** may get separated and others may be considered hostile to management. These discussions **sometimes** may create further indifference, creating two parties. **One may favour strikes and other may not**

- 2) Threat to job or reprisals: People who get involved actively in bargaining may have potential threat to **job** security if collective bargaining does not succeed. **Sometimes** on the other way the worker union may create threat to organizations survival or endanger the position of employer. **i.e.** you can **recall** incidents **where** union **succeed** to get rid of an authority from a top position. Therefore collective bargaining is not free from risks. When people are prepared to challenge **the** consequences, **they enter** into this type of discussions. To avoid the anger and unpleasant **situation** of employees, mostly the union or associations come to **rescue**.
- 3) Strikes and value conflicts: If collective bargaining fails there will be a **felt need** for strikes, either with slowing down or **stoppage** of work. This decision may create conflicts in those **employees** who are against strikes and **who feel** that a strike is unethical.

In nursing, this feeling is **quite** common **because** some **nurses place** their priority in patients welfare ignoring or sacrificing their **needs** and desires. **They do not mind** to work in an unpleasant atmosphere (self sacrifice).

The process of collective bargaining was rare in **hospitals** a few **decades** ago. But **the new** rules and regulations and changing government policies are **creating** a **need** to have this process initiated in hospitals. Doctors strikes in India **seem** to be more common due to their rights. The submissive, tolerative role of a nurse is not any **more common** as her grievances, certainly act as 'hindrances' to patients **welfare**. **Her** job satisfaction and **patients/clients** satisfaction are interrelated as both cannot be separated.

The **nurses** at last have developed their unions and have **been able** to put forth **their** grievances through the union leaders and are able to achieve a **few** benefits if not all. Nurses need more time and dedication for this complex **process** of collective **bargaining**.

4.3 GRIEVANCE PROCEDURE

Companies or industries have grievance procedure processed through workers unions. The leaders of the union carry out **the** collective bargaining to resolve **the conflicts**. The negotiations made by the leaders **of the** union are **representations from the employees**.

Nurses do have their unions and **their grievances** which are expressed through their leaders to the management or government. The negotiations end with a **new contract** or result in a favourable action suitable to both the parties.

4.3.1 Characteristics

Characteristics of grievances:

- 1) Either unvoiced or stated **by the** employee.
- 2) Written or unwritten
- 3) Can be valid, legitimate, untrue or completely ridiculous.
- 4) The dissatisfaction should be related to **the matters** of organizations.

4.3.2 Advantages

Grievance procedures try to reduce dissatisfaction, and encourages the **continuity** of **smooth** working in an organization. It also acts as a check on the **management's** functions. It is a method of making the **employee** aware of his right to appeal to **the management** is an important channel **of** communicating dissatisfaction to administration. **The** grievances are submitted either by an individual or through a group of **members**.

4.3.3 Steps

Conflicts or **grievances** can be brought out through other **means** such as

- a) Direct observation: Supervisor observes the performance and behaviour of

- b) Records and reports: Previous complaints of grievances and problems can be read and analyzed to know the extent of the grievances e.g. resignations, promotions etc.
- c) Suggestion Boxes: Anonymity may encourage courage to submit the dissatisfaction.
This may not lead to discussions since the person's identity is not established but the grievances are notified. These help the administrators to identify the person to explore more details.
- d) Open-door discussion: This policy may be there stating that the doors are opened for discussion which shows a democratic way of administration. Many times "you hear people telling that you can come to me if you have any problem". Even though it looks open, may avoid approaching due to many obstacles like inability to express freely, or hesitation to approach the higher authorities or fear of answering to the raising question etc. So this open-door policy hardly is in practice in some institutions. But this is mostly applicable with immediate superiors who encourage communication. For example, a staff nurse may feel free to talk to ward sister or ANS instead of going to Nursing Superintendent or M.S. Meeting immediate superiors also helps to avoid unnecessary conflicts between the superiors and subordinates than going to higher authorities may make the immediate subordinates unhappy.
- e) Personnel Counselors: Some organizations may appoint or select some people as counselors who are trained psychologists who maintain the confidentiality of the individual who has approached him/her for counselling, and help the individual(s) by conveying the grievances to the authorities (a mediator's Role).
- f) Exit Interviews: When an individual decides to leave the institution, a non directive type of interview may help to find out the type of complaints or grievance. But usually the person who does not wish to talk about his problems or complaints because she/he has decided ultimately to leave and is scared to talk anything negative because of knowing the truth that the reference for future jobs would be needed from here.
- g) Complaining Department: This department is responsible to receive the complaints and to conduct investigations. The department personnel also can send the recommendations after conducting enquiries to administrative officials. This type of department may not be available except in larger organizations like universities and colleges.

Before you read the steps try to recall the strategies of conflict resolution and the details you have learnt about collective bargaining and grievances.

Check Your Progress

1) What are the advantages of collective bargaining?

.....

.....

.....

.....

.....

2) What are the ways and means of bringing out grievances of an organization?

.....

.....

.....

.....

.....

A grievance procedure cover the following steps in relation to conflict resolution.

Many times the conflict is resolved with the help of step 1 or 1 and 2. Rarely step 3 comes in picture. But in case of unions, mostly all the steps are involved along with an extra step that is arbitration.

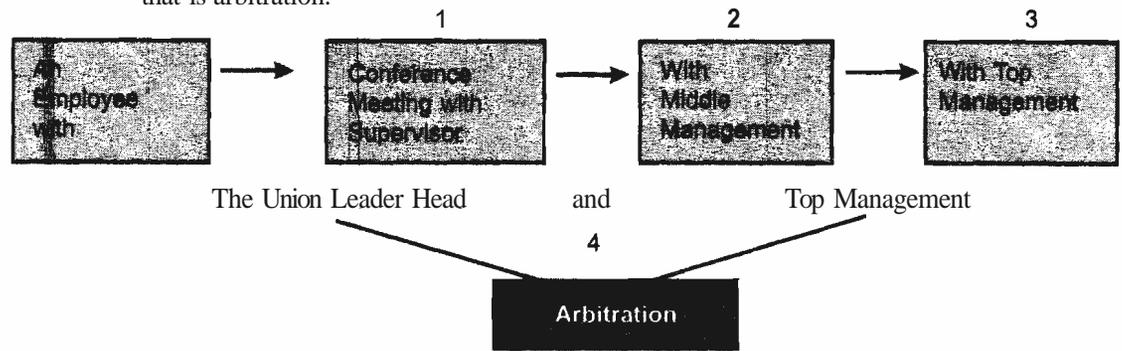


Fig 4.1

This grievance procedure is considered as a game and in this collective bargaining, winning and losing may be seen. The number can be counted as wins and losses and both the parties may compromise with a certain number of 'wins' and 'losses'. The conflict resolution or grievance procedure if it reaches step 4, i.e. arbitration, it may result in three ways.

- 1) The union may drop the issue either temporarily for sometime or even permanently.
- 2) The members **may** go on a strike after a definite information.
- 3) The issue is submitted to outsider for an impartial judgment who is an impartial arbitrator. **He/she** has an authority to make a decision and this person is selected with the consent of union and management. The decision of the arbitrator should be accepted by **both** the parties.

Arbitration is different **from** Mediation. A mediator may enter a **dispute/conflict** as a third party but has no power of decision. Normally the conflict resolution procedure may not have a mediator except the two parties i.e. the **union/employees** and **the top** management or sometimes selective arbitrator.

4.4 NEGOTIATION

The two parties select representatives for negotiation and those teams decide on the priorities on which a **decision is** to be made.

Negotiations also may include the agreements of previous contracts for **review/revision**. Serious discussions on main issues among party members help each team to identify the areas and the extent of compromise to **be** made to reach an agreement. The negotiation process is based on good faith which **brings** both the negotiating teams to agree and meet as per the accepted timings and each party member respects the views put forward by the **representatives(s)** of Other party.

The main purpose of negotiation is to come to an agreement to avoid conflict in future and this process demands knowledge of work and working conditions and negotiation skills of persons responsible for and in **return** they should be entrusted with **full** authority to negotiate. The dialogues should lead to **problem** solving approach **instead** of aggravating the problems.

4.4.1 Methods of Negotiation

There are **different** ways of negotiating:

- 1) Hard Negotiating: This is working hard to win by taking extreme position in negotiation but there is a chance of losing the relationships for a hard negotiator.
- 2) Soft Negotiating: This is easily giving in process where the soft negotiator tries to reach the agreement quickly. Sometimes he or she may be exploited for showing **concessions**

4.4.2 Process and Outcome

We do **come across** with this kind of people in discussions. Some try to **dominate** and **force themselves** to impose their **ideas** and wishes. But some try to keep quiet after a certain amount of **active** participation. In that case, the agreements may be of one sided decisions.

1) **Principled negotiation**: This is neither hard nor **soft**. **The** merits, mutual gains are **discussed** in a fair way. The agreement is reached upon step by step with careful **systematic** way. The problems receive priority instead of people and interests are **considered** instead of positions. Problem is seen through different angles and variety of options are developed for finding out the solution before coming to quick conclusion. Decision is reached with utmost objectivity. These negotiations are based on

- Analysis
- Planning and
- Discussion.

It is **similar** to **research** in which the **problem** is separated and identified after gathering necessary and **relevant information**. Planning and discussion take into consideration the **problem/need** and interests instead of people and positions. The process of discussion take **precautions** to eliminate anger, frustration and hostile behaviour and follows effective communication **techniques** to avoid misleading and sticky conversations. **The** main **purpose** of **conflict resolution** is achieved in a fair manner with the help of principled **negotiation** and a **contract** is developed which suits both the parties.

This **process results** in a detailed written document in which a clear mention is made about:

- **Priorities** and purpose of settlement
- **The** duties, rights and responsibilities of workers (unions) and the management
- **Decisions** taken
- **Issues** settled
- Evaluation strategies for follow up action.
- The other way of resolving the conflict is collaboration

4.5 COLLABORATION

4.5.1 Purposes

Collaboration is; **when** individuals or groups decide to share the goals and decide to work **together** to **achieve them**. Collaboration is a strategy or a **way** of resolving a conflict.

When two individuals **or** groups realize that they are in a conflicting situation and **recognize the need** to search for a solution, may think of a compromising solution, **i.e. the collaboration**. In other words the collaboration is a kind of co-operation and mutual **understanding based** on trust which believes in fair and equal social interactions.

Collaboration may be functional or dysfunctional. Functional is constructive in nature which **shares views** and goals to achieve common goal jointly. **On** the contrary, if a **particular** individual or group gives in to please other group to reduce the self efforts, then it **becomes** dysfunctional.

4.5.2 Principles

Collaboration should aim at:

- i) Developing **mutual** trust in each ones powers, strengths and relationships.
- ii) **Developing** methods for **collective** actions
- iii) Establishing **group** norms

- iv) Encouraging positive social interactions
- v) Establishing **conducive** climate for discussions
- vi) Developing a feeling of co-operation with emotional integration.

Principle of Collaboration is based on the collective action of group **norms** and **mutual** trust and it requires effective communication skills. Both the groups should be clear about each one's powers and responsibilities. It is also **based** on 'empathy' to **understand each other's** view points and difficulties.

This is considered to be a highly complex procedure as it is **influenced** by situational and personality factors. The success depends on the initiation of co-operation avoiding unnecessary exploitation and trustworthiness.

People who are selected for this process, should have **required** knowledge and skills gained through behavioral training. A feeling of working **together creates the need** for collaboration which finds **solution** to conflicting situations.

4.6 LET US SUM UP

After studying in details about 'conflicts', you can very well understand that they are not **pleasant** experiences and if they are not resolved in time the situation is harmful to individuals as well as to organizations. Managers and employees should be **well** acquainted with the skills of problem solving to ensure the smooth functioning of the organization. Conflict free organization is not possible **where** there are people **involved** but those people should see that the conflicts should not be allowed to prolong or become bad to worse. The conflicts should only be allowed to work and help as positive inspiration to workers and management to achieve goals and to increase production and quality.

Whether it is industry or a hospital union formation cannot **be** avoided. These unions and the management should learn to work together with co-operation and collaboration and the conflicts and grievances whatever arise, should be resolved and settled **appropriately** to reach a contract or agreement which is of mutual interest. **The** negotiations should always try to maintain the interests and integrity of people instead of applying '**Divisive**' rule.

Nurses and nursing management should try to learn and work with **mutual** trust and faith and nursing management should put efforts to identify the **conflicting** situations and grievances among **its** nurses by frequent surveys and **adequate supervisory methods**. Problems should be identified and solved as early as **possible** to maintain a healthy and peaceful working atmosphere by adopting different approaches of "problem solving". Not only physical health but mental health with effective human **relations** also should be one of the objectives of the organization.

4.7 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress

- 1)
 - a) Prevents unfair treatment of workers.
 - b) Improves working conditions.
 - c) Permits equalization of power between management and workers.
 - d) Improves quality and efficiency of work.
 - e) Helps to promote professionalism
- 2) Refer Sub-section 4.3.3.

Leadership Effectiveness Check List

	VERY MUCH	SOME WHAT	NOT AT ALL
A. Goals			
1) Have you identified: Your personal goals? Group members' personal goals? Group goals? Environmental (such as organizational, community) goals?			
2) Are your goals congruent with the group's goals?			
3) Do you identify with the group, for example, use "we" instead of "I" and "you"?			
4) Do members of the group see you as identifying with the group?			
5) Have you clearly and specifically stated the group's goals including the: People involved? Target? Outcome?			
B. Knowledge and Skill			
1) Do you have more knowledge and skill than the rest of the group?			
2) Do you feel confident of your knowledge and skill in this situation?			
3) Are you able to speak to the group on their level?			
4) Have you identified the needs and motives of the people in the group?			
5) Have you identified the sources of power and authority in the situation?			
6) Have you critically analyzed the situation including the leader, co-actor(s) and environment?			
7) Have you kept an open mind about the situation?			
C. Self-Awareness			
1) Do you know what your own needs are? Have you found ways to meet these needs?			
2) Do you know what you expect to gain from this situation?			
3) Are you able to empathize with the people in the group?			
4) Do you see yourself as a leader?			
D. Communication			
1) Do you know what channels of communication are usually used? Are you using them?			

	VERY MUCH	SOME WHAT	NOT AT ALL
<p>D. Communication(continued)</p> <p>2) Is there an adequate flow of information?</p> <p>3) Have you created any new channels of communication?</p> <p>4) Are your communications open and direct?</p> <p>5) Do you attend and respond (listen actively) to what others are saying?</p> <p>6) Have you checked out your perceptions of the situation with the people involved?</p> <p>7) Do you see and point out connections (links) between the statements of different people?</p> <p>E. Energy</p> <p>1) Are you interested in the work of the group?</p> <p>2) Have you shared your interest and enthusiasm with the group?</p> <p>3) Do you really believe what you say to the group?</p> <p>4) Do you have enough energy for the task?</p> <p>F. Action</p> <p>1) Have you planned how to get the job done?</p> <p>2) Have you organized the work efficiently?</p> <p>3) Do you share your ideas with others?</p> <p>4) Do you call the group together often enough?</p> <p>5) Have you defined your nursing role and communicated with the group?</p> <p>6) Do you use the authority you have? Do you delegate it? Have you tried to increase it?</p> <p>7) Have you mobilized support systems?</p> <p>8) Are you willing to take risks? Have you taken any risks?</p> <p>9) Do you confront when it is needed?</p> <p>10) Do you initiate action when it is needed? Without delay?</p> <p>11) Do you seek feedback? Informally? Formally?</p> <p>12) Do you provide feedback? Informally Formally?</p> <p>13) Have you tried to improve your leadership ability?</p>			