



## Conflict Resolution Resources Program

<b>Responsible Official:</b>	Vice Chancellor and Chief Financial Officer, Division of Finance and Administration
<b>Responsible Office:</b>	Human Resources
<b>Summary:</b>	This program seeks to provide a structured, private, and informal resource for staff dealing with conflict at the lowest level possible.
<b>Scope:</b>	UC Merced Staff

<b>Contact:</b>	Luke Wiesner, Conflict Resolution Coach
<b>Email:</b>	lwiesner@ucmerced.edu
<b>Phone:</b>	(209) 285-4096

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### I. REFERENCES AND RESOURCES

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#### University of California Policies

- [Reporting Child Abuse and Neglect](#)
- [Protection of Whistleblowers from Retaliation \(Whistleblower Protection\)](#)
- [Sexual Violence and Sexual Harassment Policy](#)
- [Discrimination, Harassment and Affirmative Action in the Workplace](#)

#### University of California, Merced Policies

- [Prohibition of Abusive Conduct and Acts of Violence by University Employees and Non-Affiliates](#)

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### II. PROGRAM SUMMARY & SCOPE

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This program seeks to provide a structured, private, and informal resource for staff dealing with conflict at the lowest level possible. This program seeks to build organizational resilience in navigating conflict by focusing on staff conflict engagement. Participation in this program is for UC Merced staff and is a voluntary and a non-disciplinary resource. This program serves as an impartial and facilitative resource and does not take sides, advocate for others, make decisions, or take actions on behalf of UC employees.

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### III. DEFINITIONS (if applicable)

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**Alignment Meeting:** Meetings with the sponsor, partner, and the coach to set or check in on expectations and goals during a coaching sponsorship agreement.

**Coach:** An impartial facilitator who provides support for one or more individuals to work through a time of challenge or conflict.

**Good Faith:** Being willing: (1) to listen to others, (2) to share to the extent comfortable and appropriate, (3) to earnestly attempt to resolve conflicts and address challenges; (4) to explore new perspectives, ideas, and pathways forward; and (5) to carry out agreements or action plans.

**Initial Meeting:** A meeting with the coach and the partner to explore the fit with providing coaching support and setting expectations for the coaching process.

**Partner:** An individual who formally enters into a partnership agreement with the coach.

**Partnership Agreement:** An agreement that outlines the expectations and roles of working with the coach.

**Partner-focused:** A coaching approach that emphasizes that: (1) the focus of the coaching is on the partner's underlying interests and goals; (2) the partner drives the agenda; (3) the partner is responsible for their own actions; (4) the partner has the capabilities and resources to make their own decisions; and (5) the partner focuses on their own actions and behaviors.

**Reality Test:** Questions that raise 'what if' scenarios when actions or agreements are being considered. These questions are not designed to prompt a particular outcome. They are intended to ensure that the outcomes that are reached are durable, sustainable, and meet the core interests and needs of the partners.

**Sponsor:** A sponsor is someone (most often a supervisor) who supports an employee to engage in a coaching partnership and takes ownership over the ongoing support of the employee in their daily role as an employee.

**Sponsorship Agreement:** An agreement that outlines the expectations and roles of the sponsor, the partner, and the coach when a partner is being sponsored for a coaching partnership agreement.

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### IV. PROCEDURES

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#### A. IMPARTIALITY

The program or program coaches are impartial and do not take sides. The coach is committed to providing a fair process that promotes participant's needs and interests, collaboration, and respectful dialogue. While the coach will not decide or direct the outcome, they will make decisions regarding the processes and strategies to use to support parties in coming to their own decisions, resolutions, agreements, and/or action plans.

The Coach is considered a 'Responsible Employee' for the University of California and there may be incidents, events or topics, where the Coach is not impartial. The Coach is not impartial to: threats of violence; plans to conduct or conceal criminal activity; if parties are at risk of causing harm to themselves or others; or abuse or neglect of a child, elder, or an individual who has a disability. The Coach is also not impartial when it comes to potential or actual violations of the below University of California Policies:

- [Child Abuse and Neglect Reporting Act](#)
- [Sexual Violence and Sexual Harassment Policy](#)
- [Discrimination, Harassment, and Affirmative Action in the Workplace Policy](#)
- [Whistleblower Protection Policy](#)
- [Abusive Conduct and Acts of Violence](#)
- [Presidential Personnel Policies for Staff Members](#)
- [Collective Bargaining Agreements](#)

In situations where a topic is discussed regarding the above issues, the coach may have an obligation to inform parties, advise parties, or bring in additional support from an outside party to provide information or advice on how best to proceed. The coach is not able to support agreements that they knowingly meet one of the exceptions to impartiality listed above. This may result in actions such as: limitations to the agreements and actions the coach can support; referral to another office, process, or program; and/or suspending or ending services with the Conflict Resolution Coaching Program. It is the coach's responsibility to disclose potential or actual conflicts of interest as soon as the coach becomes aware.

If a partner has concerns about the impartiality of the coach, the Conflict Resolution Resource Program encourages direct communication of those concerns directly to the coach. The Conflict Resolution Coaching Program and the coach are committed to addressing these concerns as soon as possible. If the partner is not able or not comfortable approaching the coach with their concern's, partners will have an option to provide feedback through an anonymous feedback form online or to the supervisor of the Conflict Resolution Coaching Program.

## **B. PRIVACY POLICY**

Coaching is a private process and the coach invites the partner to explore openly their goals and challenges in their coaching relationship. Please note that the coach is a 'Responsible Employee' and therefore there are some exceptions to privacy. These exceptions include (1) threats of violence; (2) plans to conceal or conduct criminal activity; (3) if parties are at risk of causing harm to themselves or others; (4) written communication; (5) the Coaching Partnership Agreement; (6) documented agreements or summary reports; (7) the Coaching Sponsorship Agreement and any exceptions outlined in the Coaching Sponsorship Agreement, *if applicable*; or (8) if there is evidence or disclosure of violation of the below University of California Policies:

- [Child Abuse and Neglect Reporting Act;](#)
- [Sexual Violence and Sexual Harassment Policy;](#)
- [Whistleblower Protection Policy;](#)
- [Discrimination, Harassment, and Affirmative Action in the Workplace;](#)
- [Abusive Conduct and Acts of Violence](#)

The coach may disclose whether coaching sessions occurred and whether agreements or action items were made. Additional non-identifying disclosures may be made to support

UCM identify and address campus-wide issues and challenges. Notes taken by the coach during the coaching partnership are private and are for the sole use of the coach to best support partners. These notes will be destroyed at the end of the coaching relationship. Only notes that pertain to threats of violence, plans to conduct or conceal criminal activity, or potential or actual violations of the above four UC Policies may be retained and/or shared with the necessary reporting party.

It is of the utmost importance that parties can trust the coach with sensitive information. The Conflict Resolution Coaching Program is committed to ensuring privacy for all parties and makes the following commitments:

1. The coach will discuss exceptions to privacy in advance of providing services.
2. Any verbal communication (not outlined under the exceptions above) discussed with the coach will be kept private by the coach.
3. The coach will disclose as soon as possible when the coach becomes aware of a possible exception to privacy.
4. In the event that an exception to privacy is triggered, the coach will only share the relevant and required information and only with the referral offices. The coach will continue to maintain privacy regarding all non-required and non-relevant information.
5. To the extent possible, the coach will share with the partner when they are mandated to share information with the referral office and work with the partner to develop language that is comfortable with the partner and satisfies the requirements of the coach.
6. To the extent possible, the coach commits to only putting communications in writing that were agreed to by the partner or with the partner's permission (written communication is not considered private communication).
7. The coach is committed to having ongoing dialogues and addressing questions and concerns with current, former, or potential partners.
8. The coach will be proactive about discussing privacy with partners to address any questions or concerns as early as possible.
9. The coach will ensure that privacy is a topic for conversation when 2 or more partners are using the program's services and encourage that parties respect each other's privacy.
10. As soon as it becomes apparent that a completely confidential process is needed for the partner, a referral will be made to the appropriate office.

### **C. FACILITATIVE**

The Conflict Resolution Coaching Program utilizes a facilitative approach to support partners. The coach does not direct parties to a particular outcome. Instead the coach will offer invitations, ask questions, and facilitate the flow of respectful dialogue. The coach, at times, may help parties brainstorm options, however the coach does not have a vested interest in the pathways forward that partner(s) take. The coach may reality test options to ensure that they meet the parties needs and underlying interests. Strategies like reality testing can sometimes seem like the coach is directing or advising the parties,

however the coach uses strategies like reality testing to ensure that the pathways forward are doable, durable, and satisfying for the partner(s).

**D. PARTNER-FOCUSED AND PARTNER-DRIVEN**

The Conflict Resolution Coaching Program is a partner-focused and partner-driven process. Partner-focused and partner-driven core philosophies:

1. The coaching partnership seeks to address the needs and interests of the partners.
2. Partners create the agenda and decide what is important to discuss
3. Partners control the outcome.
4. Partners only make agreements, action plans, or decisions if the partner believes that it is in their best interest.
5. Partners are actors in a complex system and services are focused on areas within the partner’s area of influence and control.
6. Partners can voluntarily opt in or opt out of a coaching partnership.
7. Partners are the responsible party for their actions, inactions, agreements or lack of agreements.
8. Services are only as effective as the active participation of the partners.

**E. FUTURE-FOCUSED**

The coach is committed to helping partners learn from the past and to honor what *has* happened. At the same time, the coach is there to support and challenge parties to look toward the future and make new understandings, commitments, agreements, and/or action plans that utilize the lessons learned from the past to make a more hopeful future.

The coach is not an appropriate service to address ongoing emotional issues, prolonged processing of past events, or processing of trauma. The coach may make a referral to an advocacy office or to the Employee Assistance Program (EAP) if it becomes clear that these options would be more appropriate services.

**F. COACH’S ROLE AND RESPONSIBILITIES**

The Conflict Resolution Coach...

<b><u>IS NOT</u></b> someone who can perform other individual’s job duties, responsibilities, or tasks	<b><u>CAN</u></b> support willing partners to explore how to hold themselves and other’s accountable
<b><u>CANNOT</u></b> communicate difficult or personal information on behalf of the partner(s)	<b><u>CAN</u></b> support preparation for a difficult conversation or facilitate difficult dialogues
<b><u>IS NOT</u></b> someone who will manage or supervise employees or perform managerial / supervisory duties	<b><u>IS</u></b> someone who can support the expression and clarification of needs and expectations between supervisors and employees
<b><u>CANNOT</u></b> force or require unwilling partners to participate in coaching, act, or make agreements	<b><u>CAN</u></b> explore how participation in coaching may be beneficial for hesitant

	partners to help them determine if coaching is right for them
<b>CANNOT</b> support parties in the ongoing processing of past events, traumas, or emotional issues	<b>CAN</b> support parties in learning and growing from past events and to identify how to move forward

**G. PARTNER’S ROLE AND RESPONSIBILITIES**

Participation in services with the Conflict Resolution Coaching Program is an interactive process where partners stay in control of their situation, their relationships, and their job performance. When agreeing to participate with the Conflict Resolution Coaching program, partners must be willing to commit to the following:

1. Participate voluntarily;
2. Participate in good faith;
3. Taking responsibility for own actions;
4. Willingness to learn and grow;
5. Treat all parties with respect

**H. SPONSOR’S ROLE AND RESPONSIBILITIES**

A sponsor role is an extension to the partner’s role. In addition to the roles and responsibilities of the partner, a sponsor is also supporting the growth and progress of employees they are responsible for. The additional responsibilities of the sponsor include the following:

1. Discuss with employees the possibility of coaching.
2. Setting and monitoring expectations, progress, and performance of employees and team.
3. Meeting with the sponsored employee(s) and the coach to establish expectations and goals, monitor progress, and give feedback to the employee(s).
4. Supporting own employee(s) in meeting sponsor and employee goals.
5. Willingness to hear employee’s needs for continued support.

**I. COACHING PROCESS**

Coaching in situations that involve conflict are highly variable and at times call for different processes. Below are steps that might be used in a coaching process.

1. Initial Meetings
  - a. Potential partners can contact the coach for an initial meeting to explore the fit for working with the Conflict Resolution Resource program. These meetings are also intended to address questions and concerns, as well as outline expectations. If potential partners are interested in engaging with the coach after this meeting, the partner and the coach will enter into a Coaching Partnership Agreement.
2. Alignment Meetings
  - a. If the partner(s) has (have) been sponsored for coaching, an alignment meeting will be convened to establish mutual expectations and goals for the coaching partnership and partners will enter into a Coaching Sponsorship Agreement. Alignment meetings will occur periodically throughout the coaching partnership.

3. Goal Setting Meetings
  - a. Upon entering into a Coaching Partnership Agreement, the coach and the partner will schedule a goal setting meeting to outline what the partner wants to work on through the coaching partnership.
4. Coaching Meetings
  - a. Recurring meetings between the coach and the partner(s) to support the partner(s) movement toward their goals. Meetings will continue until the partner(s) reach sustainable pathways forward or if the partner(s) or the coach decide that the coaching partnership is no longer necessary or appropriate.
5. Summary Reports
  - a. Summary reports are created on behalf of the partner(s), if necessary or if requested from a Coaching Sponsorship Agreement. Partner(s) will be responsible for creating their own summary reports in their words with the help of the coach as an impartial party or scribe. The coach is responsible for helping the partner(s) create reports that are complete and accurate if the summary report is being made in response to a Coaching Sponsorship Agreement. If reports are not accurate, the coach may have to withdraw from the Coaching Partnership Agreement.
6. Sponsor Meetings
  - a. During Coaching Sponsorship Agreements, the coach will meet with the sponsor periodically to understand from the sponsor's perspective how the goals and expectations established in the Coaching Sponsorship Agreement are being met. The coach will continue to hold all communications from coaching meetings private and let the summary reports and the sponsor's observations inform the sponsor.

## **J. DOCUMENTATION AND RECORDS RETENTION**

1. Note Taking
  - a. Notes taken by the coach during the coaching partnership are private and for the sole use of the coach to best support partners and will be destroyed at the end of the coaching relationship. Only notes that pertain to threats of violence, plans to conduct or conceal criminal activity, or potential or actual violations of the five UC Policies disclosed in the privacy policy may be retained and/or shared with the necessary reporting party.
  - b. Notes documented that pertain to potential or actual violations of the five UC Policies listed in the exceptions to privacy or threats of violence will be written in an observational format to document observable behaviors and communications. The coach will disclose and share relevant notes pertaining to exceptions to privacy to the appropriate reporting office and not take an evaluative or judgmental stance on issues presented.
2. Records Retention
  - a. Coaching Partnership Agreements, Coaching Sponsorship Agreements, Summary Reports, and Exit Agreements

- i. Will be retained by the Conflict Resolution Coaching program until the end of the 5<sup>th</sup> calendar year of the coaching partnership ending.
- b. Observational notes for reporting sexual abuse, harassment, abuse of conduct, or retaliation
  - i. These notes will be submitted to the appropriate referral source and then retained by the Conflict Resolution Coaching program until the end of the 3<sup>rd</sup> calendar year of the coaching partnership ending.
- c. Observational notes for reporting child abuse or neglect
  - i. These notes will be submitted to the appropriate referral source and then retained by the Conflict Resolution Coaching program until the end of the 5<sup>th</sup> calendar year of the coaching partnership ending.

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## **V. RESPONSIBILITIES (if applicable or necessary)**

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### **A. IMPLEMENTATION AND SERVICE DELIVERY**

The Conflict Resolution Coach is responsible for implementing, developing, and refining the program's scope and services.

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## **VI. POLICY OR PROCEDURE REVISION HISTORY**

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