



**KSU HUMAN RESOURCES**

**HUMAN RESOURCES' PROBLEM SOLVING RESOURCE GUIDE**

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## **INTRODUCTION**

KSU promotes a positive approach to both the informal and formal resolution processes for employees to resolve work related problems. The promotion of successful problem solving is a critical component of the vision of KSU. This guide serves as an employee resource for campus support services.

The establishment of this guide is not intended to replace current policies of KSU or USGA. Any conflicts with applicable policies shall be resolved according to the established policy.

This guide is but one of the services provided by the Employee Relations Team in Human Resources and employees are encouraged to consult with Human Resources or one of its campus partners in problem resolution when workplace problems occur.

# CONFLICT RESOLUTION

## *Definition*

Conflict resolution is defined as a positive process whereby individuals resolve issues in an informal or formal atmosphere, or where issues are resolved as part of the ongoing interaction between individuals.

Conflict is a normal part of doing business because employees often have different or opposing goals. However, these differing goals help the organization remain vital by stimulating creativity, promoting innovation, and bringing about change. Organizations totally devoid of conflict would become apathetic, stagnant, and unresponsive to change.

Conflict should not, therefore, be judged or evaluated as "good" or "bad, but instead should be evaluated from a broader perspective which takes into consideration the individual and the organization. Resolutions that reflect the mutual interests of the disputants (also known as interests-based methods) are likely to result in fewer formal grievances, improved morale, and more effective use of human resources. This guide provides approaches that may be used whenever a problem does arise. It should also be used to identify resources and information to assist employees in conflict resolution.

## *Goals Of Conflict Resolution*

Ideally, conflict resolution involves dealing with problems while they are manageable. Early recognition of conflict is critical since what can be dealt with effectively today may be much more difficult to resolve tomorrow. Conflicts are inevitable, but anger, grudges, hurt and blame do not have to be. While unmanaged conflicts, disagreements and out-of-control emotions can harm important work and professional relationships, effectively managed conflict can promote cooperation and build stronger relationships. Most conflicts can be resolved fairly and in a way that actually benefits all concerned.

An effective conflict resolution process leads to unity by

- addressing concerns and/or issues rather than suppressing them
- getting people talking *to* each other instead of *about* each other)
- enabling people to be part of a team that cares.

This process promotes compromise or collaboration as people

- learn how to work harmoniously
- develop creative solutions to problems
- reach outcomes that mutually benefit those involved.

Don't fight -- solve the problem! Conflicts do not have to be adversarial. Focus more on work and less on anger. The result will be that work relationships improve and successful solutions to problems may be developed and implemented. As previously stated, conflict does not have to be adversarial if the conflict is managed rather than allowed to move to an out-of control situation.

## *Informal Conflict Resolution*

Informal conflict resolution is a commitment to attempt to settle the differences of employees by

- focusing on basic interests
- developing mutually satisfactory options
- acknowledging the respective rights and responsibilities of those involved.

This process allows for open discussion of disputes without retaliation. Informal resolution is best achieved when addressed at an early stage, as close as possible to the source of the conflict and in a fair and expeditious manner.

Conflict may arise based upon changes in the terms and conditions of employment, actions taken by a supervisor, work performance, attendance, personal situations, along with numerous other events that may disrupt the work environment.

It is both the right and the responsibility of individuals involved in a conflict situation to attempt to resolve conflict on an informal basis. Informal resolution is best achieved when addressed as close as possible to the source of the conflict. In some cases, however, it is necessary to explore other resources and investigate alternative methods of dispute resolution.

## *Steps Of Informal Conflict Resolution*

The problem should first be brought to the attention of the relevant party/ies. The employee with the problem or conflict bears full responsibility for this. To encourage and facilitate this, the employee is encouraged to seek resolution within their department.

Where the employee feels uncomfortable about raising the issue within the department, with their supervisor or with the department head, he/she may seek assistance from Human Resources' Employee Relations Team (ERT) and/or the various Employee Support Services Offices listed in this guide.

The staff in Human Resources is available to furnish the following assistance to employees:

- assist in clarifying the issues that created the conflict or concern
- provide information regarding available options
- articulate interests and possible remedies
- provide policy or procedural information
- serve as a key referral source
- provide ongoing follow-up

Depending upon the type of complaint/issue to be addressed and the forum for attempted resolution, the steps may involve having Human Resources staff refer the employee to the ERT and/or the appropriate Employee Support Services Office(s).

## **EMPLOYEE SUPPORT SERVICES**

There are many resources available to KSU employees. As appropriate, each office listed in this section provides information and resources to assist in problem resolution. The members of the staff are experts in specific technical and professional areas which provide essential support services.

Additionally, each is involved in providing multifaceted administrative support to the campus community while seeking to respond to the needs, concerns and complaints of individual employees. Employee Support Services is a campus wide effort and there is no charge for their services.

### *The Employee Relations Team (ERT)*

The Employee Relations Team of Human Resources (ERT) is committed to providing responsive, dependable and consistent customer-centered service which supports the rights and responsibilities of KSU employees. As a point of contact, the ERT provides consulting services, advice, support and referral.

Based on a philosophy that encompasses the concept of a safe and fair process which emphasizes the use of informal conflict resolution, the ERT promotes a confidential environment which emphasizes a positive approach to informal problem resolution. The following conflict resolution consultation services are provided by the ERT:

- acts as a resource that acknowledges an employee's right to address concerns
- encourages the resolution of concerns without reprisal
- develops and promotes a pro-active conflict resolution philosophy through positive approaches to informal problem-solving
- facilitates informal resolution of concerns regarding terms and conditions of employment and application of policy and procedures
- provides information regarding available options and resources
- researches and analyzes concerns
- facilitates productive discussions between and among employees
- develops and recommends workable resolutions.

To make an appointment or discuss a concern, please contact Human Resources at 770-499-3050.

### *Employee Assistance Program (EAP)*

The Employee Assistance Program (EAP) is a confidential assessment and referral service provided by KSU. The purpose of the program is to assist employees whose personal or professional problems may be adversely affecting their work performance.

EAP services are confidential and available to benefited employees, retirees and their immediate families. The EAP can help whenever personal and emotional problems become more than an employee can handle alone.

Professional advice is available for such problems as:

- work problems
- family/marital concerns
- childcare/eldercare referrals
- drug or alcohol related concerns
- stress
- emotional problems
- occupational decisions
- financial difficulties
- legal problems

To make an appointment, please call the EAP office at 1.800.869.0276 or go online to <http://www.eapconsultants.com>. When you come to EAP, you will meet with a trained counselor to discuss your problem. If necessary, multiple visits will be provided to explore and define the problem or problems. At that point, a plan of action will be recommended and, if indicated, you will be referred to the most appropriate resource for your problem.

### *Equal Employment Opportunity (EEO) And Diversity Program Office*

The Equal Employment Opportunity (EEO) and Diversity Program Office is committed to increasing diversification and preventing discrimination in University employment and contracting. It serves to:

- assist protected group members to advance into under-represented areas
- broaden diversification of the University work force at all levels
- increase sensitivity toward differences
- heighten awareness of nondiscrimination
- promote objectivity and fairness at the University

Methods used to achieve these objectives include:

- compliance activities
- career counseling
- supervisory and department training
- program development

The EEO Office has responsibility for the resolution of discrimination and harassment complaints including complaints on the basis of:

- gender
- race
- ethnicity
- national origin or ancestry
- religion
- disability
- age
- special disabled veteran status
- Vietnam-era veteran status
- citizenship

- marital status
- sexual orientation.

To make an appointment or discuss a concern, please call the EEO Office at 770-499-3562.

### *Ombuds Office*

The Ombuds Office is a designated neutral party who provides confidential and informal assistance for resolving university-related concerns, especially those that are not being adequately addressed through usual procedures. The ombuds is independent of the university's formal administrative structure and will consider all sides of an issue in an impartial and objective manner. The ombuds cannot impose solutions, but will identify options and strategies for resolution.

The ombuds will provide impartial, objective and confidential assistance to the campus community by hearing and mediating complaints or conflicts. Services of the ombuds are available to all members of the University community. The ombuds can help when employees:

- need assistance in communicating or negotiating within the University community
- feel a policy, procedure, or regulation has been applied unfairly or erroneously
- have a complaint about an office or service at KSU that the employee is unable to get resolved
- want to discuss a sensitive issue in confidence
- are unsure of where to go or what options are open.

The university ombuds is Dr. Dorothy Graham, a KSU faculty member. Employees may contact her at 770.423.6112.

### *Benefits*

The Human Resources Benefits Office is responsible for interpretation and communication of the policies and provisions of the University's extensive health and welfare benefit programs. Benefits representatives provide a full range of services to employees and eligible dependents. These services include:

- individual and group benefit counseling sessions
- eligibility and utilization procedures regarding
  - medical
  - dental
  - vision
  - life insurance
  - disability provisions
- retirement planning
- savings and investment workshops.

To make an appointment or discuss a concern, please call Human Resources' Benefits Office at 770.423.6249.

## *Quality of Work/Quality of Life*

Human Resources oversees quality of work/quality of life policies and practices, initiates research, services, and programs to support interdependent work/life issues. These work/life issues include:

- child/elder care
- alternative work schedules
- worksite wellness
- other work/life events.

To make an appointment or discuss a concern, please call Human Resources at 770.499.3050.

## *Workers' Compensation*

When an employee experiences a work-related injury or illness, Human Resources will initiate workers' compensation procedures once they are notified by KSU Public Safety. The objective of this program is to provide employee support and expedite employee recovery due to work-related injuries.

To make an appointment or discuss a workers' compensation problem, please call Human Resources' Workers' Compensation Representative at 770.423.6032.

## *Environmental Health and Safety (EHS)*

Environment Health and Safety (EHS) is responsible for minimizing risks resulting from exposure to physical, chemical, biological and other hazards relating to University operations. Safety programs include:

- control of hazardous biohazards
- control of hazardous chemicals
- fire safety
- industrial hygiene
- sanitation

EHS is the liaison to state and federal regulatory agencies responsible for monitoring the University's use of hazardous materials, as well as to in-house safety committees which provide expert advice in the control of specific processes or facilities.

To make an appointment or discuss a concern, please call the EHS Office at 770.499.3321.

## **FORMAL REVIEW PROCEDURES**

### *Formal Conflict Resolution*

It is the intent of the University to encourage and facilitate informal resolution of employee complaints. However, when differences in views cannot be informally resolved, the University provides for a formal review procedure as part of the resolution process.

This process allows individuals to seek resolution through the appropriate University grievance policy and procedure. If other attempts have failed, it is the right of any employee to seek formal resolution. No employee shall be subject to reprisal for using or participating in the grievance and administrative review processes.

The formal process involves filing a written grievance for administrative review. While a complaint is in the formal process stages, it remains an option to request that informal conflict resolution take place. Informal resolution of a grievance may be agreed to by the employee and other involved parties at any stage of the grievance process. Both the formal and informal procedures are considered as alternative dispute resolution processes.

### *Staff Grievance Procedure*

The Staff Grievance Procedure is available to any classified employee working at least .5 FTE (full-time equivalency) who has completed the provisional employment period. The Staff Grievance Procedure is not available to temporary employees, faculty, students or non-University employees (consultants, contractors, etc.).

The Staff Grievance Procedure may be used by an eligible employee to bring a grievance about:

- an action or decision that is inconsistent with a specific University rule, regulation or policy
- a suspension, demotion, or other disciplinary action or actions
- an involuntary termination (involuntary terminations do not include resignation or retirement).

The Staff Grievance Procedure may not be used to bring a grievance about:

- performance evaluations
- flexible work options or decisions
- reductions in force
- salary and classification determinations
- organization of a department or allocation of its resources
- termination of grant funding
- non-renewal of a limited term position.

Grievances like concerns or complaints regarding allegations of harassment or discrimination on the basis of the criteria listed under the EEO Office should be referred directly to the Kennesaw State University EEO and Diversity Office.

If an employee wishes to file a grievance, they must do so in writing within specific time limits. Human Resources or the EEO and Diversity Office staff will assist staff in the filing of a grievance and will provide the specific policy, process, time requirements, and related information.

The grievance is not resolved through administrative channels, the aggrieved employee may submit a written request to the President for an impartial Board of Review to be appointed to hear the appeal. The aggrieved employee must submit the written request to the President within fifteen (15) working days from the date of notice that the administrative review process is complete.

The President shall, within 10 working days after receiving a written request, appoint, or have appointed in accordance with the approved and written grievance procedures, a five-member impartial Board of Review to hear appeals from employees.

The recommendation of the Board of Review shall be forwarded to the President for final decision. The President' decision will be final at the institutional level.

If the matter is not resolved to the satisfaction of the employee, he or she may file an application for review, in writing, to the Board of Regents within twenty (20) calendar days following the written decision of the President. The Board of Regents reserves discretionary authority to review all decisions made by the member institutions. The Board of Regents normally will only review extraordinary cases, such as those where proper procedures may have been violated, where the decision is unsupported by the facts, or where the decision violates University or Board of Regents policy. Any petition to the Board of Regents must be made within 20 days following the final decision of the President.

### *Faculty Grievance Procedure*

The purpose of the University Faculty Conflict Resolution Procedures is to assure that there are venues where complaints may be heard and resolved at the lowest level possible. The procedures allow for an immediate attempt to resolve all types of conflicts informally at the level where they occur. In addition, these policies also provide for an administrative review at the department, division, college, and University level when requested.

All faculty members are strongly encouraged to work through conflicts informally beginning with the person with whom they have differences. If a faculty member is not able to resolve an issue, he or she is strongly encouraged to meet with the Ombuds as soon as possible for assistance in seeking an informal resolution. All faculty are required to utilize the Ombuds in an attempt to resolve any complaint or complaints with the respondent before initiating a formal complaint.

The University System Consortium on Negotiation and Conflict Resolution (CNCR) is also available for use in this process. If informal resolution has not resolved the complaint, faculty may avail themselves of the formal faculty grievance procedure. Grievance policy specifics may be found in Section 7 of the KSU Faculty Handbook.

## **THE FUTURE**

KSU is committed to providing training and educational opportunities on conflict resolution. This training and education is available through the Center for University Learning, Continuing Education, EEO and Diversity Program Office, EAP as well as thru courses offered through KSU for credit and non credit.