Conflict Facilitator’s Checklist

21 Questions to Prepare for Resolution

1. What is the type of conflict:
   - Resource - eg. two departments both want the new computer.
   - Objective - eg. two employees are vying for the same position.
   - Identity - eg. labor-management conflicts that appear to be over resources like wages and benefits may mask deeper identity concerns such as control, participation and efficacy.

2. What are the expressed positions of the parties involved? (What is articulated as the issue?)

3. What are the underlying (and perhaps unexpressed) interests/needs of each party? (What may be the real reason one takes the position above?)

4. How can this problem be reframed in terms of linking the interests? (Is there a way both interests can be met?)

5. What approach is being considered to resolve it:
   - Litigation
   - Arbitration
   - Mediation
   - Negotiation

6. If one of the first two, how might an interest-based approach work?

7. If so, who could assist in its resolution?

8. Is that person(s) neutral in terms of power, position and vested interest?

9. Is there an ongoing existing relationship involved which might make an interest-based option preferable?

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10. Are there political influences involved which might be affecting this conflict?

11. Do there appear to be hidden agendas? And if so, are they hidden because of a lack of trust between the parties?

12. Might there be absent influencers involved? Who might they be? Why are they involved? Could it be helpful to have them present?

13. What is the history of the two parties?

14. Is there a power difference between the parties? Or between them and the resolver?

15. Might there be value in delaying a solution in order to uncover deeper/additional issues?

16. How can this be resolved in a way which allows both parties to save face?

17. What language (terminology) might you use or omit?

18. How will you evidence active listening?

19. How can you help parties focus on the future?

20. If you begin to feel as though you are losing your objectivity, how will you regain it?

21. What is the BATNA/WATNA (best/worst alternative to a negotiated agreement) for the disputants? (What are the ramifications of non-settlement?) Are they aware of what will happen if they are unable to achieve a negotiated solution?