



OTHER CONDUCT of CONCERN

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Conflict Resolution Manager

The Conflict Resolution Manager will play a critical role in empowering members of the CSU, San Bernardino community to manage conflict effectively by developing individuals' skills needed for productive dialogue, collaborative relationships, and healthy learning and work environments.

Primary duties involve providing a variety of options to address issues and concerns among faculty and staff. These include facilitated conversations, conflict resolution coaching, alternative dispute resolution, informal climate assessments, and mediation

The Conflict Resolution Manager develops and facilitates training for healthy workplace interactions, such as navigating difficult conversations and constructive conflict resolution.

The Conflict Resolution Manager will work jointly with campus stakeholders to recommend resolutions for matters of Other Conduct of Concern for faculty and staff.



AGENDA

OTHER CONDUCT OF CONCERN

- Defining Other Conduct of Concern
- Addressing Other Conduct of Concern
- Reporting Other Conduct of Concern
- Resources and Supportive Services

FOSTERING HEALTHY WORKING RELATIONSHIPS

- Resolving Conflict in the Workplace
- Maintaining Neutrality in Conflict and Difficult Conversations
- Effective Communication

Defining **OTHER CONDUCT of CONCERN**



Defining **OTHER CONDUCT of CONCERN**



Conduct that is incongruous with CSU's shared values as "Other Conduct of Concern" (OCC). Other Conduct of Concern includes one or more of the following:

- Conduct that is directed at a person because of their protected status, but that does not violate CSU's **Nondiscrimination Policy** because the conduct is not "severe", "pervasive" or "persistent" as defined by CSU policy and federal and state law.
- Conduct that is **materially disruptive to the learning, living, or working environment** of the CSU, but for which discipline likely may not be imposed because it constitutes protected speech or conduct.
- Conduct that is considered "**abusive**" as defined in **Cal. Govt Code section 12950.1(h)(2)** or **otherwise unprofessional**, for which discipline may be imposed in accordance with **Education Code section 89535(b)**.

Addressing OTHER CONDUCT OF CONCERN



Why does the CSU address Other Conduct of Concern?

- Left unaddressed, OCC can jeopardize the learning, living, and working environment.
- Uphold university and campus values.
- Maintain a culture of trust, care and accountability.
- Maintain an inclusive and positive environment.
- Prevent misconduct to ensure the well-being of all students, faculty, and staff.

Reporting Other Conduct of Concern

Conduct that might be based on an individual's protected status should be reported to the university office responsible for discrimination, harassment, and retaliation to evaluate whether the conduct implicates the CSU Nondiscrimination Policy.

Faculty & Staff

Should notify an Appropriate Administrator, Human Resources, or an administrator charged with responding to OCC.

Students

Should notify a dean (conduct in the classroom), resident advisory (conduct in the residence hall), dean of students or other student affairs professional.

Volunteers or Visitors

May notify campus safety/security or human resources.

Any threats of physical harm or actions that pose immediate danger to community members should be reported to campus security or dial 911.

Reporting Other Conduct of Concern

HOW TO REPORT OTHER CONDUCT OF CONCERN

Institutional Equity & Compliance (IEC)

Can be contacted via:

IEC@csusb.edu

[Website](#)

[Reporting Form](#)

Human Resources

Employee & Labor Relations

Can be contacted via:

employee.relations@csusb.edu

[Website](#)

[Reporting Form](#)

Student Affairs

Can be contacted via:

studentaffairs@csusb.edu

[Website](#)

[Reporting Form](#)

Any threats of physical harm or actions that pose immediate danger to community members should be reported to campus security or dial 911.

Report to Appropriate Administrator

After a report of OCC is received:

ACKNOWLEDGEMENT

The MPP/Appropriate Administrator will:

- Acknowledge the report promptly
- Meet with the reporting individual as soon as possible to
 - Obtain relevant details
 - Discuss supportive services
 - Inform them of next steps

REVIEW AND ASSESSMENT

The MPP/Appropriate Administrator will:

- Assess the reported conduct and determine what actions and/or referrals are needed
- Connect with appropriate person/department for guidance/support

Following the Initial Review and Assessment

MPP/Appropriate Administrator should take the following steps:

COMMUNICATION AND EXPECTATION SETTING

The MPP/Appropriate Administrator should maintain:

- Regular communication and outreach to
 - Individual reporting OCC
 - Respective Appropriate Administrators
 - Person whose conduct was reported
- All parties should be informed in writing
 - Confidentiality and privacy protections and limitations
 - Specific outcomes may not be disclosed when confidentiality is required
 - Inform all parties involved that retaliation is prohibited

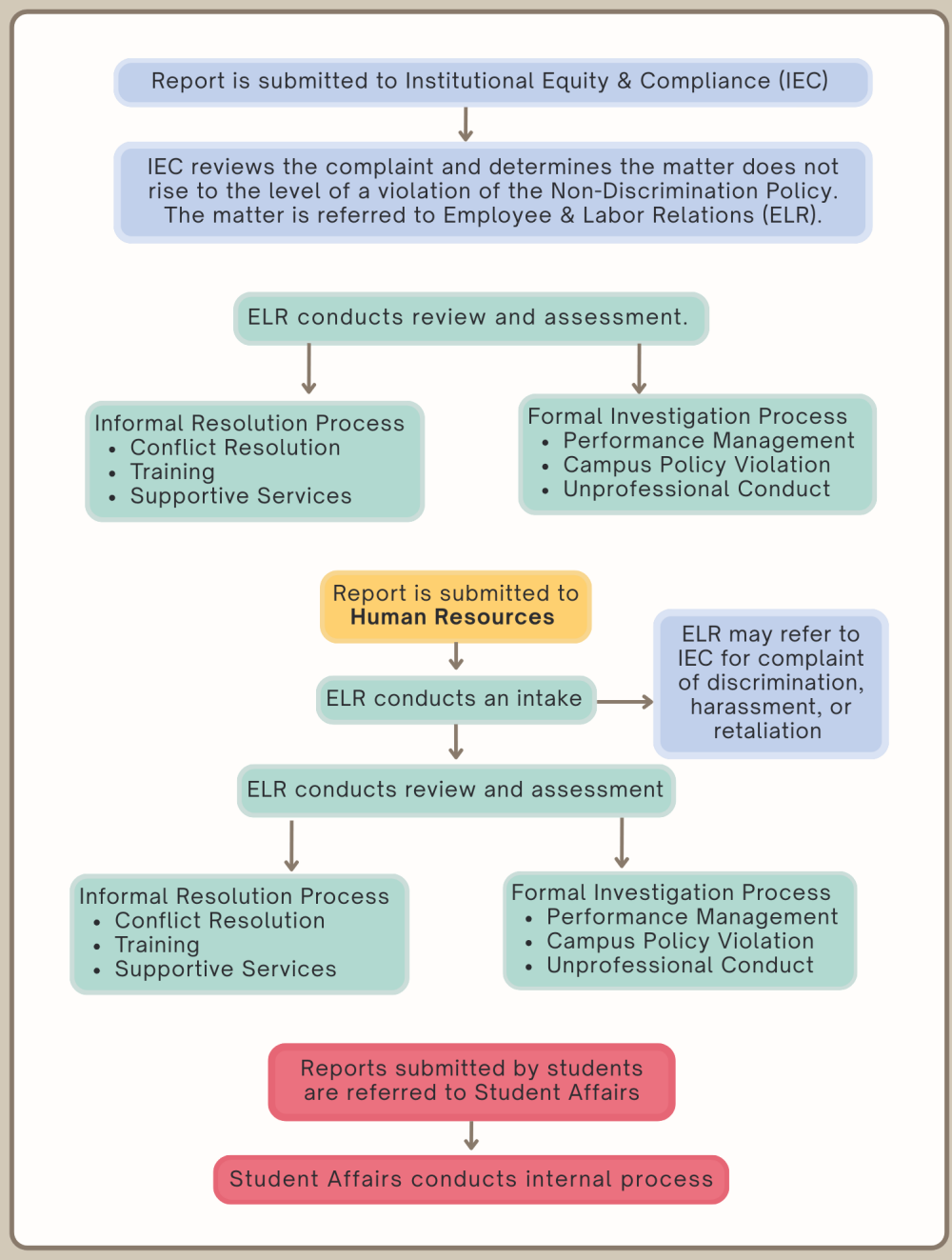
ACTION

MPP/Appropriate Administrator may act on proposed outcomes in consultation with appropriate support partner.

- Performance Management
- Conflict Resolution
- Supportive Services

FOLLOW-UP

- Notify all parties that the concerns have been addressed.
- Document information provided and actions taken
- Matter will be monitored to mitigate recurrence



OTHER CONDUCT of CONCERN PROCESS

Supportive Services

Supportive services are reasonable, temporary and individualized services offered to students and employees following a report of OCC.

Supportive services

- May be offered to both parties.
- Are determined by the MPP/Appropriate Administrator pursuant to campus process or practice
- Are available at no cost to students, faculty, and staff.
- Are not intended to be punitive or disciplinary
- Are designed to restore or preserve access to educational programs and activities and/or the workplace
- May be declined at any time without penalty

Some examples of reasonable support services that may be offered include:

CONFLICT RESOLUTION

MPP/Appropriate Administrator facilitate open communication between all parties

TEMPORARY MODIFICATIONS

Maintain a safe, neutral and productive environment in working, learning or living arrangements

EMPLOYEE ASSISTANCE PROGRAM (EAP)

Mental Health Support & Wellness Resources

EDUCATIONAL PROGRAMS & ACTIVITIES

Workshops, Seminars, and Online Resources

ADDITIONAL TRAINING

Job Skills, Safety, Communication, etc.

Supportive services are voluntary, must be agreed upon by all parties, and should be documented in writing.

OTHER RESOURCES

Other Resources

- Cal Education Code section 89535
- Collective Bargaining Agreements
- Title 5 Cal Code Regs Section 42723 (a)
- Title 5 Cal Code Regs Section 435250 – 435206
- Title 5 Cal Codes Section 42720 (CSU Management Personnel Plan)
- Student Conduct Process


Relevant CSU Policies

- CSU Nondiscrimination Policies
- Complaint Procedures for Allegations of Retaliation for Having Made a Protected Disclosure under the California Whistleblower Protection Act
- Interim Systemwide Time, Place, and Manner Policy
- CSUs Student Conduct Code



**FOSTERING
HEALTHY
WORKING
RELATIONSHIPS**



A small, vibrant green plant with several leaves is growing out of the center of a dark, weathered tree stump. The stump's surface is covered in a complex network of cracks and concentric growth rings, creating a textured, circular pattern. The plant's shadow is cast onto the wood to its right.

If we manage
conflict constructively,
we harness its energy
for creativity and development.

- *Kenneth Kaye*

WHAT IS CONFLICT IN THE WORKPLACE?

NEGATIVE EXAMPLES INCLUDE:

- Poor Communication
- Lack of Respect
- Unresolved Personal Issues
- Personality Clashes
- Competition and Jealousy
- Micromanagement
- Blame Game
- Bias

POTENTIAL IMPACT:

- Reduced productivity and efficiency
- Increased stress
- Strained working relationship
- Decreased collaboration
- Low morale and job satisfaction
- Disruption to team dynamics
- Distrust
- Turnover

A 2008 international study by CPP Global (publisher of the Myers-Briggs Assessment) defined conflict as “any workplace disagreement that disrupts the flow of work.”

Hours & Wages

According to a study commissioned by CPP Inc. — publishers of the Myers-Briggs Assessment and the Thomas-Kilmann Conflict Mode Instrument.

- U.S. employees spend an average of **2.8 hours per week** involved with conflict. This equates annually to
- Equates to **\$359 billion** in paid hours **annually**(based on an average hourly earnings of \$17.95).
- The equivalent of **385 million working days**.

Productivity

The inability for managers to effectively navigate conflict and bring about positive resolution is costing them **nearly one full day** of productivity **per month**, or **two and a half weeks per year**.

Confidence in Leadership

- 70 percent of employees believe managing conflict is a critically important leadership skill.
- 54 percent of employees believe managers could handle disputes more effectively by addressing underlying tensions immediately when they surface.

The Cost of Conflict in the Workplace



WHAT IS IT GOOD FOR?

Respectful opposition in the workplace is beneficial for several reasons:

- Encourages innovation
- Enhances decision-making
- Promotes healthy communication
- Builds trust and respect
- Prevents groupthink
- Improves problem-solving
- Empowers employees
- Increased team cohesion



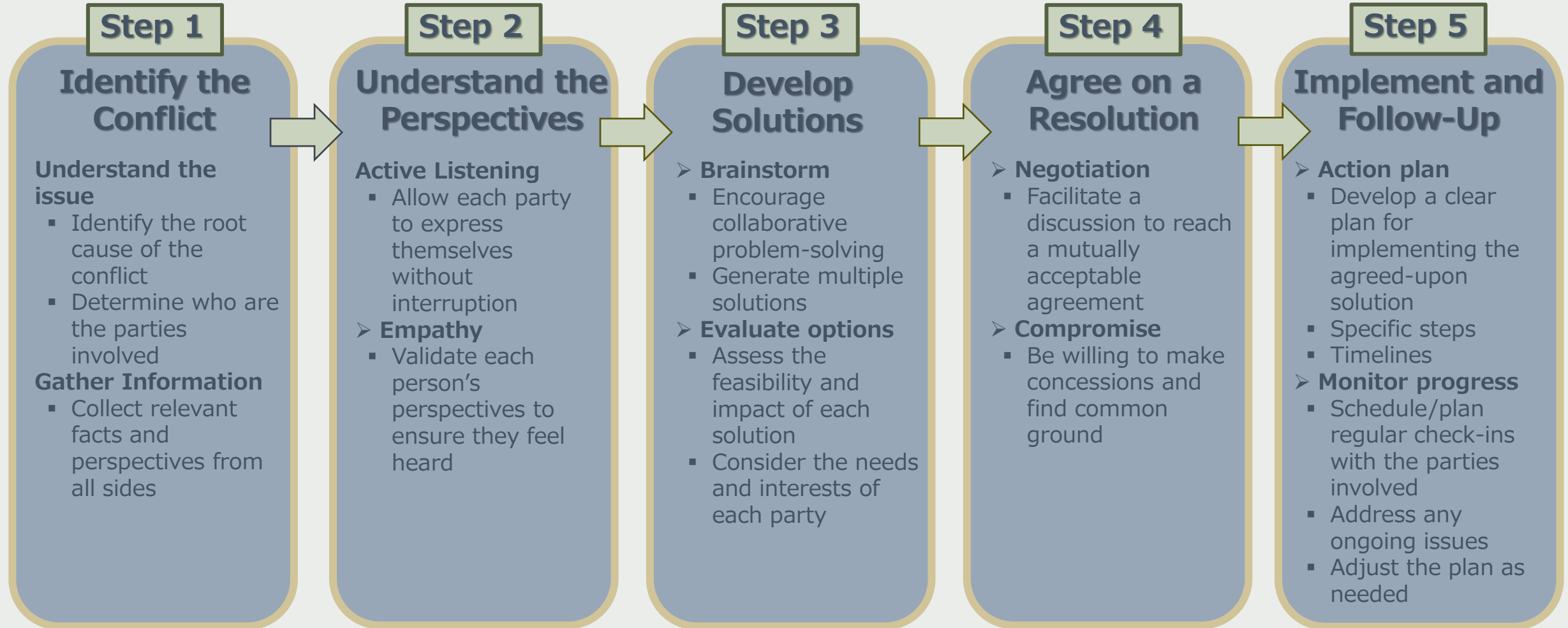
**Respectful
Opposition**

The purpose of **conflict resolution** is to find a solution to a dispute that both parties can agree upon.

It is **NOT** to decide who is right or wrong, but to find a solution that everyone can live with.



The Stages of Conflict Resolution





MAINTAINING NEUTRALITY IN CONFLICT AND DIFFICULT CONVERSATIONS



PREPARING for the MEETING

Create a Safe Space:

Be thoughtful about your meeting space.

- Location
- Accessibility
- Privacy

Rules of Engagement: Set the expectations for a respectful and productive discussion.

If you meet resistance:

Identify the Why: Seek to understand why an individual may not want to participate.

- Distrust
- Fear of retaliation
- Opinions don't matter

Encourage Participation: Emphasize the importance of their input and the benefits of resolving the conflict.





DURING the MEETING

Approaching the situation:

- Maintain a neutral position.
- Focus on facts, not feelings.

Identify the root cause of the conflict:

- Be aware of the unexpected sources of conflict
 - Performance Management
 - Allowing issues to go unaddressed

Mitigating Conflict:

- **Active Listening:** Encourage open dialogue and listen to all parties involved.
- **Empathy:** Validate each person's feelings and perspectives.
- **Clear Communication:** Ensure transparent and effective communication.
- **Collaborative Problem-Solving:** Work together to find mutually acceptable solutions.
- **Follow-Up:** Monitor progress and ensure the resolution is effective.

Document, document, document

REMEMBER:

You are in the neutral seat at the table

Self-Awareness: Recognize your own biases and how they might affect your decisions. Monitor your own behavior.

Objective Criteria: Use clear, objective criteria for decision-making.

Diverse Perspectives: Seek input from diverse team members to avoid one-sided views.

Fair Treatment: Ensure all individuals are treated equally and fairly.



Also known as **implicit prejudice** or **implicit attitude**.

A negative attitude, of which one is not consciously aware, against a specific social group.

May be shaped by experience and based on learned associations between specific qualities and social categories, including race and/or gender.

Individuals' perceptions and behaviors can be influenced by the **implicit biases** they hold, even if they are not aware they hold such biases.

Adapted from the APA Dictionary of Psychology



WHAT IS IMPLICIT BIAS?

Examples of **IMPLICIT BIAS** in the Workplace

Gender bias

often favors men, leading to male candidates being preferred over equally qualified female candidates for jobs or promotions.

Beauty bias

leads to believing conventionally attractive people are smarter, more qualified, and more successful.

While it may benefit attractive individuals, it's important to recognize and overcome this bias.

Halo effect

occurs when you attribute abilities to someone based on accomplishments like graduating from a top college or having an impressive job title.

It can lead to overestimating their abilities and changing your interactions with them.

Conformity bias

also known as peer pressure, leads people to ignore their individual beliefs and conform to the group's actions. In meetings, you might go along with the majority's decision even if you disagree.

Similarity or Affinity bias

occurs when individuals prefer to spend time with those who are similar to them in age, gender, background, or interests.

This natural tendency can make it harder to connect with coworkers who are different.

Confirmation bias

occurs when you assume something about someone and seek evidence to confirm it.

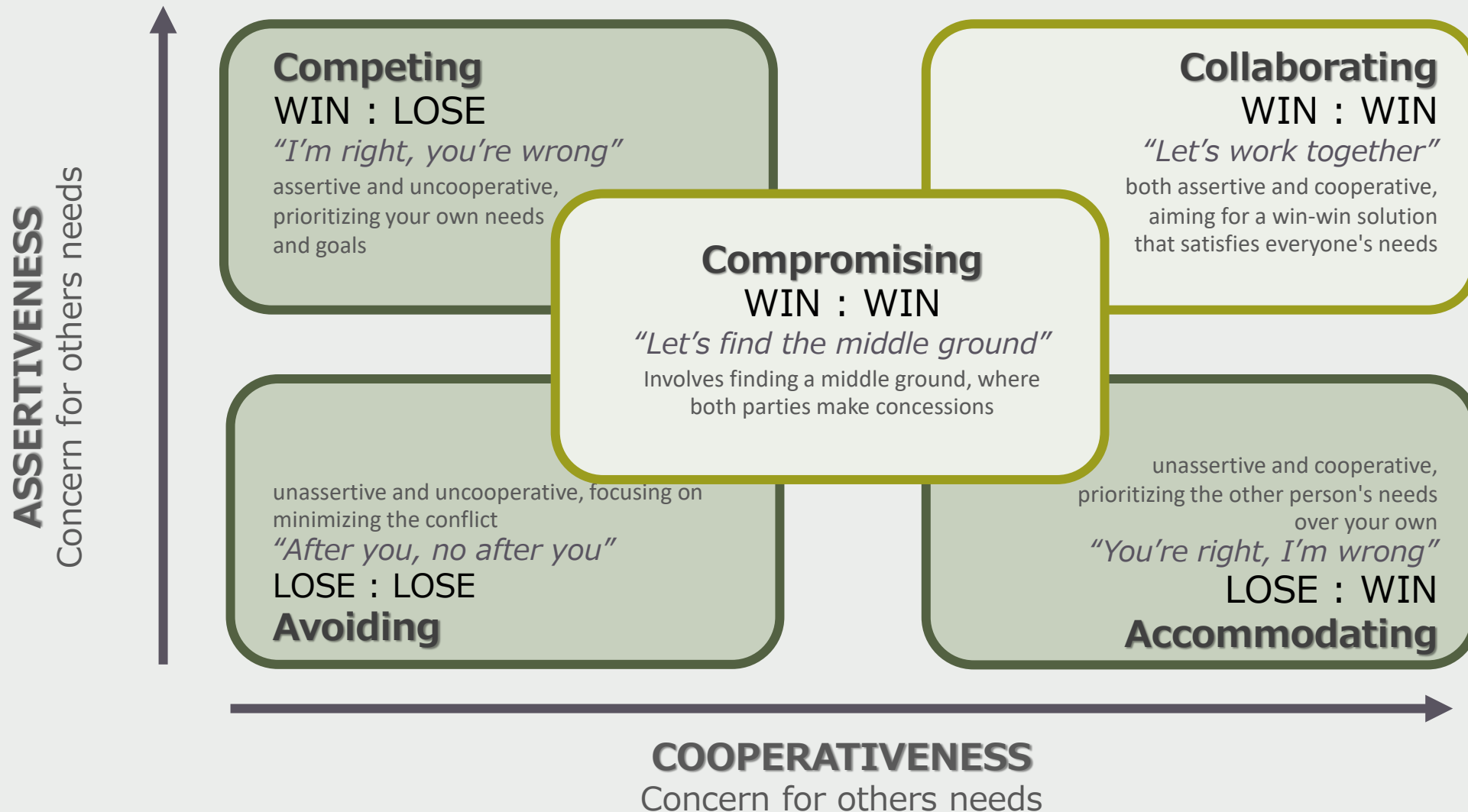
For example, if a new coworker is late to a meeting, you might label them unprofessional and continue to look for other signs of unprofessionalism.

Ageism or Age bias

involves negative feelings about a worker due to their age.

For example, assuming a younger manager is lacking experience, or an older employee cannot learn new skills.

Approaching Conflict in the Workplace



A close-up photograph of a person's hands, wearing a dark blue long-sleeved shirt, gently cupping a small green seedling with four leaves growing out of a mound of dark brown soil. The background is blurred, showing more of the person's torso and a hint of an outdoor setting.

EFFECTIVE COMMUNICATION

It's not just about the content of the message, but also how it is delivered.



Tone

Our tone of voice is how we sound when we say words out loud.

Our tone can also refer to the general mood we create when we use words, either spoken or written.



Speed

Our speed of speech has a major influence on how we are perceived during a conflict situation.

The faster we speak the more reactive we tend to be and the less time we have available to think.



Pitch

Our voice pitch is the relative highness or lowness of a tone, which depends on the number of vibrations per second produced by the vocal cords.

The amount of vibration depends upon the amount of air we are forcing through our lungs.

What you say and how you say it

12 TIPS FOR HANDLING CONVERSATIONS WITH TACT

1. Have the conversation as soon as possible
2. Determine the goals of the conversation
3. Choose a proper location for the conversation
4. Listen with an open mind
5. Offer empathy
6. Use resolution-oriented thinking
7. Speak using first-person language
8. Ask questions and practice active listening
9. Manage your emotions
10. Be confident in your perspective
11. Know when to take a break
12. Establish a follow-up protocol

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THANK YOU