

# Employment conflict management assignment

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Running head: EMPLOYMENT CONFLICT MANAGEMENT Employment Conflict Management Conflict Management (MMPBL/540) Professor Louis Aliberti June 16, 2008 Employment Conflict Management As many companies within the United States are facing declines in sales due to companies not yielding a large return and the need for advanced technology to support customer demands. Major financial losses are crippling corporations and resulting in restructuring and obtaining advanced technology to replace roles administered by employees to yield higher productivity.

Fast Serve has not been immune to the crisis facing corporations in America. In order for Fast Serve to reposition the organization as an industry leader careful planning, organization and communication along with the elimination of specific job titles and roles will have to take place and presented to the organizations leaders. As with any organization faced with elimination of jobs conflicts and risk will be presented.

This report will present the importance of eliminating jobs and roles which are no longer necessary due to automation of processes and procedures or an employee who will be placed on a three months probation period as productivity is being monitored for improvement. The task in the elimination of roles and positions within a company is not taken lightly, although difficult a direction the organization must confront and administer; while reviewing other non critical positions within the organization for future employee terminations. Potential Conflict Identifications

Fast Serve will have to make several well thought out immediate changes in order to ensure the company stays viable. Fast Serve is facing several issues

which can currently affect profitability and future risk which could lead to conflict with current employees and possible legal disputes. Part of the change will be elimination positions within the organization as Fast Serve moves out of online distribution; reviewing work attributes, productivity, significant contributions, absences, college education, years of experience and ultimately necessity of the roles.

Two employees role will have to be eliminated, one is the role of Sarah Boyd who has over 15 years experience with the organization, Sarah is the only non contract employee and has served in an administration capacity, and with dispatch being automated the need for Sarah Boyd position is no longer needed. Although Sarah has been a critical component in organization her role within the organization is obsolete. Sarah is over 50 years old, and although a very loyal employee to the organization and understanding the role no longer is viable within the organization could open up the potential for Sarah to present an age discrimination case.

Brian Carter is another employee who currently role as online programmer is no longer viable as Fast Serve has moved out of the online distribution business. Although Brian Carter has had average performance record and average productivity, he has been viewed by his colleagues for the creation of many online programs as critical player. With the average performance and productivity rating, the removal of Fast Serve online distribution processes and lack of college education Brian's role is no longer viable in the organization.

Potential conflict which could arise is Brian recently complained of pain in his wrist and was diagnosed with carpal tunnel syndrome which has resulted in Brian missing a significant amount of work. Brian could obtain legal advice citing the termination of employment is due to injury versus elimination of role within the organization and average work performance and productivity, based on being the sole creator of Fast Serve online programming where many colleagues have admired him for his online contributions. Another approach has been taken as a possible future elimination of a role for Nora Manson.

Nora has had above average performance and was noted for saving two major accounts, although Nora does not have a college education, she has been a major contributor to the organization and her role is still a viable position which is not being removed or downsized. Part of the reason for Nora's below average productivity is the amount of time she uses coaching and counseling other employees with organizational disputes as she is a member of the NAACP. With above average work performance if the employee is willing an easy fix is helping the employee to increase productivity.

Placing Nora on 3 months probation while the organization monitors her productivity is a win for the organization, since her role is not being eliminated. A potential conflict could be Nora places a harassment or retaliation case against the organization because she has chosen to counsel other employees during working hours and not see this as a reason for her below average productivity. Jenny Mills is a role Fast Serve will continue to

monitor as this role as call center executive is a non critical position within the organization.

As implementation eliminating roles continue, Jenny's role will be given careful consideration regarding future terminations within the organization, as Fast Serve continues to decrease operating cost. Although a corporate reorganization is necessary the way the organization presents each individual case will determine how success Fast Serve is with the least amount of potential conflict. Alternative Dispute Resolution Techniques/Risk Reduction Fast Serve is faced with three separate employee issues in the elimination of employee process to ensure risk are reduced; using three different approaches will be necessary for each employee.

The approach for Nora would be to use the Cooperative Problem Solving approach, which is a basic method in the alternative dispute resolution process. This technique is an informal process and does not involve a third party; each party can resolve a question or issue of mutual concern for a positive outcome for all parties involved. This approach will not completely place Nora on the defense and allows her to see the organization values her input and commitment to success and if she is open and willing to find creative ways to stay focused on her productivity.

Sarah, will need to be shown through genuine communication how much the organization appreciated her years of service and dedication, letting her know the decision was not made lightly but with the direction the company is headed certain roles and positions are being eliminated and her position is one of them. The best approach is practicing the facilitation method through

the alternative dispute resolution process in minimizing the risk. The technique is done to improve the flow of information where a dispute is low to moderate and parties are not completely polarized.

Each party has enough trust with each other where they can work together to develop a mutual and acceptable solution. Brian will need a more detailed problem solving solution and the best alternative dispute resolution preventative method would be using the Conciliation method, which is building a positive relationship between parties in a possible dispute, helping to establish communication, clarifying misperceptions and dealing with strong emotions.

Where information regarding why Brian role was eliminated plus his average performance and productivity, ensuring Brian understands the elimination of his role has nothing to do with his recent diagnoses regarding his health. These alternative practices will ensure the organization minimizes the risk, supports the evidence for role elimination and foster a working relationship with employees who will stay on with the organization. Ensuring employees who stay with the organization do not fear role terminations, and several employees begin to leave the organization prematurely.

Fast Serve will also have to ensure consistent communication and team building is completely every 30 days until all major role terminations are completed to maintain a good level of employee morale along with ensuring productivity maintains at a high level. Implementation Plan for Alternative(s) Changes in the organization is happening very quickly, and the importance in communicating the organization as a whole the direction the organization

intends to move in to continue to yield a profit, after communication is complete immediately begin the process of elimination of position and offering those who qualify a robust severance package.

Sarah who is a full time employee and not a contract employee Fast Serve would inform her immediately of the changes within the organization, through use of facilitation and how the changes affects her role, asking her to stay on if possible for an additional 30-60 days while the department transitions and offering her a severance package to include years of service, accrued vacation, and earned bonus and providing her out placement service to assist her with future employment also offering a letter of recommendation.

During the process of elimination of roles Fast Serve will immediately contact Nora, informing her how Fast Serve appreciates her contributions to the organization, and as the organization changes the approach of performance and productivity using the cooperative problem solving method when speaking with Nora. Nora being presented her contribution and her above average performance rating, but showing her the metrics as it pertains to her status being below average for productivity, and the areas of opportunity which could increase her productivity.

Once all online distribution practices have halted in 15-30 days, would then inform Brian of his position being eliminated, Brian is a contract employee and unless other wise placed in his contract, his employment is at will. Fast Serve would then immediately use the conciliation approach which can present evidence in clarifying in misperceptions on why the move to

discontinue online distribution and the elimination of Brian's role within the organization.

Informing employees the roles and contributions are no longer needed within the organization is never an easy task, but a task which is needed to ensure the organization has a cost saving and yields any future profits.

Recommended Metrics Fast Serve will create in the human resources department an automated tracking system through excel or access to manage all the employees who were laid off.

The created spread sheet would include the name of the employee terminated, if the employee was part-time, full-time or a contract employee, the date of the termination, which alternative dispute resolution process implemented or suggested to be implemented. The type of severance pay offered depending on years of service, who was the employee's manager. The tracking system will use a rating system of potential future disputes based on the results of the current alternative dispute resolution practices presented.

With a rating of 1-5 weighing the risk, one being most likely, two likely, three undecided, four unlikely, five being most unlikely. After each termination this tracking and rating system will be used with access being presented to the human resources leadership team, Fast Serve legal team, and executive leaders within the organization to have a prepared legal team with necessary facts, rating and reactions during the termination process.

Although the tracking system will not eliminate any future disputes, the system can alert the organization and the legal team the best approach, <https://assignbuster.com/employment-conflict-management-assignment/>



incase any prepared deposition have to be made and all supportive evidence is available during any termination process, along with reviewing past and present contract employee written contracts, and make any necessary changes in the wording for all future employees contracts. Monitoring termination proceedings and how effective the alternative dispute resolution were in each individual case will set the precedence within Fast

Serve when managing similar terminations in the future. Along with alternative dispute resolution practices; ensuring team building activities take place every 30 days for the next six months. After six months continuing monitoring employees productivity and employee morale moving team building activities to once a quarter, and building into the organization a supportive rewards and recognitions for high productive and high performance employees, is a way to track and measure employees continued success within the organization.

The cost of rewards and recognition programs as well as team building activities will monitor and increase employee's performance and productivity (Allen, Jimmieson, Bordia & Irma, 2007). Conclusion Fast Serve has seen decline in operations for online distribution which has affected sales, Fast Serve has to continue to position itself as a leader and doing so requires reducing operational and overhead cost.

Part of the organizations change is the elimination of current positions. Using the proper alternative dispute resolution in each situation is important and would lesson the risk for the organization. How employee's roles are

eliminated and the course of action and even supportive evidence will determine if Fast Serve will face any future legal ramifications.

Alternative dispute resolution practices can be used as a preventative measure, on small two party employee disputes as well as major organization disputes and can be beneficial to all parties involved to minimize misperceptions, clarifying information, establish communication methods and ultimately gain a mutual acceptance and solutions; restructuring and revitalizing the employee workforce can lead to the positive outcomes of satisfied and loyal employee who feel valued and more productive (Pangarkar, 2006).

Fast Serve although must handle each termination carefully and Fast serve will have to move out of auto pilot mode and shift gears into implementation phase, understanding although decision for current terminations of roles are necessary, the organization will have to revisit any future terminations with the removal of employees working in any non critical roles within the organization. The company will have to organize immediately a team of leaders to communicate to its employees the company's current state and future design. With the termination it will be critical or the organization to monitor current employee's morale offering a designed rewards and recognition program for maintaining certain levels of performance and productivity, along with ongoing team building activities. This can decrease low employee morale, fear of the unknown resulting in employees seeking outside employment opportunities prematurely. Although Fast Serve has several issues to confront, areas of opportunities can be addressed quickly

and well organized which will benefit both the employer and employee who are involved.

It will take Fast Serve being honest, fair and ethical in the organizations business practices along with a strong human resources and possible legal team to drive successful termination process. Fast Serve has to remember what made them a success and use as the foundation for future success.

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