

# Conflict Management Skills for Research Compliance and Integrity Professionals

Lliam Harrison, MA, JD, CIP
Huron Advisors
Carol Nemeroff, PhD
University of New Brunswick
Maine Regulatory Training and Ethics Center

#### **Session Overview**

- What is conflict?
- Reasons for conflict
- Essential elements of managing conflict
- Proactive prevention of conflict
- Discussion



# I. What is Conflict?



# Conflict versus Dispute

- Conflict ≠dispute
- Conflict tends to be longer-term and can often be managed (Burton, 1990)
- Dispute tends to be shorter-term and can often be resolved (Burton, 1990)





# II. Reasons for Conflict



#### **Contributors to Conflict**

- Competing needs
- Different perspectives or focus
- Different ethical systems
- History
- High stakes, high emotion ('hot cognition')



# **Competing Needs**

#### Researcher

- Publish or perish, grant deadlines, institutional or lab pressures
- o Personal: achievement, reputation, employment, visa
- Scientific passion

#### Institutional

- Compliance with federal regulations
- Protect public safety and well-being
- Protect institutional reputation and efficacy of research enterprise



## Different perspectives or focus

- Different baseline knowledge
- In the weeds versus60,000-foot view
- Fundamental
   Attribution Error:
   actor versus
   observer





# Different Ethical Systems

- The Big 3
  - Autonomy empowerment
  - Community relationship, social order
  - Divinity virtue, purity, natural order
- Ethical Lenses (The Ethics Game <sup>TM</sup>)
  - Responsibilities
  - Results
  - Relationships
  - Reputation





# Impact of History



- History of interactionstrust or mistrust
- Habits of mind and action – rigidity, resistance to change
- Education/training –
   perceptions of
   expertise (self and
   other), actual expertise



# High Emotion: "Hot Cognition"

<u>Type 1:</u> Intuitive thinking (default mode)

- Rapid
- Automatic
- Emotional ("hot")
- Heuristic-based
- Concrete imagery
- Experiential, narrative



# High Emotion: "Hot Cognition"

#### Type 2: Analytical thinking (effortful mode)

- o Slow
- Rational/logical
- Reflective, deliberative ("cold")
- Abstract, symbolic
- Relies heavily on working memory resources



# Why Hot Cognition?

- Thought to be hard-wired, based in evolutionary history
  - Generally adaptive time and effort-saving
  - Mismatch to situations that are complex, nuanced







# Threat Evokes Hot Cognition

Stress, anxiety, and perceived threat evoke System 1 (hot) and suppress System 2 (cold) resulting in:



- 'Hind brain reactance' rather than forebrain planning
- Heuristics and biases rather than reflective thinking
- Entrenchment and defensiveness



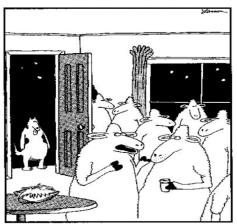
## Example: Control and Reactance

 Premise #1: Researchers in general are highly motivated and highly autonomous individuals who are not used to being told what to do.

Premise #2: And they don't like it.



#### Not a faculty party



"Henry! Our party's total chaos! No one knows when to eat, where to stand, what to ... Oh, thank God! Here comes a border collie!"

#### More typical of faculty





#### The Need to Predict and Control

- Humans (and most other creatures) don't like to feel helpless.
  - Personal control is so important that we perceive illusory control, even where there is no control.
  - Lack of this illusion correlates with clinical depression.
  - This is an adaptive tendency rooted in the relative cost versus benefit of persisting or giving up.
- Ergo, being told what to do can feel threatening.
   The result is reactance.



# Psychological Reactance

Brehm (1966): "Psychological reactance" is an emotional reaction to pressure or persuasion attempts, that results in the strengthening or adoption of the contrary belief.





# Hot Cognition and Conflict Management

Both conflict management and dispute resolution require assessing, addressing, and reducing perceived threat - a.k.a., stress.



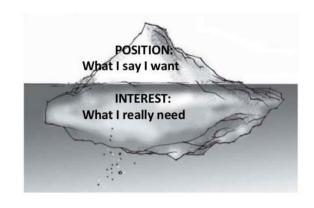


# III. Essential Elements of Managing Conflict



#### Interest v. Position

- Interest based means looking for common or shared ideas or values
- Position based means operating with the presumption that "my way is right"





#### **Common Position Statements**

- We won't let you do that.
  - o Who do you think you are?
- There are the rules, and they must be obeyed.
- You can't make me do that.
  - o Don't you know who I am??
  - Who do you think you are?





#### **Common Interest Statements**

- We share a common goal of advancing good science.
- We are here to help.
  - You wouldn't look good in orange.



Let's figure out how to make that work.



# Dispute Flashpoints



- Perceptions
- History
- Education
- Expectations
- Immediate conditions (internal and external)



# Essential Elements of Managing Conflict (after Weeks, 1994)

- 1) Assessing the environment:
  - a. Physical aspects
  - b. Emotional aspects
- 2 Clarifying perceptions
- (3) Exploring shared and individual needs
- 4 Managing power imbalances
- (5) Keeping a future orientation
- (6) Being creative
- 7 Being realistic



# Assessing the Environment

Physical aspects – sense of physical safety

Emotional aspects – psychological safety



# **Clarifying Perceptions**

Have you ever had a conversation with someone where each of you knew *exactly* what was being discussed, and both of you were wrong?





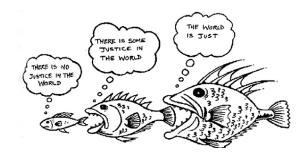
# **Exploring Shared and Individual Needs**

- Interest versus position
- Working from position typically leads to zerosum outlook
  - One person wins, the other loses
- Working from interest typically can be cast as both parties win
  - May not get everything, but can get enough to live with, bounded, of course, by limits of law, regulation and policy



## Managing Power Imbalances

- As distinct from psychological safety, this refers to real-world power imbalances
- Importance of the 'neutral' party





## **Keeping a Future Orientation**

- What's past is past.
- Focus on learning and future actions, rather than recrimination and blame.
  - Often requires active listening and micro-emotional intervention to get to this point.





## **Being Creative**

- Note that stress inhibits creativity! (You can't think outside the box if you're hiding in it.)
- Instead of "No!" try "Not that way, but let's figure out how."





# Being Realistic

- Need to be cognizant of individual and environmental restrictions
  - E.g., unaffordable; beyond the person's capacity; illegal





# IV. Proactive Prevention of Conflict



# Proactive Conflict Management to Prevent Disputes

- Manage expectations in advance!
- Have a conversation. Listen. Talk. Listen more.
  - Techniques of Active listening, Powerful Non-Defensive Communication
- Use techniques from informed consent.
  - Informed consent is a process for managing expectations.
  - Legal, moral in context of research etc.;
     good/respectful practice in terms of everyday relating



# Elements of active listening

- Clarification (discussed above)
- Paraphrasing
- Reflecting
- Summarizing
- Brief foray into micro-emotional interventions



#### Informed Consent

- A person's agreement to allow something to happen (such as surgery) that is based on a full disclosure of facts needed to make the decision intelligently; i.e., knowledge of risks involved, alternatives, etc. (Black's Law Dictionary 6<sup>th</sup> Ed. 1990)
  - Process, not paper
  - Legal, moral, respectful



# More Techniques: Powerful Nondefensive Communication

- PNDC developed by Sharon Ellison
- "Colombo approach"
- Minimizes likelihood of escalation
- Powerful for de-escalation



#### Case 1

- Veteran researcher, will not be told what to do.
   Hates IRB, will not participate in IRB process unless forced to.
- What's going on? History, competing needs and focus, reactance
- Active listening, PNDC
- Humour
  - Our work is serious but we don't always need to be



#### Case 2

- Junior regulatory staff person, ineffective time management, frankly hostile reaction to efforts to improve performance
- "I know what to do, don't micromanage me!"
- What's going on? Stress/threat to self-concept
- Active listening
- PNDC
- Micro-emotional intervention



#### Case 3

- Senior administrator directs staff not to participate in recorded investigation interviews
- Describes regulations as ridiculous it's only animals.
- Important contextual piece: One party state
- What's going on? Baseline knowledge is lacking; competing needs/goals; threat to perceived control/self-perception.



### Case 3, continued

- Active listening
- o PNDC
- Shared interests
- Creativity
- Not all disputes can be resolved, but conflict can be managed by 'dancing' – interactional aikido.



# V. Discussion



#### Q&A

Key Takeaways

Questions and Suggestions

