“Win Win: Resolving Workplace Conflict: 12 Stories”
by Clive Lewis

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3. Stories of difference

“We will have to repent in this generation not merely for the vitriolic words or actions of the bad people. We must come to see that human progress never rolls in on wheels of inevitability. It comes through the tireless efforts and persistent work of men… and without this hard work, time itself becomes an ally of the forces of social stagnation. We must use this time creatively, and forever realise that the time is always ripe to do right.” – Dr. Martin Luther King, Jr.

We are all unique. Variations in eye, hair and skin colour, height, weight, religious views and sexual preference are just some of the hundreds of ways in which each individual is different from the next. Unfortunately with these variations come prejudices – pre-existing notions of a person or class of people often rooted in anything but fact or experience. As the world has seen on too many occasions, prejudice can act as the starter pistol for hatred, murder and genocide, but thankfully this is the far end of the scale. Much more common are the judgements that prevail in many modern societies, or more accurately individuals or small groups within society. Different societies have different issues to tackle, but it is perhaps not surprising, given humanity’s instinctive nature not to trust ‘outsiders’, that prejudices are still problematic in countries that claim to welcome all nationalities, religions and abilities, such as Britain. A country that does this relies on its people to be accepting of change, but as history has shown, and continues to show, this is not always the case. These culture clashes are never more evident than in the workplace.

To address the varying and more complex nature of workplace disputes arising from issues relating to differences, The Equality Act of 2010 was introduced in order to establish nine key areas that the British Government believed were at the heart of such problems. These were:

- Age
- Gender
- Disability
- Sexual orientation
- Religion and belief
- Maternity
- Civil partnership
- Race
- Gender reassignment

The introduction of this legislation recognised the changing shift in attitudes towards minorities and added layers of protection for those who were victims of more modern types of discrimination (e.g. civil partnership and gender reassignment). Britain has come a long way from the days of ‘no Irish, no blacks, no dogs’, but divisions still exist and, in areas of high migrant populations, are growing. These divisions, and the tensions that come with them, can’t help but spill over into the workplace.
It is not surprising when we look at the history of the British workplace that bigotry and prejudice became, and still are, a problem. A history of slavery, most notably during the heights of the British Empire, along with government intervention (such as the 1905 Aliens Act which practically institutionalised the idea that immigrants alone were responsible for rapidly deteriorating workers’ conditions at the time) set the scene for such attitudes. Two World Wars did little to bridge the divide, despite those foreign to Britain playing a huge part in Allied successes, after which Britain enjoyed a huge boom in manufacturing. This required instant, cheap labour, for which hundreds of thousands of migrant workers were recruited, despite attempts by the incumbent government to avoid the burden of these workers’ families settling in the UK afterwards.

Many employers took on this migrant workforce purely to have them perform the most menial and undesirable tasks, therefore instantly creating a segregation effect that can be seen in action in one of the following stories. Racism was openly rife in Britain at that time, aided by politicians making damaging, baseless comments about the intentions and behaviour of immigrants which only served to inflame tensions. The achievement of upward mobility in the workplace by immigrants incensed bigoted colleagues who complained and fought against these small victories, occasionally violently. These violent protests have since largely made way for political pressure, but so far have only been successful in small pockets of the country.

Immigration is one of a number of examples I could have used to illustrate minority groups having been unfairly and unjustly persecuted because of bigotry and unsubstantiated viewpoints – in the workplace everything from gender, age and ethnicity to computer literacy and dress sense can be cause for discrimination. Of course we don’t want to turn into a country where no one can take what is clearly meant to be a joke, but there is a definite line between innocent horseplay and instant, irrational hatred. If you also consider that because of legislation like The Equality Act workplaces are now more diverse than ever, supposedly with no gender, class or race barriers preventing employment and upward mobility, individuals who hold bigoted or prejudiced views now work with, or even for, those for whom they harbour a dislike or a hatred. The reactions of these individuals can be many and varied, but very few who have these opinions hard-wired into them will be able to set aside their differences and work together harmoniously, which has consequences for both themselves and the target of their animosity. These individuals, if dismissed on the grounds of discrimination, will almost always hold the target of their hostility at fault and will not recognise that their actions and beliefs are the real cause of their downfall.

Alongside this pre-existing discrimination is another more recent type – positive discrimination. This variation is different than the example above because it generally involves previously liberally-minded workers finding themselves becoming prejudiced because of marginalisation at work on behalf of certain groups or minorities. For example, if a company publicly announces a drive to recruit more women (possibly by virtue of new government targets on workplace equality) and then picks a female candidate for a job instead of an equally suited male one, the male candidate will perhaps suspect he has been discriminated against on the grounds of his gender and may make a formal complaint. If this
particular individual were then to experience a similar occurrence again, he may start to foster resentment for female competition in the workplace.

His missed opportunities for employment or promotion at the hands of women may be solely down to suitability for the job, but it is easy to see how such prejudices can be built up, erroneously or otherwise.

So in the war of differences we have two camps – those who have pre-existing prejudices that they exercise on colleagues and those who form prejudices based on negative workplace experiences at the hands of certain groups – and with multiculturalism both in society and the workplace knowing no bounds, it provides ample opportunity for such views to be unfortunately aired. Considering the amount of people in employment such cases are comparatively rare, which shows that the majority of people are happy to work with those of different races, cultures and religions – provided that everyone is treated fairly. The media are quick to decry any governmental decisions that favour ethnic groups for fear of being branded racists, which, for those who have little exposure to the people concerned, only helps paint a portrait of a section of society whose sole aim is to impart their beliefs and values onto ours. This ignorance, fuelled by certain parts of the media and a refusal or inability to connect with those involved, will inevitably lead to tensions in the workplace and beyond.

Cases involving those with unsubstantiated prejudices, perhaps passed down through the family or a circle of friends, can sometimes prove difficult for a mediator to work on – especially if the individual is not willing to admit any fault on their part or see reason. This can prove problematic for two reasons. Firstly there is the obvious issue that someone not willing to share their story or give any ground will be very difficult to work with and will be less likely to work towards a compromise, and secondly the mediator can occasionally want to play the psychologist and delve into the roots of an individual’s irrational hatred of a particular person or group of people.

These subconscious driving forces are what we refer to when we talk about the ‘core story’. Everything we do, whether we realise it or not, is driven by our core values and desires. These may have been instilled through childhood or only relatively recently formed, and in mediation sessions they may take some time and digging to uncover, but in cases where a party is clearly holding back or is not even willing to discuss the matter in depth, we need to find out why this is. We don’t want their innermost secrets, but deep-set attitudes towards a particular person or group of people need to be identified if a successful resolution is to be reached. Incidents that reach the stage of mediation don’t often spring from nowhere, rather they are dictated by the actions of one person or a particular group of people with similar core values. These instances were evident in the last batch of stories and are starkly evident in the ones to follow.

As we’ve seen, it is of course possible for liberal-minded people to have prejudices thrust upon them following a series of unexpected but, to them at least, linked events, but many incidents involving the areas we have discussed have a history of sorts behind them. In these incidents the core story can prove invaluable and, as you’ll see, lives can be changed when they are revealed and discussed.
The case of race

“If there is any great secret of success in life, it lies in the ability to put yourself in the other person’s place and to see things from his point of view – as well as your own.” – Henry Ford.

Cobra Systems, a technology company who have grown quickly over the last 10 years thanks mainly to the rise of lifestyle developments such as social networking and online marketing, appointed a new Chief Executive to aid their growth. His brief was to take the company from its entrepreneurial beginnings to a mature corporate organisation. Part of the strategy to do this was to appoint a number of directors to lead new functions such as marketing, HR and sales. A year after the new appointees were in place, the strategy seemed to be taking shape with revenue continuing to rise sharply.

One of the new directors, a black man by the name of Barry Trueman, was appointed as HR Director. Barry had come from a much larger company where he was the assistant to the HR Director but, despite doing very well, was regularly in the firing line taking the criticism for the change of direction the company was going in. The remaining eight directors in Cobra Systems who reported to the Chief Executive were white males, as were all but fifteen of the 3 thousand strong workforce, all of whom worked in secretarial/administrative positions.

One afternoon, Barry was having a catch-up session with one of his team, Sue. At the end of the hour long session Barry noticed that his colleague looked nervous and twitchy, and so asked her if everything was okay. She responded by saying that there was something on her mind but she wasn’t sure how to raise it with him. Barry assured her that she could speak freely with him. Sue said that it would probably be best to show him an email that she had been forwarded rather than explain it, although she was supposed to keep it to herself. She proceeded to open her folder and handed Barry a printout of the email to which she had referred. Barry looked at the document and started to read. Despite corrections in spelling and grammar, the following text is the exact content of the email:

“Dear Brian

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Good to see you at the pub yesterday evening. Very much enjoyed our discussion. I don’t know whether anything can be done about the situation we find ourselves in. We may just have to wait until Barry Trueman leaves for his next job – or better still be is sacked for some misdemeanour that we can orchestrate. In my 15 years of working for the company I never once imagined that I would see the day when a nigger would be appointed to such a powerful position. How did this happen? It feels as if all my dad’s years in the national front movement have been in vain. We should have seen it coming. As soon as these monkeys had access to education, problems set in. They started to see themselves as equal to us. It seems that Mr. Trueman has had more access than most. I was in a meeting the other day and at the end of the meeting Sue thanked everyone for their contribution and then said that she would give our thoughts to Barry so that he could agree the way ahead. I felt sick. It seems as if the whole organisation now has to wait on a black man to make a decision. This is wrong. I saw him pull up in his Jaguar the other day and stay in the car while he was on the phone for about 15 minutes. I was tempted to do something to his car to make sure that he didn’t get home safely. My colleagues advised me otherwise. I have also thought of leaving, but my wife talked me out of it. I see now that it would be silly to let the wog drive me out. I think that all we can do is wait for him to mess up. I’m sure he will soon. It is just a matter of time. Maybe you and some of your director colleagues can help with this?

By the way, what do you call a black man with a degree? A nigger…..lol

Hope to see you down the Bull in Arms at lunch time.

Justin

Barry was shocked and saddened. He thanked Sue for bringing the email to his attention and asked if he could hold on to it. Brian, the recipient of the email, was the marketing director, a middle aged white man and one of Barry’s peers who had been with the company for about the same time as Barry. The next day, Barry asked to see his boss, the Chief Executive. Barry updated him on a few business matters before handing him the email. The Chief Executive read it and was obviously embarrassed. Barry said that he didn’t want to discuss the content of the email but would leave it to the Chief Executive to do what he deemed fit, feeling that because of his position as HR Director and given the subject of the email it would be inappropriate for him to be involved in any actions the company might want to take.

The Chief Executive sought legal advice and retained the company’s employment lawyers for additional support. The company then invoked the disciplinary process and suspended Justin on full pay while the process got underway. The sales director, a peer of Barry’s, heard the disciplinary and a few weeks later Justin was dismissed. He appealed the dismissal but the company upheld the decision, while no disciplinary action was taken against Brian. During this period, the relationship between Barry and Brian broke down with Barry concluding from the email that Brian concurred with Justin’s comments.
Things deteriorated so badly that they ended up only speaking through intermediaries before the Chief Executive noted the tension and stepped in. During a weekly meeting with Barry he asked how Barry was feeling about the episode. Barry found it difficult to answer and asked whether they could have that discussion at another time.

A few weeks later, during an off-site executive team meeting, Barry gave a presentation updating the senior team on HR issues. During the question and answer session, Brian asked Barry a question about the organisation’s HR strategy. Barry ignored the question and started to talk about something else. Everyone noticed that there was an atmosphere in the room. During the coffee break the Chief Executive took Barry to one side and asked him if he would consider engaging in mediation with Brian, seeing as the tension in the room just before the break indicated to him that the situation needed resolving. Barry agreed to think about it.

The following week it was brought to the Chief Executive’s attention that a new employee had not been put on the payroll system. It transpired that Brian hadn’t gone through the usual monthly ‘head of function’ sign off process – a process that would have required a face-to-face conversation with Barry. The Chief Executive summoned Barry and Brian separately and said that he had heard about the payroll issue and would be arranging for an external mediator to come in to help them sort out their dispute, advising them to accept the mediator’s call when it came.

The mediation

A week later I made contact with both Barry and Brian independently. Both agreed to have a preliminary meeting with me for the process to be explained. The mediation session was arranged for two weeks later. On the day of the mediation, both Barry and Brian arrived on their own and without representation. I had also asked the Chief Executive to join the session at the beginning. He did so, thanking the pair for agreeing to be part of the session and wishing them every success in finding a solution to their dispute, and then left. I provided some narrative for the joint opening session and then invited Barry to give his thoughts on why the mediation had been requested. Barry said very little apart from how he hadn’t realised that he was working with a racist. Brian responded in kind by saying very little apart from refuting Barry’s allegation.

Quickly realising that we would make little progress in a joint session, I moved to private sessions. I first met with Barry who didn’t say much more than he had done in the opening session. He did add one additional piece of information however, which was that he hadn’t worked his way up to such a senior position and persisted with his further and higher education to become the subject of racist remarks. I asked him what he wanted to do and he replied by saying that the ball was in Brian’s court as he thought that his acceptance and encouragement of racist views were inappropriate in the twenty-first century. He added that he wasn’t sure whether it would be possible to continue working together. Barry asked me to go and spend some time with Brian and feed back on the discussion. Before I left the room I asked whether Barry would consider having a joint meeting again with Brian later on. He indicated that he might.
I met with Brian and attempted to engage in dialogue, Brian was unresponsive. I asked him what he wanted to achieve from the day, to which he responded that he wanted Barry and the rest of the organisation to know that he wasn’t a racist. I offered Brian fifteen minutes to think about what he wanted from the day after which I would return to discuss his thoughts.

Brian’s story

When I returned, I asked whether Brian had had any further thoughts about the day’s proceedings. He took a deep breath and began to outline his thoughts. He said that he was finding the whole process uncomfortable and difficult and that he had experienced a range of emotions over the months that the disciplinary process had been underway. He then said something which I hadn’t expected; despite having the appearance of being white, he was actually mixed race and that his father was black. Not only that, his father had also left his mother when Brian was young. He described how throughout his working life he had been able to hide his cultural background from his work colleagues, how he hadn’t planned to do this but that early on in his career he overheard a conversation amongst some colleagues which was laced with racist overtones. It would be best, he decided, to play down the fact that he was mixed race, putting his complexion and skin tone down to the man his mother later married and claiming him to be his father. Brian was resentful of his father’s absence, so attempted to block out his existence. He described his anguish and explained that he found it difficult to identify with being black or white. When Justin started with his banter Brian again felt he had no choice but to go along with it out of fear of embarrassment of being acknowledged as black (or mixed race).

Once Brian had finished his story I asked if there was anything else that he wanted to add. Brian paused for a few moments before recounting an experience from junior school when he was about eight years old. His father and mother had already split up, and one day his father turned up unexpectedly to pick him up from school. The next day during morning break some of Brian’s school friends started teasing him for having a black father even though he (Brian) looked white. They started calling him cruel names, and Brian lashed out, starting a fight with one of the ringleaders. He recalled how the experience brought him embarrassment, shame, disgrace and humiliation. He realised in that moment that it wouldn’t be good for him to let people know anything about his black heritage. He asked his father never to pick him up from school again.

Brian now had his own family. He had married a white woman and over the years had had a few deep conversations with his wife about trying to re-establish a relationship with his real father. He was truly sorry for being a silent contributor to Barry’s situation.

I thanked Brian again for sharing such personal information and asked whether he would be willing to share all or part of his story with Barry. Brian thought for a while and then said that he would be willing to, but wanted a break first. We had been together for nearly an hour. I went through to see Barry and explained that Brian wanted to talk to him about a few things and asked for all three of us to get together in twenty minutes time.

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Joint meeting

The three of us met again. I explained again to Barry that Brian had a few things that he wanted to say and invited Brian to begin when he was ready. All mediators have a choice about how information is relayed between parties. I could have given Barry an indication of what Brian wanted to say, but this would have diluted the impact. My preference was to allow Brian to look Barry in the face and share his story with him. After all, it was his story.

Brian apologised to Barry for the situation that had arisen between them and for the part he had played as a silent contributor. He then begun to recount his experiences in the same way that he had done with me previously. Barry listened intently and was visibly shocked. When Brian had finished his story silence settled upon the three of us. At first Barry didn't know what to say, but after a few moments he started to ask Brian questions about his background and upbringing, questions Brian answered openly. It was as if the two men had realised that they had something in common.

I remained silent while the two men talked. Barry asked Brian whether he had any idea how much unease he (Barry) had been through as a result of the email experience. Brian responded that he had some idea, but acknowledged how damaging his silence and implied participation had been. Barry asked Brian how long he planned to conceal the information about his background, to which Brian responded by saying that he didn't know but had been thinking hard about this aspect of his life for some time. This event had brought things forward.

Barry admitted that he could see Brian was experiencing a sense of anguish with his story and that he had no desire to make it worse. To this end he was happy to let Brian decide what to do and accepted his apology, but did stress how painful the whole experience had been for him. He described how he had worked and studied hard in order to make a better future for his family and thought he had escaped the curse of racism, but now realised that it must have existed behind his back for some time. He was sorry that society hadn't yet fully embraced diversity in every sense. He described how it felt to devote years to study and hard work, only to regularly feel like a second class citizen in some environments. He recalled a story of boarding a train at Birmingham airport. As he boarded the train in the first class compartment a white man looked at him and gave a wry smile to his travelling companion. They then started whispering to each other. Barry articulated how it took all his strength to remain professional and dignified, despite his desperation to speak out and ask them what they were talking about. Barry continued to speak of the hurt he felt to be judged by his fellow passengers purely on skin colour.

I thanked Barry for his openness, and Barry replied that he felt better being able to express his thoughts. It was now lunch time and I asked whether the pair would be willing for the three of us to have lunch together. Both agreed. Over lunch the conversation covered many topics, but no mention was made of the dispute that had brought them together. After lunch I asked to meet with Brian alone again and asked him what he wanted to do next. Brian said he was unsure and would have to think about what this experience meant for him before making any next moves.
I asked whether they might include saying anything to the Chief Executive. Brian added that he probably would but that he would have to consider the details first.

I then went back to Barry and asked if he wanted to take the day’s proceedings any further. Barry said that the day had probably gone far enough and that Brian had much thinking to do, but that there was some unfinished business with the Chief Executive. He couldn’t understand why, when the company had acted so swiftly in dealing with Justin, Brian hadn’t been included in any of the disciplinary proceedings. I phoned the Chief Executive and asked if he would be willing to join the mediation session. He arrived about half an hour later and I detailed the progress that Barry and Brian had made. I explained that the session had had a particularly powerful impact on Brian, but stopped short of going into any detail as I hadn’t yet had Brian’s permission to do so. I made the Chief Executive aware that Barry wanted to have a chat with him about a few aspects concerning the investigation and disciplinary process, and he agreed to a private meeting.

Before facilitating the joint meeting between Barry and the Chief Executive, I had a private meeting with Barry. I explained that I hadn’t told the Chief Executive about what Brian had revealed earlier and intimated that I thought it would be better coming from Brian. Barry agreed straight away. He realised that Brian was going to have to start facing up to his secret and that he (Brian) would be the best person to have that conversation with the Chief Executive.

The Chief Executive and Barry met. I invited Barry to outline his thoughts and Barry explained that it had been a useful day and that he and Brian had covered good ground. He continued by saying that there was nevertheless a piece of the jigsaw still missing in his mind regarding the absence of Brian in any aspect of the disciplinary process. The Chief Executive explained that it had been considered, but on the advice of the organisation’s legal advisors, who were handling the process, they agreed not to take any formal action against Brian. A discussion had taken place with Brian with the conclusion that there was no indication he had been racist in any way. It was thought that Brian’s naivety had been in remaining silent—a silence that indicated consent and participation. The Chief Executive acknowledged that in hindsight Barry should have been given a general update on how the disciplinary process was progressing. Barry expressed to his boss that he was starting to wonder whether he, as Chief Executive, was reluctant to support the matter because Brian was a senior manager. The Chief Executive recounted the process that had been undertaken and assured Barry that he was genuine in his desire for discrimination of any kind to be eradicated from the organisation. He went on to explain that he had recruited Barry based on merit and that the colour of his skin never registered as something he should be concerned about. He also suggested to Barry that as difficult as this experience might have been, he shouldn’t take it as a signal that the whole organisation was racist. Barry accepted the Chief Executive’s sentiments.

I went back to Brian’s room and explained that the Chief Executive was now on site and had been in private discussion with Barry. I confirmed that I had not told the Chief Executive anything of what had emerged during the day about his background. I then invited Brian to join me, the Chief Executive and Barry in a joint session.
With us all in the same room, I began to say that it looked as if the day had run its course. I concluded that Barry and Brian had had a good exchange of words and had made a great deal of progress. Brian interrupted and said that he wanted to tell the Chief Executive his story, which he then did. The Chief Executive listened attentively and, like Barry, was shocked and surprised with what he heard, commenting that he would never have guessed Brian’s ethnic background. He added that he could sense Brian’s anguish and would be willing to listen further to anything else that Brian wanted to say. When Brian had finished, he summarised by saying that he wanted to take the evening and the weekend to think things through. We all shook hands and agreed to talk again on Monday.

The next stage

That evening, Brian went out for a meal with his wife. He talked to her in detail about the day’s proceedings and how he had expressed his remorse to Barry. The whole affair he said had left him shaken and dazed and had knocked him for six. He felt as if this was a life changing moment and that he had found the experience so profound that he was thinking of resigning. It was time he started to be true to himself. His wife said that he should think things through, but that she would support whatever decision he made. They finished their meal and went home.

At 2am on Saturday morning the phone rang and woke them from their sleep. Brian answered and a woman asked to confirm if it was indeed him. Brian said that it was and the lady informed him that her name was Alison and that she was the girlfriend of Brian’s real father. Brian was still half asleep and asked her to repeat what she had just said. Alison did, going on to explain that she knew about Brian’s family history. Brian, now fully awake, asked why she was calling him at two o’clock in the morning. Alison replied that she was calling from a hospital and had some bad news – Brian’s father had been taken ill on Friday with a suspected heart attack and had just died. Brian went quiet. Alison asked if he had heard what she had said. Brian said that he had and asked her which hospital she was calling from. Brian took the name, put the phone down and explained the phone call to his wife. As the news sunk in he began to sob. Amidst his tears he recalled the moment when, standing by the school gates, he asked his father never to come back and pick him up again. It was as if these words had come back to haunt him.

On Monday morning, Brian phoned the Chief Executive to inform him of his father’s death and that he had decided to tender his resignation. The Chief Executive said that his father was the first priority and that they would deal with anything else when Brian was really ready. Brian attended his father’s funeral and took some time off to reflect on recent experiences. Two weeks later he submitted his resignation in order to take some time to think about what to do next. With the mediation still on his mind, he phoned Barry and invited him for lunch. Barry agreed and over the meal Brian apologised once again for all the trouble that had been caused. He added that the last few months had been an incredible journey for him and had prompted him to think deeply about the direction his life was going in. The death of his father had proved to be the last straw, and he now felt as if he had no choice but to face up to reality, although what his next steps would be he didn’t know. Brian and Barry spoke for hours and subsequently a friendship developed between them.
I was to hear later that Brian asked to withdraw his resignation, but did ask for two months off work while he thought some things through, a request to which the Chief Executive didn’t hesitate in agreeing. His view was that Brian had been through a life changing experience and that the organisation was obliged to support him in whatever way they could.

**Observations**

The last thirty years has brought huge swathes of legislation changes in relation to diversity at work. Acts relating to race relations, equal pay and other aspects have been brought together under one umbrella with the Equality Act of 2010. It took four years to complete. It is expected that the UK workforce will embrace the concept of diversity and the nine protected characteristics and move in harmony with each other. However, the British media set the tone for the likely level of approval in some quarters with headlines like ‘The end of jokes in the workplace’.

Prejudice is our longest lasting, deepest and least resolved sources of conflict. It can operate consciously and subconsciously and extends to all strands on the diversity spectrum. Over time, certain groups have become used to the possession of power, wealth and authority. Society has grown used to seeing a stereotypical person fulfilling certain roles or occupying particular positions. This can mean that when someone occupies a position that doesn’t fit a particular stereotype, it can be seen as unusual and become problematical for some to accept. For example, the last twenty years has seen large increases in the number of women who take up senior positions, often at boardroom level. In this case, it was Justin who had difficulty working with a black HR Director.

Forming judgments about people regularly happens when we interact with those who are different to us. The difference could relate to the melanin content in our skin, a person’s gender, sexual orientation, height, age and a whole raft of other differences. Tackling discrimination is something that needs to be given priority if an organisation ever wants to achieve its full potential. Research repeatedly demonstrates the enhanced value and richness that diversity brings.

Overcoming prejudice is difficult mainly because it is normally deep rooted. From our childhood, we begin to associate thoughts with people. For example, one may have heard one’s parents say that anyone with a Scottish accent is likely to be tight fisted, or that all African businessmen are corrupt. We then grow up believing this and our perceptions become more difficult to shift as we get older. It can be complex and can operate on multiple levels. The truth is, of course, that there is good and bad in all people.
In *Conflict Revolution* by Ken Cloke, he describes some options to diffuse or respond to prejudice. He suggests that to castigate, blame, or point fingers is not the only way to react when one might feel that they have become the victim of prejudice. He lists ways in which the victim can defuse prejudice by assisting those in its grip to:

- Develop a knowledgeable, confident self-identity and appreciate who they are without needing to feel superior to others
- Experience comfortable, empathetic interactions with diverse people and ideas
- Be curious and unafraid of differences and commonalities
- Feel comfortable collaboratively solving problems and negotiating differences
- Be aware of biases, stereotypes and discrimination when they occur
- Stand up for themselves and others in the face of prejudice, without becoming biased in return

There are many ways of confronting prejudice, bias and discrimination that allow us to amend not simply the overt statements and behaviours that express it, but the covert places in people’s hearts and minds where it lies buried. To begin with, we can each acknowledge and speak openly about our own prejudices, how we have struggled to overcome them, and watched others do the same.

When confronting other people’s prejudicial statements we can:

- Bring awareness to our emotional responses and calm ourselves before speaking
- Assume people have good intentions
- Try and understand where their prejudice has come from
- Discuss their statement one-on-one, privately, in a non-threatening way
- Request permission to offer feedback
- Be low key and non aggressive
- Don’t shame, blame, attack or accuse
- Be friendly and accepting, yet assertive and clear
- Be hard on the problem and soft on the person
- Ask if the effect they created was one they intended
- Ask if they ever felt discriminated against or harassed for any reason, and get details
- Indicate what it feels like to experience prejudice using “I” statements
- Tell a story about prejudice to help them listen and learn
- Try and assess the cost of prejudice, offering examples from personal experience
• Suggest alternative phraseology, approaches, or perspectives
• State your disagreements openly and honestly
• Bring in a third part to mediate differences
• Ask for feedback on your feedback

Selecting to apply the law or company grievance procedures in cases such as the one we have just discussed is likely to result in a limited and narrow outcome. Justin's dismissal will have succeeded in sending a message to the organisation that racism is not acceptable and will not be tolerated. It falls short, however, in helping Justin, or any of his colleagues, address his prejudices and preventing any future reoccurrences. It could be argued that any learning has been limited to ensuring that any actions and thoughts should be untraceable and not reduced to email or any other form of written communication. This sort of message, if received by Justin and his former colleagues in this way, could simply drive such behaviour underground. An alternative approach would be to include a method of introducing conversation that may help uncover reasons for such behaviour. This would help Justin address what appears to be systematic discrimination and go some way to protecting him and a future colleague from a similar event.

One of the strengths of the process of mediation is that it gets people to talk. Once he started, Brian began to quickly reveal information about his history and background. It became clear that Brian was carrying years of unexpressed emotion and as soon as the opportunity was given to share his ‘secret’ he took it. The setting had to be right, including the fact that Brian needed to feel that he could trust me as the mediator to be able to be empathetic to what he wanted to say, and to keep this secret where required.

Mediation was also invaluable in getting both Brian and Barry en route to building a friendship and working relationship that was stronger that it had been before. Their deep conversations meant that a bond had developed between them and their future together had much more meaning that it would have had before mediation.

Finally, although not explicit in this case, is the fact that the organisation had the opportunity to learn from what had happened. The scenario had exposed an insight to a culture where racist undertones were at play. If it was demonstrated that Justin’s behaviour was the tip of the iceberg, the Chief Executive and his colleagues could have put some behaviour and values training in place to begin addressing it.

If you have enjoyed this chapter and wish to order the book, please contact Globis Mediation Group on 0330 100 0809 or visit www.globis.co.uk