

Impasse●ology™ Inner Circle Archive Post #2

Diversity Imbalance: Dispute Resolution's Hidden Nemesis

Definition:

A *Diversity Imbalance* is when the diversity makeup of the participants in a mediation or settlement negotiation is unequal or lopsided. (By participants, I mean the attorneys, human resource professionals or the union reps, as well as the disputing parties themselves.) The imbalance may be race-based or gender, nationality, age, job title, social class, income, etc. And it may not even be real, just a figment of someone's imagination.

The Problem:

When facing an imbalance, real or imagined, the party at risk feels outnumbered, vulnerable, and powerless. That's when he's likely to enter an **Altered State**. (And others may follow.) Negative emotions take over. Trust disappears, even toward his own representatives. Self-protective and illogical behavior rule the day.

The Solution:

You as a conflict manager should do the following:

1. Evaluate the potential for diversity imbalances and proactively move to counter it before going to the negotiation table.
2. Consider your own diversity differences in relation to your client.
3. Help the other side with their diversity imbalance issues.
4. Retain mediators and other neutrals that can help balance the scale. Consider using the co-mediation model where the two mediators mirror the respective disputants.