








# Workplace Conflict Resolution: Richard Birke of JAMS Pathways On How Team Leaders Can Create The Right Environment To Resolve Conflicts

An Interview With Eric Pines

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Set a good example. If you are easy to approach, if you run a good meeting, if you treat people with respect, if you handle hard conflicts and big decisions through collaboration and communication, your team will notice and follow your lead.

An important component of leadership is conflict resolution. Why is conflict resolution so important? How can leaders effectively incorporate conflict resolution into their work culture? In this interview series called “Workplace Conflict Resolution: How Team Leaders Can Create The Right Environment To Resolve Conflicts,” we are talking to business leaders who can share insights and anecdotes from their experience about how to implement Conflict Resolution at work. As part of this series, we had the pleasure of interviewing Richard Birke.

*Richard Birke is the chief architect of JAMS Pathways and is experienced at resolving complex, multiparty disputes. He draws on experience in a wide range of disciplines, including mediation, psychology, economics, law, communications, negotiation theory, strategic behavior, and diversity, equity and inclusion, to apply the right tools to every client situation. In his 35-plus-year career in hands-on dispute resolution, Richard has been invited by a variety of constituencies to intervene in large conflicts — political, environmental, commercial and beyond. He has taught dozens of innovative courses around the world, given hundreds of speeches and won national awards for his writing on the psychology and neuroscience of mediation and negotiation.*

**Thank you so much for joining us in this interview series. Before we dive into our discussion, our readers would love to “get to know you” a bit better. Can you share with us the backstory about what brought you to your specific career path?**

**I**t’s mostly a story of luck. I happened to be in a school program with some of the top people in the field of dispute resolution, and we met and hit it off. The rest is history.

And it may also be the case that I was influenced toward conflict resolution because my parents survived the Holocaust and I am a first-generation American/child of survivors. And I always believed that there was a better way to resolve conflicts than war and violence.

**Can you share the most interesting story that happened to you since you started your career?**

Unfortunately, the best stories are very, very long. Here’s a great short one: A chief of surgery asked me early in my career to help him repair relationships in his department. It turns out that the same skills inside an operating room (“Hand me the scalpel”) are a little too imperious around the coffee pot. Nurses and support staff resented the surgeons, and a great many conflicts emerged, some of which threatened patient care. After a thorough intervention, relationships improved, and I’d like to think that this was an example of conflict resolution skills turning into tangible, positive outcomes — for the doctors, the staff and especially the patients.

**Can you please give us your favorite “Life Lesson Quote”? Do you have a story about how that was relevant in your life?**

This didn’t come from me, or from Ted Lasso, but the quote is “Replace judgment with curiosity.” This has been relevant to me as a supervisor, a teacher and a parent. When you feel the hairs on the back of your neck stand up, it’s time to ask a sincere question: “Can you please tell me more about that” is way better than reacting from an emotional, judgmental place.

**What do you think makes your company stand out? Can you share a story?**

We are conflict resolvers through and through. When COVID happened, our white-glove concierge-level service had to transition from in person to online. It required a lot of adjustment at every level of the organization. The potential for conflict was high — especially given that we have offices around the country and local rules varied pretty dramatically. There was the potential for a lot of people to feel like they were being treated unfairly, but we kept the lines of communication open. We rebounded within a month and handled more than 20,000 cases in 2020 — all online, something we’d never done before — and it was seamless. We emerged a stronger company from it.

**You are a successful business leader. Which three character traits do you think were most instrumental to your success? Can you please share a story or example for each?**

Curiosity. I was a professor for 25 years, and intellectual curiosity helped broaden my horizons.

Perseverance. I've been involved in conflict resolution for about 35 years, and I still learn something new every day and strive to retain a beginner's mind.

Patience. Things don't always happen on my timetable or according to my plan. Being patient has helped me in meetings, relationships and big projects.

**Leadership often entails making difficult decisions or hard choices between two apparently good paths. Can you share a story about a hard decision or choice you had to make as a leader?**

I've been very lucky. My career has been all about opportunity. The hardest decisions I've had to make are around which initiative to start. I haven't faced tough decisions regarding, say, firing people or killing a pet project.

**Ok, thank you for that. Let's now jump to the primary focus of our interview. Let's start with a basic definition so that all of us are on the same page. What does Conflict Resolution mean?**

The face-value definition covers most of the field: resolving conflict. But the more expansive vision is also transactional — making deals — and preventive.

**What are some common misunderstandings about Conflict Resolution that are important to clear up?**

There are two. One is that conflict resolution is common sense. As I mentioned, I've been working and studying for 35 years, and I learn every day.

The second is that bringing in a professional third party is a sign of weakness. It should be viewed as a smart decision. Is it a sign of weakness to hire an accountant to do your taxes or a contractor to remodel your house? Why should it be any different when bringing in a pro to help resolve a difficult issue in your organization?

**This might be intuitive to you, but it will be helpful to clearly express this. Can you please explain why it is so important for leaders to learn and deploy conflict resolution techniques?**

So that little things don't become big things that impede or destroy the main mission of the organization. Effective conflict resolution keeps the collective "eyes on the prize."

**On the flip side, what happens to a work culture when there is not an effective way of resolving conflict? How does it impact employees?**

Quiet quitting. Loud quitting. Inefficiency caused by lack of communication. It's demoralizing and difficult to work in an organization that isn't psychologically safe.

**Can you provide examples of how effective conflict resolution has led to increased team performance, collaboration, or innovation within your organization?**

I already mentioned the surgical team. That was a great one. There are so many!

A nonprofit board expanded its mission, and the staff size needed to double. Many of the new employees were hired virtually, and there were experience gaps and culture clashes between and within the new and old groups. A relatively short intervention helped get everyone focused and back on track.

A large academic institution promoted a person who was found out to harbor racist attitudes. The school needed to examine race, culture, gender and more in the context of promotion and hiring. Those were very sensitive conversations, and because those conversations were handled with care and skill, the school emerged more cohesive, and the processes around hiring and promotion became more transparent. Less conflict between teachers and the administration resulted in more energy directed toward positive student outcomes.



**What are your “Five Ways Every Team Leader Can Create The Right Environment To Resolve Conflicts”? If you can, please share specific examples of a workplace conflict you’ve encountered, and how you applied conflict resolution techniques to address it.**

1. You already got my favorite: Replace judgment with curiosity.
2. Learn to run a good meeting. Reports should be distributed in advance so meetings can be spent interacting, not just listening.
3. Reward people who demonstrate excellent conflict resolution skills. Sometimes it’s hard to tell, as the best conflict resolvers work invisibly. It’s the absence of drama that needs the spotlight.
4. Take psychological safety seriously, or else people will fail to point out problems, will keep good ideas to themselves and will not react well when critiqued or reviewed.
5. Set a good example. If you are easy to approach, if you run a good meeting, if you treat people with respect, if you handle hard conflicts and big decisions through collaboration and communication, your team will notice and follow your lead.

**In your experience, what are the most common sources of conflict within a team, and how do you proactively address these potential issues before they escalate?**

There are two big categories: One is inadequate communication. People think they’ve made their whole point, but they haven’t, and people think they’ve fully understood, and they haven’t. Then, when a problem arises on a project, things can spiral downward, and a blame game can commence. As

you probably have seen, people aren't always at their best when conflict arises.

The second is inequities — uneven distribution of work, tasks, titles, pay, status and more. Sometimes these are real and sometimes they are perceptions. In either case, when someone feels that they aren't being treated fairly, morale and motivation can go downhill in a hurry.

**You are a person of great influence. If you could start a movement that would bring the most amount of good to the most amount of people, what would that be? You never know what your idea can trigger. :-)**

I'd find a way that would allow people of varying views to recognize that most conflict arises between people who care about the same thing. It would be a project around productive conversation about the issues that matter most.

**How can our readers further follow you online?**

You can find things I've written and videos I've participated in [my bio](#) on the JAMS Pathways website. I'd also recommend following JAMS Pathways on [LinkedIn](#) for the latest posts and up to date information.

**Thank you for the time you spent sharing these fantastic insights. We wish you only continued success in your great work!**

*About the Interviewer: Eric L. Pines is a nationally recognized federal employment lawyer, mediator, and attorney business coach. He represents federal employees and acts as in-house counsel for over fifty thousand federal employees through his work as a federal employee labor union representative. A formal federal employee himself, Mr. Pines began his federal employment law career as in-house counsel for AFGE Local 1923 which is in Social Security Administration's headquarters and is the largest federal union local in the world. He presently serves as AFGE 1923's Chief Counsel as well as in-house counsel for all FEMA bargaining unit employees and numerous Department of Defense and Veteran Affairs unions.*

*While he and his firm specialize in representing federal employees from all federal agencies and in reference to virtually all federal employee matters, his firm has placed special attention on representing Veteran Affairs doctors and nurses hired under the authority of Title. He and his firm have a particular passion in representing disabled federal employees with their requests for medical and religious reasonable accommodations when those accommodations are warranted under the Rehabilitation Act of 1973 (ADA). He also represents them with their requests for Federal Employee Disability Retirement (OPM) when an accommodation would not be possible.*

*Mr. Pines has also served as a mediator for numerous federal agencies including serving a year as the Library of Congress' in-house EEO Mediator. He has also served as an expert witness in federal court for federal employee matters. He has also worked as an EEO technical writer drafting hundreds of Final Agency Decisions for the federal sector.*

*Mr. Pines' firm is headquartered in Houston, Texas and has offices in Baltimore, Maryland and Atlanta, Georgia. His first passion is his wife and five children. He plays classical and rock guitar and enjoys playing ice hockey, running, and biking. Please visit his websites at [www.pinesfederal.com](http://www.pinesfederal.com) and [www.toughinjurylawyers.com](http://www.toughinjurylawyers.com). He can also be reached at [eric@pinesfederal.com](mailto:eric@pinesfederal.com).*