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Atkinson, Andelson Loya, Ruud & Romo
A Professional Law Corporation

Bringing Meaningful Training to Inspire Employee Growth

Conflict Resolution in the Workplace

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IASA Summer Leadership Conference 2026
August 4, 2026
12:45 p.m. – 1:30 p.m. Room 120 B

Presented by:

Barbara J. Ginsberg, Esq., Senior Partner
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Barbara J. Ginsberg

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Practice Areas and Experience

Barbara Ginsberg has been representing school and community college districts, and public agencies in all aspects of employment & labor matters and education law for over thirty years. She is an expert in educational leadership, communication practices, and employee performance management, and regularly provides professional development training to administrators and aspiring leaders throughout the nation. She serves as chief negotiator for agencies in collective bargaining with certificated/certified, classified, and police/safety units, and is experienced in both traditional and interest-based bargaining methods. Other areas of her practice include: workplace investigations (including allegations of harassment and discrimination), statutory and negotiated leave issues, disability accommodation issues, reductions in force, student and employee privacy matters, search and seizure and other constitutional issues, policy/procedure review and development, hiring practices, employment contracts, general counsel and board governance matters, administrative hearings, and federal and state civil litigation. Her firm also provides legal advice and representation on special education matters, facilities and construction matters, student discipline, and other areas of interest to school districts.

Prior to representing school districts, Ms. Ginsberg spent seven years as a legal advocate for public and private employee unions and served as a Deputy City Attorney. Prior to her legal career she was an elementary/middle/high school teacher and also served in the U.S. Navy. Her Navy veteran son's career has brought her to Idaho, where she is a licensed attorney, and she looks forward to assisting school district leaders in creating rewarding work and educational environments for employees and students.

Events & Speaking Engagements

Ms. Ginsberg is a popular and highly requested speaker and regularly provides training throughout the nation on a variety of subjects of interest to K-12 school districts, community colleges, universities, cities, counties, governing boards, management teams, administrators, police and safety personnel, supervisors, and staff. In addition to addressing subjects that impact the workplace, the educational setting, and collective bargaining, Ms. Ginsberg provides training on the FRISK model for preparing effective documentation regarding employee substandard performance or conduct; leadership and communication skills; conducting investigations in the educational and workplace environments; conflict resolution; Brown Act compliance, and state-mandated sexual harassment training. She regularly lectures at conferences for local,

INDUSTRIES

Educational & Public Agencies

EDUCATION

J.D., Thomas Jefferson School of Law

B.A., English

University of California, Irvine

United States Naval Academy

ADMISSIONS

1995, California

2024, Idaho

U.S. District Courts, Central and Southern Districts of California

U.S District and Bankruptcy Courts for the District of Idaho

PRACTICE AREAS

Contract Enforcement & Collective Bargaining

Education

Investigations

Labor & Employment

Litigation

Professional Development Training

Barbara J. Ginsberg

statewide, and national educational and governmental organizations. She is also a regular instructor at various personnel and administrator academies throughout the country, and a guest lecturer at several universities. She regularly mentors law students and young lawyers.

Upcoming conferences and speaking events include:

Leadership Series with Barbara Ginsberg – Statewide (virtual and/or in person) (September 2026 through April 2027)

- Communicating with Difficult People and Influencing Change
- Managing & Addressing Conflicts Between Employees in the Workplace
- Effective Evaluations and Evaluation Meetings
- Preparing, Delivering, and Monitoring Employee Improvement Plans
- Team Building Tips That Will Help You Transform Your Work Site
- From Supervisor to Leader: Responsibilities, Repairing Relationships, and Infusing the Practice of Civility in the Workplace
- Troubleshooting Leadership: How to Lead Notwithstanding Challenging People and How to Lead in Challenging Circumstances

Negotiations Series (virtual)

- Introduction to Bargaining
- Crafting and Responding to Proposals
- How to Deal with Conflict at the Table/Impasse
- Mastering the Art of Negotiation

FRISK® Documentation Model for K-12 LEAs & Private Schools (State/National)
FRISK® Documentation Model for Community College Districts (State/National)
FRISK® Documentation Model for Cities and Counties (State/National)

- Preparing Effective Documentation Regarding Employee Substandard Performance or Conduct
- Techniques for Effective Communication with Employees About the FRISK® Document & Influencing Employee Improvement
- Advanced FRISK®: Focus on Scenarios and Writing Techniques

K-12 Performance Management Series (Statewide or Single Districts – virtual)
CCD Performance Management Series (Statewide or Single Districts – virtual)

101 Series

- Negotiations & Contract Administration 101 for Administrators
- Addressing Conflicts Between Employees in the Workplace
- Conducting Legally Compliant Workplace Investigations
- Preparing and Delivering Effective Evaluations
- Introduction to the FRISK® Documentation Method

102 Series

- Preparing for the First Negotiation Session
- Managing and Understanding Millennials in the Workforce
- Professionalism in the Education Environment: When Employees Cross Professional Boundaries
- Employee Speech: Guidelines on Restrictions to Maintain the Integrity of the Workplace while Protecting Employee Rights
- Advanced FRISK®

Professional Development Consortium Series (Virtual)
(September 2026 through May 2027)

- Sexual Harassment & Abusive Conduct Prevention Training for Supervisors

Barbara J. Ginsberg

•Pregnancy in the Workplace: Fulfilling Your Legal Obligations Across the Three Trimesters of Pregnancy
•Preparing, Delivering and Monitoring Employee Improvement Plans
•Where Student Behaviors, Workplace Safety & Behavioral Plans Intersect: Staying Safe as an Employee
•Trauma-Informed Interviews and Investigation Techniques

Additional Topics for Individual School Districts, Community College Districts, Charter Schools, Private Schools, Counties, and Cities

•Nurturing the Superintendent-Board Member Relationship
• Creating a Satisfying Work Environment
• Exercising Gratitude in the Classroom and Workplace
• Building, Maintaining and Repairing Relationships of Trust in the Workplace
• Leading and Building School Culture
• How to Lead Notwithstanding Challenging People
• Keys to Leading & Building Your Team's Resilience During Challenging Times
• Mastering Difficult Conversations with Below-Standard Performing Employees
•Techniques for Becoming a Stronger, More Effective Negotiator
• Secrets to Getting Stuff Done
• Infusing the Practice of Civility and Mutual Respect in the Workplace
• Professionalism and Excellence in the Workplace
• Accommodating Employee Disabilities
• Tips for Conducting Better Workplace Investigations
• Sexual Harassment and Abusive Conduct Prevention Training
• Identifying and Responding to Employee Use of Drugs and Alcohol
• Managing Employee Leaves of Absence
• Mandated Reporter Training Regarding Child Abuse and Neglect
• Understanding the Brown Act
• Good Language, Bad Language: Rules for Drafting Contract Language
• Repairing Relationships of Trust and Team Building Tips for Executive Assistants
• Best Practices for Hiring, Recruiting & Maintaining a Diverse Workforce
• Understanding Criminal Background Checks and Subsequent Arrest Reports
• Best Practices Re Accommodating E'es & Managing Remote Work
• Best Practices/Strategies for Planning, Decision-Making and Communication
• Best Practices/Strategies for Managing Investigations and/or Outside Investigators
• Skills A.I. Will Never Replace: Being a High Potential Employee and Leader
• The Leaders We Remember
• Preparing Effective Documentation to Address Below-Standard Performing Employees
• Managing Burnout & Helping Our Employees Manage Burnout
• Managing Community Expectations at the School Site and Within the District

Community & Professional

• Idaho Bar Association, Employment & Labor Law Section, Member and Government & Public Sector Lawyers Section Member
• California Bar Association, Labor & Employment Law Section, Member
• National Council of School Attorneys, Member
• California Council of School Attorneys, Member
• Cerritos College Foundation, Past President and Member
• Pacific Symphony, League Member, Volunteer and Back Stage Guide
• Idaho Steelheads, Season Ticket Holder
• Hobbies: Rowing, Motorcycle Riding, Spreading Kindness

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aalrr Leadership Series

Learn Key Skills to Transform You from Supervisor to Leader

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AGENDA

DEALING WITH CONFLICT IN THE WORKPLACE

- Types of Conflict
- Obligation to Act
- Diffusing Conflict
- Strategies for Prevention

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Poll #1

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What do you perceive to be the root of the types of conflicts you typically see in your workplace that disrupt your team's ability to work together effectively?

a) Differences in background (age, gender, education, ethnicity, etc.)
b) Political differences
c) Differences in styles toward approaching work tasks
d) Personality conflicts
e) Interdependence conflicts (one person must rely on another person in order to get their own tasks done)
f) Poor communication style
g) Jealousy
h) Desire to dominate the other

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Common Catalysts

- General harassment, whether sexual or some other form
- Favoritism of one employee over another
- Demotions and/or layoffs
- Critical performance evaluations and/or disciplinary action
- Rejection of a idea/project in which employee has a big emotional investment
- Insensitivity by supervisors
- Criticisms of employees in front of staff or others
- Depersonalized workplace environment
- Unfair or later performance appraisals or criticism
- Lack of resources for the employee to meet his/her objectives
- Office romances

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Common Catalysts

- Inadequate training
- Lack of teamwork
- Withdrawal of earned benefits
- Betrayal of trust
- Unreasonable demands on employees
- Failure to keep promises
- Lack of flexibility
- Poor communication
- Feedback that is wholly or primarily negative in tone
- Absentee leadership, including failure to discipline
- Micromanagerial environment with limited staff decision-making opportunities

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CONFLICT between employees
Bullying
Peer Conflict
Obstructionism
Overt Aggression
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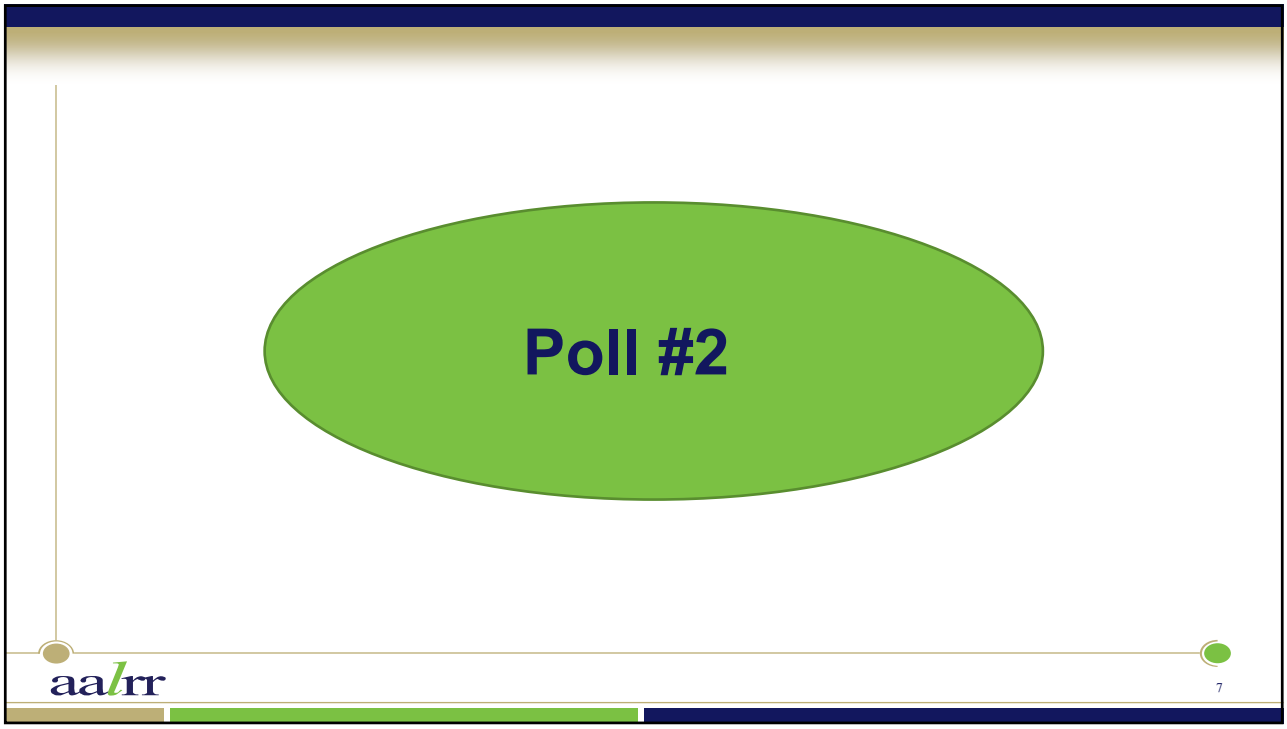
Poll #2
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a) Call in the "problem" employee and direct them to refrain from their bad behavior?
b) Ignore it. The situation is likely temporary and will resolve itself
c) Do an investigation and interview people on the work team to try and get a better idea of what is going on.
d) Call in the individuals who are in conflict and direct them both to fix the issue
e) Call in the individuals who are in conflict and find a resolution together

How do you typically respond to conflict in the office?

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Consider

How does **INEFFECTIVELY** resolving conflict affect:

- You
- Your team
- Your agency

How does **EFFECTIVELY** resolving conflict affect:

- You
- Your team
- Your agency

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Failure to Act

FAILURE TO ACT MAY HAVE NEGATIVE RESULTS

- **Breach of legal duty to ensure health, safety & welfare**
- **Charges of unlawful discrimination**
- **Charges of constructive discharge**
- **Poor morale and poor productivity**
- **Higher absenteeism and turnover**
- **Damage to District's reputation & difficulty attracting new staff**

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Our Duty is to Manage/Resolve Conflicts

The Rules:

Focus on behaviors/performance that impact the ability of employees to get the business of the district done

- Be prompt in managing conflict
- Be consistent in providing consequences
- But remember that the conflict exists between the two employees and ultimately, only they can resolve the conflict

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Handling Conflict Between Employees

You can't necessarily change mindsets and attitudes, but you can and must manage behaviors

To get to the source of the conflict, don't ask "who," rather ask "what" and "why"

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Diffusing Workplace Conflict

Administrator Responsibilities in the Process

- Attempt to mediate the conflict
- Identify root cause for problem and analyze opportunity for improvement
- Don't allow discussions to bog down in tangents or name-calling
- Help each employee understand the perspective of the other employee
- Explicitly state the district's expectations for behavior & performance
- issue action plan & follow through

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Keys to Successfully Mediating the Conflict

1. Address conflict early.

2. Meet with the antagonists separately and determine the business problem.

3. Conduct a cultural competency analysis and determine how such differences may potentially impact the conversation.

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- What are your own?
- What are those of the individuals between whom the conflict exists
- What additional cultural knowledge, awareness, or understanding will you need to more effectively mediate the conflict and ensure effective communication between them?

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Keys to Successfully Mediating the Conflict (cont.)

4. Meet with the antagonists together in a neutral space. Set ground rules.

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1. Why we are here (e.g. conflict is impacting a specific business purpose)
2. Acknowledge this is not easy
3. Discuss how you will proceed (one person talks/one person listens to understand the other person's perspective; each will have the opportunity to speak and be heard; acknowledge they may not agree with each others' perspectives, but we are here to resolve how to move forward)
4. Discuss expectations for effective communication during the meeting: respectfulness, listening, and body language
5. State that once it is clear each other's perceptions are understood, we will move on to jointly discuss how this conflict can be resolved
6. Expectation that both will jointly participate and work toward resolution
7. Expectation that both will follow up this meeting by working to maintain resolution
8. **"Can we agree that the meeting will proceed in this manner?"**

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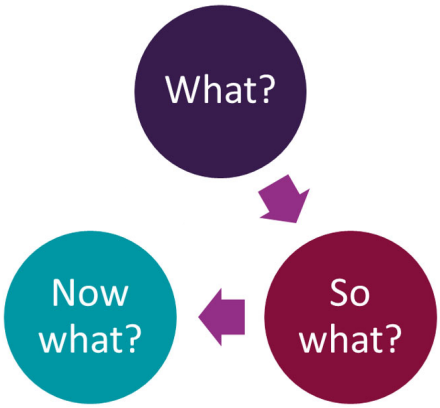
STRUCTURE FOR THE CONVERSATION



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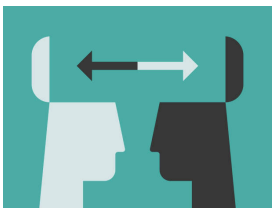
Keys to Successfully Mediating the Conflict (cont.)

5 Have one party share their perspective of the problem/conflict.

- This is the "what" part of the conversation
- Have the person speaking use specific examples, but keep them framed on the business problem
- Ensure the listener listens intentionally (i.e. listens to understand the perspective, not necessarily agree)
- Enforce ground rules and expectations for respectful behavior at the meeting
- Be aware of non-verbal communication and filters



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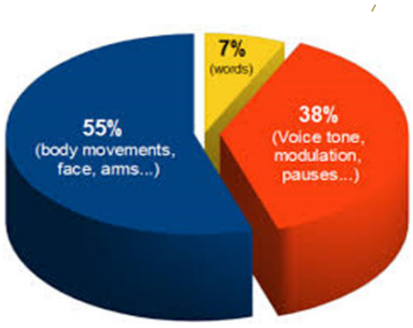
HELP CONTROL AND OPTIMIZE BODY LANGUAGE AND TONE



Be "other" oriented

- 93% of communication is body language & tone
- Non-verbal communication reveals feelings, emotions, attitudes and thoughts
- When listening, a person's movements, posture, gestures, eye contact, and facial expressions tell others how available they are to interact and how interested you are in what the speaker has to say.
- When speaking, these same things, plus voice quality, pace, and tone influence the way a message is interpreted by the listener

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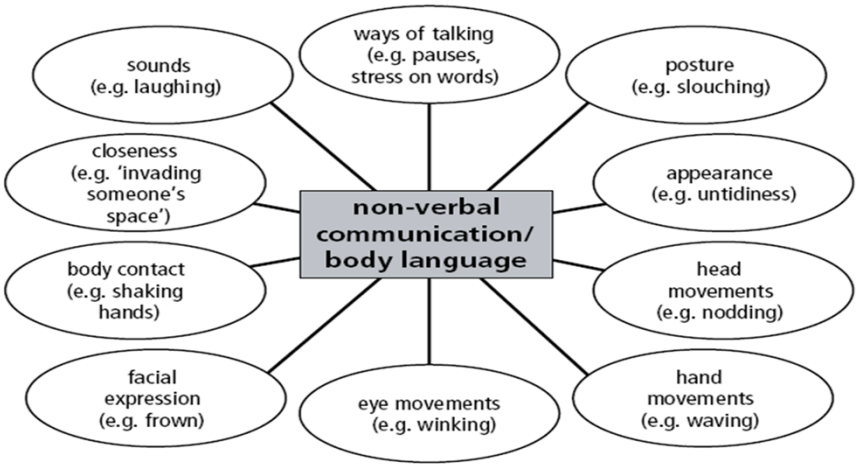
Elements of Non-Verbal Communication



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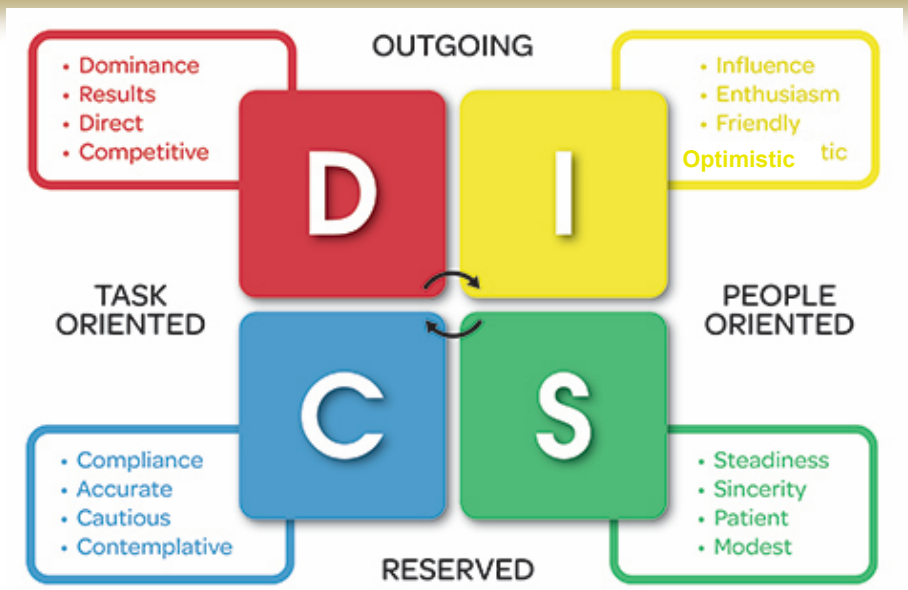
FILTERS



https://www.123test.com/disc-personality-test/

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Keys to Successfully Mediating the Conflict (cont.)

6 Have the listening party summarize what the speaker's perspective was to demonstrate their understanding

- Prompt the employee by saying:

  "**So I can make sure we are all on the same page, I'd like you to recap back for us what you heard [the speaker's] perspective is as to why you two are in conflict …**"

- Allow the speaker to fill in any gaps and correct any inaccuracies to provide clarity and avoid misunderstanding
- Help the speaking party feel heard

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Keys to Successfully Mediating the Conflict (cont.)

7. Have the listener become the speaker and repeat steps 5 & 6

8. Ask open-ended inquiry questions to prompt reflective thinking and to get each party to have a deeper understanding of the other person's perspective

✓ BEST PRACTICE

Don't leave the "what" part of the conversation until both parties demonstrate they have a clear understanding of the other person's perspective

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Inquiry Questions

Inquiry questions are questions designed to dig deeper and which require more than a "yes" or "no" response. The goal is to get a more complete, vivid picture of the other person's perspective

Can you tell me more?

When?

Who?

What do you think?

In what way?

Where?

How?

Why do you think that?

How did that make you feel?

How do you know this?

What questions do you still have?

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Keys to Successfully Mediating the Conflict (cont.)

9 Have each party share expected continued negative impacts (from a business perspective) if this is not resolved

- This is the "**so what**" part of the conversation
- Provide your "administrator/supervisor" perspective of the negative impacts if need be, but only after the employees have first had the opportunity to describe what they perceive to be the negative impacts
- Keep them focused on business impacts

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Keys to Successfully Mediating the Conflict

10 During the meeting, have each party describe specific actions they would like to see the other party take that would resolve the differences, and what they would be willing to personally do. Try and allow the parties to talk through their own solution

- This is the "**now what**" part of the conversation
- Share administration's standard/expectation of conduct/ performance/professionalism with the employees
- Then, get the employees' interactive input as to how they can perform in accordance with business expectations and reduce the conflict between them
- Next, specifically describe, from your perspective, the actions the employees must take & timeline

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Keys to Successfully Mediating the Conflict (cont.)

11. Secure commitment to change from each party – what will be done differently moving forward to lessen the negative impacts. Acknowledge all commitments to change, no matter how small. Focus on both give and take. Get past blame.
12. Work out the final deal, put it in writing and set a time to review progress. Shake hands, if possible.
13. Follow up with the parties to ensure the agreement is working, and don't let third parties continue to fuel the problem.

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WALK AWAY WITH A WORKABLE ACTION PLAN

Plan must:

- Identify the conflict
- Identify the people involved
- Identify the actions each person must take to reduce the conflict
- Identify what the expected results are

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DON'Ts

Don't avoid the conflict, hoping it will go away

Don't forget about all the other employees who are affected

Don't presume that just because you have worked out a deal the issue is over

Don't give the appearance that you favor one side over the other

Don't focus on personalities and feelings, focus on the business tasks

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If you conduct conflict resolution…

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Poll #3

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What is the most important tool in conflict resolution?

a) Maintaining control of the conflict resolution meeting
b) Understanding the root of the problem before going in to the meeting
c) Keeping the dialogue going in a conflict resolution meeting
d) Walking away after the meeting with a workable plan
e) Setting ground rules
f) Listening and summarizing for understanding
g) Following up after the conflict resolution meeting to see whether the problem has been resolved
h) Focusing on the business interest of the problem
i) Shaking hands
j) Controlling body language

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BE PROACTIVE IN HEADING OFF CONFLICT

- Get an understanding of the root of the conflict
- Identify possible impediments to employee attendance, productivity and loyalty
- Encourage employees to talk with managers about problems that, if not addressed, could impact job satisfaction or work performance
- Provide professional learning on topics such as communication, diversity, providing constructive criticism, building a "shared language," and harassment prevention

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KEEP THE LINES OF COMMUNICATION OPEN

- Have conversations at staff meetings
- Make formal and informal training opportunities available
- Include employees in informal workplace networks (lunches, coffee klatsches)
- Be clear about expectations
- Be open to early resolution

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Prevention

"Take the Pulse" of the Work Environment

- Regularly monitor workplace culture
- Seek regular input to invest employees in their work environment & empower them
- Encourage team interaction for problem-solving, goal setting, and accountability
- Don't shrug off conflict or chalk it up to "personality conflicts"; respond swiftly
- Know your employees
- Motivate with recognition and praise

Model Good Behavior & LEAD

- Employees will look to you for signals as to appropriate behavior, so model it!
- Treat employees with courtesy and respect & expect them to use it too
- Exude confidence and address employees in a reasonable, calm, and controlled manner
- COMMUNICATE! Be honest and always back up your statements with specifics
- Be a good listener; be empathetic
- Be accountable and trustworthy
- INSPIRE

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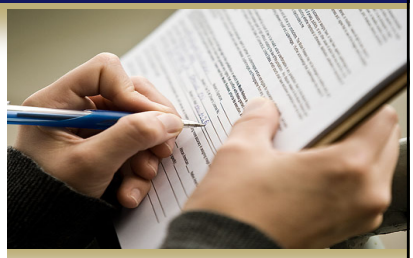

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Question & Answer Session

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Thank You

For questions or comments, please contact:

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