



Sotomayor Law

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Mediation, Arbitration and Business Dispute Services

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The phone rang, and the caller said: “My partner and I have been in business for four years, and I am pouring my heart and soul into making it a success, almost 24 hours a day. She, on the other hand, doesn’t work nearly as hard, can’t supervise any employees without making them either angry or tearful, spends too much money, and then announces she wants more money. I’m going out of my mind. What do I do?”

I’m getting more and more of this kind of inquiry these days. Frequently, leaders in businesses of all sizes find that over time, their goals, strategies, priorities and work styles begin to differ from those of their partners or other company executives. This can lead to resentment, destruction of working relationships, loss of longstanding friendships, and even abandonment of a profitable business.

Conflict has a high monetary cost in the workplace. A global report entitled *Workplace Conflict and How Businesses Can Harness It to Thrive* found that “U.S. employees spend 2.8 hours per week dealing with conflict, equating to approximately \$359 billion in paid hours in 2008.” The same report revealed that 70% of employees see managing conflict as a “very” or “critically” important leadership skill, and 54% think managers could better handle disputes by addressing underlying tensions before things go wrong.

Conflict is ubiquitous, and change resulting from conflict is inevitable. Those changes can be positive, productive, and profitable. In the life of any organization, evolution is necessary. From start-up, to achievement, to reorganization, to learning and institutionalization of policies and practices, to organizational structure, and constant review and renewal, conflict can be a constructive catalyst.

Savvy business leaders increasingly have turned to conflict management consultants to help them confront the hard questions and engage in essential conversations that lead to outcomes that are constructive and mutually beneficial.

The typical result of the work that starts out with that desperate call is a process of introspection, dialogue, concrete tasks, reporting, and reassessment. Along the way, greater harmony can be achieved, and the organization and leadership can become more aligned and focused. Other outcomes – not necessarily negative – can include decisions to dissolve partnerships or redefine relationships. The key is the new ability to thoughtfully *use* conflict management as a *tool* in business management.

“Conflicts are immense sources of stress and pain, which we try to avoid. At the same time, they are indicators of areas in our lives and organizations that require immediate attention, deep thinking, and willingness to change. In facing our conflicts, opening our hearts, and locating the center of what is not working, we pass through to the other side, uncovering hidden choices and transformational opportunities that ask us to develop, grow, and learn more about our inner selves.” Kenneth Cloke, *Mediating Dangerously, The Frontiers of Conflict Resolution*, Jossey Bass 2001.

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