

Disputant Behaviors Observed to Elicit Resistance. . .

1. Negative labeling, insulting, or calling the other party offensive names (Example: "You are a liar.")
2. Minimizing or ignoring the other's feelings (Example: "Frankly, I don't care if you are upset!")
3. Lying about, denying, or misrepresenting information known to the other party
4. Blaming the other for the problem with "you" statements (Example: "You make me mad when you forget to lock the door when you leave the office!")
5. Communicating condescension (Example: "You mean to tell me that you are just now figuring that out?")
6. Questioning the other party's honesty, integrity, intelligence, or competence (Example: "How do you expect me to trust you this time?")
7. Making offensive or hostile non-verbal expressions or gestures (Examples: rolling the eyes, loud sighs, laughing, "giving the finger," sticking one's tongue out at the other, or groaning when the other party speaks)
8. Making interpretations of what the other party says based on stereotypes or prejudicial beliefs (Example: "All you people ever think about is how you can avoid working!")
9. Insisting that the other party "admit to being wrong" (Example: "This is not about my perceptions of what happened. I saw you take my floppy disk and you damn well better admit it!")
10. Using sarcasm in addressing the other party (Example: "Well, how nice of you to grace us with your presence. I'm shocked!")
11. Making moral judgments about the other party (Example: "The Lord will punish you for these sins!")
12. Making threats to the other party (Example: "You'd better stick to your word or I'm going to talk with the boss about your behavior!")
13. Making demands of the other party (Example: "I demand that you write me a letter of apology.")
14. Refusing to shake hands with the other party when he/she offers (Example: at the beginning of the mediation session)

15. Interrupting the other party when he/she is speaking
16. Shouting at the other party

Disputant Behaviors Observed to Elicit Cooperation. . .

1. Using "I" statements, rather than "you" statements (Example: "I want to respond to your questions, but I need some time to calm down first.")
2. Conveying that the disputant has been listening attentively (Example: "It sounds as if your biggest concerns are for your long-term job security and recognition for your accomplishments. Is that right?")
3. Making "appropriate" eye-contact (Note: This one is extremely culturally dependent. The key issue is for Disputant A to make eye contact with Disputant B in a way that is comfortable for Disputant B.)
4. Expressing a desire to see both parties get as much of what they want as possible from mediation (Example: "I'd like to see both of us walk out of here happy.")
5. Acknowledging responsibility for part of the problem whenever possible (Example: "You know, I hadn't seen it before, but I think I did make some mistakes in the way I approached you.")
6. Acknowledging the other party's perceptions whenever possible (Example: "I haven't considered this matter from that perspective before, but I think I can see how it looked that way to you.")
7. Identifying areas of agreement with the other party whenever possible - especially if he/she does not recognize that such areas of agreement exist (Example: "You know, Conrad, I agree with you that we ought to make time management more of a priority for our office in the future.")
8. Allowing the other party to "let off steam" (Note: This requires extreme self-control, but if the other party has not expressed him/herself previously, this can be extremely valuable.)
9. Avoiding assumptions (Example: "Could you help me understand why having these specific days off is so important to you?")
10. Indicating that the other party "has a good point" when he/she makes a point you believe has merit (Example: "You're absolutely right about x.")