

Alternative Dispute Resolution: Results of an HRD Manager's Abdication of Her Training Responsibility

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The Context

This organization was considered a *Fortune* 500 company in terms of productivity and return on investment. It was also experiencing tumultuous times, as rumors were spreading about a takeover by a company known for downsizing. Employees were increasingly rejecting the corporate culture of hard work and team spirit.

Human Resource Development (HRD) implemented and evaluated an alternative dispute resolution (ADR) program as a tool for employees to solve conflicts per corporate rules and legal compliance. The need to limit costs and implement a "quick fix" resulted in the hiring of a nonspecialist in dispute resolution to conduct the training.

ADR training was chosen because it teaches a chain of command outside of the formal grievance process. ADR training involves mediators not only to resolve disputes, but also to encourage compromise and foster increased levels of communication. Management hoped that this type of third-party involvement would give perspective to conflict situations and aid in their amicable resolution.

The HRD manager decided not to return after completing her maternity leave, and therefore the HRD instructional designer was promoted to the manager position. She was unsure about asking for help, and management had yet to give her additional training in Human Resources (HR) procedures. Therefore, she hired a friend who was a training consultant promoting the latest HR fad, with limited knowledge of the organizational implications of the training or of the corporate culture. The HRD manager never questioned the consultant's credentials in dispute resolution or knowledge of applicable laws.

Training design included (a) training of entire departments concurrently enabled current workplace issues to be addressed, (b) role playing and break-out sessions allowed interdepartmental issues to be dealt with, and (c) train-

ing sessions were 3 days in length, followed by a visit from the HRD manager to evaluate the program's success. The HRD manager did not participate in the development or implementation of the training, due to her high level of trust in the consultant.

The Ethical Dilemma

The consultant was given autonomy to develop and conduct the training program, but gave little thought to content and haphazardly threw together a program. As a result, during the first few weeks of training, several departments were given false, misleading information that violated policy. Throughout the training, the consultant instructed employees that it was acceptable and even necessary to make physical contact with one another when attempting to solve an interpersonal problem. The consultant stated that physical contact fostered an intimate relationship that would aid in the dissolution of problems and enhance trust. At no time during the training sessions was the inappropriateness of certain types of touching or the issue of sexual harassment discussed. The employees believed that this training was approved by the HRD manager and hence supported the organization's policies. Therefore, when the consultant informed the trainees of these "acceptable" practices, they were viewed as reliable and as authorizing employee behavior. In fact, this information was antithetical to organizational policy and appeared to be in violation of sexual harassment law.

After the ADR training, employee relations became even further strained, and reported incidences of sexual harassment skyrocketed. The HRD manager was unconcerned at first, because she believed that the employees were not properly integrating principles learned in the training session and just needed additional time. The consultant continued to misinform employees until members of middle management attended a training session and noted numerous inappropriate behaviors and a blatant disregard for company policy.

When the middle managers talked with the HRD manager about the consultant's performance, they were surprised that the manager had not seen the materials or attended any of the training sessions. Middle management then took the training packet and class notes to senior management to discuss the lack of adherence to company policy, law, and established ethical standards such as the *AHRD Standards*.

Focus Questions

Consider the following questions before determining what you might do in a similar situation:

1. Why should the credentials and experience of an industry consultant be evaluated?

2. What protocols can be put in place to ensure high quality service when depending on the expertise of an industry consultant?
3. What should friends do to mitigate problems in a business setting to ensure accurate and reliable information and quality of service?
4. What risks to the organization, HRD, and employees are posed by the hiring of an incompetent industry consultant?

Analysis of the Dilemma

Senior management was legally obligated to discuss with its employees the legal liability issues that surrounded the consultant's actions. The HRD manager admitted that she foolishly trusted her friend in the consulting role. She believed that she had done nothing wrong, because she did not receive proper training in company policy and procedures. The HRD manager was trying to implement a high profile program without adequate knowledge, hoping to win the trust of management in her wish to fulfill this new role.

As a result of this flawed training, trust and boundaries of behavior had to be reestablished across all levels of the organization. Management fired the consultant immediately and hired a specially trained ADR professional to retrain and reeducate the employees. In addition, an exercise was conducted with an employee from each department to ensure that adequate communication and problem-solving skills were transferred to the job. This training was shared with employees across the organization.

The AHRD Standards on Ethics and Integrity were given to the HRD department, and all members were required to read and pass a test on their content. The *Standards* soon became an integral part of the HRD department's culture and shaped practices throughout the organization.

Applicable Standards

This case demonstrates a violation of the following teaching and facilitating standards.

Descriptions of programs. The ADR training was sold under the guise of conforming not only to law, but also to accepted techniques of conflict management within industry.

Accuracy, objectivity, and professionalism in programs. First, the HRD manager used bad judgment in hiring her friend to perform the training. Furthermore, she did not assess the program's content and so put the organization at risk. The consultant taught inappropriate behavior that ran counter to the organization's policy. Moreover, the consultant's disregard of legalities and lack of knowledge exacerbated already strained internal organizational relationships.

Assessment of performance. The HRD manager was responsible for information presented to employees through training. However, because she trusted the consultant, she neglected to oversee and assess training performance.