

Getting Disputes Resolved

Designing Systems to
Cut the Costs of Conflict



Jossey-Bass Publishers
San Francisco

Contents

Preface	xi
Acknowledgments	xix
The Authors	xxiii
Part One: Understanding and Designing Dispute Resolution Systems	1
1. Three Approaches to Resolving Disputes: Interests, Rights, and Power	3
2. Diagnosing the Existing Dispute Resolution System	20
3. Designing an Effective Dispute Resolution System	41
4. Making the System Work: Involving the Disputing Parties	65

Part Two: Building Dispute Systems: Cases from the Coal Industry	85
5. Diagnosing an Industry's Problems: Wildcat Strikes in the Coal Mines	87
6. Designing a Low-Cost Dispute System: Intervention at a Strike-Ridden Coal Mine	101
7. Cutting Dispute Costs for an Industry: The Grievance Mediation Program	134
8. Conclusion: The Promise of Dispute Systems Design	169
Appendix: Model Rules for Grievance Mediation in the Coal Industry (1980)	175
Notes	177
Index	197