

Course 102 Powers and Responsibilities of Local Officials and Conflict Resolution

Description

This course will present the powers and duties of elected and appointed officials of municipalities, parish governments, and special districts. In addition, participants will have the opportunity to explore how to resolve conflict between government officials and build better teams through effective communication.

Objectives

After this class participants will be able to:

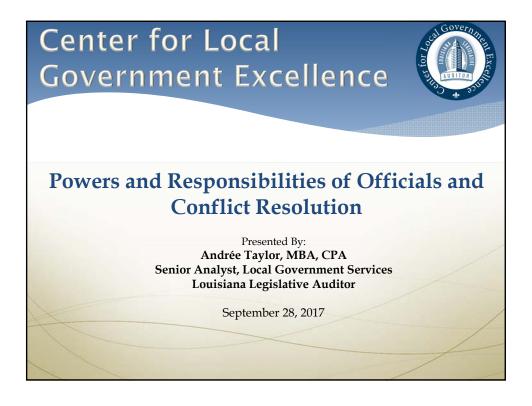
- Describe the role of elected officials in their governmental entity
- Explore how to resolve conflicts
- Participants will gain appreciation for others in their governments
- Participants will discover four methods to resolve conflict

Who Will Benefit

- Elected Officials/Appointed Officials
- Local Government Employees
- Local Government Auditors

About the Instructor

Andrée Carrier Taylor has been with the Louisiana Legislative Auditor since 2014 working in the area of Local Government Services developing and creating the Center for Local Government Excellence's Training Initiative. Prior to working with LLA's Center for Local Government Excellence, Andrée was a Small Business Management Consultant and an Instructor in the Department of Management at Southeastern Louisiana University. Andrée taught courses in Strategic Management, Diversity, Small Business Management, Entrepreneurship and Human Resources. During the first part of her career, Andrée taught Accounting at Nicholls State University and then spent 14 years in medical and pharmaceutical sales. Andrée has a Master's in Business Administration with a concentration in Accounting and is a Certified Public Accountant.





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Powers and Duties

- COLI GOVERNING IN EXCENTION OF THE PARTY OF
- * Executive Branch---responsible for the daily administration of the government and enforcement of the law
- * Legislative Branch---makes the laws
- * <u>Judicial Branch---interprets</u> and applies the constitution and laws of the state

In Louisiana, the units of local government are parishes, municipalities, and special districts.

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Municipalities - Forms of Government



MUNICIPALITIES

- Mayor-Board of Aldermen (Lawrason Act)---- 245 of 303 municipalities
- * Legislative or Special Charter---24 of 303
- * Home Rule Charter---34 of 303

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Limits on Municipal Power



- May not define or provide for punishment of a felony
- Except as authorized by law, may not enact an ordinance governing private or civil relationships
- May not abridge the police power of the state

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Legislative Charters



- No local or special law shall create a municipal corporation or amend, modify, or repeal a municipal charter
- However, a special legislative charter existing on January 1, 1974 may be amended, modified, or repealed by local or special law

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Legislative Charters



- Municipal government established and maintained by act of legislature
- * If conflict exists between legislative charter and Lawrason Act, the charter prevails
- If legislative charter is silent on the matter,
 the Lawrason Act governs

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* City (5,000 population or greater) * Town (more than 1,000 but less than 5,000 population) * Villages (1,000 or less population)



Municipalities-Lawrason Act



R.S. 33:321-463, was totally revised in 1986, with another significant revision in 1997. Under the Lawrason Act, the municipality is governed by a mayor-board of aldermen form of government with the <u>legislative powers</u> vested in the board of aldermen and the mayor acting as the <u>chief</u> executive officer of the municipality [R.S. 33:362].

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Lawrason Act Municipality Power/Limits

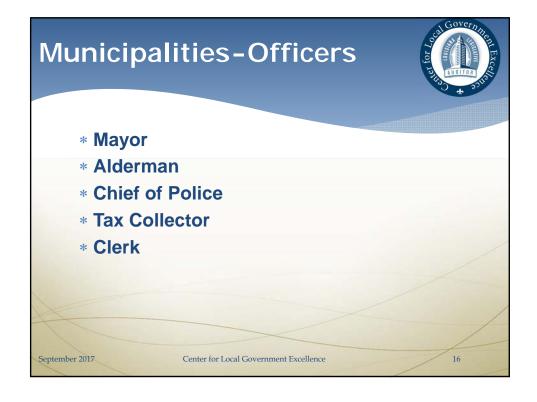


* May exercise any power and perform any function necessary, requisite, or proper for the management of its affairs not denied by law.

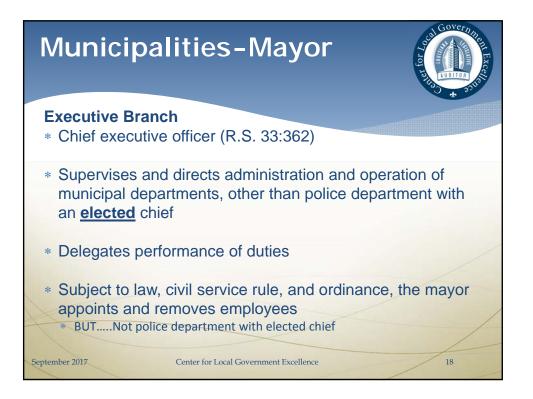
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Mayor: Executive Authority



- * Suggests appointment of officers
- * Signs all municipal contracts
- Prepares and submits annual operations and capital improvement budget
- * Represents the municipality
- * Signs warrants drawn on municipal treasury

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Mayor: Executive Authority



- * Presides at municipal meetings
- * Serves in mayor's court
- * Keeps mayor's court docket
- * Provides for annual financial statement
- Has any other power or duty necessary or proper for administration of municipality not denied by law

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Municipalities-Aldermen



Legislative Branch

- * Pass laws (ordinances)
- Sets the salaries of the mayor, aldermen, clerk, chief of police and other municipal officers
- * Approve budget (operations and capital improvements)

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Municipalities-Aldermen



Legislative Branch

- * Appoint municipal officers
- * Assists mayor in keeping mayor's court docket
- * Approve contracts (through budgetary appropriation)
- * Provide for annual financial statement

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* Elected chief may immediately effect discipline and dismiss personnel pending board approval at next special or regular meeting. * Elected chief may provisionally fill a vacancy with the mayor's approval, pending

board approval; remains in effect unless

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board rejects.

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* Keeps ordinance book

* Publishes ordinances

* Keeps minutes

* Clerk is auditor

* Keeps accounting records

* Collects all cash

Parish Governments



Generally, a police jury may exercise only those powers authorized by the constitution or by law (Const. Art. VI, §7).

However, the constitution authorizes a police jury to exercise any power and perform any function necessary, requisite, or proper for management of its affairs, not denied by general law, if the exercise of this broad authority is approved by the electors of the parish.

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Parish Governments-duties



The Police Jury or Parish Government may:

- * make regulations for its own government;
- * make and repair roads, bridges, and levees;
- maintain banks of rivers and natural drains, drainage ditches, and canals;

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Parish Governments-duties



The Police Jury or Parish Government may:

- * levy taxes for parish expenses;
- * establish ferries and toll bridges;
- * provide support for the poor and those in necessitous circumstances (R.S. 33:1236).

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Parish Governments-duties



The parish government or police jury may:

- enact ordinances and provide for their enforcement by imposing fines or imprisonment.
 Such ordinances may be prosecuted by criminal process of indictment or information.
- provide for enforcement of ordinances by fine or forfeiture to be collected by civil process before any court of competent jurisdiction (R.S. 33:1242)

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Special Districts



The difference between a special district and a city or parish is that the special district is created to perform one major function. Examples are:

- Water district
- Sewerage district
- Drainage district
- Library district

Created by constitution/legislation or by parishes or municipalities

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Checklist for Newly Elected Officials



Please turn to the Checklist for Newly Elected Officials

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Checklist for Newly Elected Officials

The change of administration from an outgoing elected official to a newly elected official should be a smooth transition with both parties cooperating for the benefit of the taxpayers that they represent. However, many times the outgoing official is not cooperative and the transition does not go smoothly. Regardless of the type of transition, the following are suggestions that the newly elected official should consider for the transition:

- As soon as the newly elected official's term starts, he should arrive at the agency's business office with his financial advisor.¹
- Capital assets, such as equipment, vehicles, and computers should be inventoried and compared to the agency's inventory listing for missing items. Report all missing assets to law enforcement officials and to the legislative auditor's office.
- Account for all cell phones and pagers.
- Account for all credit cards.
- Count petty cash funds and ensure that funds disbursed are supported by appropriate documentation.
- Checks
 - Account for the last check numbers written by the previous administration with the supply of blank checks.
 - o Change authorized bank signatures to the new officials that will be signing checks.
- Review board minutes to determine that they are complete and up-to-date.
- Review the ordinance book to determine if it is complete and up-to-date.
- Make a general review of the financial records to determine if records are complete and up-to-date. The following records should be available:
 - o Adopted budget and all amendments, if any
 - o Detailed general ledger
 - o Monthly financial statements
 - o Cash receipts/cash disbursements journals
 - o Paid and unpaid vendor invoices (obtain an accounts payable listing and balance with the unpaid vendor invoices) [Although all unpaid bills are important, specifically determine that payments for hospitalization and retirement liabilities are current.]
 - Purchase orders
 - Bank account statements with related cancelled checks and deposit slips
 - o Bank reconciliations

¹ The financial advisor could be the official's accountant or an employee of the agency. The main purpose of the financial advisor is to be a witness and to document the results of the inspection of the financial records.



- o Payroll files:
 - Payroll registers
 - Authorized pay rates
 - Individual earnings records
 - Time and attendance records
 - Personnel files
 - Records to account for vacation and sick leave earned and taken by employees
 - Current payroll tax reporting forms (IRS Forms 941and W-2, LA withholding, etc.) [The Internal Revenue Service and LA Department of Revenue should be contacted to ensure that payroll tax reporting forms and payments are current.]
- o Utility system files (water, sewer, gas, and electricity):
 - Determine if current utility bills were prepared and mailed to customers
 - Billing records (billing registers, utility billings, meter readings)
 - Detailed customer accounts receivable listing along with an aging of the customer balances
 - Detailed customer meter deposit listing
 - Agency's cut-off policy
 - Count cash drawers and account for receipts and customer payments and determine if daily bank deposits were being made
- o Traffic ticket files:
 - Supply of traffic/misdemeanor ticket books adequately safeguarded
 - Records maintained that account for citations issued and the final disposition of the citations
 - Account for the last traffic/misdemeanor citation written with the supply of ticket books
- Determine that long-term debt payments are up-to-date (verify with the financial institution) and that bond reserve and contingency payments are being made.
- Insurance policies should be secured--determine if insurance is in force for general liability, fire and extended coverage, and vehicles.
- Access to computer files should be terminated for all former employees/elected officials.
- Computer files should be backed up daily and these back-up files should be stored offsite.
- Consider whether locks to doors and keys to mailboxes should be changed.

<u>We suggest that our *Checklist of Best Practices in Government*</u> be used to guide you in making a self-assessment to identify internal control weaknesses, noncompliance with state laws, and poor business practices.

Louisiana Revised Statute 24:523 requires public and elected officials to report misappropriations of public funds or assets to the legislative auditor and to the local district attorney.

Source: Should you have any questions regarding the transition of a newly elected official, please contact Local Government/Advisory Services, Legislative Auditor's Office, (225) 339-3800.



Communication & Leadership in Local Government

- * What, in your opinion, constitutes a great workplace?
- * In other words, if you could create your ideal work environment, what would that be for you as an employee and for you as a manager?

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Communication & Leadership in Local Government

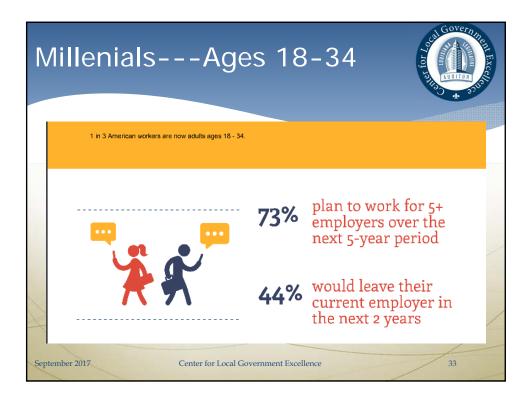
A great place to work is one in which you trust the people you work for, have pride in what you do, and enjoy the people you work with." — Robert Levering, Co-Founder, Great Place to Work®

Question: How many of you would classify your workplace as a "Great Place to Work"?

http://www.greatplacetowork.com/ourapproach/what-is-a-great-workplace

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Dimension How it plays out in the workplace



Credibility

- Communications are open and accessible
- Competence in coordinating human and material resources
- Integrity in carrying out vision with consistency



Respect

- Supporting professional development and showing appreciation
- Collaboration with employees on relevant decisions
- Caring for employees as individuals with personal lives



Fairness

- Equity balanced treatment for all in terms of rewards
- Impartiality absence of favoritism in hiring and promotions
- Justice lack of discrimination and process for appeals



Pride

- In personal job, individual contributions
- In work produced by one's team or work group
- In the organization's products and standing in the community



Camaraderie

- Ability to be oneself
- Socially friendly and welcoming atmosphere
- · Sense of "family" or "team"

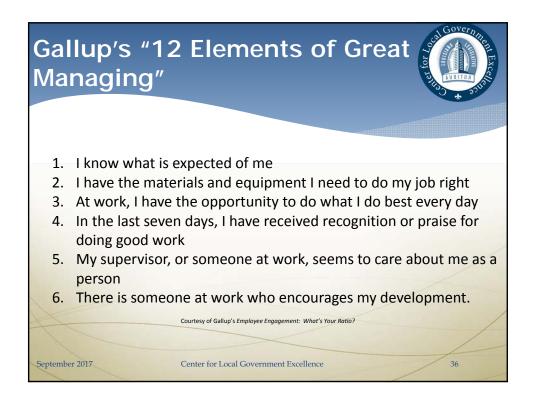


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Gallup's "12 Elements of Great Managing"



- 7. At work, my opinions seem to count
- 8. The mission or purpose of my organization makes me feel my job is important
- 9. My associates or fellow employees are committed to doing quality work
- 10. I have a best friend at work
- 11. In the last six months, someone at work has talked to me about my progress
- 12. This last year, I have had opportunities at work to learn and grow.

Courtesy of Gallup's Employee Engagement: What's Your Ratio?

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So what happens when we don't have:



- *Trust
- *Communication
- *Great Leadership

....then we often see conflict arise and a need to resolve that conflict in order to remain effective in our organizations

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Understanding Conflict



- * Conflicts continue to fester when ignored.
- * We respond to conflicts based on our perceptions of the situation, NOT necessarily to an objective view of the facts.
- * Conflicts trigger strong emotions.
- * Just remember that as painful or uncomfortable as conflicts may be, they can be an opportunity for growth!

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Conflict Resolution-Perceiving Conflict



How do you perceive or view conflict?

- * Do you fear conflict?
- * Do you avoid conflict at all costs?
- * Do you view conflict as dangerous?

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* Conflict triggers strong emotions * There are consequences when handled in an unhealthy manner * There are benefits of resolving conflict in a healthy way September 2017 Center for Local Government Excellence 43



Successful Conflict Resolution



We need to learn and to PRACTICE two core skills:

- 1. The ability to QUICKLY reduce stress in the moment, and
- 2. The ability to remain comfortable enough with our emotions to react in constructive ways even in the midst of an argument or a perceived attack---this is what's called "EMOTIONAL AWARENESS"!

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First Core Conflict Resolution Skill—Quick Stress Relief



THREE MOST COMMON WAYS PEOPLE RESPOND TO STRESS:

- "Foot on the gas"
- "Foot on the brake"
- "Foot on both gas and brake"

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Second Core Conflict Resolution Skill—Emotional Awareness

Emotional awareness---

the consciousness of our *moment-to-moment* emotional experience---is the key to understanding ourselves and others

We need to know how we feel and why we feel that way to be able to communicate effectively or to resolve disagreements

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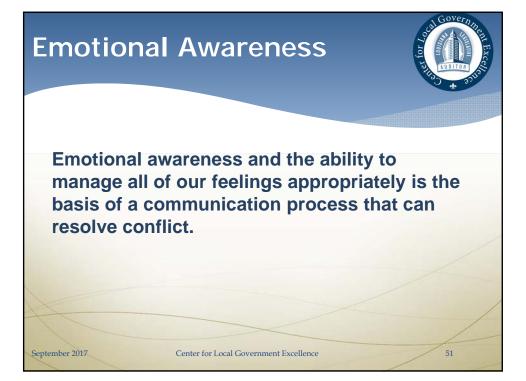
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Second Core Conflict Resolution Skill—Emotional Awareness

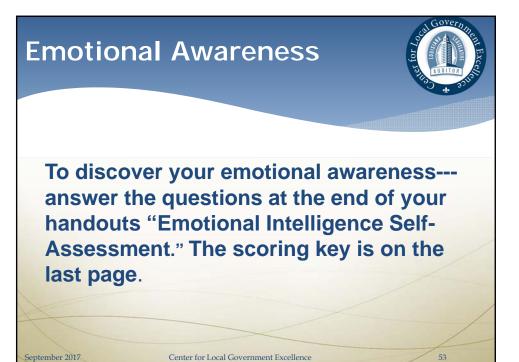
- Oftentimes we ignore or try to sedate strong emotions like anger, sadness, and fear
- Our ability to handle conflict depends on us being connected to and "feeling" or "experiencing" these feelings

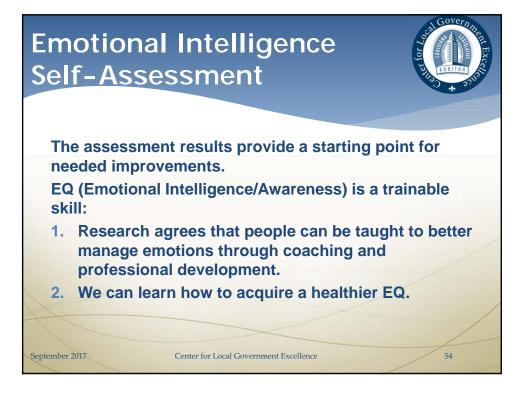
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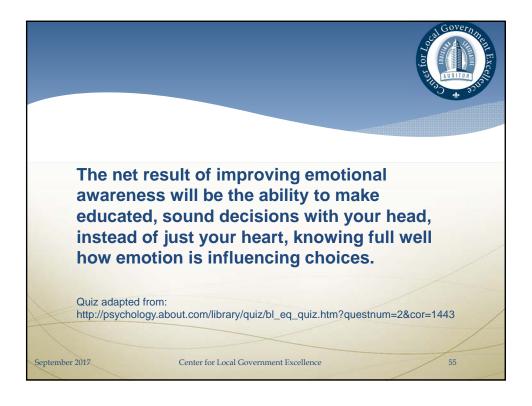
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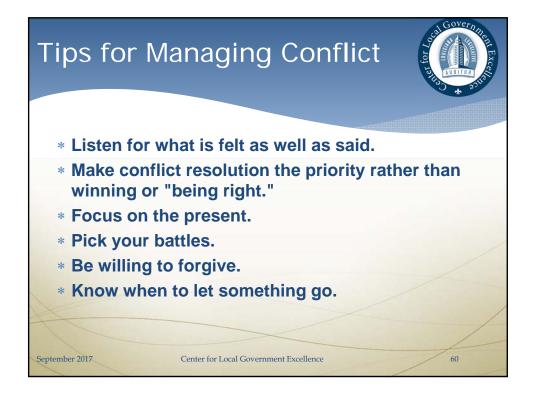




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* Humor and play can be used to reduce tension and anger, reframe problems, and put the situation into perspective * When this is done, the conflict can actually become an opportunity for greater connection and intimacy

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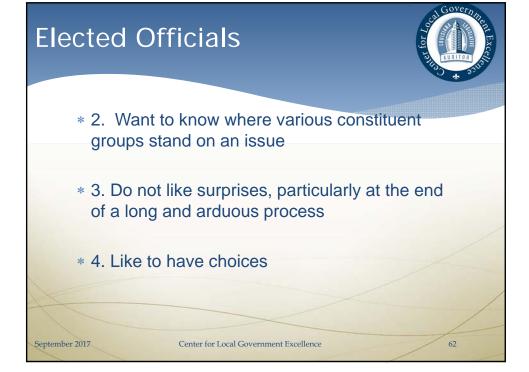


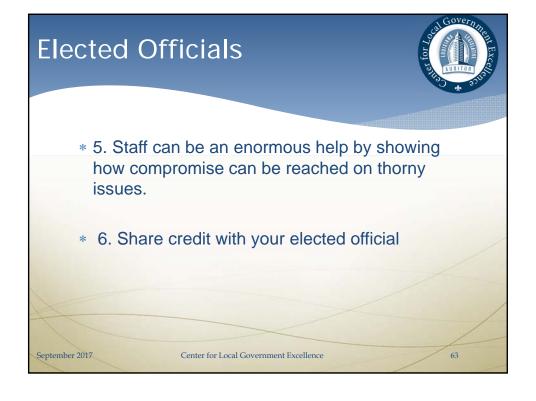
Helpful Tips---What Staffs Need to Know about Elected Officials Elected officials: * 1. Have different needs than staff. * To be effective, they must be responsive to the needs of their constituents

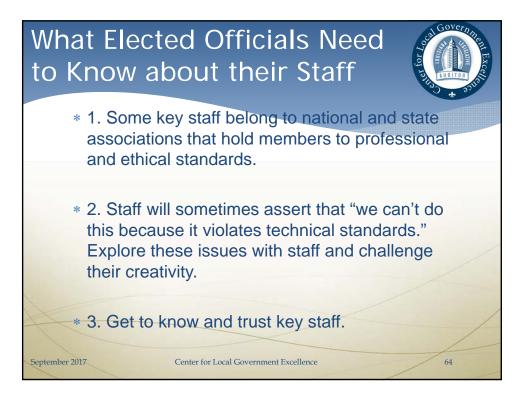
 Concerns for "fairness" and "minority views" may outweigh issues of effectiveness or efficiency.

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What Elected Officials Need to Know * 4. Treat each other respectfully! * 5. Avoid public criticism of each other; it only makes for "martyrs." * 6. Show appreciation for good work! * 7. Share credit.



What is your Emotional Intelligence (EQ)?

Emotional Intelligence Self-Assessment

	1.	In my group of friends, I am generally aware of how each person feels about the other people in our social circle.
\bigcirc	Strongly	Agree
\bigcirc	Agree	
\bigcirc	Disagree	
\bigcirc	Strongly	Disagree
	2.	When I am upset, I can usually pinpoint exactly why I am distressed.
\bigcirc	Strongly	Agree
\bigcirc	Agree	
\bigcirc	Disagree	
\bigcirc	Strongly	Disagree
	3.	While there are some things that I would like to change, I generally like who I am.
\bigcirc	Strongly	Agree
\bigcirc	Agree	
\bigcirc	Disagree	
\bigcirc	Strongly	Disagree
	4.	When I make mistakes, I often berate and criticize myself and my abilities.
\bigcirc	Often	
\bigcirc	Sometim	nes
\bigcirc	Rarely	
\bigcirc	Almost 1	Never
	5.	I feel uncomfortable in emotionally charged situations.
\bigcirc	Agree	
\bigcirc	Agree	
\bigcirc	Disagree	
\bigcirc	Strongly	Disagree

	6.	I tend to avoid confrontations. When I am involved in a confrontation, I become extremely anxious.			
000	Strongly	Agree			
	Agree				
	Disagree				
Ŏ	Strongly	Disagree			
	7.	I am generally aloof and detached until I really get to know a person.			
000	Strongly	Agree			
	Agree				
	Disagree				
0	Strongly	Disagree			
0	8.	I tend to overreact to minor problems.			
\bigcirc	Often				
0	Sometimes				
0	Rarely				
\circ	Almost N	Never			
	9.	I feel confident about my own skills, talents, and abilities.			
0	Strongly	Agree			
0	Agree				
0	Disagree				
0	Strongly	Disagree			
	10	. I would describe myself as a good judge of character.			
0	Strongly	Agree			
Ŏ	Agree				
0	Disagree				
0	Strongly	Disagree			
	11	. During a heated argument, I am more likely to:			
\bigcirc	Stop the	fight and agree to a short break before resuming the discussion.			
0	Shut down and stop responding to the other person.				
0	Give in a	and apologize in order to quickly end the argument.			
	Start insulting the other person.				

	12. When making an important decision, I tend to:			
0	Follow my instincts			
0	Rely on direction from other people			
O	Go with the easiest option			
O	Guess randomly			
	13. Which of the following statements best describes you?			
0	I have an easy time making friends and getting to know new people.			
0	I get along well with others, but I have to really get to know someone before they become a true friend			
0	I find it difficult to meet people and make friends.			
0	I cannot make friends. 14. One of your co-workers has a habit that annoys you. The problem seems to be getting worse each day. How do you respond?			
0	Tell your co-worker what is bothering you.			
0	Make a complaint about the behavior to your supervisor.			
0	Talk about your coworker beind his back.			
0	Suffer in silence.			
	15. You've been feeling stressed out at work and haven't finished projects as quickly as you should. When your boss suddenly assigns you another large project, how to you feel?			
00	Anxious about getting all the work done.			
	Overwhelmed by the task before you.			
0	Angry that your boss hasn't noticed how overworked you are.			
Ŏ	Depressed and sure that you can never finish it all.			

Quiz adapted from: http://psychology.about.com/library/quiz/bl eq quiz.htm?questnum=2&cor=1443

Hot Buttons

Everyone has certain situations, events, words, or phrases that may set off a negative emotional reaction.

What are your triggers or hot buttons? It makes me angry when... I don't like it when people... I feel offended when... I think it's rude to... At work, I wish people would... At work, I think it would be a better place if people would stop...

EMOTIONAL INTELLIGENCE SELF-ASSESSMENT SCORE BREAKDOWN

circle.	group or menus, ram gen	erally aware of now each	person leers about the of	ner people in our social
	4 - Strongly Agree	3 – Agree	2 – Disagree	1 - Strongly Disagree
2. When	I am upset, I can usually p	inpoint exactly why I am	distressed.	
	4 - Strongly Agree	3 – Agree	2 – Disagree	1 - Strongly Disagree
3. While	there are some things that	I would like to change, I	generally like who I am.	
	4 - Strongly Agree	3 – Agree	2 – Disagree	1 - Strongly Disagree
4. When	I make mistakes, I often be	erate and criticize myself	and my abilities.	
	1 – Often	2 - Sometimes	3 - Rarely	4 - Almost Never
5. I feel u	ncomfortable in emotiona	Illy charged situations.		
	1 - Strongly Agree	2 – Agree	3 – Disagree	4 - Strongly Disagree
6. I tend	to avoid confrontations. W	/hen I am involved in a co	onfrontation. I become ex	tremely anxious.
	1 - Strongly Agree	2 - Agree	3 - Disagree	4 - Strongly Disagree
7. I am ge	enerally aloof and detache	d until I really get to know	w a person.	
	1 - Strongly Agree	2 - Agree	3 – Disagree	4 - Strongly Disagree
8. I tend	to overreact to minor prob	olems.		
	4 - Often	3 – Sometimes	2 - Rarely	1 - Almost Never
9. I feel c	onfident about my own sk	ills, talents, and abilities.		
	4 - Strongly Agree	3 - Agree	2 - Disagree	1 - Strongly Disagree
10. I wou	ıld describe myself as a go	od judge of character.		
	4 - Strongly Agree	3 - Agree	2 - Disagree	1 - Strongly Disagree

- 11. During a heated argument, I am more likely to:
 - 4 Stop the fight and agree to a short break before resuming the discussion.
 - 3 Shut down and stop responding to the other person.
 - 2 Give in and apologize in order to quickly end the argument.
 - 1 Start insulting the other person.
- 12. When making an important decision, I tend to:
 - 4 Follow my instincts.
 - 3 Rely on direction from other people.
 - 2 Go with the easiest option.
 - 1 Guess randomly.
- 13. Which of the following statements best describes you?
 - 4 I have an easy time making friends and getting to know new people.
- 3 I get along well with others, but I have to really get to know someone before they become a true friend.
 - 2 I find it difficult to meet people and make friends.
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- 14. One of your co-workers has a habit that annoys you. The problem seems to be getting worse each day. How do you respond?
 - 4 Tell your co-worker what is bothering you.
 - 3 Make a complaint about the behavior to your supervisor.
 - 2 Talk about your coworker behind his/her back.
 - 1 Suffer in silence.
- 15. You've been feeling stressed out at work and haven't finished projects as quickly as you should. When your boss suddenly assigns you another large project, how do you feel?
 - 4 Anxious about getting all the work done.
 - 3 Overwhelmed by the task before you.
 - 2 Angry that your boss hasn't noticed how overworked you are.
 - 1 Depressed and sure that you can never finish it all.

Scoring:

Mostly 4's = High Score

People who score high on emotional intelligence tend to be skilled at interpreting, understanding, and acting upon emotions. They are adept at dealing with social or emotional conflicts, expressing their feelings, and dealing with emotional situations.

It's important to remember that no matter how good your score is, there is always room to improve your emotional intelligence. Consider areas where you are not as strong and think of ways that you can learn and grow. Take stock of your strong points and find ways to continue to develop and apply these skills.

Mostly 3's = Better than Average Score

People with a better than average score on emotional intelligence tend to be good at interpreting, understanding, and acting upon emotions. They are usually quite good at dealing with social or emotional conflicts, expressing their feelings, and dealing with emotional situations.

Mostly 2's = Average Score

People with an average score on emotional intelligence are generally good at interpreting, understanding, and acting upon emotions. They are fairly comfortable with dealing with social or emotional conflicts, expressing their feelings, and dealing with emotional situations.

Mostly 1's = Low Score

People with a low score on emotional intelligence may have a difficult time interpreting, understanding, and acting on emotions. They often have difficulty expressing their own emotions and feel uncomfortable around the emotional displays of other people. In some cases, those who score low may experience low self-esteem, poor self-confidence, and may have difficulty feeling empathy and showing love for others.

Fair fighting: Ground rules

Remain calm. Try not to overreact to difficult situations. By remaining calm it will be more likely that others will consider your viewpoint.

Express feelings in words, not actions. Telling someone directly and honestly how you feel can be a very powerful form of communication. If you start to feel so angry or upset that you feel you may lose control, take a "time out" and do something to help yourself feel steadier.

Be specific about what is bothering you. Vague complaints are hard to work on.

Deal with only one issue at a time. Don't introduce other topics until each is fully discussed. This avoids the "kitchen sink" effect where people throw in all their complaints while not allowing anything to be resolved.

No "hitting below the belt." Attacking areas of personal sensitivity creates an atmosphere of distrust, anger, and vulnerability.

Avoid accusations. Accusations will cause others to defend themselves. Instead, talk about how someone's actions made you feel

Don't generalize. Avoid words like "never" or "always." Such generalizations are usually inaccurate and will heighten tensions.

Avoid "make believe." Exaggerating or inventing a complaint - or your feelings about it - will prevent the real issues from surfacing. Stick with the facts and your honest feelings.

Don't stockpile. Storing up lots of grievances and hurt feelings over time is counterproductive. It's almost impossible to deal with numerous old problems for which interpretations may differ. Try to deal with problems as they arise.

Avoid clamming up. When one person becomes silent and stops responding to the other, frustration and anger can result. Positive results can only be attained with two-way communication.

Source: The Counseling & Mental Health Center at The University of Texas at Austin

Managing and resolving conflict by learning how to listen

When people are upset, the words they use rarely convey the issues and needs at the heart of the problem. When we listen for what is felt as well as said, we connect more deeply to our own needs and emotions, and to those of other people. Listening in this way also strengthens us, informs us, and makes it easier for others to hear us.

Tips for being a better listener:

- · Listen to the reasons the other person gives for being upset.
- · Make sure you understand what the other person is telling you—from his or her point of view.
- · Repeat the other person's words, and ask if you have understood correctly.
- · Ask if anything remains unspoken, giving the person time to think before answering.
- · Resist the temptation to interject your own point of view until the other person has said everything he or she wants to say and feels that you have listened to and understood his or her message.

When listening to the other person's point of view, the following responses are often helpful:

Encourage the other person to share his or her issues as fully as possible.

- · "I want to understand what has upset you."
- · "I want to know what you are really hoping for."

Clarify the real issues, rather than making assumptions. Ask questions that allow you to gain this information, and which let the other person know you are trying to understand.

- · "Can you say more about that?"
- · "Is that the way it usually happens?"

Restate what you have heard, so you are both able to see what has been understood so far - it may be that the other person will then realize that additional information is needed.

· "It sounds like you weren't expecting that to happen."

Reflect feelings - be as clear as possible.

· "I can imagine how upsetting that must have been."

Validate the concerns of the other person, even if a solution is elusive at this time. Expressing appreciation can be a very powerful message if it is conveyed with integrity and respect.

 \cdot "I really appreciate that we are talking about this issue."

 \cdot "I am glad we are trying to figure this out."

Source: University of Wisconsin, Madison