



Session 107 Dispute Resolution

IBEX 2003

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Greg Davis, Davis & Company, Ltd.



The customer is always...

- **A boat owner**

- Survey customer problems
 - timing – Tortoise or Hare
 - reasonable?
 - unreasonable?
 - both?
 - expectations
 - reasonable and unreasonable
 - examples
 - » reasonable
 - » unreasonable

- **A boat owner**

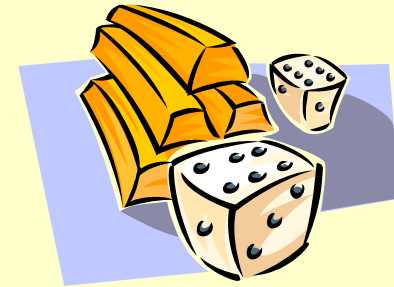
- Marina customer problems
 - timing – Tortoise or Hare
 - reasonable?
 - unreasonable?
 - both?
 - expectations
 - reasonable and unreasonable
 - examples
 - » reasonable
 - » unreasonable

Dispute problems

- Survey Customer
 - Report numerous deficiencies
 - I can't get XXX with your report
 - Boat not what I expected!
- Marina Customer
 - Report numerous deficiencies
 - I can't get XXX with your boat
 - Boat not what I expected!

Traditional resolution a “roll of the dice”

- Attorneys – “Landlubbers one and all”
- Experts – “Crackerjack surprise”
- Discovery – “How many decimal points?”
- Judges and Juries – “ The technical learning curve, it’s an ‘S’ “
- The outcome?
 - At best 50/50
 - The known – a lost customer, plus ‘dirt’



Caveat

- Your reputation cannot be bought, it can only be thrown away!
- Your disgruntled customer may disparage you, but remember: “It is difficult to sling mud without getting any on oneself.”
- What is my goal? Keep the focus on solving the problem.

Solutions – front end

- Defined relationships:
 - Customer ‘training’
 - Identify the expectations
 - Staff ‘training’
 - Communicate the customer expectations
 - Establish policies to meet these expectations
 - Define services (expectations) you offer
 - Warranty – Service
 - Defines dispute resolution process

Solutions – in the middle

- Complaint handling procedure-define
 - Who, What, When, Where and How
 - Who will take charge of? Report to?
 - What is the problem/complaint? Get it in writing!!
 - When is that person notified? (24 hrs)
 - Where is problem/complaint?
 - How will it be resolved (expectations)?

Solutions – back end

- Problem solving 101
 - Your staff needs to ask “How did this fail?”
 - Your staff needs to ask “Will this fix the problem?”
 - Your staff needs to ask “Is the problem solved? If not then follow the complaint handling procedure.
 - Your staff needs to take ownership of the complaint/problem.

Solutions – back end

- Problem solving 101
 - Seeing the forest for the trees
 - Now's the time to call the independent surveyor
 - Assuage the alienated customer by involving them in the decision making process
 - Ensure the customer is there for this inspection and is invited to point out the problem/s
 - Allow for testing (caution) to determine extent, nature of problem

Solutions – back end

- Seeing the forest for the trees
 - Review result (report) with customer
 - Ensure report is formatted for this purpose – objective, not subjective
 - Did I reach my goal?
 - Problem solved – Congratulations!!
 - Problem not solved – dispute resolution

Solutions – dispute resolution

- The ‘better’ resolution
 - Marine knowledge, experience
 - No ‘S’ curves
 - Cost effective in relationship to other legal avenues
 - Faster turn around to a resolution
 - Better likelihood of satisfaction in result

