

# adjust

reducing harm, resolving conflict, restoring communities

## WORKPLACE MEDIATION

With people spending an average of 57% of their waking lives at work, some degree of conflict is inevitable. Relationships can be pushed to the limit when personalities clash and people with different expectations fall out, sometimes over seemingly minor incidents. Research shows that investing in good communications, respectful relations and healthy systems of work tend to achieve a content and productive workforce.

Managing these working relationships can be one of the most challenging and time consuming aspects of any manager's role. Failing to respond quickly and positively can often cause problems to escalate. However, taking a more formal route is often costly and can lead to people becoming more entrenched in their conflict.

Mediation offers a quick and cost effective solution and can pre-empt more formal action and allows relationships to be repaired and enhanced. It has therefore become *the* preferred process for addressing conflict in successful organisations.

Mediation is a voluntary process of conflict prevention and resolution that allows the parties in a dispute the opportunity to address and resolve their issues in a confidential and safe environment. The mediation process is very flexible and can be adjusted to meet the needs of the employer and the individuals concerned.

Taking part in mediation is a very low risk option as it does not prevent other more formal actions at a later date should this be required and as it is voluntary, either party is free to leave or withdraw at any time.

### Suitable for:

- **personality clashes**
- **communication problems**
- **difficulties arising out of reorganisation or redeployment**
- **issues of management style**
- **allegations of unfair treatment, harassment, bullying and discrimination**
- **dignity at work claims**
- **returning to work**

### Some advantages of mediation:

- **costs are kept to a minimum**
- **the delays and distraction of more lengthy formal action are avoided**
- **working relationships are preserved and often improved**
- **policies and practices can be revised to avoid recurrence of disputes**
- **new training needs may be identified and staff capabilities enhanced**
- **by offering mediation, the employer is demonstrating the importance of good communications and respectful relations**
- **without prejudice—if mediation is not successful, the option to pursue formal action remains**

Meetings can take place at the normal place of work or an agreed neutral venue. A certified mediator trained in conflict resolution skills and techniques, will meet individuals separately and privately before coming together to negotiate an agreement. If preferred, the mediator can “shuttle” between the parties to begin with to help narrow the distance between them or seek offers or concessions before a joint session can take place.

Once everyone is willing and able, a face to face meeting will be arranged. The aim of this joint meeting is to provide a safe environment for both parties to discuss their issues and concerns. The mediator will control the process to ensure that both parties are treated fairly and will use their skills to help consider what needs to be done in order to build agreement and create a better working relationship for the future. This meeting might last between ½ a day and a day.

Where the parties have been able to reach an agreement, this will be drawn up by the mediator. This agreement does not give details of what has been said during the mediation unless both parties wish to have this information included. The agreement contains a summary of what the parties have agreed needs to happen in order to improve their future working relationship. The mediator will only notify the employer as to whether an agreement was, or was not, reached. The parties involved may decide to communicate some, all, or none of the contents of the agreement to the employer.

The process of mediation is entirely confidential both within the mediation itself and in future proceedings, if any. No notes or records of the mediation will be kept. The mediator can only divulge information with permission or if the law requires them to do so.

### **Enquiry and referral process:**

- **Call us during working hours to obtain a free and no obligation assessment of whether mediation is likely to be suitable**
- **We will provide you with a fixed price quote for the mediation**
- **Once you decide to engage our services we will make arrangements for a Certified Mediator to meet with the parties involved at a time and location convenient for them**
- **Most mediations will be completed within a day. However, sometimes, it will be necessary to arrange a second or even third meeting depending on the complexity of issues involved**
- **The mediator will follow up at around 6 weeks after completion to check on progress and see if the agreement is working effectively**

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