

## What Is Mediation And How Does It Fit Into The Workplace?

by Tim Hicks



Put two people together in the workplace (or anywhere else!) and there will be conflicts. So it goes with people! In most circumstances, employees are able to resolve the disputes that arise between them. But there are conflicts that, for one reason or another, are difficult for those involved to resolve on their own. What can be done for those situations?

Conflicts that are left unresolved or poorly resolved have a negative effect on productivity and morale. Every business needs a clearly defined conflict management system and an essential component of any conflict management system is a mediation option. It is the option that comes after trying to resolve the problem directly with the other person and that precedes filing an EEO complaint or initiating a lawsuit. It is an alternative to giving up or ignoring the problem.

Mediation provides a structured setting in which the parties meet with a neutral "third party" to accomplish what they have been unable to accomplish on their own: hear and understand each other; become clearer on what their interests and goals are; problem solve and build agreements.

There are multiple benefits that result from providing mediation as an option for resolving disputes in the workplace:

- Specific disputes can be resolved with the resulting benefits to the parties involved and to their co-workers, team, and the organization as a whole.
- With the mediation option available, staff will be less likely to leave conflicts unresolved or avoid them.
- Productivity and morale are enhanced by the resolution of specific disputes and by the knowledge and confidence that there is a way to resolve disputes when they arise.
- Parties in mediation learn more effective communication and problem solving skills that they can bring back to the workplace.
- With the introduction of mediation into the corporate conflict management system, EEO complaints and lawsuits are significantly reduced. For example:
- NCR has reported that using alternative dispute resolution approaches between 1984 and 1993 has resulted in a 50% reduction in outside litigation expenses. (Controlling the Costs of Conflict by Slaikeu and Hasson)
- Motorola research has demonstrated a 75% savings in employment related litigation costs after the integration of a mediation option in a dispute management system.
- The United States Air Force has estimated that they have saved 50% per claim in 100 EEO complaints by using mediation. (Controlling the Costs of Conflict by Slaikeu and

Hasson)

Mediation has a high success rate, often reported to be in the 70% range or better. Even when the parties are unable to reach full agreement, usually the process results in some improvement of the situation and the relationship. But staff can be resistant to using mediation even when it is available. They may see it as a sign of failure ("I should be able to settle this thing myself.") or cause for embarrassment ("What will others think?") If mediation is to be useful for and used by staff, they need to understand what it is, how it works, and how to access it. They need to develop some level of confidence in the option and in the mediator. Mediation and the larger corporate dispute management system must be documented in employee handbooks and policy manuals. Additionally, presentations on mediation and conflict management can help communicate the details of the conflict management system and demonstrate the commitment of management to the elements of the system, including mediation.

Mediation can also be used for disputes with suppliers and other business relationships. Agreeing to use mediation in cases of conflict within business relationships demonstrates a commitment to the relationship and to finding mutually acceptable solutions when there are differences.

There are two things true about conflicts in the workplace: 1. there usually exists a good solution to the problem and 2. the parties would like to find a solution. There are times when those involved are not able to find their way through the conflict thicket to daylight. Mediation can be the method for seizing the opportunity that conflicts present to improve the system and the relationships.

### **Biography**

**Tim Hicks** is founder and director of CONNEXUS Conflict Management providing mediation, facilitation, training, and conflict management consultation to businesses. Visit the CONNEXUS website at [www.connexus.mediate.com/](http://www.connexus.mediate.com/). Ignoring conflict doesn't work. For free information about the high cost of unresolved conflict in the workplace, email Tim Hicks at [connexus@mediate.com](mailto:connexus@mediate.com)

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