

# Faculty and Employee Assistance Program

## NEWSLETTER

### Workplace Mediation

The primary goal of workplace mediation is to leave the parties better able to work together. Many disputes arise out of a failure by either party or both parties to communicate, understand or consider the needs and interests of the other. People fix their attention on the question, "who is right and who is wrong?" and become blind to the possibility that both may have a legitimate point of view. The mediator's task is to open communications between them about the reasons for the positions they have taken with each other, helping both parties to understand as fully as possible each person's view. The mediator encourages both to look at the dispute through different lenses:

- ❑ What do they think will work as a practical matter?
- ❑ What do they think will be fair?
- ❑ What do they think will best honor and promote a good working relationship?

As the parties gain an expanded understanding of the situation, their ability to work together to find and implement a solution increases.

Virtually any difference that arises in the workplace can benefit from mediation if the parties are willing to deal directly with each other and if the company has the resources to provide a mediator. Indeed, over time, a workplace in which mediation is the preferred or presumed dispute resolution mechanism is likely to become a workplace

in which colleagues and coworkers need less assistance in working through differences and being able to be natural collaborators.

Effective workplace mediation can improve morale and productivity within the workgroup. When mediation is supported and used as a method of conflict resolution, employees tend to feel more valued and "heard" by the employer.

Mediation of workplace disputes is a way of the future. It achieves the most satisfactory, timely and cost-effective resolution of disputes. It is also helpful in creating a collaborative workplace culture.

### About the Mediation Process

Mediation is a voluntary process through which third party neutrals (the mediators) assist people in conflict (the parties) to discuss and hopefully reach their own resolution to their differences.

There should be no time limit on the length of the process. The time spent in the mediation is governed by the complexity of the issues and the willingness and commitment to openly and fully discuss the issues identified in an effort to reach a mutually satisfactory resolution with the other party.

### Some Points to Consider Before Entering the Mediation Process

#### **The Mediators:**

- ❑ Are not judges

- ❑ Do not make decisions or impose solutions
- ❑ Do not make judgments – who is right, who is wrong
- ❑ Encourage the parties to communicate openly and honestly with each other
- ❑ Help the parties to clarify the issues involved.

### The Parties:

- ❑ Must be voluntary participants
- ❑ Must sincerely want to resolve the differences
- ❑ Must have a certain trust in the mediation process
- ❑ Must be willing to talk openly and honestly about their concerns and issues
- ❑ Must generate, through discussion with the other party, alternatives to resolve the issues. These alternatives may become the basis of a written agreement

### The Mediation Process

- ❑ Is confidential (anything shared during the process should remain in the room and should not be used by either party for any reason outside the mediation room)
- ❑ Requires that any notes or other material generated during the mediation process be destroyed
- ❑ Requires that the only written material which becomes a records is the agreement which may be reached between the parties
- ❑ The terms of the agreement are shared only with the mediation program administrator; it is not shared with supervisors or other management personnel within the agency.



Please feel free to contact your Faculty *and* Employee Assistance Program counselors for more information on the mediation process or other workplace challenges:

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<http://www.healthsystem.virginia.edu/internet/feap>