

## WHAT IS MEDIATION?

Mediation is a voluntary confidential process that allows two or more disputing parties resolve their conflict in a mutually agreeable way with the help of a neutral third party, a mediator (Stein 1997).

Mediation focuses on the interests or needs of the parties and on solutions, not on determining or assigning blame. What distinguishes mediation from other forms of dispute resolution is that the mediator does not impose a solution but rather works with both parties to create their own solution.

## WHAT ARE THE BENEFITS OF WORKPLACE MEDIATION?

- Provides an early intervention and resolution option in conflict situations.
- Allows both parties to deal directly with each other with the help of a mediator, thus protecting the privacy of parties involved.
- Creates a safe place for all parties to be heard and have their say freely. All discussions remain confidential.
- It is a voluntary process. Resolution of the dispute remains in the control of the individuals involved.

Encourages a positive approach to resolving issues.

Reduces the need for expensive 3rd party referrals.

Mediation is quicker, less stressful and cheaper than engaging with adversarial systems.

The mediation process leads towards a collaborative agreement as opposed to an imposed solution through formal dispute resolution processes.

Does not prevent either party from engaging in other dispute resolution processes.

Mediation focuses on the future working relationships of those involved whereas other more adversarial dispute resolution mechanisms may damage relations further.



## HOW DO I GET MEDIATION?

Requests for Mediation can be submitted to the:-

- HR Department (the line manager will refer such requests to the HR Department).
- The HR Department, as appropriate, will seek the agreement of the parties to mediation.

## WHAT HAPPENS THEN?

- A mediator will be assigned through HR.
- The mediator will then make contact with the parties involved to set up a pre-mediation meeting to get a sense of the issues in dispute and explain the mediation process.
- At the formal mediation session the parties get an opportunity to explain their position and express how the conflict has affected them.

The mediator will allow and encourage the parties involved to ask questions and discuss the issues with each other.

The mediator facilitates the parties in identifying and exploring their own innovative solutions with a view to reaching an agreement that both parties understand and commit to.

## **WHO ARE THE MEDIATORS?**

Mediators forming the Civil & Public Service Mediation Service (CPSMS) are employees who have been professionally trained as mediators and are accredited to the Mediators' Institute of Ireland (MII). They come from different backgrounds and mediate on a part time basis. On occasion mediators, external to the civil and public service, will be engaged by organisations as deemed appropriate by the relevant HR Department.

## **EXAMPLES OF WORKPLACE CONFLICT SUITABLE FOR MEDIATION:**

- Allegations of bullying or harassment.
- Interpersonal disputes;
- Manager/Staff difficulties;
- Breakdown in a working relationship;
- Issues arising from a grievance or disciplinary procedure;
- Conflicts arising from equality and Diversity.

## **MEDIATION AGREEMENT:**

When a mutual agreement is reached, all parties will sign off on an agreed approach to the resolution of the issue.

## **MEDIATION POLICY AND CODE OF ETHICS:**

The Policy is available at

<https://hr.per.gov.ie/supports/mediation/>

and the Code is available at

[www.themii.ie](http://www.themii.ie)

## **FURTHER INFORMATION:**

Further information on Mediation and the Civil and Public Service Mediation Service, including contact details, are available at <https://hr.per.gov.ie/supports/mediation/>

# **A GUIDE TO MEDIATION...**



**IN THE CIVIL & PUBLIC SERVICE**