

MEDIATION

Mediation is a process that allows the parties to resolve workplace disputes with the assistance of an impartial third party. The purpose of mediation is not to determine who is right or wrong, but rather to reach a mutually satisfactory resolution of the grievance at issue. It can arrive at creative solutions acceptable to both parties that are not always available through the formal process.

Mediation is an informal process. As such, it can be used at any stage of the collective bargaining, grievance or complaint process.

The mediator does not decide the outcome. The parties talk about the dispute. With the mediator's help, they seek a settlement both can accept and live with. There are no minutes taken of the proceedings or reports issued by the mediator. When a dispute is settled in mediation, the parties will normally sign a memorandum containing details of what has been agreed to.

Unlike formal procedures, mediation can address the issues and interests surrounding and underlying the matter in dispute. Problems can be looked at in a broader perspective.

Mediation, to be effective, relies on the willingness of the parties to make an effort to resolve their dispute. As such, it is a voluntary process. Participants should approach a mediation session with open minds and be prepared to explore ways of settling the dispute. If one or both parties enter a mediation session with no intention of moving from a pre-set position, mediation will be a waste of everyone's time. If a party is unwilling to reconsider and modify its position in a dispute, it is preferable to proceed directly to the formal procedure.

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