

## **Informal Conflict Resolution and Mediation Guide**

### **Informal conflict resolution**

Conflicts are natural and inevitable in the workplace, communities and families. When managed openly and respectfully, conflict can lead to new understandings, stronger relationships and positive outcomes. However, when conflict is avoided or not handled constructively, they can lead to stress, confusion and a breakdown in communication and relationships. At its worst, conflict can be a destructive force with negative effects on people and the group environment.

When people find themselves feeling uncertain as to what to do next, mediation may be an appropriate and effective way to go. An impartial third party (the mediator) can assist those in difficult situations explore options and, hopefully, help them to find solutions to their problems.

### **1. What is mediation?**

Mediation is a voluntary process of collaborative problem-solving in which an impartial third party (the mediator) assists parties in working together to identify their respective interests, explore options and seek mutually agreeable solutions to the problems they are encountering. It allows the parties in a conflict to resolve their differences through a process that is different from the more traditional approach based on rights (for example, complaints, grievances, tribunals), courts (civil, small claims and criminal) or just pretending it isn't happening. Mediation can help people find solutions where they have been unable to resolve their problem(s) by themselves.

### **2. Why consider mediation?**

The advantage of mediation is that it allows the parties to be in control of their situation and how it is resolved. They are the ones who, with the mediator's help, decide on the issues they will discuss, the setting and what is needed for constructive discussions to take place. The procedure and solution(s) are not imposed on them by a third party. The parties determine how to solve the issues – the mediator helps keep these discussions constructive and on track .

Mediation allows the parties to take a cooperative rather than competitive approach when discussing and looking for solutions to meet these respective interests. The mediation process allows the parties to assess different innovative options together and offers them the possibility of coming to an agreement on the way to solve their conflict(s). In short, in many cases, mediation is an appropriate process for the parties to consider when they have been unable to resolve their conflict on their own.

### **3. When is mediation an option to consider?**

Mediation can be a worthwhile and viable option when important relationships are in jeopardy (colleagues, employee / employer, clients, family and neighbours). Communication breakdown is frequently at the root of many relationship conflicts. Mediation can help people to openly and respectfully discuss their differences, look at the situation objectively and to try to understand the other person's perspective. This can lead to lasting, long-term solutions which meet the needs of the parties, usually at a fraction of the time and cost associated with more formal processes.

### **4. How does mediation work?**

The mediator's role is to help the parties create conditions that will facilitate and encourage information sharing, effective communication, respect of opinions and interests, open negotiation, and coming to an agreement that is mutually satisfying to the parties. The parties

# Mediation Information Guide

are key players in determining how the mediation will proceed by agreeing on the agenda, the participants, when / where it will happen as well as on a set of ground rules to guide them in their discussions. The mediator will help the parties adhere to the ground rules, cover the agenda and finalize their agreement. The mediator is neither a judge nor an arbitrator; he or she has no decision-making authority. In all cases, mediation is a voluntary process, so no one should be pushed to participate. The mediator will work with the parties to figure out who should participate in order to be able to resolve the issues.

In workplace mediation, an employee may wish a support person to be present such as a union representative or co-worker. Similarly, a manager may wish to have a staff relations officer present. Employees, managers, union representatives and employers can be asked to participate in mediation.

## 5. Who is the mediator?

It is a fundamental principle of the voluntary mediation process that the parties agree on the person who will act as the mediator to assist them in attempting to resolve their problem. They must have the necessary training, ability and experience requirements in order to be effective. They must also be impartial towards the parties and the issue being dealt with. In short, mediators provided by CanMediate International will have no stake in the outcome, nor will they display any bias to the parties in the sense of favouring one party over the other. The mediator will strive to ensure that the discussions between the parties are conducted in an even-handed and objective manner.

## 6. What other options do we have?

### Other Informal Conflict Management Options

At CanMediate International we offer a full range of informal conflict resolution options for clients. These can include:

- Conflict Resolution Coaching
- Workplace Assessments
- Partnered Workplace Renewal Process™ (can also be adapted to other contexts)
- Professional Workplace Interaction Coaching Program™
- Training
- Group Facilitation
- Formal Recourse options

## 7. How do I know what we should choose?

We encourage you to think about the outcome you want or need and to choose a process that is designed to facilitate that type of outcome. Not sure?? We can help you review the options and provide information that will assist you in choosing an approach that fits you, your situation and the outcome you desire.

**Contact us for a free 30 min consult that can help you determine the best approach for your situation...**

**For more information, please call 613-298.8105,  
Email: [info@canmediate.com](mailto:info@canmediate.com), or check out [www.canmediate.com](http://www.canmediate.com)**