

## **RESPECTFUL WORKPLACE PROGRAM MEDIATION INFORMATION**

### **What is RWP Mediation?**

In the workplace, RWP mediation is a flexible process that can be used to settle disputes of an interpersonal nature, based upon the following:

- well-established process that allows all parties involved to share their views without judgment or interruption and reach an agreement when necessary and desired;
- voluntary process that depends on the will and readiness of the parties;
- confidential process in which content of discussions is shared only with consent of parties; and
- safe process which is facilitated by a trained, independent and neutral third party mediator.

### **What is the Role of the RWP Coordinator/Mediator?**

The RWP Coordinator/Mediator is responsible to assess the parties' readiness for resolution and the appropriateness of mediation as an avenue of resolve and includes the following:

- clarifying roles, expectations and timeframes with the referral source;
- ensuring that the referral source has gained genuine interest from all parties to the dispute to engage in this process prior to referring the case to RWP;
- ensuring that all disputants are making informed choices to enter into the resolution process;
- setting parameters for and facilitating a constructive process for the parties to safely and respectfully discuss their concerns;
- maintaining a high level of confidentiality and not releasing specific details of the content of disputant discussions without consent from parties and/or as per the mediation contract; and
- releasing procedural information as needed to the referral source, i.e. how many meetings, when they occurred and other details regarding the status of the mediation process.

### **What are the Steps to Initiate a Referral?**

- ensure that supervisors and/or managers, Human Resources and union representatives (where applicable) are aware of and agree with the decision to invite an RWP Coordinator/Mediator into the situation;
- ensure that all parties in the dispute are open to mediation and willing to explore the process further with an RWP Coordinator/Mediator;
- consider whether you need a written agreement shared after the mediation or a verbal agreement between the parties; and
- contact an RWP Coordinator/Mediator directly to discuss the case, determine availability and initiate the assessment for mediation.

## **What is the Process of RWP Assessment for Mediation?**

- once the referral is made, the RWP Coordinator/Mediator will do a further assessment for resolution including clarity of the process, willingness to engage, strength of emotion, goals and interests and also whether there is a presence of common ground;
- through the assessment, the RWP Coordinator/Mediator will also negotiate comfortable timeframes for both parties, generally the higher the emotion, the longer the time frame;
- once readiness is established, the RWP Coordinator/Mediator will prepare the parties for mediation including reviewing and determining agreement to the “terms of mediation” contract. The RWP Coordinator/Mediator will ensure that all parties are able and prepared to attempt to resolve the matter informally and in good faith;
- individual discussions called pre-mediation meetings will be held between all parties and the RWP Coordinator/Mediator prior to a potential face to face mediation meeting; and
- individual coaching support is typically set up for all RWP resolution processes as an added support to the individuals and the process.

## **When is RWP Mediation Not Appropriate?**

- the managers and/or Human Resources are not informed of and/or do not consent to the request for the RWP resolution process;
- one party intends to use the mediation to escalate the dispute, i.e. to threaten, to gather information and/or to look good in front of another party;
- according to the RWP Coordinator/Mediator’s judgment, the main problem is not appropriate for a mediated process;
- after reviewing the options available and the outcome the clients are seeking, mediation is not the appropriate intervention;
- a significant power imbalance makes open dialogue and/or fair agreement unlikely;
- key parties are unwilling to participate fully and/or sign the pre-mediation agreement and conditions;
- there are underlying psychological issues at play; and
- the RWP Coordinator/Mediator feels mediation is being used or substituted for the proper exercise of authority.

## **What are Mediation Readiness Considerations?**

- Are the parties emotionally ready and able to engage in a useful conversation?
- Do all parties respect the process they are entering?
- Are all parties entering of their own free will and open to the process?
- Is mediation the appropriate avenue for the dispute?

## **What are the Forms of Dispute Resolution?**

- dyadic mediation;
- group mediation;
- co-facilitated processes;
- dyadic or group shuttle mediation/resolution;
- facilitated discussions; and
- virtual mediation via telephone or lync.

For further information, please contact an RWP Coordinator:

729-2290 (Local)

1-888-729-2290 (Toll Free)