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### Resolving Workplace Conflict Through Mediation Managing Disputes Informally

Imagine that you're managing a big project, involving people from a number of different departments. You've made great progress, but tension is mounting between two members of your team, and what you previously put down to a bit of healthy **rivalry** now looks like a full-blown personality clash.

At first, you were inclined to leave the situation alone, in the hope that it would run its course naturally. But now your two team members aren't talking to one another, and you fear that the situation will hinder your project's success if you don't take action.

Modern workplaces are complex, and comprise people from diverse backgrounds who have different opinions, values and expectations. Add that to the growing need for employees to achieve more with less, and it's not surprising that workplace conflicts can arise.

The good news is that there are several ways that you can resolve conflict successfully – and one is mediation. In this article, we'll consider this approach, discuss when to use it, and provide a step-by-step guide to mediating conflict within your team.

#### What Is Mediation?

Mediation is a way of managing conflict that uses an impartial person to help team members to resolve their disagreements. The intention is to ease workplace tensions before they escalate into something more damaging. It differs from disciplinary and grievance procedures by offering a more informal and flexible approach.

Using mediation can reduce **formal discrimination complaints** (in the U.S.) and **employment tribunal claims** (in the U.K.). So some organizations invest in training their people in the technique, while others might opt to bring in official, external mediators to intervene in a dispute, especially if it's large and complex.

Although severe conflicts are likely rare within teams, and many people will work through any disagreements in a mature way themselves, mediation can be a useful skill for managers to develop. It can allow them to deal confidently and effectively with more deep-seated conflict, as soon as it arises within their teams.

#### When to Use Mediation

You can use mediation at any point during a conflict, as long as all of those involved agree to do so, and they put any ongoing formal procedures on hold.

Generally, mediation is best used when a disagreement first arises, as the longer a dispute goes on, the greater the chances that people's relationships will break down, or that they raise formal grievances. However, the process can help you to rebuild relationships after formal dispute procedures, too.

Mediation can be used in disagreements between members of the same team, or between co-workers at different levels of seniority. It can be particularly useful when communication between people has broken down.

However, it is not always the most suitable course of action. Incidents of **bullying** and harassment, for example, can have dire consequences for those responsible, such as **official warnings**, dismissal, or even criminal proceedings, and the alleged victim can feel too vulnerable to participate fully. In these situations, you'll likely need to follow a more formal procedure, and you should get advice from your HR department.

### **The Benefits of an Informal Approach**

Formal disputes are time-consuming and expensive, and can ruin team relationships. They may lead to high levels of stress for everyone involved, as well as **lower morale** and an increase in **absenteeism** and staff turnover. **Research** has shown that most people prefer mediation to bringing a formal grievance, and there is **evidence** to suggest that people who use it tend to be more satisfied with the outcome.

Another significant benefit of using mediation is that it enables managers to respond more quickly to conflict. Its confidential nature encourages people to be open and honest, allowing them to really get to the heart of the issue. This can improve their chances of maintaining productive relationships and of nipping any problems in the bud, once and for all.

### **A Step-by-Step Guide to Mediation**

Mediators act as a go-between and an enabler in a conversation between the people involved in the conflict. They help them to come to a mutually satisfactory agreement, and to avoid getting derailed or stuck in an argument.

It's important that they reserve their own judgment and guide people toward their own resolution, rather than suggesting or ruling on the outcome himself. However, they must ensure a fair solution, guarding against the effects of any imbalance of power between the participants.

Use these six steps to help you to mediate successfully:

#### **1. Establish the Ground Rules**

First, meet with each participant separately, to outline what they can expect from you and from the process. Make sure that they are both willing to participate – mediation won't work if you try to impose it!

Agree some ground rules for the next stage of the process. These might include asking each person to come prepared with some solutions or ideas, listening with an open mind, and avoiding interruptions. It's important that you build trust with both participants, and make them feel safe enough to talk openly and truthfully with you and with one another.

**Tip:**

Mediation is confidential for everyone involved, unless they all agree to share their actions and comments with others. Be sure to remind participants of this regularly, to make sure that they are comfortable with and adhere to the process.

## **2. Have a Full and Frank Discussion With Each Person, Individually**

Find a quiet room in a neutral location where you won't be disturbed, away from the rest of the team.

Meeting with the participants individually will allow them to share their side of the story with you openly and honestly. Use **active listening** skills and **open questions** to get to the root of the problem. Reflect upon and paraphrase what your team members tell you, to show that you understand their points of view.

Use your **emotional intelligence** to identify the underlying cause of the conflict, and pay attention to each participant's **body language** to help you to get a better sense of their state of mind.

Be prepared to encounter a range of strong feelings, from fear and distress to anger, and even a wish for revenge. But avoid shutting these feelings down – this might be the first time that your team members have fully expressed the impact of the conflict, and it will likely give you valuable clues to its cause.

Then ask each person what they hope to gain from the mediation. Remind them that it's not about winning, but about finding a practical resolution that suits everyone who's involved.

**Tip:**

You may want to leave some time between individual and joint meetings, so that each participant has time to reflect on the discussion that they've had with you and to consider their position in what might be a fresh light.

### 3. Explore the Issues Together

Once both sides have had time to reflect, arrange a joint meeting. Open the session on a positive note, by thanking them for being open to resolving the conflict. Remind them of the ground rules, summarize the situation, and then set out the main areas of agreement and disagreement.

Explore every issue in turn, and encourage the participants to express how they feel to one another. Make sure that they have equal time to talk, and that they can express themselves fully and without interruption. If they become **defensive** or **aggressive**, look for ways to bring the conversation back to the main problem at hand. Encourage them to **empathize** with one another, and to improve their understanding of one another's point of view by asking questions themselves.

#### Tip:

Make sure that there's an empty room close by, where people can go to have some time away from the discussion if it starts to stall or become heated. You may also want to speak with each person separately to move the discussion along. Either way, your aim is, eventually, to bring them back together again!

### 4. Negotiate and Compromise

Once both sides have given their views, shift their attention from the past to the future.

Go over the points that were raised in your meetings, and try to identify areas where they have at least some shared opinions. Resolve these issues first, as a “quick win” will help to build positive momentum, and bolster both sides' confidence that a workable solution can be found.

Ask participants to **brainstorm** solutions and encourage **win-win negotiation** to make sure that they reach a solution that they're happy with. If a suggestion is unreasonable, ask the initiator what he would consider to be reasonable, and whether he thinks that the other party would agree.

### 5. Create a Written Agreement

Take notes during all of the meetings that you mediate and, once the participants have reached a solution, write that up as a formal agreement. Make sure that the agreement is easy to understand and that actions are **SMART** (Specific, Measurable, Achievable, Relevant, and Time-bound).

Help to avoid any confusion or further disagreement by checking that your language is neutral, free from jargon, and clear for all. Read the agreement back to both parties to

make sure that they fully understand what will be expected from them, and to clarify any points that they do not understand or that are too general or vague.

You might even consider getting each person to sign the agreement. This can add weight and finality to the outcome, and help to increase their **accountability**. But mediation is designed to be a relatively informal process, and you could undermine this by pushing too hard.

**Tip:**

Bear in mind that mediation might not always result in an agreement, despite the mediator's best efforts. In these situations, you'll likely need to go on to use a more formal procedure.

## **6. Get Some Closure**

It's time to bring the mediation to a close. Give the participants copies of the agreed statement, and clearly explain what will be expected from them once they're back in the workplace.

Take some time to prepare, together, how to overcome obstacles to implementing the agreement, and to explore options for dealing with them. Summarize the next steps, offer your continued support as a mediator, and thank both parties for their help and cooperation.

**Tip:**

Consider checking in with the participants informally at a later date, to make sure that they are on track with their agreement.

## **Key Points**

Mediation is often a more productive approach to resolving conflict in the workplace than more formal methods. It can help to improve trust and team relationships, especially if it is used to deal with conflicts promptly, as soon as they arise.

It is confidential, and needs to be facilitated by a manager or another team member who both sides can trust to be objective, unbiased and non-judgmental.

However, mediation is not appropriate if a more serious matter is involved, such as bullying or harassment. If this is the case, you will need to follow a more formal procedure, with support and advice from your HR department.

Begin mediation by listening to each person's story separately. Next, bring them together to meet face-to-face. Allow them an equal chance to speak and to explain their perspective. Brainstorm mutually beneficial solutions and, once both parties settle on one, summarize the agreement.

Finally, clarify what steps each participant needs to take and what the expectations are for the future.

### **Apply This to Your Life:**

Mediation skills aren't limited to the workplace – you can apply them to your personal life, too. Next time you notice tensions rising between friends or family, consider using active listening, open questioning, reflecting, and paraphrasing techniques to get to the root of the problem. Encourage them to talk through their issues together, and offer to sit in on the discussion to help them to reach a solution.



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