

## People & Culture Leader Guide – Facilitating a mediation conversation

### Purpose

This leader guide outlines suggested steps on how to facilitate a conversation between employees, most often two, who may need support in working effectively together. This is not a replacement for fact-finding investigations following a complaint, however, can be used in instances to resolve a grievance or once an investigation is finalised and the outcome indicates mediation as a recommendation to assist employees to continue to work together.

Mediation is an effective form of conflict resolution. The basic structure is that an impartial third party, the mediator, helps two or more people to attempt to reach an agreement relating to a grievance. Any agreement comes from those parties involved in the grievance, not from the mediator – the mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved what they should do. It's completely voluntary, making it an appealing alternative to formal disciplinary proceedings for some conflicts.

### Process

#### 1. Introduction and Expectations

- This is an opportunity to help the employees come together to discuss any concerns and find solutions to enable them to work together in the workplace.
- Explain that it is the role of the facilitator to support the conversation, but it is up to the employees to work together and find resolutions.
- Explain that it is not the role of the facilitator to decide on an outcome, however as facilitator you will support with capturing any agreements and commitments going forward.
- Outline the expectation of this session:
  - Be prepared to discuss concerns.
  - The discussion is between the employees and the concerns should be raised directly with each other in a respectful way.
  - When raising concerns, each employee should be specific with examples of behaviours and explain the impact of the behaviours, or how they make you feel.
  - Actively listen to what the other person is saying and don't jump in too soon or be too defensive. Try to understand the others point of view.
  - Be respectful of each other and wait for the other person to finish talking before responding.
  - Reinforce that this is a confidential discussion and should not be discussed with anyone else in the workplace.

## 2. Facilitation of the discussion

- Ask for Employee 1 to raise concerns or issues they have with behaviours from Employee 2 in the workplace.
- After each concern raised by Employee 1, seek a response from Employee 2. This could be an explanation to a behaviour, an acknowledgement that the behaviour will cease or change etc.
- Ask for Employee 2 to raise concerns or issues they have with behaviours from Employee 2 in the workplace.
- After each concern raised by Employee 2, seek a response from Employee 1. This could be an explanation to a behaviour, an acknowledgement that the behaviour will cease or change etc.

### *Tips for supporting the conversation:*

- Help the employees exchange information and seek understanding on each other's point of view.
- When needed, clarify and explore issues and what the underlying needs or concerns are.
- Help reach an agreement on each concern raised. Summarise or playback the agreement.
- If someone denies a behaviour or example that the other person has raised, try not to get stuck on differing versions of facts. Instead, suggest an agreement that in the future that behaviour should not occur.
  - For example:
    - Employee 1 "I don't like it when you talk to me with your hands on your hips, it feels like you are trying to intimidate me".
    - Employee 2 – Denies that they put their hand on their hips or intimidates Employee 1.
    - Suggested Facilitator response - "We don't need to debate the different points of view of the facts. Regardless of if this happened or not, Employee 2 can you agree to make a conscious effort to be aware of your body language and not talk to Employee 1 with your hands on your hips going forward?"
- If the conversation gets heated or someone is getting distressed or agitated, pause the meeting for the day to allow everyone to re-compose and bring them back together at another time.

## 3. Finalise and document agreement

- When both employees have had an opportunity to discuss their concerns and an agreement is reached around the way forward, summarise what was agreed and commit to emailing both parties the summary.
- Thank the employees for their time and their commitment to finding a way forward to work together.
- Remind the employees about confidentiality.
- Remind the employees about the availability of Benestar, our employee assistance provider.
- Close the meeting.

## DOCUMENTATION

### Policies

Endeavour's Privacy Policy (QD 5013)

Endeavour Foundation Grievance and Dispute Policy (QD 5274)

### Procedures

Endeavour Grievance and Settlement Procedure (QP 5274)

Community Solutions Group Grievance Resolution Procedure (CS P4006)

### Forms

Grievance Record (QF 5274.01)