

# **Case Studies in Transformative Mediation: Providing Solutions and Shifts in Relationships in the Context of Interpersonal Workplace Conflict**

## **PowerPoint Presentation by Carolyn Manning**

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### **Slide 1**

#### **Use of Mediation in Interpersonal Workplace Disputes**

- In the 20 cases reviewed in this study, mediation was used as an intervention in interpersonal disputes at the workplace. Some of these disputes were confined to work teams and others were on a larger scale across a department.
- In most of the cases, management had made repeated efforts to resolve the disputes which were unsuccessful, so mediation was sought as an alternative.

### **Slide 2**

#### **Mediation Model - Case Studies**

- A consistent framework was implemented across each of the cases. This involved pre-mediation consultation sessions, opening statements, agenda setting, exploration of issues, private sessions, a negotiation phase and finally an agreement.
- In one of the 17 cases a third party (i.e. a Human Resources Manager) was present during the mediation. In none of the cases was a legal representative requested by the parties.
- The mediation model used across these cases was a combination of Transformative and Facilitative based interventions.

### **Slide 3**

#### **Results of Mediation Case Studies Involving Workplace Conflict**

- Of the 20 mediated cases reviewed which involved workplace conflict (e.g. interpersonal conflict, bullying, harassment), 17 resulted in agreements being concluded at the end of the mediation. In three cases, mediation was not completed.

- The contents of the agreements were reviewed for transformative elements and for practical elements (such as an agreement to rotate weekend roster).
- 82% of the agreements had transformative elements (and no practical elements) while 88% included practical elements (and had no transformative elements). 70% had a combination of transformative and practical elements.
- Systematic follow up of the duration of the agreements was not undertaken. However, in the 15 cases where post mediation follow up was conducted all of the agreements were in place at least two weeks after the mediation had concluded.

#### **Slide 4**

#### **Conclusion**

- The results of this study support the effectiveness of combining Transformative and Facilitative mediation models to address interpersonal conflict within the workplace.
- Mediation is a cost effective form of alternative dispute resolution and is particularly effective for workplace conflict, where the parties expect to have an ongoing working relationship.
- Mediation results from this study suggest a high rate of agreement between parties which is typically durable over time.