Ohio Employee Assistance Program

Understanding the Employee Workplace Mediation Program

“Transforming Conflict to Conversation”

Overview for Managers/Employees
About this Module...

This training module will help you understand how the Employee Workplace Mediation Program can assist you in addressing workplace conflicts and disputes.

Statewide Competencies for Mediation...
Resolving Conflicts and Negotiating with Others
Making Decisions and Solving Problems

Human Resources Division
Learning Objectives

Understand the program purpose

Gain a better understanding of conflict

Provide a definition for “mediation”

Review the benefits of mediation

Explain the program and mediation process

Clarify the role of the mediator
Be the **first choice resource** for employees to learn and practice effective ways of managing and addressing workplace conflict.

*Create open dialogue* that removes communication barriers, resulting in improved relationships.

*Encourage constructive and positive communication* by respecting and valuing each other.
Understanding Conflict

Conflict can be defined as a crisis in human interaction ...

Causes parties to feel...

- Unsettled, confused, fearful or unsure of what to do.
- Self-protective, defensive, suspicious and unable to see the perspective of the other person.

When conflict is productive...

- Interaction shifts from confusion to clarity, better decisions are made and parties are open to each others’ viewpoints.
- Parties are calmer, more confident and responsive to the situations of others.
## Types of Conflict

<table>
<thead>
<tr>
<th>Conflicts may involve:</th>
<th>Issues such as:</th>
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<td>Coworkers, workgroups, subordinates, supervisors</td>
<td>▪ Communication breakdowns</td>
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<td>▪ Confusion about work duties</td>
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<td>▪ Personality differences</td>
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<td>▪ Work performance and job responsibilities</td>
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When you become aware of conflicts, struggles or tension in the workplace, this is the time to refer an individual or request mediation.
“Mediation is defined as a process in which a neutral third-party works with individuals in conflict to help them change their conflict interaction from negative to positive, while exploring possibilities for addressing their situation.”
Mediation is about …

Transforming and rebuilding productive relationships.
Transformative Mediation allows individuals to have a choice and voice in addressing workplace issues, resulting in independent outcomes.
Transformative Mediation

**Conflict**
- Relational issues, challenges interactions with others;
- Causes uncertainty, self absorption; and
- Diminished ability to deal with the issues.

Transformative Mediation provides the ability to address workplace issues.

**Optional Outcomes Chosen by Parties:**
- Agreement (Settlement)
- No Agreement (Non-settlement)
- Withdrawal

**The mediators:**
- Assist parties in getting where they want to be and explore options;
- Stress to parties their ability to make decisions;
- Help the parties establish ground rules;
- Explain and facilitate the process, which includes the right to stop, continue or hold private discussions; and
- Ensure the parties have a more productive conversation.

**The parties:**
- Decide where to go in the discussion; and
- Have the ability to address the issues, reach agreement and decide on optional outcomes.

**The mediators:**
- Help parties to become oriented to one another;
- Identify shifts in conversation;
- Encourage parties to talk to each other;
- Allow conflict to surface;
- Make sure parties are heard; and
- Restate parties’ comments and summarize key points.

**The parties:**
- Better recognize each other’s perspectives;
- Become stronger and more empowered; and
- Shift to a more constructive and positive conversation.

**Strengthened Relationships**
**Increased Conflict Resolution Skills**
**Improved Communications**
**Benefits of Mediation**

- Helps to resolve problems before they escalate
- Gives the parties a voice and an opportunity to be heard
- Provides a venue for parties to make decisions
- Offers an option for parties to address unresolved workplace issues
- Reduces anger and hostility, which improves morale in the workplace
Benefits of Mediation

The Bottom Line...

Conflict in the workplace impacts everyone. Mediation can benefit you.
Major Program Components

Eligibility
- All full and part-time permanent employees
- Bargaining unit, exempt and management employees

Access
- Available to eligible employees at all levels and to all agencies / institutions
- Program Guide is available via the OEAP website

Making a Request / Referral
- Employees, managers, human resources, labor relations and union representatives
- By phone: 800-221-6327 or 614-644-8545
- Email: OEAP@das.ohio.gov
- Contact OEAP to learn more about mediation

Program participation is voluntary, the mediation process is confidential, and there is NO COST to you.
When a conflict occurs, simply follow these steps ...

1. **Contact OEAP at:**
   - 800-221-6327 or 614-644-8545

2. **Provide a description of the issue(s) to OEAP and parties involved will be contacted by OEAP.**

3. **The assigned mediator(s) will follow-up with parties involved in the conflict or dispute.**

4. **As another option, the mediator can offer conflict coaching to a party.**

5. **If the parties do not agree, OEAP will close the intake case.**

6. **If parties agree to mediate, the session is scheduled with parties.**
Mediation is held ...

- At or near the party’s workplace
- In a neutral location such as a private office, conference room, or offsite (e.g. library)
- During normal work hours
Existing agency policies and union contracts will continue to apply.

In other words …

- Applicable agency policies will remain in effect and are not impacted by mediation;
- Participation in mediation does not affect an employee’s right to file a formal complaint or grievance; and
- Collective bargaining disputes will not be mediated.
More About Mediation

Exceptions to mediation:

For example …

- Any issue that is against the agency’s policies and procedures, state or federal regulations.
- Nor will workplace violence, severe harassment (involving sexual contact) or issues outside of the scope of services provided by OEAP.
Role of the Mediator

The mediator(s) will...

Serve as a neutral third-party

Accept or decline a mediation assignment

Contact the parties to schedule the mediation

Act as a facilitator to the parties’ discussion

Maintain confidentiality

Support the parties in exploring options

Report the mediation outcome to OEAP
Role of the Mediator

The mediator(s) will not...

- Make decisions for the parties
- Evaluate the merits of the conversation
- Control the mediation in any way
- Provide legal advice
- Dictate how parties should address the dispute
- Recommend any settlement language
The Employee Workplace Mediation Program can be your first choice resource for you to learn and practice effective ways of managing and addressing conflict in the workplace.
Review of Key Learning Points

- Clarified the program definition of “mediation”
- Discussed the transformative mediation approach and its use
- Shared the key benefits of mediation
- Helped you to understand the program / processes
If you have questions about the Employee Workplace Mediation Program, please contact or visit OEAP at:

800-221-OEAP (6327)

or 614-644-8545

www.ohio.gov/eap

OEAP@das.ohio.gov