

## Why use mediation? []

- **Problems can be resolved before they escalate.** Workplace problems that are not solved have a way of growing into much bigger problems. With mediation, little problems can be resolved before the employee becomes so dissatisfied that he/she files a grievance or a lawsuit, and involves everyone else in the immediate workplace.
- **The content of the mediation is confidential.** The supervisor usually knows when an employee goes to mediation. However, no information about what was discussed in the mediation is given to anyone. The people being mediated also sign an agreement stating that they will keep the contents of the mediation confidential.
- **Parties are on an equal footing since mediators are neutral.** Sometimes when there is a dispute, one person feels less powerful than the other person. This could be due to rank (job title), length of service, educational level, size of person, or degree of aggression. The mediator does not allow anyone to feel intimidated and, therefore, mediation is a more comfortable process for solving conflict than some of the other processes.
- **Individuals are in charge of their own cases.** Mediators DO NOT determine the outcome of cases. The mediator just makes sure both people get a chance to be heard, in a respectful, non-judgmental way, and assists them in reaching their own solution.
- **There's nothing to lose by trying mediation.** Since any settlement agreement must be acceptable to BOTH people in the mediation, there is nothing to lose by trying it. If mediation does not result in an agreement, the person can still file a grievance or another form of conflict resolution.
- **Helps reduce feelings of hostility.** When a workplace conflict goes on for a long time, one or both people become resentful. They often stop communicating, or else communicate ineffectively. Each one may imagine that the other one does not like them, or wants to harm them in some way. Mediation helps each one understand the other's point of view.

- **Improves morale.** When there is a conflict or communication problem left unresolved, the morale of the employees involved, as well as the morale of other employees who work in the same area, suffers. Time is wasted complaining about problems. Once the mediation takes place, employees can spend less time and energy on the conflict, and enjoy doing their work.
- **Improves working relationships.** One need not socialize with co-workers if they choose not to do so. However, working relationships based on mutual respect are important in keeping employees happy and focused on their work. They are more likely to go the extra step to help a fellow employee when there's a good working relationship.
- **Helps separate emotional issues from factual issues.** When two people in a conflict sit down with a neutral mediator, it is easier to focus on the facts of the dispute. Sometimes, when there is a long-standing conflict, the people begin to personally attack each other, rather than focus on finding a solution to the problem.
- **Promotes a Win-Win outcome.** In approximately 80% of mediation cases, both people involved say they are satisfied with the outcome and that their situation is improved. In other forms of dispute resolution, there is usually a "winner" and a "loser." No one wants to be the "loser."

**Mediation cannot:**

- solve all problems.
- make someone's pain go away.
- make someone's supervisor give them a raise.
- make a co-worker change their personality.

While mediation CAN do great things, the mediator cannot change situations beyond his/her control. However, mediation can help participants better understand one another and gives the opportunity for you to openly discuss problems.

**How to start the process []**

- [Contact Cory Ervin at the Department of Human Resource Management (DHRM), by email at: [cervin@utah.gov](mailto:cervin@utah.gov) or by phone at 801-538-3068 or 538-3025 to inform us you are interested in mediation. You will then be sent a Request for Mediation form to fill out and return to DHRM. Reasonable accommodation will be provided upon request.
- We can call the other participant with whom you have a dispute and get possible dates for mediation. If you have not contacted the other person and would be more comfortable, we will be glad to ask them if they would be interested in mediation. However, the process is voluntary and they may not wish to participate (in which case we will let you know).
- After a date is established we will send you a packet that includes a confirmation letter which will include information about the mediation process.

## **Mediator Information [**

Mediators must have successfully completed at least 30 hours of formal mediation training and 10 hours of experience in either conducting mediations or observing another qualified mediator conduct mediations.

## **How to contact us:**

Dept. of Human Resource Management at 538-3025, or contact

Cory Ervin at 538-3068, or [cervin@utah.gov](mailto:cervin@utah.gov)

