RESOLUTION
Skills Centre

Training for Effective Exchange

MEDIATION SKILLS

Prepared for Canadian Mennonite University

302-1200 Portage Ave, Winnipeg, Manitoba R3G 0T5
T: (204) 925-3410 • F: (204) 925-3414
info@resolutionskills.ca • www.resolutionskills.ca

MEDIATION SKILLS

TRAINING MANUAL

2011 - 2012

Prepared by

Resolution Skills Centre
A Program of Mediation Services
302 – 1200 Portage Avenue, Winnipeg, Manitoba, R3G 0T5
• **P** 204.925.3410 • **F** 204.925.3414
• **E** info@resolutionskills.ca
• **W** www.resolutionskills.ca

COURSE DESCRIPTION

Mediation Skills Training is a workshop specifically designed to provide people (particularly leaders) with the skills and process to bring two employees in conflict together to resolve the causes of their tension. The workshop builds on Coaching for Resolution, taking the participants to the next logical step, bringing the parties together for a face to face meeting.

Participants will be encouraged to grapple with the question of how to maintain the role of a fair, third party helper when you are a stakeholder in the matter; that is, when you have a relationship with the parties and/or a vested interest in the outcome. We will also explore when such stakeholders might attempt to mediate the situation themselves versus when they may want to draw on the services of an external, formal mediator.

COURSE OBJECTIVES

Participants attending this workshop will:

- Explore how to maintain the role of a fair, third-party mediator when you are, yourself, one of the stakeholders in the dispute and/or you have relationships with the parties involved;
- Consider some of the unique challenges of mediating with parties with whom you have personal history, to whom you may need to provide ongoing feedback and performance management, and when you – as the leader - may also need to acknowledge your own contribution to the tensions between the parties;
- Learn the practical stages and steps involved in setting up an informal mediation as well as how to actually lead the face-to-face conversation between two conflicted employees;
- Learn how to coach both parties to accept their contribution to the situation, and facilitate the acknowledgement of these to each other; and
- Examine their role and conflict management style in responding to conflict between employees.

TABLE OF CONTENTS

FRAMEWORKS AND CONTEXT

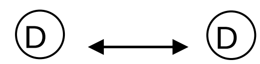
FORMS OF DISPUTE RESOLUTION: ADR SPECTRUM

"Conflict Resolution" is a very broad term and refers to **many** forms of dispute resolution. ***"Alternative Dispute Resolution"*** is usually used in the legal context. Several specific forms of dispute resolution are defined below. Third-party intervention and control increases as one moves from negotiation to adjudication.

Diagrams

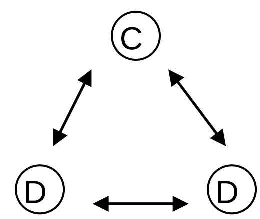
NEGOTIATION

Disputing parties agree to solve their problem by talking about their concerns face-to-face and working together to find a solution that is mutually acceptable. It is in this form of intervention that the disputants maintain the greatest degree of control.



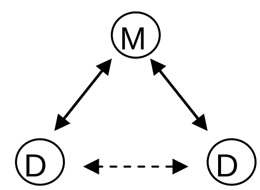
COACHING

A coach is a third party who encourages disputing parties to solve their problem. For example, s/he may make suggestions on how to approach the other party to the conflict, help the person understand her or his underlying interests, and/or provide shuttle diplomacy (act as a "go-between").



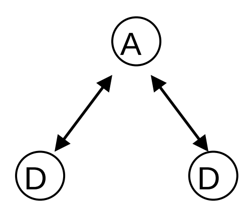
MEDIATION

Mediation is a voluntary, co-operative, problem-solving process in which a person acceptable to the disputing parties assists them in clearly defining the issues in dispute and helps them work towards a resolution that is mutually satisfactory. The mediator has primary responsibility for guiding them through the process and the disputants maintain primary responsibility for the resolution of their conflict. Mediation takes both informal forms involving "insider-para-professionals" and more formal forms utilizing "outsider-professionals."



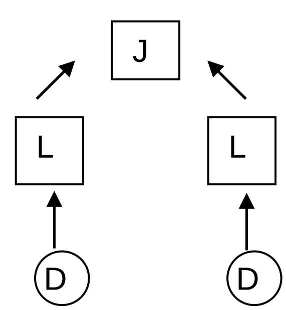
ARBITRATION

An arbitrator is a person appointed by two disputing parties to settle their dispute. In arbitration, the third party makes a judgement after hearing both sides of the dispute. Disputants no longer have decision-making power.



ADJUDICATION

The courts are well established as a form of dispute resolution in North America to the point that their popularity in the public mind is reflected in statements such as: *"You'll hear from my lawyer!" or "I'll take it to the highest court!"* Such popularity often makes it difficult for people to think of alternatives. In adjudication, disputants are represented by lawyers and, as a result, their control is minimal.



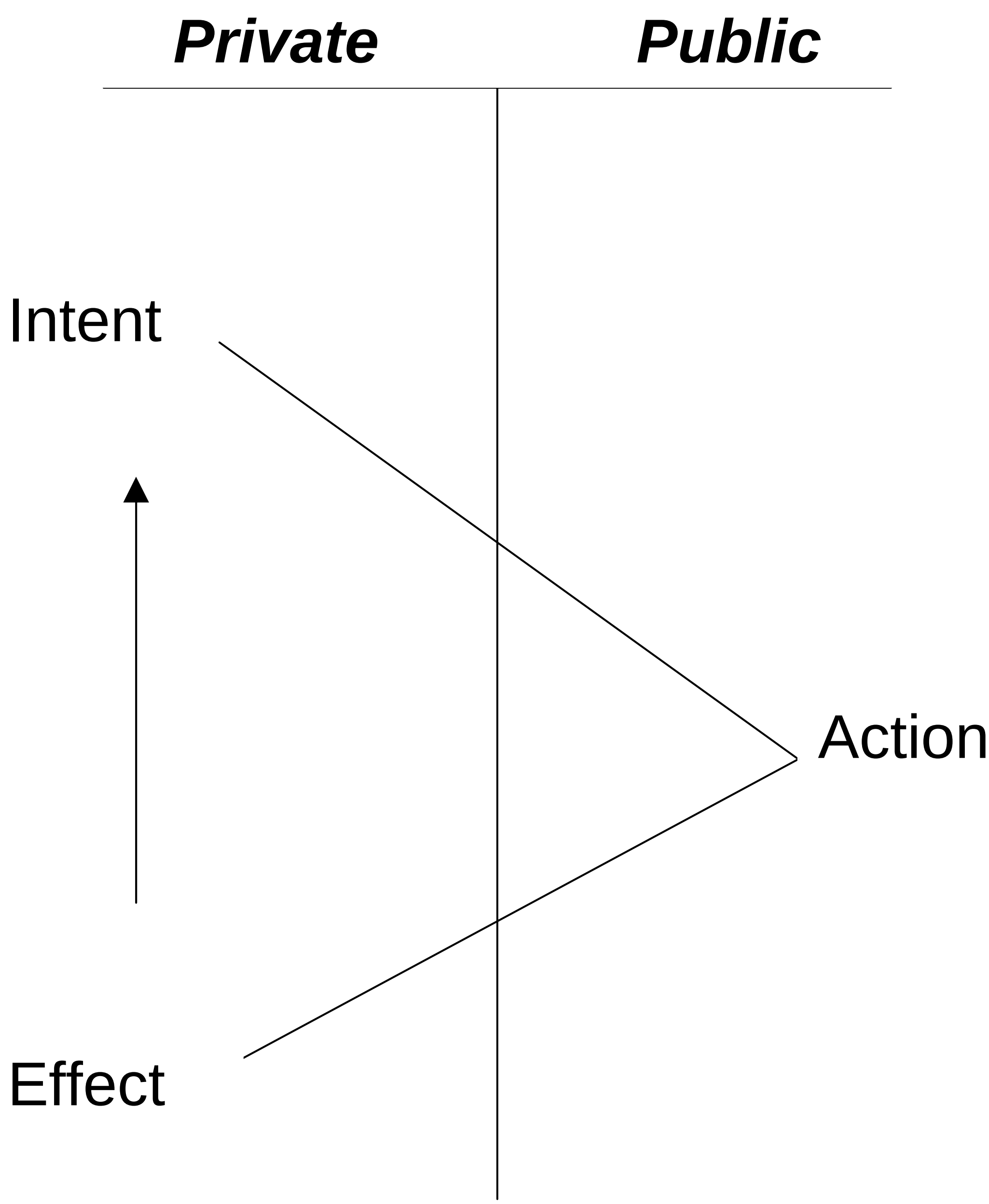
SETTING THE CONTEXT

1. Identify the people who have approached you in the last few weeks to share a concern they have about another person or to tell you about a conflict that is escalating between two other people. List both the person (initial) and name the issues (briefly).

2. Think about a time when you went to a manager or person in authority with a problem with another person and were ultimately disappointed with their response. What were your expectations? What did the person in authority do?

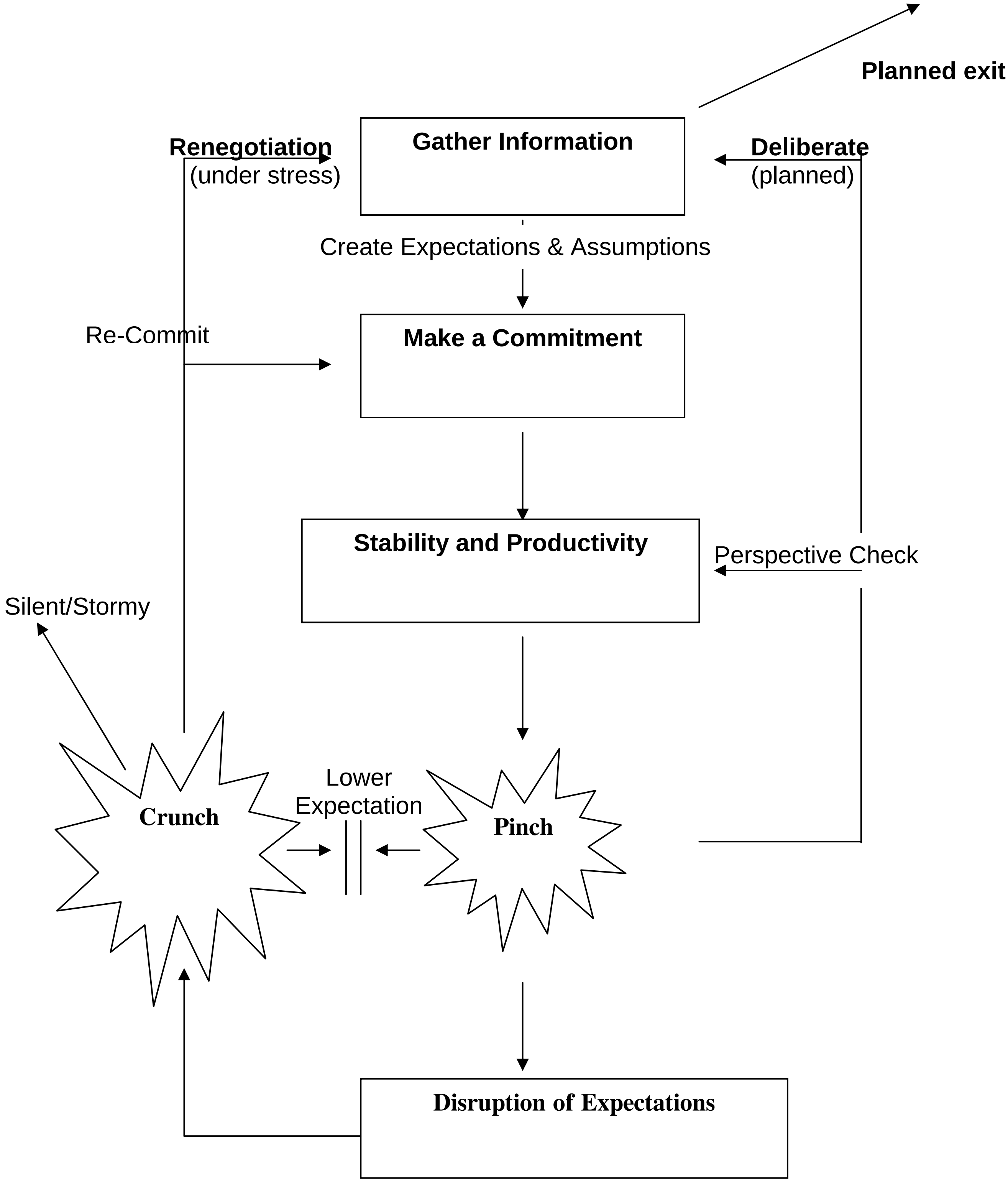
3. Think about a time when you went to a manager or person in authority with a problem and you were pleased with what happened. What were your expectations? What did the person in authority do?

INTENT - ACTION – EFFECT



To communicate effectively, we must make our intentions clear and check out our assumptions. By themselves, actions, tone and words can mislead.

MAPPING THE PROBLEM



MAPPING THE PROBLEM

Information Gathering: All relationships begin and develop through the gathering and sharing of information.

Expectations & Assumptions: We create expectations and assumptions from the information that we have gathered and based on our own past experiences and learning.

Commitment: We choose to make commitments based on the information that we have gathered and our belief about the relationship's ability to meet enough of our expectations/goals to make it workable. Commitments can be formal or informal, articulated or unconscious/kept private.

Stability and Productivity: This is the period of time where things are going as expected.

Pinch: A pinch is something that is done or not done that violates one of our expectations/assumptions. Pinches are private. We feel them though the one who caused the pinch may not be aware that we are disappointed or have been offended.

Disruption of Expectations: By not acting we may come to doubt our initial judgment of a situation. We are not sure if we can trust our operating expectations and assumptions because we have been disappointed already. Tension and stress builds as our situation becomes increasingly unpredictable.

Crunch: A crunch is open conflict. Both parties are now aware that there is a problem. However, if I have been suffering silently my crunch may be my partner's pinch.

Crunch Management Options:

- **Silent Ending:** This is where one party terminates the relationship after the fight without any further communication.
- **Re-Commitment:** This is where we smooth things over and play nice (kiss and make-up) with each other, with the hope to quickly have the relationship return to stability and productivity. The pinch however, remains private and unresolved.
- **Lower Expectations**: By lowering our expectations and just "putting in time" people hope to reduce the number of pinches and crunches that they are experiencing with each other. Over time this can lead to apathy and cynicism.
- **Re-Negotiation:** By engaging in a difficult honest conversation after a crunch, information can be gathered, expectations and assumptions clarified and parties can either renew their commitment to their relationship or agree to disagree and explore the final option of a planned and/or agreed upon ending/transition to the relationship.
- **Planned Exit:** An intentional exit from the relationship (permanent or temporary) having given consideration to the new information gathered during the Deliberate Renegotiation phase

COMMON WAYS OF DEALING WITH ‘PINCHES’

1) Let it Go

There is a Congo proverb that says, “It is best to let an offense repeat itself three times. The first may be an accident, the second a mistake, only the third is likely to be intentional.” Many of us are living examples of this proverb, especially with the small ‘pinches’ we experience in our lives.

2) Complain to someone else

Once the ‘pinch’ has been repeated (or it is a significant event), we often look for someone with whom we can share our experience. Our motivation for doing this is often positive. We want to release our frustration to someone else, or we are unsure if we have a legitimate reason for being frustrated. The problem is that our search for clarity often stops here and inevitably the behaviour repeats itself. This is a very common strategy in Canadian workplaces.

3) ‘Pinch’ back

After our frustration has reached a certain level and the ‘pinch’ is being remembered days later, our behaviour often changes towards that person. We begin to be hesitant or more aggressive in their company. We are on the look-out for the behaviour to repeat itself. Our initial responses are often very subtle and are not always obvious even to ourselves. We may respond to the other person’s email in a less timely way or delay in responding to work that impacts them. We may become quieter in the other person’s company, withholding some of our ideas. We may become defensive in their presence as we look to protect ourselves. This defensive energy can invariably be felt not only by the person who is the catalyst, but all others in the room. In fact, it will likely become a ‘pinch’ for others.

4) Hold on to it

Often we hold on to our hurt, nursing it, reliving our ‘pinches’ in our mind, with our friends, during the day and in our thoughts at night. This thinking often results in feelings of victimization and growing resentment. Medical research says that living with these feelings will make us more vulnerable to disease.

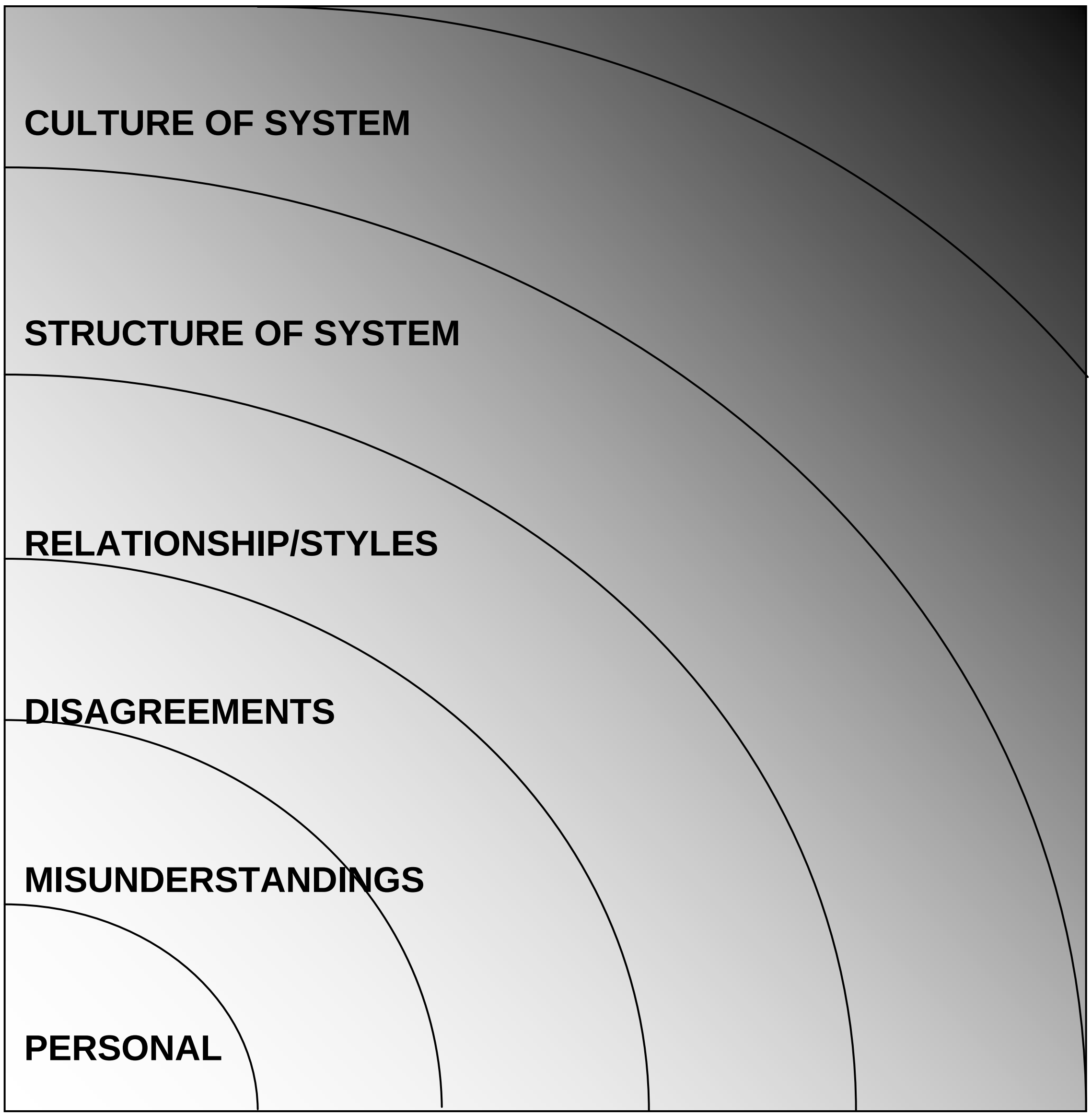
5) ‘Crunch’ back

When we have had enough, suffered long enough, many of us will say or do something out of character. We will snap back. This is what we call open conflict, everyone who hears the exchange would believe that there is a fight.

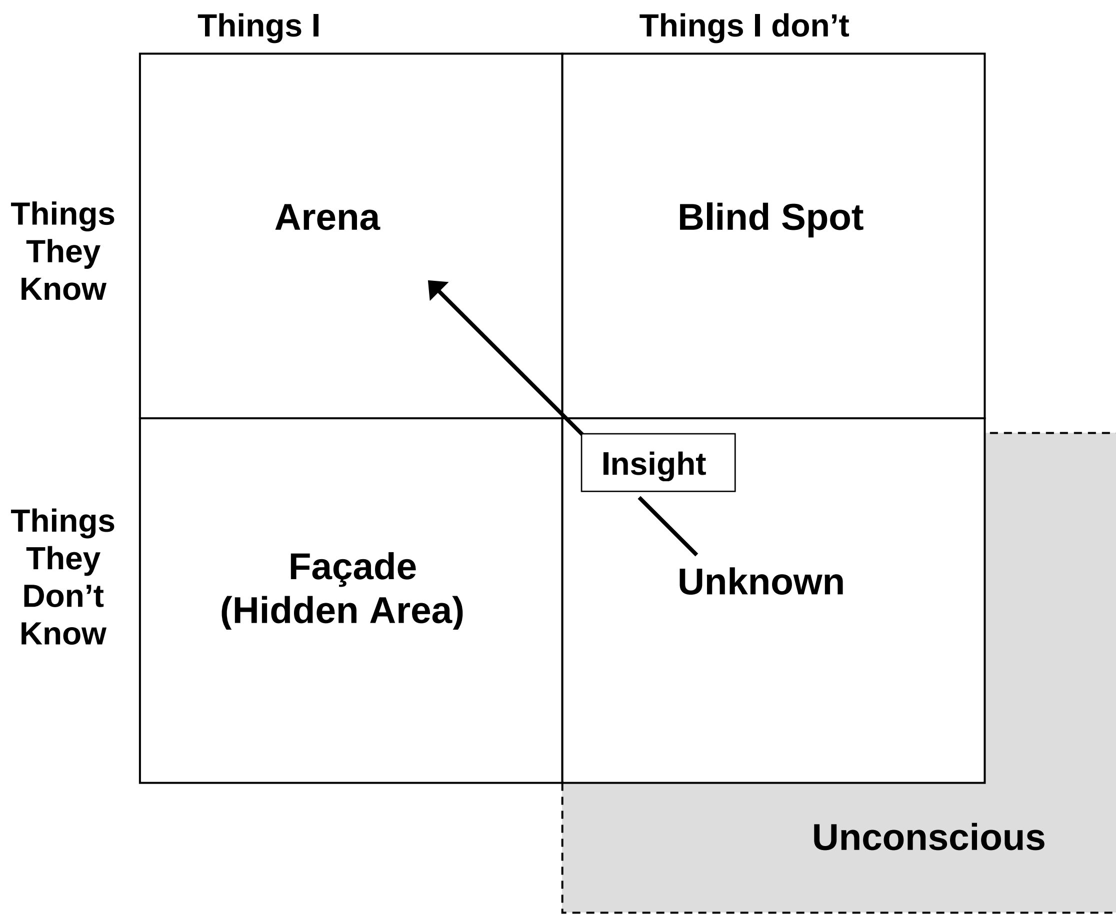
6) Talk about it

A ‘pinch’ is an opportunity to have an ‘expectation conversation’. Unfortunately this is done far too seldom.

WHERE THE CONFLICT LIES



JOHARI'S WINDOW[1]



[1] The Johari Window from *Group Processes: An Introduction to Group Dynamics* by Joseph Luft. Copyright ©1984.

LABEL DESCRIPTIONS FOR JOHARI'S WINDOW

The **Arena** contains information both the group and I know about me, and is characterized by open communication between others and me. This area grows through communication and results in increasing trust.

The **Blind Spot** is information known about me by others but not known by me. It may be seen in body language, habits or mannerisms, tone of voice, etc., through which information is passed that we are not aware we are communicating. This area may decrease as communication and trust with others grows.

The **Facade** is the information I know about myself but don't share with others. It may include feelings, fears, opinions, prejudices and past history. I sometimes withhold from fear of rejection or ridicule.

The **Unknown** area is information neither others nor I know about me. It is the area of the unconscious, some of which may become known through exchange of feedback.

What are my blind spots?

ASSUMPTIONS UNDERGIRDING THE LEADERS MEDIATON MODEL

1) People learn the most when they have conversations with the people they are in conflict with - not through a conversation with a third party.

2) If face-to-face meetings are effectively held at the early stages of a conflict, many situations would be resolved at this early stage.

3) Leaders are influential in terms of establishing norms for how conflict is dealt with in the workplace, including how “open conflict” in meetings is handled.

4) A third-party’s non-action (especially that of a leader) is as influential as action. In fact, silence or inaction will often be viewed as consent. What one permits, one promotes.

5) Managers as mediators are <u>not</u> neutral. They are stakeholders in the conflict. They practice “balanced partiality” rather than impartiality. This shifts the expectations of those involved in the conflict and brings both unique advantages and challenges (see the following pages for examples).

A) Example of the Non-Stakeholder Approach:

Outsider-Mediator might say to Dave in 1st Interview:

- **Re: the Heated Verbal Exchange with Louise:**
  "Well, I can imagine that Louise's comment about 'fresh ideas' felt pretty lousy…" (PAUSE – allow response)…"We have found it's often important for the other party to come to understand the impact of their comments as a part of the mediation…"(PAUSE again)…Tell me a bit more about what preceded her comment?"

- **Why might the above approach be helpful?**

  -provides empathy for Dave without taking sides; cautiously introduces the necessity of discussing impact during mediation

  -begins to cautiously probe into areas of Dave's possible contribution (caution at this stage is generally advisable because while the outside mediator has no negative history they also do not yet have rapport)

B) Example of the Balanced Partiality of the Insider-Mediator:

Whereas the Insider-Mediator might be free to say to Dave in 1st Interview:

- **Re: the Heated Verbal Exchange with Louise:**
  "Well, I was actually pretty concerned about some of things that got said in that meeting myself. In my books, the comment that was made to you about 'fresh ideas' was not cool" (PAUSE – allow response). "I was also concerned about your use of the word garbage (PAUSE). I think we need to figure out another way..."

- **Why might this be helpful?**

  -it provides the support that Dave *expects* from his boss

  -it provides the accountability that Dave *needs* from his boss

  -Dave & Louise's manager has numerous partialities. For example, s/he has biases towards both parties feeling respected, that there is a way to leave hurtful events in the past so that both employees can be happy and productive going forward, that they discover and commit to a more helpful way of discussing differences in future, that others on the team feel that meetings are a predictable and safe place, and that if policy or procedure confusion has been a part of this conflict that this confusion is addressed, to name but a few. The bottom-line reality is that the Manager is *not* in a place to simply leave it up to the employees as to whether or not these issues are addressed.

Another Example…

- **Outsider-Mediator, to Dave, about his reluctance to discuss his frustrations regarding the "botched proposal" at the joint session:**

  "Okay, so I'm hearing that the so called 'botched proposal' was a real sore point in the past but that you're not sure you want or need to talk about it in the session…"(PAUSE – allow response). "And yet it's still there for you…"

- **Insider-Mediator (says the above, but adds):**

  "I gotta be honest with you, Dave. As manager, I think it's actually really important that we talk about these exact sorts of things. Otherwise Louise has no way of knowing what's going on for you. And then it's only a matter of time before it happens again…"

NOTE:

The Outsider-Mediator might also be able to eventually say a version of the second bullet above, but would do so more cautiously and from a different angle

NOTES

THE PROCESS

A TYPICAL FLOW OF KEY ACTIVITIES

1. Interview First Person
- often they will initiate contact
- gather information, build rapport, explore needs, offers, acknowledgements
- time for assessment to determine next steps
- gain agreement on how to contact second person

2. Contact Second Person
- often initiated by the manager
- gather information, build rapport, explore needs, offers, acknowledgements
- time for assessment to determine next steps
- gain agreement to proceed

3. Touch base with First Person
- confirm and prepare for joint meeting

4. The Joint Meeting

4.1 <u>Introduction: Setting the Tone</u>

4.2 <u>Looking Back: Sharing Experiences, Events, Stories</u>
- to share perspectives, unpack difficult moments, explore differences

4.3 <u>Break: Coaching Conversations</u>
- to break/pause the process prior to shifting to a future (resolution) focus (as necessary)
- opportunity to hold brief private coaching conversations (as necessary)

4.4 <u>Looking Forward: Exchanging Acknowledgements, Offers and Needs</u>
- to share reflections, insights regrets, & lessons learned
- to exchange offers and needs

4.5 <u>Closing the Joint Session</u>
- to summarize agreements (future oriented plan)
- if appropriate, create a summary of agreements and give it to each party
- keep a copy of the agreement in your informal personnel files

5. Follow up with both parties
- support changes with positive feedback and coaching

Note: Sometimes there needs to be more than one joint session. When this is the case step 4 is spread over more than one meeting/day. This provides an opportunity for more lengthy individual coaching conversations to occur between the joint sessions. These conversations are often helpful in assisting parties to process the information shared and prepare to work things out.

INFORMAL INTERVIEW PROCESS

It is generally quite critical to speak to both parties prior to convening an informal, face-to-face mediation. If you are initiating contact, determine who you will interview first. This decision should be strategic, based on what you know of the situation and the people. It is very possible that you may need to share/explain your reasons to one or both parties. If asked, it is important to be transparent. Reasons could include*: I saw Joan in the hallway and she had time to talk so I spoke to her first, OR You appeared visibly upset so I decided to talk to you first to reduce the stress,* etc.

As a general rule the initial conversation provides you and the parties with an opportunity to determine what process will be the most suitable. If the person is upset or needs time to think, the elements can be take place over a number of conversations. If you are catching the conflict in its early stages, the informal mediation is likely to require just one meeting.

In brief, the steps of the informal interview process are as follows:

Providing a Context (If you are initiating contact)

- Explain the context for conversation.
- Identify your goals.
- Draw on your rapport/history with the individual OR
- Acknowledge, briefly, some of your challenges/history (only as necessary).
- Re-visit/re-emphasize your goals/hopes for the conversation (only if there is negative history).

1. Vent

- Invite the person to speak, listening actively and with empathy.
- Allow for free-flowing description of the issues/problems.

2. Clarify

- Name the issues you hear the person raising.
- Which of these issues need to be addressed?
- Dig into issues - test your interpretations with them.
- Acknowledge your contribution to the issues/dynamics (as appropriate).
- Consider a teaching piece like Intent-Action-Effect or Pinch-Crunch Map.

3. Imagine

- Highlight the interests and goals that the person has in this situation to help broaden the imagination of how the conflict could be resolved.
- Transparently highlight your own interests/goals as the leader/manager/3rd party mediator.

4. Choose

- Generally begin by exploring what the person her/himself feels is the best approach (e.g. let it go, talk about it, mediate it, go to a higher authority) for dealing with this conflict or problem. (This training focuses on how to mediate it.)
- Assist them to critically and carefully assess their options (pros & cons).
- Consider carefully but clearly stating your own preferred option for resolution. If you do so, always provide a clear rationale for your suggestion.
- If you are encountering significant resistance to what you consider to be a constructive option, probe beneath their position to find out their needs, fears & concerns.
- Offer process-based reassurances to address their concerns, as you are able.
- If resistance continues, consider allowing you both to sleep on it before making a decision about the best way to proceed (this is particularly advisable if the individual appears to be emotionally “flooded” at the time of the informal interview).

Note: *It is important to consider and possibly share whether the final decision about how to proceed will be made by the party themselves, by you and the party together, or by you as the leader/manager.*

5. Prepare

- Coach the person to prepare him/her for the next steps, including what will happen in the joint session.
- Coach person on coping (if needed) and how they will work with the other party.
- Help them reflect on and articulate their needs, offers and acknowledgements.
- Inform them of next steps and time line.

Other Important Considerations:

<u>When interviewing the first person either indicate that:</u>

a) You will determine whether a meeting involving all three is the best strategy
OR
b) After interviewing the other party you (or the three of you) will need to determine what the best next step might be. This approach might be important to consider if one party prefers a one-to-one meeting (without you) and the other wants you to be present.

<u>After interviewing the second person</u> you will need to get back to the first person and let them know what process decision has been made. Often people are experiencing a heightened level of anxiety at this stage in the process and are eager to hear back from you as soon as possible. If proceeding with mediation – you may need to help with further preparation (step 5).

THE INTERVIEW

The interview with the parties in workplaces will be conducted in person. Generally, an in-person interview is a more effective way to establish rapport. Here, the informal mediator establishes credibility with the participants and prepares them for the process. Interviews typically last from half an hour to one hour.

Purpose

- Assess the level of emotion
- Identify the issues
- Hear individual's goals
- Develop trust
- Collect data for best next step
- Prepare participants for next step

Possible Interview Questions

- What happened?
- What are your concerns about working with ________?
- What are the issues that need to be addressed? Events and situations that stand out?
- How does this situation compare to other similar situations you have experienced?
- How would your workplace/situation be different if most or all of the issues were resolved?
- What are your hopes/goals for resolution?
- What do you need?
- What do you imagine happening if the issues are not resolved?
- What are possible outcomes you can imagine?
- What can you offer to improve things?
- Looking back over what has happened, what has been your part? What do you regret/acknowledge?
- What other important information do I need to know?

Exploring an informal mediation

- What questions do you have about me facilitating a meeting?
- What could be gained from me calling the meeting?
- How will you say what you need to say?
- What do you anticipate the other person will say?
- How will you listen to the other person?
- What can you take responsibility for?

CONTACTING SECONDARY PARTIES

Sometimes there are other parties already involved. These could include other staff, Union Representative or Human Resources Consultants. If you know that other official parties have been involved (i.e. Human Resources, Union) and/or are playing a role it is often important to touch base with them. In most cases these parties will not be present in the room for the meeting but there may be strategic reasons to involve them.

A Suggested Process:

1. Welcome

- Introduce yourself
- Identify reason/purpose for call/contact

2. Process

- Inform them that you are addressing the situation
- Clarify the process that you are using (in broad strokes)
- Respond to questions of clarification

3. Identifying Their Concerns/Goals/Hopes

- Do they have any concerns about your process?
- What would they like to see happen? Anything they think you should know?
- Is their anything you need to know to assist in the resolution?

4. Clarify Roles

- If they are to be present in the mediation, you must clarify their role *prior to the joint session* (e.g. to listen, be a support and where needed provide advice)
- Request any support you need from them as they are working with their primary person (i.e. they might help their person to see the benefits of the meeting and encourage them to participate fully)

5. Closure

- Anything else that you think would be helpful for me to understand?
- Thank the person for their time
- Invite the person to call you if something new comes up.

TOUCHING BASE PRIOR TO THE JOINT MEETING

If significant time has lapsed between your initial meeting and the informal mediation or if the parties are very anxious or stressed by the events, it will be helpful to touch base with both parties prior to the informal mediation.

The reason to talk to each party prior to the first meeting is to finalize consent on the process and your participation, see if there are any new developments, let the person know how meeting will be conducted and what will be discussed. *For many employees this will be the first meeting of this kind where the manager is more of a facilitator.* Lack of knowledge of what to expect generally increases stress and anxiety that negatively impacts trust and the person's ability to be at their best. This touch base may also prove to be a opportunity to do some valuable final coaching for the meeting.

How To:

1. **Re-connect & affirm**
   - encourage/offer hope

2. **Reaffirm the focus for the meeting**
   - to share situations and share impact so others can understand
   - to leave the session with a better understanding of each other's experiences
   - to share needs and expectations for the future
   - occasionally a second meeting is required

3. **Identify Issues that will be talked about**
   - confirm information/situations you want person to share
   - draw out additional situations as needed

4. **Teaching pieces (optional - if not covered in the initial interview)**
   - Role Re-negotiation Model – to normalize the conflict
   - Intent-Action-Effect model - so as to shift away from evaluative language

5. **Explain that other person will also share concerns and situations**
   - prepare person to listen to other person's perspective
   - coach person to acknowledge legitimate concerns of the other party

6. **Do They Have Questions?**
   - stress management before session
   - create interim arrangements/commitments for interaction between the parties

THE JOINT SESSION

OVERVIEW:

1. Introduction: Setting the tone

- encourage/offer hope & normalize discomfort
- explain focus for joint session
  - to have a high quality conversation about what has happened
  - to find a way forward
- explain process and how Intent-Action-Effect will be used
- as the mediator/leader, acknowledge any contribution that you have in this situation

2. Looking Back: Sharing Events, Experiences, Stories

- identify which event to begin with (sharp focus)
- invite the party who was “pinched” or “crunched” to share the specific action that they found troubling
- ensure that you are steering them away from loaded/evaluative descriptions of the action (i.e. observation without evaluation)
- invite the same party to share impact (may draw out an emotion)
- invite the second party to respond by clarifying intent
- invite additional comments/clarifications (if tension low) OR provide re-cap of "new info" using I-A-E framework (if tension remains high)
- invite parties to reflect on what they have heard and to think about what they may need or can offer each other to address this situation or prevent future situations like it.
- **identify next event (sharp focus)** and repeat the process above until the effects and intentions of all the significant events have been clarified (in some cases this may necessitate a second joint session)

3. **Break: Coaching Conversations** The options include:

- a brief pause and acknowledgement of the shift to a forward/future focus,
- an actual physical stretch break, possibly including a brief (i.e. 5-10 min) check-in/coaching conversation with each party before resuming
- a suspension of the joint meeting process to allow all parties to sleep on what they have heard; this option assumes some more intensive further coaching may be required.

NOTE: *In this course, for the purposes of practice, we will assume we are doing one of the first two options.*

4. Looking Forward: Exchange of Acknowledgements, Offers, and Needs

- again, acknowledge any part of the situation that you, as leader, contributed to
- provide opportunity for both to share their insight, regrets, and/or acknowledgments (past focus)
- invite both to share their offers (what they are willing to make to address concerns going forward – future focus)
- ask them if they have any needs that have not been addressed by the current offers
- discuss and seek to find ways to meet these needs

5. Closing the Joint Session

- begin closing process at least 10 minutes before your total time expires
- summarize areas of agreement and any commitments made
- revisit confidentiality: develop consensus or name expectations regarding what will be said to others if asked
- inform re: what they can expect from you (i.e. re: follow-up chats, next steps etc.)
- clarify any expectations that you have of them on a go forward basis

INTRODUCTION: SETTING THE TONE

In brief, the major components of the introduction to the joint meeting include:

1. **Welcoming Comments**

2. **A Review of the Session's Purpose**
   - To understand the outstanding issues and what is required for each person to work effectively together.

3. **Roles of people in the meeting**
   - Manager is present as a process guide and facilitator

4. **Guidelines**
   - Be patient (participants may write ideas/questions on paper so as not to lose thought but notes from each session remain in managers file)
   - Confidentiality will be discussed at the end of the meeting about what, if anything, will be said to others

5. **Other Points of Process (optional)**
   - May take more than one meeting. "*We will begin with sharing some specific situations or issues that have been challenging and after that we may take a short break. If we do, I will connect with each of you for a few minutes, then we will come back and focus on what each of you need to resolve this situation*."
   - If you need a break, feel free to ask.
   - Review/teach Intent-Action-Effect and leave model visible (remind parties they can share actions, share personal impacts, share intentions related to their own actions, but can not share speculations regarding the other's intentions).
   - Review/teach role renegotiation model.

6. **Questions? Ready to proceed?**

7. **Acknowledgment statement**
   - If you are aware of a way in which you have contributed to this situation, acknowledge it with a clear apology – even if it is as simple as waiting too long to initiate the meeting or missing the signs that tension was brewing.

8. **Other possible additions, depending on the level of tension**
   - Speak directly to me: "*Given how challenging the situation has been for both of you I would ask that at the beginning you speak directly to me rather than to one another."*

LOOKING BACK: SHARING EVENTS

THREE OPTIONS:
There are three ways of facilitating this process. The process should be determined by the type of situation.

1) Incident-Based Conflict (for matters without a great deal of negative history)

This model is used when there has been one significant event (‘Crunch’), often with a series of other smaller events related to the critical event over a relatively short period of time. The workshop case study involving “Tera & Janine” might be one example of where this approach makes sense. One way of viewing this is that the event is one drama with a series of acts and scenes.

In these cases the manager could use the Intent-Action-Effect model beginning at the critical event and then unpacking significant related events, especially where there are impacts or intentions that have been misunderstood. The process can unfold as follows:

a) The mediator identifies the place to begin;
b) The mediator invites one party to share the action and impact;
c) The second party is invited to respond by clarifying intent and if necessary seeking clarification;
d) The mediator then identifies the next event and the process cycles through steps b) and c) until the intentions and effects of all the significant events have been clarified.

2) Issue-Based Conflict

This model might be used if there has been a relatively **positive work history** between the parties but the two parties can not agree on a particular issue. Keep in mind the Position and Interests model which was introduced during *Dealing with Difficult People*.

Using Positions and Interests, the process would proceed as follows:

a) The mediator identifies the issue of disagreement;
b) The mediator would probe for each person’s interests (concerns/fears, needs/wants, fears, concerns, hopes & expectations) in relation to the issue;
c) The mediator would summarize the interests and ask the two parties to work at developing potential solutions/options that would address their needs as well as meet the needs of the other party;
d) Assist the parties in evaluating the options and deciding on a course of action.

You may need to call a second meeting if the two parties can not come up with a solution or need time to reflect on options. In some cases, you as a leader or manager may want to add your own interests and participate in brain storming because it is an issue that impacts you or the larger work group. This type of situation can often be resolved in one meeting.

3) Theme Based Conflict (Multi-Incident with more negative history)

This model is most frequently used when there has been a negative work history between the employees. In some of these situations both parties may have experienced many ‘pinches’ and ‘crunches’ from each other. The tension may have existed for years and been witnessed by many different managers who have worked in the area. If there is a long history it is best to tell both parties that there will be more than one meeting. The “Dave & Louise” scenario from the workshop is an example of a case with more negative history where this approach probably makes the most sense. This process differs from the Incident-based model in that themes (or patterns) are identified and during the interviews the parties have been asked to identify two or three stories or situations for each problematic theme they have experienced.

During the first session the manager picks three or, at most, four stories from at least two themes (e.g. day-to-day communication, talking about difficulties, work feedback, wearing safety equipment, error rate), with a view to build some understanding and momentum. It is generally important to start with stories in which both parties can acknowledge that they played a role in the unfolding of the story. Parties get to take turns sharing situations where they found the other person's actions to be problematic or difficult.

Reflective Listening Skills

Throughout the meeting the mediator summarizes or paraphrases as needed. Some of the reasons to interject would be to:

a) Slow down the process so people have time to reflect on what they have heard;
b) Simplify the key events if the person sharing has been unclear or is using too many words’
c) Highlight the interests of each party;
d) Highlight the difference between intent and impact; and/or
e) Highlight something that would be useful to amplify, for example, statements about regret, positive intentions, or emotional impact. This is especially helpful if one or both parties are having a hard time letting go of negative assumptions or is minimizing the impact of their actions etc.

Questions/Discussion of Clarification

During the discussions the parties are invited to ask questions of clarification. In a critical incident with many related events and feelings/ assumptions, it is not unusual that exploring two or three stories will take the better part of two hours. At the end of the sharing in the first session, the two parties are invited to reflect on what they have heard. They also should be encouraged to integrate what they have heard from the other party into the story they have been telling themselves and, with this new information, begin to reflect on what they may need to put the situation in the past.

BREAK: COACHING CONVERSATIONS

When:

- Individual coaching often occurs, to some extent, in the very first interview between the leader/mediator and the party involved in the conflict. It can also occur in the touch base meetings just prior to convening the joint session.
- Individual coaching conversations can also occur either during a short break during a joint meeting or in between meetings when there is more than one joint meeting.

How To:

1. **Introduction to Coaching Conversation**
   - Check-in with them as to their general impressions/feelings at this stage of the process (e.g. "So, what are your thoughts and feelings on where we are at this point?") - active listening!

2. **Explain Focus for the Rest of the Joint Meeting (or for the second meeting)**
   - to clarify anything that still needs to be clarified from previous sessions
   - to allow a final opportunity to unpack any situations which still need to be discussed
   - to explore offers and needs (in that order) - i.e. what is required to move forward with the relationship or situation
   - to, ideally, lay the foundation for a renegotiated work relationship

3. **Coach each party to make statements of apology/regret (if relevant)**
   - Four ways to approach this topic would be to ask:
   - *“Knowing what you know now is there anything you want to say to _____.”*
   - *“Knowing what you know now is there anything you would do differently?”*
   - *“Given what you’ve heard in the first session, if life were a DVD and you could go back, is there anything you would do differently? (is there any minor alteration you would make to your part in this?)*
   - *What is your sense of what ______ might need to hear from you with respect to _____ event in order to put it behind them?”*

4. Re-Visit reflection questions provided at the conclusion of first joint meeting

- If the mediator decides two joint meetings are necessary, s/he may wish to provide questions for reflection to both parties immediately following the first meeting.
- These questions are often sent via email and are then used as a base for a coaching conversation.
- Some possible questions to include in such an email include
  - *What has become clearer to you about the past as a result of our first meeting? What do you see differently now as a result (your insights)? What do you appreciate/acknowledge/regret?*
  - *As you consider the future and what you and Louise need to establish a good working relationship, what do you need from Louise?*
  - *Based on what you have learned in our meetings, what are you willing to offer Louise in order to establish a good working relationship going forward*
- Other possible coaching questions include:
  - *So what needs to happen between you in this 2nd meeting to move forward?*
  - *What do you really need her/him "to get" in order to have some peace about this and move on? How might we achieve this?*
  - *What is it that you think s/he may need you "to get?"*
  - *What would be the benefits of finding a way to resolution?*
  - *What is it that you think s/he is going to need to hear from you with respect to ________? How might you say this? (give feedback)*
  - *How might you name that particular need? OR How might you ask for that?*
- All the way along, coach/encourage/support for taking responsibility as necessary.

5. Closing the Coaching Conversation

- re-cap the basic outline of what you have heard in the conversation
- re-cap the basic outline of what will occur in the final session
- check in to see if any final questions
- thank them for their time and continuing energy/commitment

COACHING "CHEAT SHEET"

Some Possible Questions / Topics to Explore:

1) How are you feeling/doing so far?

2) What was new info for you? How does this change things?

3) What, if anything, needs clarification? Is there anything you heard that you still want/need to understand better?

4) What did you learn/appreciate in a new way? What can you acknowledge/regret/"own" in terms of your contribution?

5) As you think about our last meeting and your future working relationship with ____, what do you need from him/her as we look toward the future? Thinking about your learnings through this process, what can you offer him/her?

Notes from Demonstration:

Key Skills Demonstrated:	Things to Remember:	Questions:

LOOKING FORWARD:

Exchange of Acknowledgements, Offers and Needs

1. **Welcome the parties back and explain shift in focus**
   - to work at how the future will be different
   - to explore offers and needs (in that order)

2. **Invite parties to share their regrets/apologies**
   - One way to start the process is to say, *"____ you indicated you wanted to share some thoughts coming out of the first part of our meeting. I'm wondering if you can begin."*

3. **Ask if there are any other situations that need to be clarified/address**
   - If yes, follow same process as in the first meeting

4. **Identify Who Will Begin (which party) Sharing Offers**
   - invite one party to share their first offer (check in with the other party and record)
   - invite the other party to share their first offer (check in with the other party and record)
   - continue taking turns until all offers have been shared (continue recording)
   - allow for clarifications/responses along the way as appropriate
   - summarize the offers and ask both parties to take a moment to identify any of their needs that have not already been addressed by the exchange of offers
   - only then invite both parties to share any needs which remain (again, taking turns)
   - fine tune until consensus is achieved

CLOSING THE SESSION

Closing the Joint Session

- begin closing process at least 10 minutes before your total time expires
- summarize the joint list of accepted offers which has been created and any other areas of agreement
- inform the parties what will happen to their agreement, depending on the situation it could be rough notes in a file, typed agreement or simply a verbal understanding.
- revisit confidentiality: establish clarity or develop consensus on what will be said if asked
- inform re: what they can expect from you (i.e. re: follow-up chats, next steps etc.)
- clarify any expectations that you have of them on a go forward basis

CLOSING THE JOINT SESSION
When an additional session is required

Closing a Joint Meeting (when additional sessions are likely to follow)

1. ***Confidentiality between Sessions***

   There are two ways to approach the issue of confidentiality. At this point in the meeting you often have little time remaining. You may simply ask the parties if they need to share any information from the meeting with anyone else prior to the next session. If the answer is yes, find out who they want to talk to, for what purpose and what they will say. Assuming that what they say is reasonable, ask the other if s/he has any concerns. Or you, as the mediator, may simply ask both parties to agree that if someone from the place of work asks about the meeting they will simply say, *'We have started the conversation and will be continuing'*. It is generally important to seek a clear indication of agreement from both parties on these points before closing the session.

2. ***Instructions in Preparation for Next Session (if needed)***

   Give information regarding next steps. The actual closing instructions at the end of the session will depend on where the process is at. If there will be a second meeting, a second meeting date should be selected and the parties informed that the mediator will be in touch with them prior to the next meeting. The mediator invites the parties to use the intervening time to reflect on the new information they have heard. S/he further encourages the parties to begin reflecting on what they would need in the future to establish or re-establish a solid working relationship. If the two parties are ready to make an agreement you may want to inform them of possible questions you want them to consider.

   It is helpful to follow this up by an email repeating the questions for reflection and preparation for the last meeting. Some possibilities:

   - What was new info for you? How does this change things?
   - What, if anything, needs further clarification?
   - What are your insights/acknowledgements/regrets? What pieces can you own?
   - What do you need from the other person going forward? What are you willing to offer the other person going forward?

3. ***If Tension Remain High When Parties are Leaving***

   If the tension is still high after the meeting, the mediator may invite the one party to remain for a few moments for a short conversation so they do not have to walk out of the office together. As the mediator you may also want to consider whether or not the parties are working together, or at least how closely they are working together and how to handle the situation in the interim if they are.

FINAL JOINT SESSION
When more than one joint session

How To:

1. Welcome & Introduction to Final Joint Session

- encourage/offer hope, recap progress, & normalize any remaining nervousness as necessary

2. Explain Focus for Final Joint Session

- to clarify anything that still needs to be clarified from previous sessions
- to allow a final opportunity to unpack any situations which still need to be discussed
- to explore offers and needs (in that order)
- to provide content for the final agreement
- review guidelines (if required) highlighting talking about confidentiality at the end of the meeting

3. Invite parties to share their regrets/apologies

- One way to start the process is to say, *"____ you indicated you wanted to share some thoughts coming out of the last meeting. I'm wondering if you can begin."*

4. Ask if there are any other situations that need to be clarified/address

- If yes, follow same process as in the first meeting

5. **Identify Who Will Begin (which party) Sharing Offers**

Option A

- invite one party to share their first offer (record)
- invite the other party to share their first offer (record)
- continue taking turns until all offers have been shared (continue recording)
- allow for clarifications/responses along the way as appropriate
- next, invite both parties to silently cross off any needs they had listed which have already been addressed by the exchange of offers
- only then invite both parties to share any needs which remain (again, taking turns)
- fine tune until consensus is achieved
- re-cap the joint list of accepted offers which has been created (and which now forms the basis of an agreement)

Option B

- invite one party to share their entire list of offers (record)
- allow other party to respond once list is complete (if tension is still high)

OR

- allow other party to respond to each offer along the way (if tension is low)
- repeat above process with the second party
- next, invite both parties to silently cross off any needs they had listed which have already been addressed by the exchange of offers only then invite both parties to share any needs which remain
- fine tune until consensus is achieved
- re-cap the joint list of accepted offers which has been created (and which now forms the basis of the agreement)

6. Closing the Final Session

- begin closing process at least 15 minutes before your total time expires
- revisit confidentiality: develop consensus on what will be said if asked
- inform the parties what will happen to their agreement, depending on the situation it could be rough notes in a file, typed agreement or simply a verbal understanding.
- inform re: what they can expect from you (i.e. when they will receive a draft of the agreement, you will be touching base)

EXIT CLAUSE

Imagine that the informal mediation is not working out the way you would like and rather than wait and see if you can turn it around you would like a chance to rethink the process or spend some additional time one on one with the employees.   Some reasons for doing so could include: one of the parties is not following the guidelines, someone is beginning to shut down, one of the parties is getting too frustrated or intense.

Develop a three to four sentence statement that you could use at that moment to stop the meeting and buy yourself some time:

OTHER RESOURCES

INFORMAL MEDIATION - WORKSHEET

1) Has there been a crunch? If so, who needs to take responsibility for their action?

2) What pinches have there been? How do I prepare the parties to share their pinches and to hear the pinches of the other party?

3) Do I own something in this conflict? Have I contributed in some way by doing something or not doing something?

4) What are the style issues that people need to talk about, understand and develop plans of actions to avoid pinching each other in the future (renegotiate expectations).

5) Have the policies and procedures of the organization contributed in some way? If so, do these policies need to be reconsidered? If so, what do I need to say as a manager?

6) Has the culture of the organization contributed to the situation? If so, what if anything can be done to diminish the cultural contribution? Do I as the manager have a role in trying to effect change?

APPROACHING THE FIRST PERSON

Often the coaching conversation begins when someone approaches you to vent. However, there are times when you may want to initiate the conversation. This is especially true if you are working with more than one party in a conflict. People communicate when they are in distress; your son flops down on the couch with a grumpy look on his face or perhaps a colleague walks into the office and is clearly distracted. At other times you may choose to initiate a conversation because you know that there is an existing, unresolved and festering conflict.

In our experience, the key to a successful approach is transparency. Initial defensiveness or wariness can often be overcome by an expression of genuine concern and a truthful explanation of what has moved you to be involved. A successful approach involves several steps, including the following:

- **Explanation.**
  When a third party approaches people who are in conflict, it is often for one of two reasons: the third party is coming to side with the party they are approaching ("Yeah… that so-and-so is a real jerk isn't s/he?") or to castigate that person ("You were so out of line to do that"). It is unusual – and often a healthy relief – to have someone approach who is simply ready to listen empathetically. Because this is unexpected, however, it is important to explain your rationale at the start: "*I'm coming to talk to you because I've noticed the conflict between you and Mary and I'm worried about how it is affecting all of us."*

- **Clarification.**
  Again, because people will expect you to take sides – that's what they are used to after all – it can be important to clarify that you simply want to listen and help out where you can, rather than taking sides. If you are in a supervisory capacity, you may want to be especially careful to be clear about this. You may well have a vested interest in seeing the problem resolved (*"I can't have conflict between team members affecting our work"*) but may prefer to attempt to allow the process and resolution to remain with the disputants (*"How you work this out is up to you and I am ready to help you two in any way that I can."*). The other expectation that people will carry is that you come to advise and tell them what to do. Again, it can be helpful to assure them of their own abilities: *"Sure, I've got some insights and I'll share them, but I'd prefer to avoid just telling you what to do – I know you're capable of working this out – so let's start with your own insights."*

- **Comment.**
  People in conflict or struggling with problems often believe that it is their business and not affecting anyone else. This, of course, is simply not true: unresolved conflict takes its toll on all bystanders and on the quality of interaction and work that can be accomplished. It can be helpful to be a reality check for people and remind them of the impact that their conflict is having on others. This also provides a rationale for the involvement of the third person.

- **Confidentiality.**
  In order for people to trust a third party, they need to be sure that the third party will keep information private. Especially if you are going to be speaking to both sides of a conflict, you may need to be explicit that all information shared will remain with you.

- **Permission.**
  To make a successful approach, the third party coach often needs to ask permission to talk about this and at this time. This might simply sound like this: *"Is now a good time for you to talk about this?"* or *"Do you want to tell me what has been going on?"* .

APPROACHING THE SECOND PERSON

If you are aware that two people are in conflict and neither of them has approached you and you believe the status quo is not sustainable (i.e. a resolution of the conflict is needed), you will have to decide whom to approach first. There is no set way to decide. What is most important is to recognize that at some point, one of the parties may question why you approached the person you did. Therefore, it is crucial that you have a clear reason and can clarify your intent, being transparent about what you are doing and why.

Some things that you may want to take into account when you approach the second person include:

- **Centre Yourself – stay curious/gentle**

- **Be Consistent – use same basic approach you did with the first person**

- **Inform/Be Transparent - about having talked to the other person already**
  Often we are afraid of doing this because we think that the person will feel slighted when they find out that they are second. However, there is a good chance that they will find out at some point. If they find out they were second when they assumed (or were told) that they came first, it may lead to greater mistrust. It is better to tell them up front that you have talked with the other person.

  Although your approach should differ greatly depending on the context, the following example may provide you with some ideas:

  > *"Jim, I couldn't help but overhear your conversation with Mary yesterday. I asked Mary about it because I ran into her in the hallway. She was interested in trying to resolve the issue and is committed to working it out, but wasn't sure how to approach you about it. I'd like to be of assistance to you and her in working this out."*

- **Avoid Becoming the Mouthpiece/Carrier of the Message**

- **At the same time, do consider whether sharing some info may help;** if yes, do so selectively / judiciously

Confidentiality

Now that you're working with both people, they may often ask you what the other person has said. They may assume that your role is to pass information from one party to the next. It's important not to do that unnecessarily and to get a clear understanding, from each one, of what can be shared and what remains confidential.

WHAT IF....

1) What if the situation escalates out of control?

2) What if the people can not come up with solutions?

3) What if they come up with ideas that are not realistic or I am not willing to accept?

4) In the individual coaching session one wants to ‘talk it out’ one-to-one and the other wants you there as the mediator?

5) The two parties are willing to ‘talk it out’ one-to-one but you think this is unwise?

6) One of the parties wishes to let it go and the other wants to work it out?

WHEN IS INSIDER MEDIATION APPROPRIATE?

Informal Mediation is not a panacea for all workplace problems. Not every conflict is suitable to this process. When you become involved in a conflict situation as a third party, you should assess whether or not the conflict is suitable for informal mediation. Some general guidelines follow.

Factors that Make a Case Suitable for Informal Mediation

1) The parties have expressed a desire to work on the problem or, at least, a willingness to meet and an openness to discuss the matter. Both parties need to accept some responsibility for their involvement in the conflict.

2) The issue or event is, or can be, clearly defined.

3) It is clear who is involved in the conflict and the important players will be able to come to the informal mediation.

4) The parties are able to articulate their concerns and speak clearly about what they need to have happen to resolve the conflict.

5) It is important to resolve the conflict to maintain a relationship, e.g. between work colleagues, neighbours, family members, friends, etc.

FACTORS THAT MAKE A CASE UNSUITABLE

1) The safety of one of the parties may be jeopardized by meeting, e.g. one party wants or threatens revenge (i.e. court action). We want to avoid re-victimization at all costs.

2) One party refuses to meet with the other party.

3) A person is unable to focus on the problem or identify what the conflict is about.

4) A definite and serious power imbalance exists that will distort the process and prejudice any potential settlement.

5) One party appears to have ulterior motives or is coming in bad faith, e.g. to gather information.

6) One party is unable to carry out agreement, e.g. mental disability, chemical dependency, etc.

7) The real problem is social or personal, e.g. alcoholism, mental health disorders, abuse/domestic violence, etc.

TRANSLATING TO REAL LIFE
INDIVIDUAL REFLECTION WORKSHEET

1. What skill sets or assumptions did you come to this course with which have been affirmed by the workshop in the sense that they will serve you well as a insider mediator?

2. What skill sets, habits, or assumptions did you come with which might get in the way of effective internal mediation?

3. What new specific skills or concepts are you taking away that have been particularly helpful for you?

4. Where and when do you anticipate using the skills, ideas, and models?

5. What final questions or conundrums do you have, if any, as you anticipate your return to applying this material in your “regular life?”

OTHER QUESTIONS

1) What is the difference between formal mediation and informal mediation?

2) When do you call in an “outsider-professional” mediator?

3) When people come to you with serious concerns about another party and yet ask you to do nothing what are your options, responsibilities and the possible consequences?

4) Are there times when you would refuse to agree to a request for silence?

CASE STUDY: FACILITATING A FACE-TO-FACE DISCUSSION

Rob, Lisa and Kate are all co-workers at a not-for-profit social service agency. While none of them are close friends, they all work well together and have spent time together on lunch and coffee breaks. The office in which they work is overcrowded and, like many such agencies, staff routinely feel over-worked and stressed.

One day Kate overheard an altercation in the hall way. She was unsure of exactly who said or did what to whom, but she knew that it involved Lisa and Rob and it was clear that feelings had run very high. Consequently, she dropped by Lisa's office to check in with her.

"Hey Lisa, can I come in?" said Kate, knocking on the office door. *How are you doing? I overheard something going on between you and Rob…do you want to talk to me about it?"*

Lisa certainly wanted to talk; in fact, she said that she had been unable to return to her work because she kept replaying the incident in her head. She began by describing the incident for Kate and she vented her feelings of frustration which had led up to the altercation. She also expressed concern for how Rob was feeling and for the state of the relationship between the two of them. Once Lisa had been able to vent and let go of some of her feelings, Kate asked if Lisa would be willing to talk to Rob and if Lisa wanted Kate's help to do so. Lisa was still feeling quite upset and said she needed Kate's presence in order to make the meeting run more smoothly.

"Okay, I'll do that Lisa," Kate responded. *"But, before I go and speak with Rob, it might be helpful if I recap what I've heard you say that needs to be addressed when we all meet together. You've told me that you are concerned that you might have hurt Rob and that you want to apologize for that. You've also expressed very clearly how hard you find it to work when there is a lot of noise and confusion. This incident really arose from that need; you need a quiet workspace and you have lots of work, even if it is Friday. So, when Rob was joking with people outside your door it felt really disrespectful to you and made it hard to do your work. It looks to me like we'll need to talk about the incident itself, and also how to interact in the future so that you can get your work done so we don't have any repeat incidents. Have I got that all right?"*

Kate then helped Lisa to prepare for the face-to-face meeting.

"Lisa, why don't you just practise with me for a moment. I know this is going to feel a little weird, but talk to me as if I were Rob and tell me how you felt about what happened."

Lisa plunged right in.

"Rob, you were so thoughtless. You know that I don't work well with distractions, but there you were outside my office laughing and joking with people. I know that it was a Friday, but I still had work that I was doing and…"

Kate cut in at this point.

"You know, what you are saying is really important. I think that if you could first tell Rob why you found that noise so disturbing it might be easier for him to hear the other things. Why don't you try it again?"

Lisa paused and tried again.

"Rob, a quiet workspace is really important to me - I just can't get my work done if there are distractions. Friday afternoons are really high-pressure times for me. So, when I heard you outside my room, laughing and joking, I just blew up. What you were doing felt really disrespectful to me and in the future I'd really appreciate it if you would joke around in another part of the office or make sure that my door is closed."

Lisa and Kate practised like this for a few minutes; then Kate went to Rob and repeated the process. She listened to Rob vent, helped sort out the issues that needed to be addressed, clarified her role in the process and coached Rob in preparation for the face-to-face meeting. Then all three sat down together.

Kate began that meeting.

"I think that it's great that you two are choosing to work on this together - that shows a real commitment to the work that we're all doing, to the atmosphere of the workplace and to your working relationship. I'm not going to do much here - you folks are well-prepared to speak to each other. I'll just step in if I think that I can help things to run more smoothly. And right now I'll just remind us all of the issues that you wanted to address: the incident in the hall and how such incidents might be avoided in the future. Now Lisa, you said that there was something that you wanted to say to Rob to start us off."

Lisa began by apologizing for slamming the door in Rob's face and expressed her concern with the resulting bruise on Rob's lip.

Rob responded:

"Yeah, thanks…you know it's not so bad really. I think that the bruise looks worse than it really is. It's okay. But you know I really was kind of taken aback when you reacted like that…"

Lisa broke in:

"Well, what did you expect?! There you were…"

Kate cut in:

"Lisa, you're obviously still feeling pretty upset. It might be helpful if Rob could understand why you found his behaviour so upsetting. You told me something about your working style that might help him to understand…Can you tell him what you told me about the conditions that you need in order to do your work?"

Lisa had used the pause to refocus. She began again:

"Rob, quiet in the office is important to me - I can't work if there are distractions. When I heard you outside my room, laughing and joking, it felt really disrespectful to me and I guess I just lost it. It's not that I don't want you to joke around - I just need you to joke around somewhere else."

Rob indicated that he understood this need but that it was new information for him. The two of them began to work out some guidelines for the future. At this point Kate could simply sit back and watch the process unfold.

ROLE PLAY INSTRUCTIONS

Role plays provide an opportunity to integrate and practice theory and skills in real life conflict scenarios. Role playing combines both the theatrical and the personal. You may be surprised how certain situations or roles will engage you in very personal and emotional ways. At the same time, role plays are artificial situations that permit you the opportunity to experiment, take risks, “rewind” a specific sequence of interactions and practice responding in new or different ways. Role plays can also be stopped at any time.

While Role Playing:

- Have fun!
- Remember that it is okay to feel uncomfortable.
- Take time to debrief out of your role, particularly if you have become emotionally involved.
- Do something symbolic when moving out of the role play, like taking off a name tag or shaking hands.

As the Informal Mediator:

- Practice different skills.
- Take risks. Role plays are a safe place to make mistakes. Real life may have more serious consequences.
- If you feel stumped, stop the role play and discuss options with others.
- Take the feedback of those playing the roles and your coach seriously; accept the gift of their comments and reflections on both your strengths and specific areas for possible improvement.

As a Party:

- Tell your story as you know it. Add details consistent with your part.
- Please don’t read from the role description; it’s not a script.
- Remember, you have chosen to participate in this process.
- Give the informal mediator a challenge, i.e. be emotionally engaged and work to have “your” concerns addressed, but don’t make the task impossible. You will be the informal mediator next time!
- Do not use your own name. Use name tags and a fictitious name.
- Let the informal mediator know what they did well and what would else might been helpful to move you along in resolving the dispute. Often parties who are playing the disputants are in the best position to give constructive feedback.
- At the same time, be sure to give feedback in a compassionate manner. Most persons need two parts affirmation for every one part critical.

EVALUATION for MEDIATION SKILLS

Name:________________________________

Date: ________________________________

Organization: Menno Simons College Position: Student

1. a. I came hoping to learn:

   b. What I learnt was:

   c. One way I intend to put my learning into practice is:

2. I thought the pace of the workshop was:

3. a. I really enjoyed:

   b. One thing that could make this workshop stronger is:

4. I thought the trainer was:

5. What other workshop topics are you interested in:

6. Overall, I would give this workshop a score of _______ out of 10

7. If you're interested, please use this space to write a short testimonial or for any additional comments:

May we use your name and the information you have shared on this form in our promotional material? Y/N

PLEASE NOTE: THIS COURSE COUNTS AS CREDIT TOWARD RESOLUTION SKILLS CERTIFICATE PROGRAM. FOR MORE INFORMATION, PLEASE TALK TO THE WORKSHOP FACILITATOR.

BACK OF EVALUATION
DO NOT USE FOR NOTES