



MEDIATION

Maximize Your Effectiveness

TIPS TO MAXIMIZE YOUR EFFECTIVENESS IN MEDIATION

Mediation is a conciliatory process increasingly used in the workplace to resolve conflict. It represents an opportunity to do something different; to stop fighting and, instead, collaborate. So, what can you do to make the most of your opportunity to achieve a mutually beneficial agreement notwithstanding prior unsuccessful attempts on your own?

1. Prepare

You've probably heard how failing to prepare, is preparing to fail. And this is very true of our conflict situations. There are things we can do to prepare so as to be at our best when having a difficult conversation. We can figure out in advance what we are feeling, what we need, what external norms, standards and laws are at stake, but also what we'll do if we don't reach agreement. Completing the worksheet at the end of this page is a great idea!

2. Listen to Understand

The best way to persuade another person is by listening well. "Seek first to understand, then to be understood", said the late Stephen Covey. Yet listening is one of the hardest skills to master – especially when we perceive the other negatively. As long as we are listening and demonstrating that we understand what the other is saying, we are more likely to reach our goal of agreement.

3. Respond Wisely, Don't React Defensively

We facilitate the resolution of our conflict situations when we are able to articulate what we are feeling and needing, and our actions are guided by our highest values. By contrast, when we react defensively, we judge and blame and escalate the situation.

4. Use "I" Statements to Communicate Without Judgment or Blame

"I" statements are different from "you" statements. You statements are judgmental and shut down communication. They are ineffective communicators of what people really feel or need.

By contrast, "I" statements are empathic and open up communication. They require us to describe the situation observationally; to identify how we feel about what we have observed; to articulate our needs that are not being met and which give rise to our feelings; and to describe the concrete actions we need to move forward.

The four elements of an "I" Statement are:

- I feel... (Feelings)
- When... (Observation: describe behavior in non-blaming terms)
- Because... (Needs)
- Make a positive behavior request. (Request)

For example: "I feel frustrated and unimportant when you start talking before I have finished because my full message is important. I would appreciate it if you could let me finish talking first."

5. Assert Your Needs and Be Creative When You Brainstorm Solutions

To assert our needs, we must first know what they are. Sadly, we often don't know what we are needing and focus more on our judgments and demands of others. Mediators reframe the conversation to focus on our needs. Coming into the mediation knowing what our needs are will make a huge difference. And, the more we can anticipate what our colleagues need, the better. Once we have a good sense of what we each need moving forward, we have an opportunity to find mutually beneficial solutions. In many senses, we are only limited by our own lack of creativity.

6. Consider What External Norms, Standards, and Laws are at Stake

Conflict plays out within a particular context in which participants have expectations of what will happen based on what has happened to others (precedent), and also any relevant norms, standards and laws. Knowing this, in advance, will help. For example, if you have a concern about noise, is there a policy or procedure that describes what to expect?

7. Know What You Will Do if You Don't Reach an Agreement

It is important to know what you will do if you don't reach an agreement. Also, it's wise to contemplate the other person's alternatives. You may not like what is being offered but if you don't have a better alternative away from the table it's a strong choice to accept what's on the table.

Knowing what your best alternatives are, will inform you as to whether you should accept an offer made. If you have a better way of meeting your needs on your own (a strong alternative) you won't be as motivated to work something out. However, if you don't, then you will be more motivated to find a mutual way forward.

8. Focus on the Future

When it comes to resolving conflict, mediators encourage you to focus on the future you would like to create, rather than on the past that didn't work. At the same time, it is important to be able to talk about what happened in the past in order to achieve closure, but always with an eye to the future you are envisioning.

9. Be Conciliatory

A genuine apology is a conciliatory gesture. If you need to apologize, do so. And if your colleague is conciliatory, make sure you acknowledge the gesture and reward it. Don't respond to conciliatory gestures with an attack. For example, "I can see my part in this problem" is conciliatory. Saying "It's about time" or something to that effect, negates the impact of the gesture.

10. Be Open

Doing what we always did got us here! Mediation is a way to do things differently. So, if you come into the mediation thinking you are right, have all the answers and have nothing to learn then it is unlikely you are going to work things out. By contrast, if you are open to showing up differently, then there is a reason to be hopeful. Either you are open or closed. Be open!