

# **An Exploratory Study of Factors Influencing the Choice of Mediation to Resolve Interpersonal Workplace Conflict**

## **Synopsis**

This research examined the factors important in why an employee chooses mediation to resolve a workplace issue such as bullying or harassment. The project was exploratory in nature and used an inductive approach.

While the literature about mediation frequently mentions the benefits and advantages conferred by the process, there is little previous direct research about why people in interpersonal workplace disputes refuse the offer of mediation.

It was decided that the most appropriate approach for exploratory research in this area was interview and a small sample of people were spoken to for their views. These included three practising workplace mediators, a full-time trade union official, a human resource manager and two direct subjects, one of whom had taken part in a mediation and the other who had agreed to take part but had not yet begun the process. It had been intended to interview more direct bullying subjects but access proved to be difficult. The interviews were digitally recorded and transcribed, the responses were analysed and the factors distilled from the responses. The factors were grouped into three main areas as follows:

**Informational** (provided by the organisation, from others, from previous experience)

**Intentional** (what do the parties intend – resolution or revenge ?)

**Institutional** (how forceful the employing organisation is in promoting the use of mediation).

*Informational* factors, while seeming not to be so important to the actual bullying subjects themselves, were useful in focusing on the importance of a non-committal pre-mediation meeting with the mediator. Describing mediation as ‘informal’ and ‘voluntary’ was thought to act against a positive choice for mediation, especially if it

appeared that the conflict was not being given the due attention which the parties may have felt it deserved.

*Intentional* factors were thought to be quite significant particularly the view of the other party – if either or both parties to a dispute were seeking to counter-attack and to gain revenge then this was most likely to result in a choice for investigation rather than mediation. However if both parties sought an end to the issue and were prepared to engage with each other to achieve this then it was likely that the choice would be mediation.

*Institutional* factors, particularly courage in moving away from the norm of investigation, were found to be good facilitators of a positive choice for mediation.

The organisational implication for encouraging mediation was that mediation should be made fully part of the formal process and the organisation should require the first step to be a non-committal meeting with the mediator. It was noted that the intentions of the parties could be challenged and worked on at such an initial meeting, hence increasing the possibility that the parties would chose to continue in the mediation process rather than proceed to investigation.

It may well be that this approach would meet resistance of an ethical nature from mediation practitioners as both the informal and voluntary nature of mediation in general are strongly held values. However in the workplace context it would seem not unreasonable to re-define the nature of mediation such that it would be more widely adopted and used and support for this view was found in a 2007 poll of members of the CIPD.

The main difficulty of access to subjects was noted and it is suggested that future research may focus on a large sample of subjects post-mediation or post-investigation.