



MAKING REFFERALS TO THE ADR BUREAU

When is Mediation the Best Choice?



Mediation is likely appropriate when:

- ✓ There is a clear understanding of the mediation process through our program including expectations, any agreements made, what mediation can offer and its limitations
- ✓ The issue is relationship-based or a breakdown in communication; our program cannot mediate compensation, disciplinary actions, policies/procedures, etc.
- ✓ When a formal process (such as a grievance, investigation, EEOC Charge, lawsuit, etc.) ISN'T already in place
- ✓ The issues are NOT repetitive violations of policies/procedures that should be addressed by management and/or HR
- ✓ There is NO history of violence, threats of harm or active engagement in substance abuse

Factors that help make resolution more easily achievable:

- * Parties are sincere in making a good faith effort at resolution and are forward-thinking
- * Mediation is being considered as an early resource; the dispute has not been allowed to fester for a long period of time
- * Those who are directly involved are those at the table and have the authority to negotiate on their own behalf
- * Hostility towards one another is low or moderate
- * Parties previously had a positive working relationship
- * All are competent and in control of their actions and behaviors, can make and keep agreements and are not influenced by alcohol, drugs or instability
- * Management encourages mediation and supports conflict resolution
- * There are NOT any personal issues that might be best handled first before mediation (personal counseling, training, etc.)