

# Mediation – How to Prepare

Workplace mediation can assist working people to reach fair and practical solutions to workplace conflict. The process is designed to create a safe environment for parties in dispute to discuss their concerns and explore their options. This is done with the assistance of a mediator.

## What Should I Expect to Happen When I Attend Mediation?

The process varies and there is no one correct method but the following is an outline of the roles and the process of a mediation as described by the National Alternative Dispute Resolution Advisory Council.

### The Mediator's Role:

- Meets with you privately before the mediation to talk to you about how the meeting will work.
- Tells you if he or she knows or has previously helped any of the people involved in the dispute and asks you if this is a problem and how it can be resolved.
- Gives you information about the meeting, who will be there, who will speak, how long the mediation will last and whether there will be more than one meeting:
- Suggests you see other people where appropriate, who can give advice, information or support before and/or during the mediation.
- If asked can provide information about the type of things which have appeared in agreements dealing with conflict similar to yours.
- Asks you what would make the mediation work fairly for you.
- Gives you information to help you decide whether mediation is the right way to address your problem.
- Speaks to you directly rather than to any interpreter, support person or adviser you may use during the mediation.
- Maintains confidentiality at the meeting and mediation or explains when he or she won't.
- Has no personal interest in the agreement and will always be fair, objective and even handed.
- Works with all the people involved in a positive way throughout the mediation.
- Helps the mediation so that everyone involved understands what is being said and what is in the agreement.
- Encourages you to ask questions.
- Gives you time to think about whether an agreement will work for you
- Does not push you or the other people into an agreement where it is obvious that this will not work.

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### What You Need To Do Before The Mediation:

- Clarify the key issues in your own mind or even write them down.
- Give some thought to the form of resolution you are seeking.
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This will assist in forming the framework for the resolution process and help you be clear about what the problem is and what you are looking for.

### What You Need To Do at The Mediation:

- Be prepared to listen even if you don't agree.
- Co-operate.
- Take an active part.
- Think about what might be a fair agreement for everybody involved.
- Keep an open mind about what might resolve the dispute.
- Accept that people are different and have different needs.
- Understand that the way a mediator treats each of the people at the meeting might need to be different if the mediation and the agreement are going to be fair.

It is important to remember that one of the key features of mediation is flexibility. How mediation is conducted at CORP can change to meet your and other peoples' needs provided that fairness and justice are not compromised.

The parties involved in the mediation 'own' the process and create the outcomes. The mediator facilitates to ensure safety and equity for all. Mediation can help parties to listen to one another without blame and accusation. The process focuses on the future and on solutions.

If you have any further questions regarding the mediation service at CORP please contact the Conflict Management team in your local area.

*Source: A Fair Say. Managing Difference in Mediation and Conciliation. NADRAC*

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