

Mediation: new research shows that ‘Talking’ does work

Finding out how mediators actually do their work and whether they behave differently in different contexts are just two of the questions which University of Galway academic, Deirdre Curran, is posing as part of ground-breaking research into this growing employee relations field.

Given the nature of mediation, with confidentiality and trust at its core, research in this neglected area is timely, especially with the growing use of mediation in the employment relations/industrial relations arena in recent times. Here are just a few quotes that Dr Curran believes make a real contribution to her research and they come from the words of the practicing mediators:

‘What does a mediator do? Facilitates effective communication, all that language laundering stuff, facilitating mutual understanding and then facilitating a mutual consideration of the options and opportunities to find ways forward.’

‘I would say seven to eight times out of 10 that one of the things that alleged aggrieved party is looking for is an apology, but by the time you come to the end of it, it’s no longer relevant.’

‘People don’t think, when it comes to work, that things are going to go wrong and sometimes they find that very hard to cope with, because suddenly their career was going fine and then they hit this crisis and they just psychologically are not prepared for that. It probably has an on-going effect and that breach of trust carries over. They are never quite as confident or as trusting again.’

‘One advantage of the agreement [in the case of Equality Tribunal mediations] is that it’s enforceable in the Circuit Court so it is legally binding and that’s a big advantage of our process and one you would really emphasise to the complainant. I’ve never in my seven years had a case where somebody hasn’t paid up or even with the confidentiality, that somebody has come back after it’s been signed and said confidentiality was breached. There’s something about signing a legal document that things click with people and they tend to be careful about doing it.’

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