

**Workplace mediation** is a process that assists members of a workplace resolve issues that are in dispute. It is a voluntary and confidential process. Our accredited experienced mediators are impartial, assisting parties to reach fair and workable written agreements. Such agreements aim to be consistent with employer's policies and relevant legislation.

**Workplace Facilitation** is a process in which parties difficult conversations are facilitated by an independent, impartial and objective facilitator. The aim of the process is not to reach a written agreement. Rather the aim is to discuss and resolve issues which may result in outcomes that parties' can apply in the workplace.

Positive Solutions does not provide reports for legal, insurance or tribunal matters. Nor do we provide reports on what was discussed during mediation to the employer. We can provide feedback regarding whether the mediation reached agreement or whether further sessions are required, however the content of mediations cannot be disclosed to employers. If signed mediation agreements are reached, they will be given to the employer and both parties.

### **The process**

Each party to the mediation/facilitation must attend a one-hour intake appointment at our office.

If you are the person wanting to initiate mediation or facilitation process, the mediator/facilitator will invite the other party/ies to attend an intake via a written letter.

Once each party has had an intake session, the Mediator/Facilitator will consider whether mediation/facilitation is appropriate. When considering whether these processes are appropriate, mediators and facilitators consider many factors. Please note that if an employee has full or partial medical incapacity for work, medical clearance assuring a person's capacity to engage in mediation or facilitation must be obtained *prior* to participation. In addition if the mediator or facilitator is of the view that the process could create/exacerbate a physical or psychological risk to an individual, mediation or facilitation may be deemed not suitable. Alternatively, Shuttle process where parties are in separate rooms during the mediation or facilitation may be arranged. Two mediators or facilitators (one male and one female) co-mediate/co-facilitate this process.

### **Referral process**

Employers and employees can initiate a workplace mediation or facilitation process. The employer or employee who is invited to engage in the process must voluntarily agree to participate and have the freedom to suspend or terminate the process at any time.

### **Legal & Industrial Issues**

Mediation and facilitation processes are not designed to mediate or discuss industrial or performance management issues. If these issues are identified as the primary concern, Positive Solutions will discuss this with the referrer so that a more appropriate process can be utilised.

Mediators and facilitators do not provide legal or industrial advice, they are impartial and remain objective at all times. If the parties need to obtain advice about organisational policies or relevant legislation, they will need to seek this independently.

### **Location**

Sessions are conducted at Positive Solutions office at 156 Davey Street and sometimes, where appropriate at the workplace.