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## Workplace Mediation for Diversity Conflicts

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*Partner, Ballard and Moore*

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# Workplace Mediation for Diversity Conflicts

## Abstract

*Diversity conflicts usually occur in organizations where communication is inadequate and generally require a third party to facilitate resolution. Developing and preserving healthy workplace relationships must be a top priority for all employees. Using mediation to resolve diversity conflicts in the workplace allow preservation of jobs and full and equal participation and contributions by all employees (including minority employee groups). This workshop is designed to provide people of color in predominantly white institutions an alternate dispute resolution method to resolve relational conflicts such as race, gender, age and culture differences.*

## **Maxine Moore Ballard**

Partner, Ballard and Moore

Conflicts in the workplace can be very stressful; and in extreme cases can end an employee's career. It does not really matter what the conflict is about - procedures, a personality clash, control issues, different values, different cultures or change. What matters is the basic psychological needs of one of the parties have not been honored such as recognition, appreciation, participation, respect of autonomy. If the conflicts are race or gender based diversity issues such as race discrimination and gender harassment one or both parties are usually forced out of the workplace. Changing jobs, even if it is voluntary, can cause permanent damage to a person's career. Diversity conflicts are relational in nature; and generally require a third party to facilitate resolution. Managing and resolving conflicts are possible with open, honest and clear communication that follows a given process. Mediation is recommended as an effective alternate dispute resolution method to preserve workplace relationships.

Mediation is a negotiation process led by an agreed-upon neutral, called a mediator. It is based on the principle of self-determination and provides a forum in which a mediator facilitates communication between parties to promote voluntary, uncoerced agreement. The mediator uses his or her experience to point out the strengths and weaknesses in each party's position, to ask questions and make private recommendations, when appropriate, about the underlying merits of each side's perceived position and to communicate options to resolve the conflict.

## **Selecting a Mediator**

Diversity conflicts usually occur in organizations where communication is inadequate therefore it is crucial to ask for mediation early in the process. The points below will assist you in selecting a mediator.

- Select a mediator knowledgeable in resolving diversity conflicts
- Match the work style of the mediator to your style
- Choose a neutral and impartial mediator who values workplace relationships
- Select a mediator with a qualified designation
- Select an evaluative mediator to assist you in assessing the conflict

## **Advantages of Using Mediation in Workplace Diversity Disputes**

Mediation provides a quick and inexpensive means for both sides to resolve the conflict.

- A court trial can take an average of three to five years
- A court trial's outcome is based on win and lose
- Most employment workplace disputes can be resolved in eight to 10 hours
- Mediation allows for compromise (win/win outcomes)
- The parties can choose their own result (It is not left up to a jury)
- In Mediation both sides know what the end result will be
- Cost effective for both sides (average cost range is \$100 to \$200 an hour)
- Mediation is a confidential process

Mediation offers an opportunity for employees and managers to work together to resolve workplace conflicts.

- Mediation can preserve relationships, improve communication and prevent conflicts from escalating.
- Provides an alternative to traditional adversarial legal/judicial system
- Gain a mutual understanding of the issues
- Improve workplace relationships

Employees are often bewildered and confused when conflict arises in the workplace even though conflicts are a natural part of every relationship. This happens because employees have not learned how to reconcile differences constructively. In the workplace, employees attempt to minimize differences by focusing on short-term solutions such as: an overall goal, a common belief system and a "culture" that they share and that unifies them.

Developing and preserving healthy workplace relationships must be a top priority for all employees. Using mediation to resolve conflicts in the workplace allows preservation of jobs and full and equal participation and contributions by all employees. I challenge you to select mediation as your alternate dispute method the next time you are involved in a conflict in the workplace.

This workshop is designed to provide people of color in predominantly white institutions an alternate dispute resolution method to resolve relational conflicts such as race, gender, age culture and etc. differences.

This workshop will cover the following topics:

- How to identify diversity conflicts
- What is workplace mediation
- How to select a mediator for a diversity conflict
- Diversity mediation conference
- Diversity mediation agreement

## **Presenter**

**Maxine Moore Ballard** is a human resource consultant in private practice, specializing in Workplace Issues. She holds a Masters degree from Western Illinois University in Counseling and a Bachelors degree from Grambling State University in Speech Pathology and Communications. She has over 20 years of experience in the field of

Human Resources. Her most recent positions prior to becoming a workplace consultant were Vice President of Human Resources Services at Hawkeye Community College in Waterloo, Iowa and Vice President of Operations for Jane Addams Community Mental Health Centers in Freeport and Galena, Ill. She hosts a radio program on Workplace Issues along with a quarterly workplace Issues Column in Black EOE (Employment and Entrepreneur) Journal. Some of her most recent articles are: Workplace Communications and Workplace Relationships.

Ballard received a national award from College and University Personnel Association (CUPA) for Excellence in Human Resources Management. Her most recent designation as a Qualified Mediator allows her to work with organizations engaged in workplace conflicts.