



HR MAGAZINE

CREATE THE WORLD OF TOMORROW

**MEDIATION :
HOW TO
RESOLVE
CONFLICTS
WITHIN YOUR
COMPANY**

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THE COMPANY'S SECRET WEAPON

The professional mediation is the discipline which deals with the study of relational conflict, from relational quality components to relational degradation. It gives the resources and tools to professional mediators to progress and help in the relationship projects management.

The goal can be to re-establish, maintain or bring an issue to a relational situation.

Relational engineering consists of techniques, methods, identified devices and is based on a conflicts methodological approach. Therefore, professional mediation allows to develop rational processes about reflexion in otherness.

We need to make the difference between professional and legal mediation. In justice, before taking to court, people can use the mediation, in order to find an amicably agreement to the dispute. If one part takes to court the dispute, the judge can send them to mediation first. Mediators are neutral and impartial professionals. Mediation is possible in every field where parties have free provision of their rights.



ANDRH MEETING

WHEN NOTHING GOES RIGHT, GO LEFT

The meeting was presented by **Jean-Philippe Duchemin**, Human Resources Director of an healthcare facility. It took place in the DSI meeting room. It was made up of testimonies in the form of interviews.

The speakers presented us with 3 feedbacks to show the specificities and extent of mediation in different professional contexts.

These very concrete uses of mediation were explained by **Jesus Rubio**, representative of the Professional Chamber of Mediation and Occitania Negotiation.

We get the chance to interview:

- **Maela Langlade**, Human Resources Director of Sicoval, which uses mediation on a permanent device in the service of community agents.

- **Isabelle Gélis**, Regional Human Resources Manager of DPD France SAS on mediation between two employees in a team of four.

- **Amel Hamet**, head of the AcDiCom company in Toulouse (3 employees), on a mediation between two companies.

Event covered by the Authors: Mrs Bourguignon Cindy, Mrs Nougarede Laura, Mrs Desplanches Sophie





MAELA LANGLADE

EXCLUSIVE INTERVIEW!

“In 2010, internal communications launched an investigation to have a visibility of the social climate. The result showed that there were many stressed agents. Due to that, The CHSCT wanted to set up a team work focus on stress and a psychosocial risk prevention process.”

“The CHSCT called on an external firm to carry out a survey on psychosocial risks . Although this investigation was eagerly awaited by officers, it failed to identify which category of officers was targeted. However, it demonstrated that there were risks of PHI.”

“Collective and individual initiatives emerged, such as courtesy campaigns, taking into account the meaning of work, and trying to provide an individual response to the agents on site. In this context, the establishment decided to use a mediation system.”

“In 2012, there was a transfer of skills and a culture change. In 2016 we decided to do a new diagnosis because there were many changes in the organization: merger therefore transfer of skills and culture change. The PHI survey is based on 4 axis: workload, relationship to user, governance (because here a little particular since governance is done by community elected officials), and support for managers in the community.”



MAELA LANGLADE

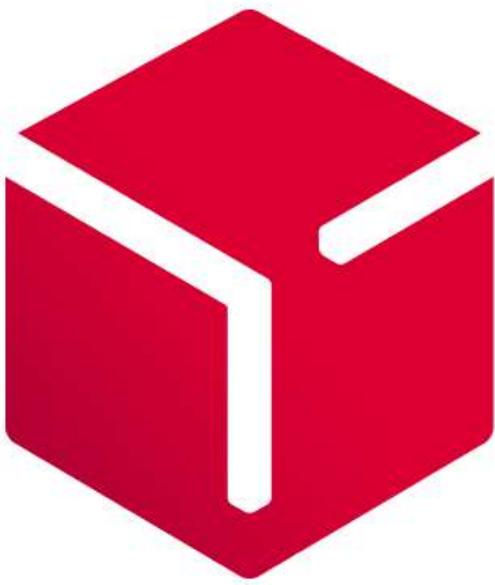
EXCLUSIVE INTERVIEW!

"It was decided to continue working with mediation because the mediator indeed brings a neutral and external listening. The mediator's requests are made by telephone using a toll-free number which allows employees to remain anonymous, and in a room reserved for this purpose. Appointments can be made during their working time, as a medical appointment. The procedure is very supervised and anonymized."

"Feedback was positive and it was effective."

"After six months, more and more people called the mediator, it was a really big growth. Executives have taken advantage of this system and approached the mediator for training problems in relationships. The managers felt in difficulty in how manage relationships. We decided to put in place a multi-year training plan to support managers in the community."

"Today, we analysed there is less demand: a safe context, but also, as managers have been trained, the quality of relationships has improved. Even if the social climate is fine, it is still important to keep the mediator external."



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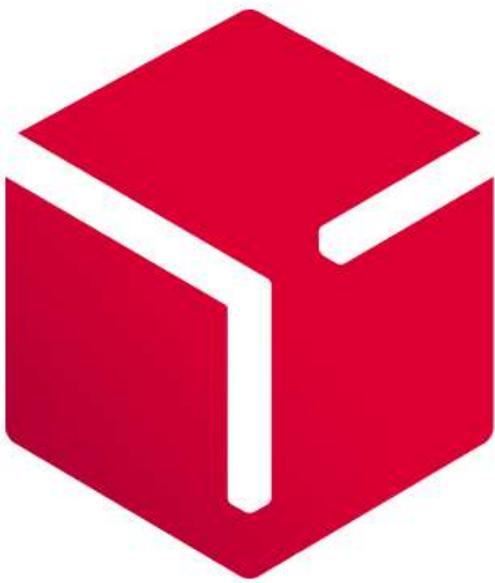
ISABELLE GELIS

EXCLUSIVE INTERVIEW!

"I have been the human resource manager of DPD France for a long time, and I am currently reorienting in mediation. I have been certified in 2017. During this same year, DPD France faced a contentious situation between two managers who could not support each other anymore (one of them had a transversal competence). The communication between both of them no longer existed" tells Isabelle Gélis.

"This situation has been lasting since a year. However, as DPD France is a big company, it is complicated to hear from every single massive conflicts at the head office. Therefore, the CHSCT took action, because this problem was disrupting within the whole department. Teams and managers were having troubles to work peacefully. The report from the CHSCT reveals suspicion of psychological bullying. Every KPI (Key Performance Indicators) were alarming" adds Gélis.

"We could have fire one of them, or taking disciplinary actions, but that is not the company's culture; especially that they were highly skilled. As a result, we have decided to get assistance from mediation. The professional mediation took much more time than expected. The whole process lasted almost three months."



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ISABELLE GELIS

EXCLUSIVE INTERVIEW!

"The mediation allowed the two employees to communicate in a temper climate, thanks to a rhetorical game suitable for professional mediation. There has been a real discussion between them, rancours have left, letting them to start a new relationship. It was definitely miraculous, and the only regret we feel is that we should have done it earlier. Indeed, the professional mediation can be used as a preventive, or as a curative way. In our situation, this was curative." describes Isabelle.

"Mediation was a release for everyone."

"The mediation is cheaper than going to Conseil des Prud'Hommes. Also, if we were supposed to go the Conseil des Prud'Hommes then, the fact that we have been on mediation before is a good point. Today, I can say that it is important to keep a dialogue culture within the company, because people need recognition, and be able to freely express themselves. That is why mediation was a release for everyone." explains Isabelle.



ÉVÉNEMENTIEL ET STREET MARKETING

AMEL HAMET

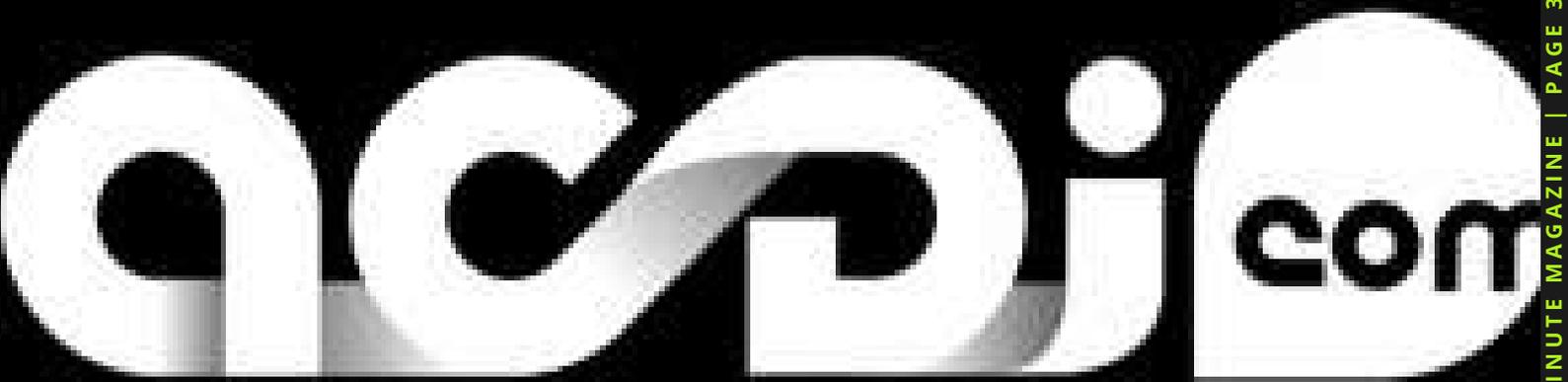
EXCLUSIVE INTERVIEW!

"My company's premises are located at the bottom of a building at the exit of the Roseraie metro station. I employ four people for my business, and I call on students who come to my premises regularly. Five years ago, we underwent a lot of work imposed by the lessor. Because of these works, the car park was blocked, and there was a lot of noise which prevented us from concentrating."

"Using mediation is much less cumbersome than a court case!"

"One day, there was a rumour that there was going to be major work. So I went to inform the owner, who denied the rumour. But when I came back from my holiday some time later, a neighbour told me about the work. I was worried, so I asked my landlady again, and she said that there would be no work done, and that they would keep me informed. But a few months later, the work started. It was impossible to work, to train people."

"I contacted my landlord, who told me that the person in charge of the building site had come to see me. The landlord said it was my fault. The foreman said it was not his responsibility to answer questions, and that in any case the work was not directly related to my apartment."



ÉVÉNEMENTIEL ET STREET MARKETING

AMEL HAMET

EXCLUSIVE INTERVIEW!

"It was unbearable, so I went to see a lawyer, and I contacted the building site again to ask them to stop. One person came to the premises once the work was finished and said that there was no problem now. Of course, the work was almost finished! And as a bonus, this person criticized my way of managing!"

"Finally, the first letter was sent with the lawyer, I wasn't giving up hope. I had to change lawyers because the first one I contacted had too much work and the procedures were too long. The new lawyer offered to try mediation. So we selected an external mediator, and the mediation has or will start."

"It took too long, so I decided to go to court. But the court sent a letter to the lawyers asking them to take mediation back. So the mediation started again. I finally got to see my landlord, and I asked her to sell me the premises, since I had lost all confidence in her. I thought it would be a gesture that would allow me to regain my trust and repair the damage I had suffered. My request was accepted. Thanks to this I was able to regain my confidence."

"The mediation allowed us to discuss and talk to each other on more neutral ground. Even though I had many reservations at the beginning, I am very satisfied with the result. And then it must be said, using mediation is much less cumbersome than a court case!"

WORD FROM THE EXPERT

*Jésus Rubio was the professional mediator for the three cases that are explained above. According to him, even if each situation is different and diverse, there is still a common interest : the **conflict**. For many reasons work relations can be replaced by passionate relations with hate, or rancour yet. This turns off possibilities of discussion. In fact, this is not related to the person themselves, but to the emotional aspect of the relation. This aspect took on a dimension that neutralizes their capacity **to listen each other arguments**, and so practicing an **active listening**.*

WORD FROM THE EXPERT



The professional mediation' specification is about acting in a dispassionate climate. In this case, the purpose is to lower the pressure, in order to be able to revitalize the discussion and erase the conflict then.

*For instance, when the conflict deals with managers who cannot talk to each other anymore, this is terrible for them, but also for the company. The accompanying is very **technical** and **precise** in the aim of making them put things into. Nevertheless, the mediator is acting to make the parties putting them into the process and, making them finding **sustainable solutions**.*

In no cases, the mediator will order any solutions, is is only here to calm down the situation and allow a speaking time to each part.

At the end of the day, professional mediation work is the relational quality. Mediataion tend to respond to the question:

How can you work on giving the employees a solution which will allow them to become aware that they can have nominal work relations in compliance with what is require to do in the work frame?

WORD FROM THE EXPERT



Can we impose mediation?

The role of the manager is at the very least referent, or leader, and this role must be assumed. The manager must guide his or her employees on what they should do. You can't impose it as such, but contact a mediator who will approach the employees in question and try to get them to accept it. In some cases, a judge can impose mediation.

Which is the best between internal or external mediation?

According to expert, internal mediation is better because it allows taking actions before any conflicts. The main reason is to avoid crystallizing the problem. Furthermore, external mediation is more expensive than internal. Another positive aspect of the internal mediation is that, in this case, the mediator is at the heart of the employees, and is able to recognize and then anticipate the problems. However, employees can think that an external mediator is more neutral, and can avoid a roles' confusion.

How high is the failure rate?

Since 10 years of mediation practice, Jesus Rubio faced only 2 or 3 cases of failure due to the lack of involvement. When the interlocutors are well involved in the mediation system, they would automatically find positive solution or answers to their difficulties