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Mediation/Workplace Facilitated Discussion

Mediation and Workplace Facilitated Discussion are services designed to help individuals engage in difficult discussions in a safe and effective way, resolve conflicts, negotiate mutually acceptable agreements, and establish practical steps to reset working relationships. While the terms are often used interchangeably, there are differences:

- **Workplace facilitated discussion:** Provides recovery through work support to address issues impacting an employee's recovery at work. It is a claim cost and not confidential.
- **Mediation:** A confidential, independent process unrelated to compensable injuries, helping parties agree on workplace matters. It is non-claim-related, and the cost is payable by the employer.

Who is it for?

- Employers to help staff resolve conflicts or address barriers to an employee returning to or remaining at work.
- Injured workers to provide a safe space to discuss and resolve issues with colleagues or managers.
- Insurers to resolve issues, promote prompt return-to-work (RTW), reduce claim costs, and enhance claim outcomes.

What it involves:

- **Accredited mediators:** Delivered by mediators/facilitators accredited by the National Mediator Accreditation System.
- **Assessment:** The mediator assesses whether the issues are suitable for Mediation or Workplace Facilitated Discussion and whether the parties have the psychological capacity to engage.
- **Voluntary participation:** Both services require voluntary participation.
- **Preliminary consultation:** Initial consultation with each party to determine service compatibility and ensure meaningful engagement.
- **Joint sessions:** Can involve all parties in the same room or shuttle mediation with parties in separate rooms (in-person or online), facilitated by the mediator.
- **Agreement:** A draft agreement is reviewed and finalised by each party, resulting in a signed agreement.

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What to expect:

- **Safe and structured resolution:** Participants can voice concerns and viewpoints uninterrupted in a structured and safe environment, ensuring that conflicts are resolved through a fair process with a neutral and accredited mediator.
- **Protection of wellbeing:** The structured process prevents harm and aggravation to participants' wellbeing or workplace injury, aligning with customer expectations for a safe environment.
- **Confidentiality:** For mediation, confidentiality is maintained, protecting the content of discussions from being used against participants' employment, as expected by customers.
- **Clear and agreed outcomes:** A written agreement is created, which is approved and adhered to by both parties, reducing future issues and resolving conflicts effectively.
- **Enhanced communication and understanding:** Ensures each party feels heard, meeting customer expectations for fair expression regardless of the outcome.
- **Improved RTW outcomes:** Resolving conflicts results in enhanced RTW outcomes, benefiting both the employer and the injured worker by promoting a harmonious work environment.

When you might need this service:

- **Avoidance of conflict:** When an injured worker has not returned to work due to avoiding a colleague or the alleged perpetrator of their injury.
- **Miscommunication:** Misunderstandings or miscommunication between an injured worker and an employer representative, colleague, or manager.
- **Conflict as a barrier:** When conflict or concern is the main barrier to an injured worker returning to work.

Benefits:

- **Fair process:** Conflicts resolved through a neutral and accredited mediator, ensuring fairness.
- **Safe environment:** Participants can express concerns in a structured and safe setting.
- **Confidentiality:** For Mediation, confidentiality is maintained to protect privacy.
- **Clear communication:** Ensures each party feels heard, meeting customer expectations.
- **Proactive resolution:** Prevents harm and promotes a positive and productive work environment.
- **Rtw enhancement:** Improves return-to-work outcomes by resolving conflicts.