

Mediation Case Study 5 - Bullying by manager

Alistair and Charmain are members of the senior management team of a medium sized charity. Alistair has line management authority over Charmain but felt that she was resisting his authority at every turn. Charmain, on the other hand, felt that Alistair was getting too involved with her work and inappropriately interfering in a way that prevented her performing her role efficiently.

The conflict had led to a dysfunctional relationship and both parties finding it difficult to work together. Eventually Charmain raised an official complaint against Alistair and the CEO suggested that they try mediation prior to going down the formal grievance route.

The mediator spoke to each separately before the joint mediation meeting and this was invaluable as there was the opportunity for some light touch coaching about how they might use their opening statements in the joint session not only to describe the difficulties but also to set the tone for a better conversation. Alastair felt that this meeting made him feel calmer on the mediation day as he was already very anxious about the actual mediation and apprehensive about the way he felt Charmain handled difficult situations. The pre-meetings left both parties feeling well prepared and more focused on resolving their difficulties.

The actual mediation used two mediators who created a calm and relaxed atmosphere. As a result both parties made conciliatory opening statements which paved the way for some sensitive issues to be discussed without rancour and without ducking the difficulties they had had with each other.

The mediation enabled them to have a constructive dialogue about the issues, to affirm that they were committed to improving the work relationship and to agree a plan of action which would ensure that they would have constructive dialogue about any difficult issues in the future while working jointly in the normal course on things that required their collaboration. They agreed a report they would make back to the CEO regarding the mediation outcome and also agreed some private commitments they were making to each other to improve working practices and relationships. Charmain withdrew her complaint and therefore a lengthy and disruptive grievance procedure was avoided.

Both parties would recommend mediation and would encourage people to use it at an earlier stage to avoid situations developing.

Engaging Positively with Conflict