Behind Closed Doors:

An employee's perspective of workplace mediation



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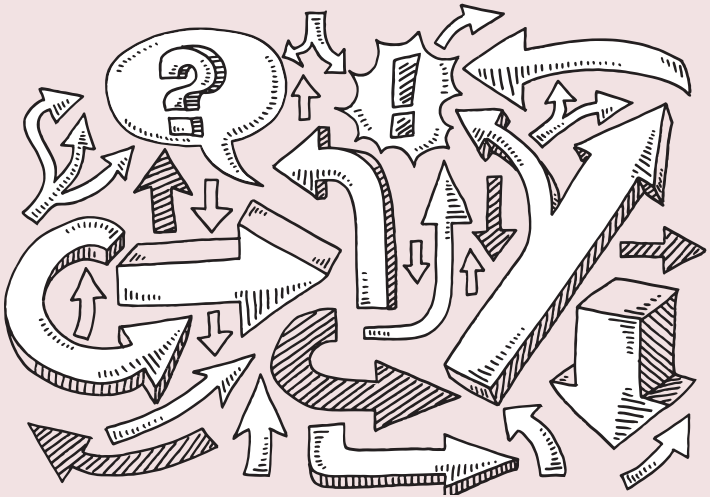
I never discovered mediation – it discovered me.

How it all started...

After 15 years of success as a manager and with a good reputation in my company, I found myself caught in a storm of change: colleagues were leaving, new ones had yet to arrive, and for a few trying months I was having to take on more than it was possible to achieve. I was not quite running the show, but certainly holding up the circus tent.

Travel was extensive, emotions were high and decisions were being taken at a furious pace. It was just before Christmas and I was trying to tidy up a whole host of issues, some deep-rooted and others quite local and every-day. Trying to force change in one particularly knotty department, I sent a couple of frustrated emails clearly explaining what was to happen next. It is not the smartest thing I'd ever done in life and in the cold light of day it was wrong. But there was no cold light and everyday blurred into another. To my genuine surprise, a colleague with whom I had no major disputes took out a grievance against me.

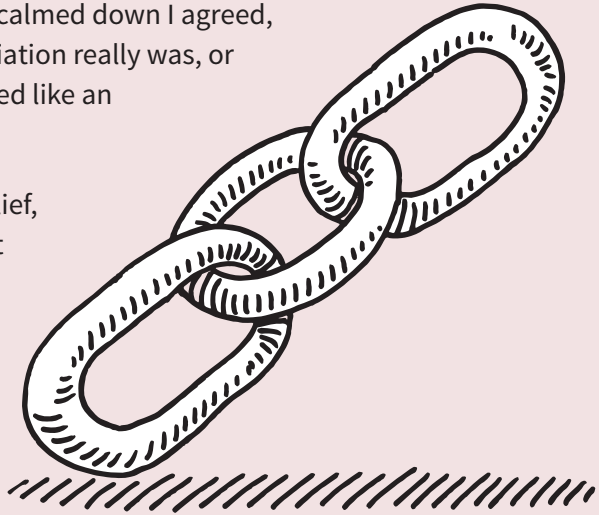
The first feeling I experienced was one of bewilderment: a desire to be understood as the person I am, rather than the 'charges' that had been brought against me.



Mediation is suggested...

The process was relatively quick. I attended a formal meeting with our HR Director, a brief summary of the complaint was communicated, and she proposed mediation. I erupted, went into a brief huff and felt victimised. But after I calmed down I agreed, not because I knew what mediation really was, or how it might help, but it seemed like an appropriate next step.

My feelings shifted from disbelief, to anger, to sadness and, most painfully of all, to a sense of betrayal that my company had not nipped this complaint in the bud. It took me a bit of time to accept that they were morally and legally obliged to treat both parties respectfully and taking my side, irrespective of my track record, was never an option.



The word 'mediation' sounded intimidating at first – it's a term you associate often with bigger and more ingrained disputes, industrial strikes, civil war or arms decommisioning. By comparison, telling someone to get a grip on an email suddenly felt like it had escalated out of hand.

The mediation day...

I was invited to attend mediation in central London. All I remember now is it was opposite a branch of Rymans, so I bought a packet of posh pens hoping they might bring comfort. Times were carefully negotiated, explanatory sheets circulated and due diligence respected.

I arrived at the building. In a doorway was a tray of coffee and biscuits. I'm a coeliac with a wheat allergy, so I could only look at the custard creams with envy. I didn't say I had an allergy in case this was seen as faddish, or worse still, a sure sign I was difficult or troublesome. At a side-angle through a glass door in another room, I could see the guy who was pursuing the grievance. I was shown to another room – my space – and encouraged to write down the things I'd like to communicate.

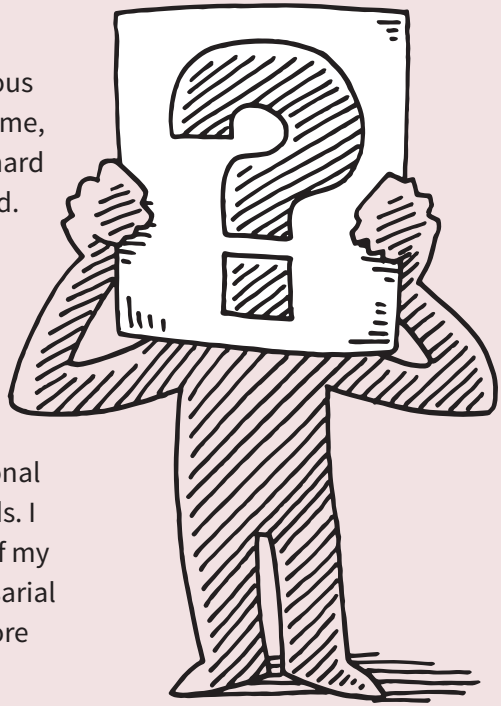
There were two mediators, both women, and we talked about how the day would unfold.

Perhaps the most obvious thing was that they listened more than they spoke. It was not a programmatic experience – they didn't steer my thoughts or try to change my mind – they let me talk about all the slightly disordered things that had happened: the change, the loss of colleagues, the chaotic work-life balance I had been forced to pursue to get the job done, the frustrations I felt with a group of colleagues, including the complainant who I felt was driven by ego more than workload. I wanted to say the word 'narcissism' but it stuck in my mouth: I felt I had to behave and not allow emotional opinion to overtake me.

Listening to people's feelings, not just their words

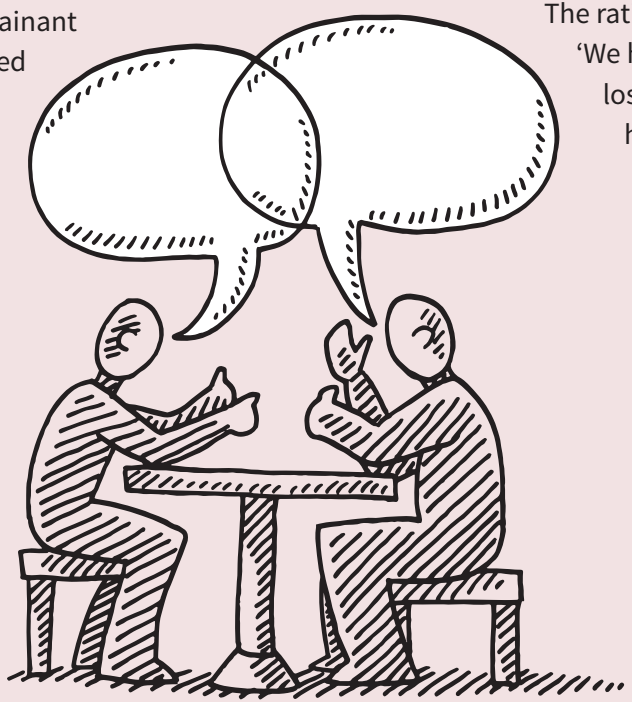
Eventually, we were brought together: me and the guy that got the email. It was uncomfortable. Neither of us really wanted to be there. I was conscious of looking sideways on, not always able to keep eye-contact. That worried me, as I didn't want to appear shifty, or deceptive or even weak. I just found it hard to look him straight in the face. I suspect deep down I still felt a bit betrayed.

He talked through the things that had hurt him. Without dwelling on the intricacies of the case, it is only fair to say he raised some reasonable objections to my conduct at work and I apologised for this. I kept looking sideways at one of the mediators: almost for strength or a sense of silent support. I felt I had built up a rapport with them, and whilst they were scrupulously fair, I detected a feeling which I can only describe as 'emotional intelligence'. They were listening to people's feelings as much as their words. I felt that they had listened to me and so in a very preliminary sense some of my story had been told. It was tense but in an odd way. This was not an adversarial dispute across a courtroom or a noisy TV studio debate – it was quieter, more spiritual than forensic.



Mediation is not about one-way problems...

After the first session, the complainant accepted my apology and reached down to pick up his bag. It was clear he felt it was all over and that we could close the proceedings early. But it wasn't over for me. I had my say and I was the person who was on the defensive. One of the mediators sensed my frustration and I was taken back into my single room to explain to them how I felt. What came out was therapeutic. I was in effect arguing with myself.

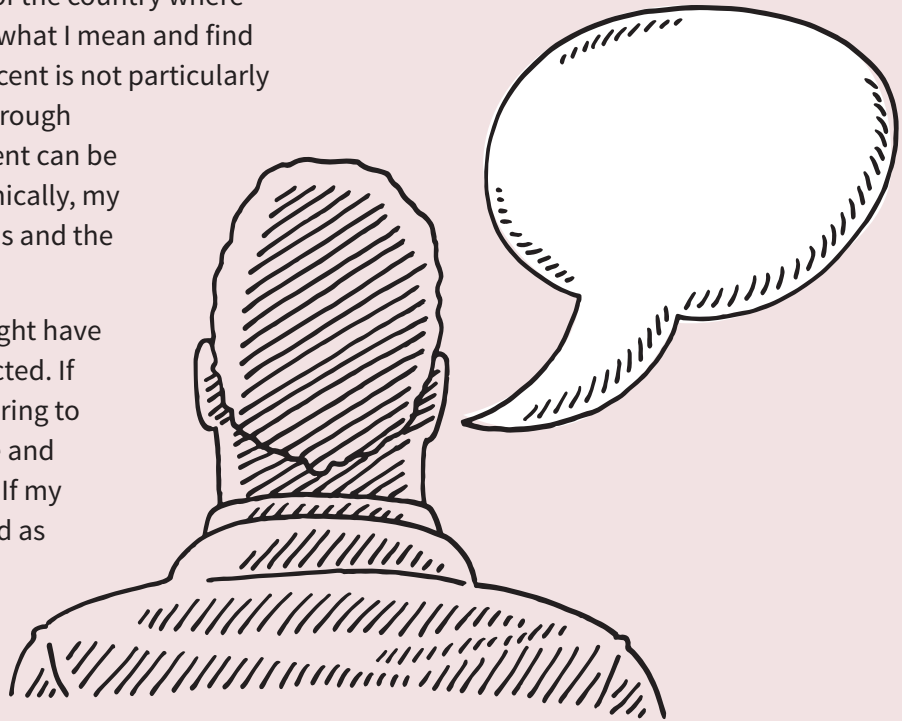


The rational side of me was thinking: 'We have a compromise, cut your losses, walk away and take a half-day off work, you deserve it. This will all blow over.' But at a deeper and more profound level, I couldn't do that. It would be a tacit acceptance that the problem was all mine, that I was aggressive and by circumstance the wrong-doer. Mediation is not about one- way problems. By its nature it mediates, so it can't be.

Unfinished business

I am from the north and come from a part of the country where people value straight-talking. I tend to say what I mean and find it hard to play layered office politics. My accent is not particularly strong but it is ‘regional’ and I am aware through the prejudices of everyday life that my accent can be portrayed or interpreted as aggressive. Ironically, my character is a complex mix of the boisterous and the shy and very rarely aggressive.

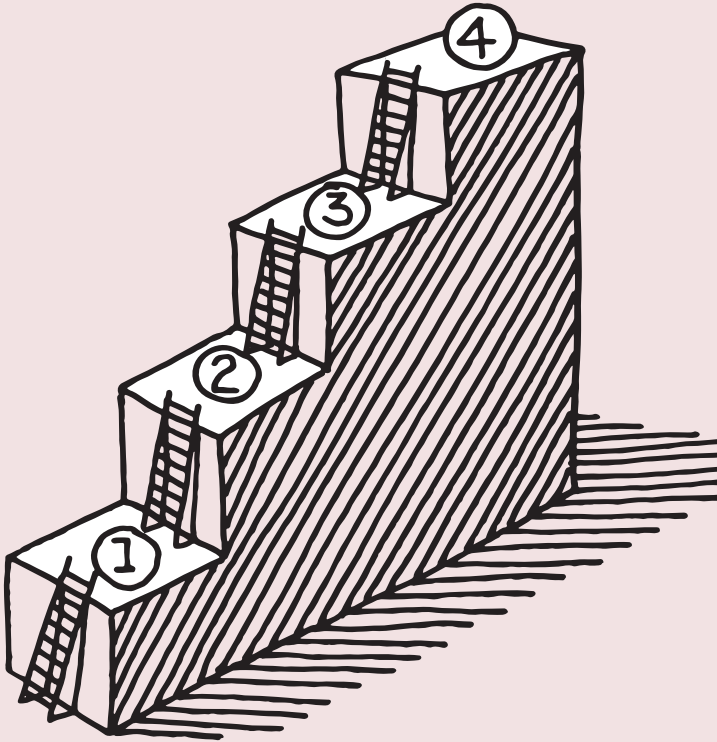
To walk away, however convenient that might have been, got to me more deeply than I’d expected. If I’m honest, it felt to me that I was surrendering to a stereotype. I am not by nature aggressive and if I had been forthright it was to a purpose. If my language was emotional it had been ignited as slow-burn over several months. In the lazy parlance of today, I know I am not a bully, and I felt the need to say that.



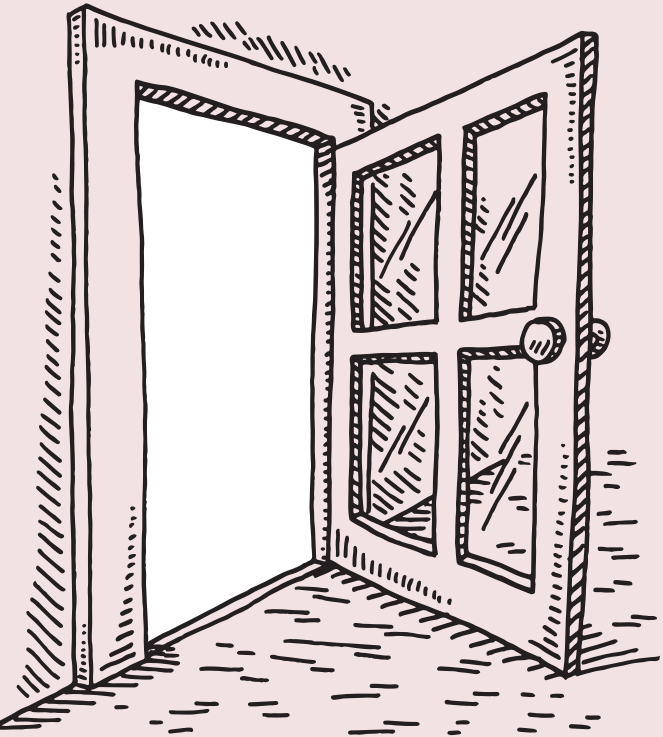
It was cathartic, the apology was still on the table, but now it was offered in a very different spirit

So for me, for my pride, and even for a bit of my background that had brought me to London, avoiding custard creams in an unfamiliar room, I needed the mediation to continue. The mediators brought us back together and I was allowed to outline the many frustrations I felt and I listed the context as I saw it: profound overwork, extensive travel and stress over a period of months.

But lurking in among all that was my frustrations about a major company project that had been frittered away by people who I believed were less loyal to the company than I had always felt. It was cathartic, the apology was still on the table, but now it was offered in a very different spirit. My behaviour was not endemic, it had a root cause and the complainant had participated in that cause.



Lessons learned



On reflection, mediation worked for me but not in quite the ways I had imagined. I had gone there fearful of new-age whimsy and self-referential indulgence. I was wrong; there was no great mystique and no bogus psychoanalysis. It was a fair space where people were encouraged to talk.

I look back now with a mix of feelings. The initial confusion and anger are long gone. What I see now in much greater clarity is a set of circumstances: the squall of change, the unsettled office environment, the need for haste and my impatient desire to get things done in record time. It was fertile ground for dispute and maybe that was the biggest factor of all, that the dispute had largely been circumstantial. Neither party had particularly wanted it.

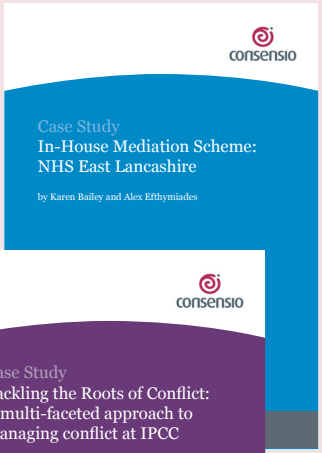
I have learnt to be more delicate in emails, more happy with events unfolding in their own time and satisfied that justice of a sort was done.

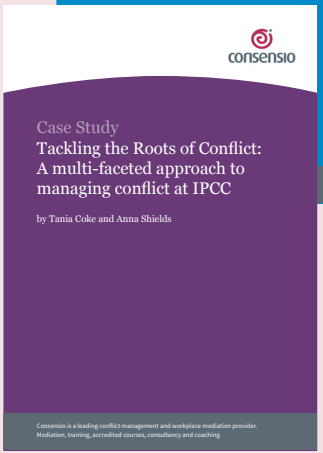
I still avoid custard creams, reluctantly.

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