

Example of essay on mediation in the us navy

[Sociology](#), [Communication](#)



\n[[toc title="Table of Contents"](#)]\n

\n \t

1. [Introduction](#) \n \t
2. [Discussion](#) \n \t
3. [Conclusion](#) \n \t
4. [References](#) \n

\n[/toc]\n \n

Introduction

The mission of the US Navy is to train, maintain, equip combat-ready Naval forces that are capable of deterring aggression, winning wars and maintaining the freedom of the seas. As it is dictated in their tasks, the Navy certainly goes to the sea. From a human perspective, there are obvious uncomfortable aspects and factors that await the individuals in the sea. One of them is the fact that there is limited space in the sea. It hereby follows that, at times, they have to share a bed, meals amongst other essentials. Some of the jobs the Navy ultimately engages in include, regional security, intelligence missions that aim to gather enemy data, training missions at sea with other foreign navies, marine cleanups including oil spill, at-sea sources and medical care programs for the navy. For all this missions to be successful, there is a need for high quality teamwork.

For teamwork to be efficient and effective in the US Navy, the management identifies the extreme need for disturbance handling and solving conflicts. The information, processes and activities that arise in the navy require maximum protection. It is a result of this that mediation is the best suited

mechanism to solve any conflicts that may arise. When conflicts are not controlled among the US Navy, there are severe consequences that would erupt which would affect the nation's economy, social life of citizens and the politics, as well. For all these reasons, therefore, the US Navy has identified mediation as a viable approach to managing conflicts to maintain teamwork, uphold the secrecy and privacy of their operations and to maintain security and normalcy not only in the United States of America but also to the rest of the world.

Discussion

The U. S Navy has a department termed as the Department of the Navy's Alternative Dispute Resolution Program. In it, there is a policy that stipulates that formal administrative procedures that are practicable including mediation shall be employed in conflict handling. Mediation that is the mostly referred to as an alternative dispute resolution approach is taught to the managers and all the employees. This is done through the Mediator Certification Program.

Mediation in the Navy promotes practices and principles that end up facilitating communication and maintenance or improvement of working relationships. The use of mediation in resolving conflicts, in the Navy demonstrates their commitment to a positive approach and joint ownership of solutions and concerns. The mediation process gives the participants an opportunity to resolve any differences between them less formally, more efficient use of resources and quickly, as well. This is unlike traditional methods of handling conflicts such as litigation that would require a lot of resources thus holding back the efficiency of the Navy.

The Navy department emboldens the practice of solo mediation as it tends to be more cost effective and beneficial in developing the skills of the mediator. The Navy adopts the mediation process that uses a third party who is responsible for encouraging and facilitating the resolution between two parties. The disputing parties thus reach a voluntary and mutually acceptable agreement as they provide a non-adversarial, non-adjudicative, private, informal and confidential process. The mediator is far different from an arbitrator in the sense that, the mediator making any decisions or forcing a decision on any party to the dispute. Just like most conflicts, the mediator amongst the conflicting parties in the Navy assists the participants to identify the issues causing the conflict, fosters a joint problem solving and extends to explore opportunities for settlement in an environment that is neutral.

The Navy recognizes that the mediator should not be anyone who desires to be a mediator. As a result of identifying the magnitude of solving conflicts through mediation, they have a well elaborated set of qualities that one should possess before getting a chance to be trained to be a mediator. The qualities are; fairness, patience, respect and adherence to confidentiality, ability to allow others to develop their own solutions, creativity, neutrality, active listening skill, credibility, trustworthiness, honesty, ability to accept feedback and incorporate new information, ability to deal with change, ability to deal with difficult people in stressful situations, flexibility, professional demeanor, problem solving skills, non-judgmental, good communication skills, impartiality and empathy.

Since the year 1999, adoption of the mediation program in the Navy has

built success (Tubman, 2009). In the year 2009, the Navy Region Southeast Human Resource Office was honored for the second year consecutively as it has been successful in the utilization of the Navy Workplace Alternative Dispute Resolution Program. The program coordinator at this branch on that year was Lekesia Hawkins, who stated that, with mediation in settling grievances, everyone was allocated an opportunity to sit down and talk things through. In the fiscal year of 2009, the Navy Region Southeast was able to solve 79% of equal employment cases through mediation. This is an indication of how effective mediation can be. These statistics influenced the awarding. After receiving this award from the DoN at the Navy Worldwide Human Resources Conference, held in Baltimore back in 17th April, 1999, the organization was quick to identify the key factor in the Navy's Region, Southeast's ADR success was the certification of the mediators.

For the mediators, the mediation process in the Navy Region Southeast was a collateral duty. One mediator Jackson Blamo responded to state that they volunteer to be mediators to help resolve conflicts before they can escalate thus improving communication and morale thus saving the Navy's money (Tubman, 2009). Mediation in the Navy Region Southeast demonstrated to be beneficial to both employees and managers. This was due to its capacity to resolve workplace conflicts at the lowest level and the ability it had to improve morale of the workforce through advocating for open dialogue between parties. Consider that the environment is non-threatening and the evident potential of avoiding litigation that results in massive expenses in regard to costs and the working time.

Mediation in the US Navy has been employed to bring about benefits at the

national level. The U. S Military bases and foreign hosts such as Japan have been involved in mediation that has been beneficial for both parties (Ivey, 2009). The Japanese and U. S military have been engaged in various disputes since the end of the World War II. However, for the communities that witness the direct contact between these groups and for the sake of global security, the US military is required in Japan and the military has to be in good terms with the Japanese.

Mediation at this case is mandatory as it avails a perfect mechanism that can resolve disputes between the U. S military bases in Japan and the Japanese Communities. Mediation establishes its focus to look at the issues resulting to the disputes, as well as the continued relationship of the parties. The mediation progresses to smoothen on the cultural differences that exist between Japan and the United States as it allows intimate forums for discussing issues.

Such a program would be supported by the U. S Navy ADR program as its framework provides mediation services that target to settle disputes. In addition, the writer is quick to identify that both the Japan and the U. S governments would need to revisit the Status of Forces Agreement. This fact identifies that mediation for the U. S Navy requires the support of the political arena which is a challenge for mediation. As a result, therefore, the US government needs to encourage mediation at international levels that will end up strengthening the U. S Navy's mediation approaches to international conflicts. Therefore, for the Japanese case, the U. S Navy mediators are in the position to resolve conflicts at the lowest level possible. Therefore, avoiding the involvement of government officials and another

high-level military. This reflects an improvement of the relation that exists between the Japanese hosts and the U. S Military personnel.

The U. S Navy's mediating department recognizes mediation as a communication exercise that targets to conciliate the interests of the disputing parties thus assisting them to find a way out while in the meantime it avoids imposing a solution upon them from outside. At times, the navy has to deal with mediations in which the conflicting parties are armed. In such cases, the success of the process is dependent on factors external to the mediation process. As a result, therefore, there are analytical tools that mediators in the navy have to employ.

The first tool is to identify the relative power and authority of the individuals or parties that are involved in the conflict. This is to mean that the mediator has to know who does what, when, where and how. There is then a progression to identify the emotions attached to an individual or party involved in the conflict. The mediator then seeks to understand the layers of strata of the conflict which then includes identifying what the right level on possible resolving is, it should neither be too soft or too tough. The fourth instrument is the maintenance of a clear communication which is vital as it ensures that the parties involved understood the messages correctly. In the US Navy the way information is handled is a critical approach as in most cases, the loopholes upon which the information may be leaked to the general public need to be eliminated completely.

When a conflict is between members of the Navy, the mediator appointed is in most cases of a higher level or the same level as the officers who are under a conflicting situation. The mediator has to be acceptable to the two

officers while he or she should understand the guidelines provided by the US Navy. He or she then progresses to undertake the mediation process which includes following a common plan for the mediation process. The process begins with an opening statement by the mediator, maintaining a positive emotional climate by eliminating negative attacks or emotions, identifying the concerns and roots for conflicts, then the negotiation agenda, agenda development, coming up with individual interests, and they are now positioned to come up with a settlement.

Conclusion

When it comes to settling conflicts and solving disputes in the US Navy, mediation presents itself as the best strategy to deliver desired results. However, that does not imply that it is the only option. There are other options such as arbitration and conciliation. All in all though, mediation is outstanding based on the benefits that it is bound to deliver.

One of the advantages is that a mediation is relatively inexpensive. This ensures that the resources of the Navy are saved for other purposes. In addition, mediation is a relatively swift approach which ensures that the escalation of disputes is minimized through the mediators. This ensures that the U. S Navy saves on time that they then use in working towards their mission. It is in addition a relatively simple strategy as there is no complex evidentiary or procedural rules that have to be followed.

Mediation further allows the involved parties to adjust and revise the scope of their conflict. This acts as a learning experience for the conflicting sides as they have a chance to look back and identify the wrong steps that they might have taken and learn to prevent the same from occurring in the

future. Mediation further allows for settlements and solutions that are flexible. It is a decision that has been accepted by the conflicting parties. The settlements that come about following mediation are more agreeable to the conflicting parties unlike courts judgments that at times seem to lean to one direction.

Mediation in the US Navy, however, still experiences challenges as it is evident in the US Military and the Japan Communities that host the military. Some of the challenges are the fact that mediation does not always result in a settlement agreement. At times, the mediation may fail. Mediation lacks the constitutional protections that should be guaranteed by the state courts and the federal government. Another challenge still out there is the fact that mediation lacks a formal discovery process.

Despite the challenges, however, the benefits of mediation are handling disputes in the US Navy has been felt especially after the 1999 development which saw the formation of the Alternative Dispute Resolution Program in the Navy. Therefore, mediation should be encouraged further and boosted such that the US Navy may involve in mediation on a larger scale which includes mediation amongst conflicting nations.

References

Alfini, J. J. (2010). Mediation theory and practice. New York: LEXIS Pub.

McCorkle, S., & Reese, M. (2005). Mediation theory and practice. Boston: Pearson/Allyn and Bacon.

Benjamin, R. (2012, June). The Natural History of Negotiation and Mediation: The Evolution of Negotiative Behaviors, Rituals and Approaches

(updated). The Natural History of Negotiation and Mediation: The Evolution of

<https://assignbuster.com/example-of-essay-on-mediation-in-the-us-navy/>

Negotiative Behaviors, Rituals and Approaches (updated).

Retrieved January 20, 2014, from <http://www.mediate.com/articles/NaturalHistory.cfm>

Bush, Robert A. Baruch and Joseph P. Folger. (2004). *The Promise of Mediation: The Transformative Approach to Conflict*. Revised Edition. San Francisco: Jossey-Bass. ISBN-10: 0787974838, ISBN-13: 978-0787974831.

DON. (n. d.). NAVY ADR (alternate dispute resolution) Mediator Certification Program. Department of the Navy. Retrieved January 21, 2014, from <http://adr.navy.mil/content/mediacert.aspx>

Hellman, J. (2012). The occurrence of mediation: A critical evaluation of the current debate. *International Studies Review*, 14(4), 591-603. doi: 10.1111/misr.12015

Ivey, M. (2009, March 09). Using mediation to resolve disputes between U. S. military bases and foreign hosts: A case study in Japan. *Harvard Negotiation Law Review*. Retrieved from <http://www.hnlr.org/2009/03/using-mediation-to-resolve-disputes-between-us-military-bases-and-foreign-hosts-a-case-study-in-japan/>

Jowers, K. (2010, March 5). Experts: Mediation is not the answer. *Navy Newtimes*, pp. 6-7

Tuban, M. A. (2009, June 02). Mediation program builds on success. *Navy*. mil. Retrieved January 24, 2014, from http://www.navy.mil/submit/display.asp?story_id=45862