

Mediation

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Mediation process Steps in a mediation process A mediation process has six stages. The first stage of a mediation process is to set the stage for mediation. The mediator is responsible for setting the stage for mediation by establishing a friendly relationship with the parties involved in the mediation process. In this stage, the mediator first identifies self and the warring parties. The mediator then explains the reasons for having the process and the role he or she would play in the process. He or she may also set the ground rules for the mediation process and ask the parties to obey the outcomes. The second stage is where the mediator identifies the concerns presented by the parties in a conflict. The mediator listens to the different versions of all the parties and calms or reassures them accordingly. The mediator should have active listening skills for this stage to be successful. During this stage, the mediator clarifies statements and questions so that the parties involved understand each other. He or she may also paraphrase the stories given by the parties. The third stage is the agenda setting stage. In this stage, the mediator outlines the issues that require a solution. He or she sets the agenda for the process by summarizing the disagreements or agreements between the parties. The purpose of mediation is to resolve these disagreements in an unbiased way (Drews 44).

The fourth stage is the generation of alternatives stage. The mediator employs his or her skills to generate a series of possible options for the parties (Drews 44). He or she may also guide the parties in generating alternatives. In the fifth stage, the mediator asks the parties to choose among the generated alternatives. He or she guides the parties in selecting alternatives that are satisfactory and feasible to them all. The sixth stage is

ending stage. In this stage, the mediator writes the agreement as agreed by all parties.

Key people involved

A mediation process normally involves three people. The first person is the mediator. The second and third persons are the two warring parties.

However, the process may also have “ support people” who assist in signing the agreements.

Concluding a mediation

Concluding a mediation process is the last stage of a mediation process. In case a solution is reached, the mediator concludes the process by writing an agreement that is signed by all the parties. However, if the process is not fruitful to come up with a solution, the mediator summarizes the issues raised and thanks the parties for their contributions and making progress. He then ends the session.

Advantages and disadvantages of mediation

The first advantage of using mediation is that it is less confrontational, thus, less damaging as compared to court processes. The process also allows the parties involved to make their decisions (Drews 44). The process is also more confidential and inexpensive as compared to the court process. However, mediation is disadvantageous because the possibility of power imbalances of one party. Power imbalances may be created by one party’s wealth of knowledge, resources, or appealing personality. Since mediation normally emphasizes on a peaceful future, it is likely to overlook past injustices. Third, the success of the process heavily depends on parties to show commitment and good faith.

Application of mediation

One area where parties can use mediation is solving wrongful termination at work. A sacked employee and his employer may call a mediator to solve an issue of wrongful termination. The mediator may help the parties in reaching a solution. All the parties will present their cases to the mediator and seek guidance on how to reach a solution.

Work cited

Drews, Margaret. “ The four models of mediation.” DIAC Journal of Arbitration in the Middle East, 3(1), 44, 2008. Web.