

Factsheet Twenty

Workplace Mediation

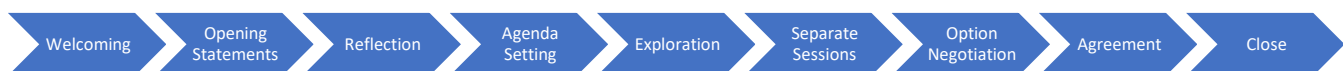
Mediation is a process in which an impartial person – a mediator – facilitates the resolution to a dispute by promoting a uncoerced agreement by the parties to the dispute.

Many employers use mediation as a method for employees to reach an understanding of a workplace disagreement.

What happens in mediation?

Prior to mediation, the mediator will ask for separate sessions which will enable them to speak to each party privately. The mediator will use this time to assess whether mediation is appropriate by considering whether each party is attending voluntarily and whether they have the capacity to reach an agreement. Note that whatever is said to the mediator remains confidential.

If the mediation proceeds it will most likely be a “facilitated mediation.” This means that the mediator is not there to give information or make a judgement but to guide the parties through the following process.



Can my employer force me to attend mediation?

Yes. If mediation is a part of a grievance policy, then as the request would follow an internal policy it is considered a “lawful and reasonable direction.”

When isn't mediation appropriate?

- If the employer is using it to determine the “truth” of the matter.
- If the mediator works for the employer as there may be concerns about impartiality.
- If the parties will not be safe if exposed to the other.

Where can I get more help?

NT Working Women's Centre Ph: 1800 817 055 www.ntwwc.com.au	Your Union Unions NT Ph: 8941 0001 www.unionsnt.com.au	NT Anti-Discrimination Commission Ph: 1800 813 846 adc.nt.gov.au
Australian Human Rights Commission Ph: 1300 656 419 www.humanrights.gov.au	Fair Work Ombudsman Ph: 13 13 94 www.fairwork.gov.au	Fair Work Commission Ph: 1300 799 675 fwc.gov.au
NT Police Ph: (emergency) 000 If calling from a mobile: 112	Office of the Commissioner of Public Employment (OCPE) Ph: 8999 4129 www.ocpe.nt.gov.au	NT WorkSafe Ph: 1800 019 115 www.worksafe.nt.gov.au
Your HR Department	Aboriginal Interpreter Service Ph: 1800 334 944 www.ais.nt.gov.au	To access an interpreter Interpreting and Translating Service NT Ph: 1800 676 254 www.itsnt.nt.gov.au/

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