

BLWA Mediation Services



Background

Mediation can be a fast, cost-effective, flexible and confidential way to resolve workplace disputes, whether that be between employees, contractors, managers or executives.

Mediation often results in solutions that couldn't have been achieved outside of the mediation process and resolve the heart of the conflict, not just what sits on the surface. Mediation can avoid the need for investigations, resolve bullying claims, establish a productive way of working together and assist to help to retain workers and maintain working relationships.

By resolving disputes in a less formal environment, both parties often emerge feeling heard and finding that they have reached a more satisfactory solution that works for all involved. Our skilled mediators can assist your business with these goals through our accredited independent mediation service.

As part of a trusted organisation with a strong reputation in the WA business community, BLWA's mediators can offer an impartial and independent service that the parties can rely on to assist resolving their dispute. The key benefits to this service include helping to reduce costs, avoid litigation, increase productivity, and generally improve workplace culture.

Mediators



Kara Main

Kara is a Nationally Accredited Mediator, trained through the University of Western Australia's Mediation Clinic. Kara also practices as a Lawyer in employment law, and has a strong background and interest in workplace disputes and resolutions.



Mediation Process

The process of mediation that BLWA offers is facilitative mediation, which enables the parties to take ownership of their own decisions and come to solutions that work for them. This process is voluntary, and both employees must agree to participate in the mediation. A mediation can also be conducted between several parties if required. Still, most often, it is conducted between just two individuals.

Ordinarily, the process for mediation between two employees will involve the following:

1.

Preparation

The mediator will review any policies or procedures relevant to the dispute, the process of dispute resolution for the business, and any written documents relating to the dispute between the two parties. This stage ensures that the mediation follows the business's policies and procedures.

2.

Private Sessions

During this stage, the mediator will meet with both parties separately to give them an understanding of the process and prepare them for how they will approach the joint session. These sessions are confidential between the mediator and the party. We recommend allowing up to an hour for each party to ensure enough time to prepare the party for a productive joint session.

3.

Joint Session

The mediator will meet with both parties at this stage and conduct the mediation. First, the joint session commences with each party being allowed to express the situation as they see it without interruption from the other party. Following this, the mediator will guide the parties through understanding each other's interests and getting to the heart of the dispute.

Once interests have been adequately explored, the mediator will conduct a private, confidential session with each party separately. Then the parties return to discuss solutions and how they would like to resolve the dispute with the mediator's guidance.

The joint session ordinarily takes approximately 3 hours in total. We recommend having the joint session on a separate day to the private sessions to enable employees time to reflect and prepare for the joint session.

4.

Reporting Back

The mediation itself is confidential. However, with the parties' consent the mediator may report the outcome of the mediation to the business, with agreement from the parties. This often involves a written agreement between the parties regarding their agreed solutions. As the role of mediator is impartial and unbiased, the mediator cannot provide any legal advice to the business regarding the employment situation outside of their role as independent mediator.

Mediation is most beneficial when conducted in person. However, our mediators are experienced in remote mediation conducted over Microsoft Teams. They have seen productive outcomes from these processes also.



Our Pricing

BLWA can offer CCIWA members a fixed price structure for a workplace mediation between two employees. The business is only charged for those stages that are undertaken, as outlined below. Please note that CCIWA members will receive 25% off the non-member prices.

Stage	Description	Price	
		Member	Non-member
Stage 1 & 2	Preparation & Private Sessions Review of business policies and procedures relating to dispute resolution and grievances and review documentation relating to the workplace dispute. A one hour session with each employee separately is to be conducted on the same day if in person.	\$1,740	\$2,320
Stage 3 & 4	Joint Session & Reporting Back Conducting a half-day joint session of up to 4 hours, followed by reporting back to the business after the mediation. Please note that where the mediation continues beyond 4 hours, the client will be charged at the mediator's relevant hourly rate	\$1,855	\$2,512
Total		\$3,595	\$4,832

Prices are fixed and exclusive of GST.

For clients requiring frequent use of our mediation services, we can also offer retainer packages to suit your needs.

We can provide a separate fee estimate for mediations involving more than two parties or requiring more than a half-day session.

**Please note that any travel to a remote work site would be charged at a rate agreed-upon when BLWA is engaged. The business would be required to cover travel costs where applicable.*



Who to contact?

For any further information regarding BLWA's mediation services or to book in a mediation, please get in touch with Kara Main at Kara.Main@cciwa.com, 0466 774 761

