



# Preventive Mediation

...it's your choice

**Preventive mediation** is a voluntary non-legislated program designed to help improve relations between labour and management and promote responsible collective bargaining in New Brunswick.

**The Preventive Mediation Program is administered by the Industrial Relations Branch (Department of Post-Secondary Education, Training and Labour).**

The Preventive Mediation Program provides assistance in the following areas:

- Labour-Management Committees
- Interest Based Negotiations (IBN) Skills Training
- Joint Training
- Strategic Grievance Management
- Grievance Mediation
- Facilitation
- Consultation

## Labour-Management Committees...

provide a forum for union and management to come together to discuss and resolve issues of mutual concern. Emphasis is placed on communication and joint problem solving. A mediator will meet with members to discuss the elements of successful joint committees, guide members through the process, chair the founding meeting, and remain available as needed to advise members once the committee is in place.

## Interest Based Negotiations (IBN) Skills Training...

introduces the concepts of the "interest-based" approach to negotiations, which is in contrast to the traditional "positional" approach. The underlying interests of the parties respecting issues of concern are examined jointly by the parties and options are generated. The various options are then evaluated jointly by the parties and standards are developed for judging the options. Training consists of a two day workshop that involves a combination of presentations, exercises, negotiation simulations, and group discussions.

## Joint Training...

provides training in problem-solving skills for union officials and management supervisors. The mediator works closely with the parties in identifying their needs and instructions are provided in the following areas:

- Attitudes
- Communication
- Leadership
- Grievance administration
- Roles and responsibilities

## Strategic Grievance Management...

This one-day workshop provides a clear overview of the different types of grievances, the root causes of grievances and most importantly, how to effectively manage grievances within the bargaining cycle. The workshop also introduces effective communication skills training, as well as information on the grievance mediation process, and information on arbitration.

Finally, a condensed presentation on Interest Based Negotiations (IBN) is included in order to give participants a basic introduction to this alternative dispute resolution process.

## Grievance Mediation...

provides third-party assistance in settling grievances before they reach the arbitration stage. It is an informal and low-cost alternative to arbitration. Grievance Mediation has proven useful not only in resolving grievances but in identifying and addressing situations that give rise to grievances. Whereas in arbitration a binding decision is handed down by a third party, in grievance mediation the outcome is decided by the two parties directly affected. The process emphasizes a problem-solving, rather than a "win/lose" approach to matters of disagreement.

## Facilitation...

refers to the assistance that mediators provide in guiding and overseeing the implementation of joint labour-management initiatives such as Interest Based Negotiations (IBN). The mediator provides ongoing feedback to the participants on process and progress.

## Consultation...

and advice are provided by mediators on special issues that may be affecting relations between parties to a collective agreement.

## Preventive Mediation is:

### Voluntary

It is non-legislated assistance to management and labour.

### Joint

It helps labour and management in finding common solutions to problems affecting their day-to-day relationship.

### Low-cost

Usually involves only the cost of facilities.

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