

Can you mediate bullying?

By Daryl Landau

At first, the answer seems like an obvious “no.” Should the victim try to negotiate with the bully, to plead for fewer put-downs and abusive comments? A workplace should have a zero-tolerance policy with respect to bullying, and should investigate and punish such behaviour.

However, alleged harassment issues can be mediated. Harassment is a form of bullying that falls under human rights protection. Generally, harassment can be mediated if it is of a less serious nature, and/or there would be difficulty trying to prove the allegations. Also, mediation can come after an investigation, and after discipline has been meted out.

Therefore, the same rules can apply to alleged bullying. To elaborate:

1. The issues are less serious, e.g., a first offence, verbal (not physical), etc.. Mediation could be the best way to warn the alleged bully against further behaviour; or,
2. It's not a clear-cut case, and would be hard to prove. Mediation might be better than a failed investigation; or,
3. The matter has been investigated, and mediation is now a way to repair the relationship between the parties, or as a way to help educate the bully about his/her actions. Mediation may help the complainant feel safer working in the same place as this person; and,
4. Above all, both parties are willing to participate in good faith.

Our feelings about mediating bullying stem in part from our belief that a bully can, or can't, be reformed. Mediation, especially transformative mediation, believes in the hope of change. For that reason, it can also be manipulated.

Mediators must screen throughout the process for a bad faith misuse of mediation. Mediation must not be used simply to escape accountability, or worse, to inflict further abuse on the victim.

If mediation seems less appropriate, coaching may be an alternative. The coach works one-on-one with the alleged bully to change his/her behaviour and mindset.

One final comment on bullying and mediation: bullying is often a group process, with bystanders who condone or incite the harassment. If that is the case, a simple mediation process may not sufficiently transform the workplace. In such cases, a broader mediation process, or a circle model, may be more appropriate.

***Would you like anti-bullying training for your workplace?
Call Common Ground.***