

- ◆ **H**elping Resolve Problems

How Mediation Techniques Can Be Used to Help Improve Communication Within the Fraternity Leadership Workshop

- ◆ **Mediation: What is it?**

Mediation: Is Not For All Situations

You may or may not be able to carry out a true mediation but it's helpful to understand the process and to know that it's available to you should your fraternity need one.

Further, some of the techniques used might be helpful in averting a real conflict and in resolving some issues.

- ◆ **Fraternity Problems**

Have you ever experienced, been a part of a dispute, or observed a dispute? Let's identify some disputes that may happen in the fraternity.

Issues that might require mediation or problem-solving

The disgruntled brother/sister; The angry brother/sister

Conflict over how to spend money

An issue over one person insulting, offending another

Disagreement on a moral issue: gay rights, death penalty, abortion, war

The conservative or the liberal in the church issues

- ◆ **Issues that might require mediation or problem-solving**

Battle over leadership roles/responsibilities

Not allowing participation of other members of fraternity at formation meetings

Not allowing members of fraternity at council meetings

Personality clashes

Not complying with fraternity guidelines

- ◆ **The Parties Involved in Mediation**

- ◆ Two disputants

- ◆ Mediator -- should be neutral

With a very serious problem you should not handle a mediation within your own fraternity. Ask the region to get you a qualified mediator who is experienced.

However, there may be situations within the fraternity where we can modify the process so that one person could be the facilitator and the other the disputant. It becomes more of a problem-solving situation rather than a true mediation. In this case, there is only one person who has caused a problem.

- ◆ **Pre-requisites**

Two disputants who have agreed to meet with a mediator

Neutral mediator: disputants should trust that the mediator will not take sides

- ◆ **The Steps**

- ◆ **Step 1: Introductory Remarks by Mediator:**

The reason why they are here

They have agreed to meet

The role of the participants – opportunity to be heard and to find a win-win solution

- ♦ The rules: one speak at a time, speak respectfully to each other, confidential, be honest, voluntary decision; choice to leave – but ask to have private session with with mediator, can meet privately with mediator
- ♦ **The Steps**
- ♦ Step 1 – continued
  - Explain the process –
  - take notes or write your thoughts as the other person is speaking
  - Each person takes turns to explain what happened from his/her perspective
  - Identify the problem or issue – concerns and what disputants want to achieve
  - Brainstorm options and pros and cons of each
  - Reach an agreement
  - Mediator provides his/her understanding of what brought them to mediation – briefly stated
- ♦ **The Steps**
- ♦ **Step 2: What’s the story? Statement of problem and information gathering**
  - Disputant 1 and then Disputant 2: identifies problem and explains what happened, how it happened, what he/she wants to achieve/goals (during this time the mediator listens, takes notes and reflects back to the speaker what he/she has heard and how it made person feel; and asks how do you think it made the other person feel?)
  - During this step, the disputants are speaking with the mediator. To get more clarification, the mediator may ask why? Or ask the disputant to be more specific.*
- ♦ **The Steps**
- ♦ **Step 3: Opportunity for disputants to speak with each other; mediator may do some “reflective” listening**
  - Why is each goal important?
  - Opportunity for clarification of issues
- ♦ **The Steps**
- ♦ **Step 4: Problem solving: Statement of the problem/problems**
  - list them in order of priority
  - work from the problem which seems to be the easiest to negotiate to the most difficult problem.
  - Generate options and bargaining
  - With the help of mediator, brainstorm solutions to a problem. Which are the most doable? Mediator offers “What if...” scenarios
- ♦ **The Steps**
- ♦ **Step 5: the agreement – written – both sides agree to something**
  - Is this option acceptable to you?
  - Is the option specific enough? Does it tell when, where, who, how?
  - Is the option realistic? Can you do what you say you'll do?
  - Does the option address your important priorities?
  - Are responsibilities shared? Are you both agreeing to do something?
- ♦ **Do’s and Don’ts of the Mediator**
  - Don't take sides.
  - Don't give advice or suggestions.
  - Do leave your own experience out of the conversation.

Do organize issues on a large chart, chalkboard or a pad that all can see to help disputants focus on the conflict and on a solution.

- ◆ **Modification for Fraternity Setting  
Problem-Solving In the Fraternity**

***These same steps can be taken with just two people – one is the facilitator and the other is the person who is having an issue***

- ◆ Step 1: Explain why you want to meet – identify problem; explain that it's confidential
  - ◆ Step 2: Listen to what the person has to say (don't jump in to defend your position, don't take sides, remain neutral, focus on what the person says – not on what you would like to say); reflect his/her perspective story; what happened? (re-tell the story in your words); ask what goal the person has
  - ◆ Step 3: Identify the problem
  - ◆ Step 4: Brainstorm possible solutions
  - ◆ Step 5: Individual decides which solution is acceptable? Will it meet his/her goal?
- ◆ **Reflective Listening**
    - ◆ In order to assist your brother or sister to come to an understanding and resolution to a problem, it can help to do reflective listening.
    - ◆ Reflective listening is a simple technique that anyone can use to help another person work through a difficult situation.
  - ◆ **How to be a good reflective listener**
    - ◆ Paraphrase what the speaker is saying, repeating the statement in question form. For example if the speaker said "This fraternity never listens to me!" you might say "You feel like we don't listen very well?"
    - ◆ Listen for the underlying emotion. For example if the speaker says: "Sometimes you're just so selfish!" you might say "You sound mad" or "You sound frustrated."
  - ◆ **How to be a good reflective listener**
    - ◆ Ask clarifying questions in order to make sure you understand what the speaker is saying. For example if the speaker says: "Julie just made me feel so stupid at the meeting!" you might say "It sounds like you're pretty upset. Did something happen?"
    - ◆ Encourage the speaker to keep talking by letting them know you are listening. Make direct eye contact. Use open, receptive body language. Nod your head, and make comments that encourage further communication such as "Ok, go on."
  - ◆ **How to be a good reflective listener**
    - ◆ Approach the conversation with the belief that the speaker has the ability to solve the problem for himself or herself. Resist the temptation to offer advice, or give opinions about what the speaker is saying. Instead ask questions such as "So how will you deal with that?" and "What do you think can/should be done about this situation?"
  - ◆ **Let's Do It!**
    - ◆ Teams of two -- One is facilitator and the other is a fraternity member with a problem
    - ◆ **Problem:** Fraternity member nay-sayer. Never agrees with plans of fraternity. The last meeting was the last straw when your fraternity was in the process of making a decision and this

fraternity member basically rejected all suggestions and walked out when everyone else voted for something and slammed the door on the way out, complaining all the way out.

- ♦ To prepare for the role play, with partner, add a little more to the situation: What is the decision the fraternity made? Why might the person be so upset? Could there be other extenuating circumstances? As you go along, feel free to add other ideas and try to get into the skin of your fraternity member to truly understand.

- ♦ **Step 1: Introduction**

I asked you to come in to talk about what happened yesterday. Thank you so much for taking the time to talk with me. I want to let you know that everything that you say here will remain confidential. I won't tell anyone. How would you like to handle confidentiality? Would you be willing to keep this confidential? I want to hear everything you have to say and to understand what happened. I will be open to what you say and will respect what you say. I'm hoping you can help resolve the situation.

- ♦ **Step 2: What's the story?**

Listen to what the person has to say.

Can you explain what happened? (Reflect what the person says – what you're saying is that...)

Can you explain why it happened? (Reflect what the person says – summarize – you're saying that ...)

How did you feel? (Sounds like you felt ...)

How do you think it made other people feel? (You think that the other people felt ...)

- ♦ **Step 3: The Problem**

Identify the problem/s

What do you think the problem is?

Write down the problem (s) /issue on paper.

- ♦ **Step 4: Problem-solving**

How would you like to resolve the problem? What would you like to achieve? (So you would like ....)

What are some ways that you think you could resolve the problem and achieve your goal? (Have him/her brainstorm. You can help offer some options – some may be really unrealistic.)

What are the options that you could realistically do? (Provide some what if situations)

Select one or two that you feel you can truly do.

- ♦ **Step 5: The Agreement**

Step 5: Write down what the brother or sister is willing to do. What are the steps you are going to take to resolve the problem and achieve your goal.

What can the fraternity do? Negotiate if necessary.

Optional: Write down the agreement and give a copy to brother/sister. A second copy can be placed in a sealed envelope and given to secretary for safe keeping. Tell member that the envelope will not be opened unless member wants to revise it confidentially with you.