



ONLINE

SOCIAL DIALOGUE

# CONCILIATION/MEDIATION OF LABOUR DISPUTES

12 OCTOBER – 1 NOVEMBER 2020

 3 WEEKS, 35 HRS

*Information Note*



International  
Labour  
Organization



International Training Centre

# BACKGROUND

The recent changes in the global labour market have affected traditional labour dispute resolution methods. The place of adversarial rights-based processes such as labour tribunals or arbitration is not in dispute, but alongside this is a growing recognition of the value of effective consensus-based dispute resolution methods including conciliation and mediation.

Nowadays, conciliation/mediation plays an important role in the way in which employers, employees and their representative organisations, including trade unions, find agreed solutions to common problems in the workplace, enterprise and different levels.

An agreement reached through conciliation/mediation usually has benefits for all parties involved. First, it creates an opportunity for disputing parties to find a mutually beneficial solution to a dispute when negotiation has failed.

Secondly, the intervention of an independent conciliator/mediator often helps parties reduce the extent of their differences. The outcome of a successful labour conciliation/mediation is a new equilibrium that resolves the prevailing dispute and establishes the foundations of a more co-operative relationship.

Finally, it is well known that when parties have agreed the terms of the resolution to a dispute instead of having a decision imposed upon them by a third party, they are much more likely to comply with that outcome. Enforceability is therefore much less of a problem.

Furthermore, an effective dispute managing system promoting consensus-based initiatives reduces both the cost and the time associated with traditional methods of dispute resolution whether it be through tribunals, arbitration or the use of strikes and lockouts. An effective conciliation/mediation system therefore enhances social peace while lightening the burden of work for labour tribunals. Tribunal systems are then able to allocate their resources to a smaller number of proceedings, thus raising the quality of their activities without diminishing access to justice for employers and employees.

Whatever the scenario, it is crucial that conciliators/mediators inspire confidence in both parties to a dispute if they are to help them achieve an effective agreement.

# COURSE STRUCTURE AND METHODOLOGY

The course will be conducted online, from 12 October to 1 November 2020. The overall time involvement is of approximately 35 hours.

Participants will be given access to a dedicated e-learning platform on which they will find recorded videos, reading materials, interactive resources, practical exercises and other online activities related to conciliation/mediation. The learning will be interactive and facilitated by a tutor, who will provide guidance and clarifications on topics and activities.

Every week, between two and three live webinars will be organised. The participation to the webinars is not mandatory. For those participants who are not in the position to join the live sessions, recordings will be made available.

At the end of the course, participants will be asked to complete a final course work.

Upon successful completion of the course activities and of the final course work, participants will be awarded a Certificate of Participation in Conciliation/Mediation of Labour Disputes.

For those participants interested in obtaining a Certificate of Achievement in Conciliation/Mediation of Labour Disputes by the ITCILO, there is the possibility to complement this course by attending the 'Residential' and the 'Post-course' phases of the Course on Conciliation/Mediation of Labour Disputes. Further information on this activity will be published on the ITCILO website.

## OBJECTIVES

This course aims to:

- Provide sound theoretical and practical knowledge of the key principles of the conciliation/mediation processes;
- Strengthen the understanding and analyse the role and functions of the conciliator/mediator;
- Provide techniques and guidance on how to improve the role of conciliators/mediators;
- Foster knowledge sharing and exchange of best practices related to conciliation/mediation;
- Promote the application of key ILO principles and values on this matter.

## CONTENT

- An introduction to conciliation/mediation;
- The conflict dynamic;
- Social dialogue, ILO Conventions and Recommendations;
- Process management skills;
- Problem management skills;
- Effective people skills;
- The role of the conciliator/mediator in society.

## PARTICIPANTS' PROFILE

- Staff from labour disputes agencies;
- Staff from Ministries of Labour involved in dispute prevention and resolution;
- Employers' and Workers' representatives;
- Industrial relations experts and practitioners;
- Labour law lawyers.

## APPLICATIONS

The ILO promotes equality of opportunities and strongly encourages women's applications.

The cost of participation (**900 Euros**) should be paid in advance by the participant or his/her sponsoring organisation. It includes: tuition, access to dedicated e-learning platform and training resources.

For information please consult:

<https://www.itcilo.org/courses/conciliationmediation-labour-disputes>

To apply for the course, please fill in the online application form, not later than **2 October 2020** at the following link:

<https://oarf2.itcilo.org/MIF/A9713525/en>

## WITHDRAWAL, CANCELLATION POLICY, AND REFUNDS FOR OPEN COURSES

If an enrolled participant wishes or must withdraw from a course, they may choose to apply to a different course or be substituted by another candidate. The participant must notify the Centre, in writing, of their decision at least 14 days prior to the start date of the course. Cancellation of participation in regular courses will result in the following penalties:

- 14 days or more prior to the start date of the course: No penalty, 100% refund of amount paid less applicable bank charges
- 8 to 13 days prior to the start date of the course: Penalty of 50% of course price, refund of residual amount paid (if any) less applicable bank charges
- 7 days or less prior to the start date of the course: Penalty of 100% of course price

## INFO

### FOR FURTHER INFORMATION PLEASE CONTACT

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