



**“CERTIFICATION COURSE FOR
TRAINERS ON LABOUR MEDIATION AND
LABOUR DISPUTE SETTLEMENT IN
UKRAINE”**

5 MAY – 6 JUNE 2025

proposal

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 at workplace, enterprise and industry levels.

An agreement reached through conciliation/mediation has benefits for all parties involved. First of all, 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 is 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.

In some systems conciliation/mediation is mandatory while in others it is voluntary. There are also situations where statutory and private conciliation/mediation services co-exist. 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. Such experts need to be trained in conflict management and negotiation processes, as well as in the process of conciliation/mediation.

With the intention to strengthen the position of conciliators/mediators within the bargaining process while fostering the application of core ILO principles and standards, the ITCILO have designed a course which aims to train the participants on the process of certification on conciliation/mediation of labour disputes, provi-

ding them with the methodology, the knowledge, tools and techniques to be able to deliver the same training to other groups of mediators. In addition, it intends to improve, assess and certify their skills as conciliators/mediators in the framework of the proposed certification framework.

Using as a base its well established conciliation/mediation training materials, the ITCILO will in future offer participants on its conciliation/mediation courses the opportunity to have their skills evaluated and assessed. Not only will this enhance the professional credibility of those attending the courses but it will provide national institutions with better skilled and qualified conciliators/mediators. The rationale is to build greater capacity and greater recognition for certified conciliators/mediators and an awareness of ILO standards.

OBJECTIVES OF THE COURSE

The aim of this course is to train participants on the methodology, knowledge and techniques to deliver the ITCILO certification process on conciliation/mediation of labour disputes to enable them to deliver it and train in groups of mediators.

In addition, it intends to strengthen and assess their skills in the development of fundamental knowledge and competences for conciliation/mediation processes and the resolution of labour disputes.

More specifically, this course has the following objectives:

- To introduce participants to the dynamics of conflict and effective approaches to conflict resolution.
- To provide a sound theoretical and practical understanding of the key principles of the conciliation/mediation process.
- To introduce and develop skills for conciliation/mediation, particularly skills for effective management of processes, problem, and people.
- To provide techniques and guidance on how to enhance the role of conciliators/mediators.
- To promote the exchange of knowledge and best practices related to conciliation/mediation.
- To promote the application of the ILO's key principles and values on this theme.
- To train participants on the methodology, knowledge, and techniques to deliver the ITCILO certification process on conciliation/mediation of labour disputes.
- To enhance and assess the skills of participants as conciliators/mediators based on the proposed certification process.

METHODOLOGY

This course has been designed according to adult learning methodologies and principles. The trainers act as facilitators and encourage learners to take responsibility for their learning. Participants' previous experience and knowledge are incorporated into the learning process so that it has immediate application. Self-assessment of learning is encouraged. The course and its sessions include role-plays, group works, case studies and quizzes.

To meet the objectives of the programme, a blended methodology combining synchronous and asynchronous training activities is proposed.

The synchronous activities take place through technical sessions held online and the assessment process organized at the International Training Centre of the ILO in Turin. The synchronous training activities aim to promote discussion and active participation among participants and peer learning, as well as to provide an in-depth exploration of the topics. The participation in the role-plays to experiment, practice and refine competencies to carry out the process of conciliation/mediation is essential in this area of expertise.

Asynchronous training takes place via an e-learning platform, hosted on the eCampus, the e-learning portal of the ITCILO.

This e-learning platform will support the course in all its different phases, providing participants with resources and activities aimed to complement the technical sessions both in the online and presential phases of the course. Moreover, it will serve as a tool to complete exercises and supplementary learning activities and as a repository of useful resources, information exchange and knowledge sharing.

Participants will be able to access the e-learning platform and follow the completion of their learning journey. This tool will be accessible through computers and portable electronic devices, allowing participants to read the material, answer questions and respond to quizzes at their own pace. After the training, it will remain available to participants, who will be able to continue accessing the course materials, including videos and resources.

PROFILE OF PARTICIPANTS

- 18 mediators, 12 participants attending the course in a hybrid modality (Technical Phase online and Assessment process in Turin) and 6 attending the course in an online modality only (both the technical phase and the assessment process are conducted online). Please note that it is possible to make the training available for more participants. However, for organizational purposes, it is required to respect the ratio one assessor every six participants.

STRUCTURE AND CONTENT

STRUCTURE

The course consists of three different parts, the technical phase, the assessment process and the post-course phase.

TECHNICAL PHASE: Online, one week, 5 – 9 May 2025

Objectives:

To provide participants with the training methodology, knowledge, tools, and techniques to carry out the assessment process on conciliation/mediation of labour disputes. This will be done through live sessions focusing on the theoretical and technical knowledge on the key issues related to conciliation/mediation, according to the following schedule:

- TUESDAY, 6 May 2025 | 09:00 – 17:00 (including breaks)
- THURSDAY, 8 May 2025 | 09:00 – 17:00 (including breaks)

Topics:

- Course introduction, presentation of the training methodology and the assessment process
- Introduction to relevant international labour standards
- Mediation in the Ukrainian context
- Introduction to conciliation/mediation
- Approaches to conflict management
- Negotiation skills
- Interpersonal issues, processes and skills
- Conciliation/mediation process

Tasks:

- Attendance of live sessions and finalization of their activities

Requirements:

- Participation in the live sessions is compulsory and attendance will be recorded.

TRAINING ON THE ASSESSMENT PROCESS AND ASSESSMENT OF COMPETENCES PHASE (5 days): ITCILO in Turin, 19 – 23 May 2025

Objectives:

To introduce the training methodology and train participants on the conduction of the

assessment process, develop and assess the skills for conciliation/mediation processes.

Topics:

- Revision of the training methodology, tools and techniques to deliver the certification process
- Revision of the key topics related to conciliation/mediation addressed during the online phase.
- Presentation of the methodology and structure of the assessment process
- Practical demonstration of the conciliation/mediation process
- Practical exercises: Role-plays on conciliation/mediation

Tasks:

- Participant's handbook
- Coached and assessed sessions

Requirements:

- Participation in all role-plays, both in the coached and assessed sessions is mandatory.

METHODOLOGY AND FACILITATION PHASE (One week): Online, 2 – 6 June 2025

Objective:

To train participants on the methodology and the facilitation skills and techniques to be able to deliver the course to other participants. This will be done through live sessions focusing on the theoretical and technical knowledge on the key issues related to conciliation/mediation, according to the following schedule:

- TUESDAY, 3 June 2025 | 09:00 – 17:00 (including breaks)
- THURSDAY, 5 June 2025 | 09:00 – 17:00 (including breaks)

Topics:

- Facilitation techniques and skills

Tasks:

- Attendance of live sessions and finalization of their activities

Requirements:

- Participation in the live sessions is compulsory and attendance will be recorded.

POST COURSE WORK (one week, after the face-to-face phase of the course): Online, 23 May – 6 June 2025

Objective:

To enable participants to reflect on the topics learnt during the course and reflect on their

strengths and weaknesses as conciliators/mediators and how to improve their skills and competences in their daily work.

Topics:

- Key elements of conciliation/mediation;
- Skills for the conciliation/mediation process.

Tasks:

- Written test
- Personal development plan

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Requirements:

- Submission of the Written test and the Personal development plan is mandatory.

THE ASSESSMENT PROCESS

The evaluation process consists of the following three elements:

- **Role-plays:** The first component foresees participation in role-plays related to conciliation/mediation in order to assess their skills-based competences. Participants will take part in a series of role-plays in different roles that will help them learn by acting as a conciliator/mediator, but also by observing their peers in that role.
Each participant will have the opportunity to act as conciliator / mediator in four role-plays, two of which will be practical sessions followed by coaching, and two of which will be assessed sessions.
Each role-play will be approximately 50 minutes long and 10 minutes personal feedback will be given at its conclusion. Each role-play group will have two conciliators / mediators, one following the other i.e. mediator A followed by mediator B. Participants will be assessed playing the role of the conciliator / mediator at all stages of the conciliation / mediation process, and will be coached and assessed on the basis of a competency framework. Participants will receive verbal feedback after each session and written feedback following the two assessed sessions.
To achieve certification, participants need to achieve a minimum overall mark of 60% (120 out of a potential 200).
- **Written test:** The second component consists in the draft of a written exam that will assess the technical knowledge of the key topics on conciliation/mediation. This task will consist mainly of multiple choice and short answer questions and will focus on the key issues related to conciliation/mediation covered in the technical part of the course. The test will be assessed based on a set of model answers and participants will be able to achieve up to 50 marks for the test.
- **Personal development plan:** The third component consists of the elaboration of a Personal Development Plan (PDP). Participants will be encouraged to record their reflections on the course at the close of each day and to record the feedback they are given by peers and trainers during the course, particularly following the role-plays, using the reflection sheets in the workbooks. This will form the basis of a reflective exercise to be done on the final day of the course. Participants will be asked to reflect on their strengths and weaknesses as conciliators/mediators, and to discuss how they plan to utilize their newly acquired skills as conciliators/mediators in the future.

They should use the people, process, and problem competencies as the basic structure for their reflection. The development plan will be assessed based on the capacity to be self-reflective and the link between learning, future plans and competencies. Participants can achieve up to 30 marks for their development plan, 10 marks per competency. This activity will be submitted via the e-learning platform within two weeks after the end of the course.

Participants who successfully complete all three components of the assessment process will receive an ITCILO Certificate of Achievement in Conciliation/Mediation of Labour Dispute.

Candidates who do not obtain the course certificate will have the opportunity to appeal their results and, if necessary, retake the online assessments. The appeal will be made online. The result will be final.

PROGRAMME

DAY 1 (Face-to-face and online, full day)

1. Welcome and Presentation of the training methodology
 - 1.2 Presentation of the course, the evaluation process, and the competency matrix.
- 1 Review of the topics covered during the technical phase.
- 2 First demonstration of a role-play
- 3 Reflection and closing

DAY 2 (Face-to-face and online coached sessions for 6 participants)

1. Reflexion on Day 1
2. Coached sessions
 - 2.1. Coached session 1 – Role-play on conciliation/mediation
 - 2.1.1. Individual feedback
 - 2.2. Coached session 1 – Role-play on conciliation/mediation
 - 2.2.1. Individual feedback
 - 2.3. Coached session 1 – Role-play on conciliation/mediation
 - 2.3.1 Individual feedback
 - 2.4 Coached session 1 – Role-play on conciliation/mediation
 - 2.4.1 Individual feedback
4. Reflexion and closing

DAY 3 (Face-to-face and online coached sessions for 6 participants)

1. Reflection on Day 2
2. Coached sessions (cont.)
 - 2.1 Coached session 2 – Role-play on conciliation/mediation
 - 2.1.1 Individual feedback
 - 2.1 Coached session 2 – Role-play on conciliation/mediation
 - 2.1.1 Individual feedback
3. Assessed sessions
 - 2.1. Assessed session 1 - con Role-play on conciliation/mediation
 - 2.1.1. Individual feedback
 - 2.2. Assessed session 1 - con Role-play on conciliation/mediation
 - 2.2.1. Individual feedback
4. Reflexion and closing

DAY 4 (Face-to-face and online coached sessions for 6 participants)

1. Reflexion on Day 3
2. Assessed sessions (cont.)
 - 2.1. Assessed session 1 - con Role-play on conciliation/mediation
 - 2.1.1. Individual feedback
 - 2.2. Assessed session 2 - con Role-play on conciliation/mediation
 - 2.2.1. Individual feedback
 - 2.3. Assessed session 2 - con Role-play on conciliation/mediation
 - 2.3.1. Individual feedback
 - 2.4. Assessed session 2 - con Role-play on conciliation/mediation
 - 2.4.1. Individual feedback
3. Knowledge-sharing and lessons learnt
4. Reflexion and closing

DAY 5 (Face-to-face and online coached sessions for 6 participants)

1. Reflexion on Day 4
2. Introduction to methodology and facilitation
3. Knowledge-sharing and lessons learnt
4. Reflexion and closing

TRAINING TEAM

The training team will be composed of ITCILO and ILO officials and recognized interna-

tional and national experts in the subject-matter.

CERTIFICATE

The training programme will be completed by attending the training days, completing the asynchronous activities as indicated and passing the 3 evaluation components previously indicated as well as demonstrating deep knowledge, understanding and implementation of the training methodology.

Given the highly dynamic and participatory format of the learning and evaluation process, attendance at each of the coached and assessed sessions is necessary and mandatory.

Once these conditions are fulfilled, the ITCILO will issue a Certificate of Achievement in Conciliation/Mediation of Labour Disputes.

