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communication  collaboration  resolution
I am pleased to present the third annual report of the Inter-American Development Bank’s Office of Mediation. Mediation was introduced as an additional tool to strengthen the system of reviewing grievances and addressing labor disputes at the Bank at an early stage. The process is designed to offer the parties in conflict an opportunity to discuss and resolve their differences with the help of a mediator. In this context, this service was created in order to provide Bank employees with impartial, confidential support and assistance in the resolution of labor issues and grievances.

The office first opened its doors on April 1, 2013 and since then has generated a lot of interest among Bank staff and has become an important additional catalyst within the Bank’s Internal Conflict Resolution System. In July of 2015, the office expanded its coverage following the approval of the Conflict Resolution System of the Inter-American Investment Corporation (IIC). The office signed a service level agreement (SLA) with the IIC to provide consultations, to administer the formal and informal mediation mechanisms outlined in this System, and to design and implement training programs.

Between April 1, 2013 and December 31, 2015, the Office worked on a total of 137 cases (consultations, and formal and informal mediations) involving

1 The term “employees” as used in this report refers to all staff and contractual employees of the IDB Group.
447 employees from the IDB Group, 56% of whom work at Headquarters with the remaining 44% working in the Bank’s Country Offices. During this period, the office also provided training in mediation and conflict management to 159 employees, made presentations about its services directly to 1,282 employees, and visited ten Country Offices.

Over this same period, the evaluations completed by users regarding the quality of services offered show that 88% of users reported being satisfied with the mediation process, 85% reported they would use mediation again, and 87% said that they would recommend mediation to their colleagues. These numbers evidence the positive reception that mediation has had within the organization.

Among the most important challenges for 2016 are: supporting efforts to consolidate the new Inter-American Investment Corporation (IIC), offering our services to the new management team and disseminating them among employees; addressing potential internal tensions that result from the processes of transformation and adjustment that the Bank is currently implementing and contribute to maintain a positive workplace environment; and, strengthening our support for Country Offices, which, due to distance and structural issues, often feel that conflict resolution mechanisms are less accessible to them.

Claudia de Colstoun
Mediation Secretary

http://mediation.iadb.org
This report presents the activities of the Office of Mediation during 2015. In this period a total of 66 cases were handled, including consultations and formal and informal mediation processes. These cases involved a total of 123 new users, bringing the total number of users as of December 31, 2015, to 447. In 2015, agreements were reached in 55% of all mediation processes that concluded during the year.²

The main types of conflict brought by users to the Office of Mediation in 2015 were “Respect in the Workplace,” which accounted for 34% of all users, “Termination / Non-renewal of Contract of Employment” with 14%, and “Compensation and Benefits” with 9% of all users.

In terms of user satisfaction with these processes, 88% of users reported being very satisfied with the mediation process, 100% said they would use mediation again, and 100% said they would recommend mediation to their colleagues.

In addition, The Office of Mediation designed and offered a training program in Strategic Analysis of Conflicts to 51 IDB Group employees.

Regarding outreach activities, in 2015 the Office of Mediation gave in-person presentations to 429 Bank employees, including visits to six Country Offices, in order to disseminate mediation services, as well as the relevant policies and their application. During these presentations, the office engaged

² During 2015 a total of eleven mediation processes, with a total of 34 participants, were brought to conclusion.
in a dialogue with employees about the Bank’s Integrated System for Conflict Resolution and Ethics and the role of the offices that comprise that system: Office of the Ombudsperson, Office of Mediation, the Human Resources Department, and the Office of Ethics.
Mediation is a confidential conflict resolution process in which an impartial third party (the Mediator) helps two or more participants better understand their issues, interests and needs, thus enabling them to overcome their differences through voluntary agreements.

The use of mediation as a new resource empowers participants to successfully resolve conflicts, helps avoid the escalation of conflict in a legal dispute, and greatly reduces the financial and emotional costs for all parties involved. At the same time, mediation is an effective communication tool that contributes to strengthening labor relations.

The Office of Mediation provides four types of services: consultations, informal mediation processes, formal mediation processes, and training in mediation and conflict resolution. All processes of mediation are conducted in accordance with the stipulations outlined in the respective Policies: PE-323-2/PN 1.03-2 for Informal Mediation and PE-323-3/PN-1.03-3 for Formal Mediation and Conflict Resolution System.

A consultation is when one or both parties meet with the Mediation Secretary to explain their situation and to learn more about how mediation could help them resolve their dispute. Based on this information, the user can chose which process to follow. In some cases, a consultation leads to a specific mediation process, while in others the process may end with the consultation. A case may also be referred, with the consent of the user, to another area of the Bank.3

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3 Areas of the Bank that the Office of Mediation can make referrals to include the Human Resources Department, the Office of the Ombudsperson, and the Office of Ethics, among others.
Informal mediation processes are designed to address cases involving labor issues in general. Their range of application is very wide, including behavior issues between colleagues all the way to discussions around issues which potentially violate an employee’s terms and conditions of employment with the IDB/IIC. These processes can be conducted by internal or external mediators, depending on the preference of the participants. If the parties choose to use the services of an external mediator, the Office of Mediation provides the parties involved with the CVs of several mediators in order for them to make a selection.4

Formal mediation processes are used exclusively to address grievances related to alleged violations of an employee’s contract of employment or his/her terms and conditions of employment that could not be resolved through the process of Internal Grievance Review. In other words, to initiate a formal mediation process the involved party must have first gone through their immediate supervisor, or the direct supervisor of their supervisor (the next level in the hierarchy), and through the Human Resources Department’s Manager. In addition, formal mediation must be exhausted before a Bank employee can access the services of the Bank’s Administrative Tribunal. Unlike informal mediation processes, these formal mediation processes can only be performed by external mediators.

The Office of Mediation also provides services for the design and implementation of Training Programs in Mediation and Conflict Resolution. These services are offered to any department of the IDB Group that requests them, with a view toward strengthening understanding and expanding skills among Bank employees in areas such as conflict management, communication techniques, and mediation skills.

4 The Office of Mediation has a roster of seven External Mediators hired to perform formal and informal mediation. These professionals have been selected based on their training and experience in mediation and their language skills, among other criteria.
In 2015, the Office of Mediation managed a total of 66 new cases, involving 123 new users. Of these, 75 were women (61%) and 48 men (39%).

Figure 1
Users by Gender
Of these 123 users, 98 (80%) were employees based at Bank Headquarters and 25 (20%) were staff located in the Country Offices.
5.1. Types of Mediation Services

5.1.1. Mediation Services

Of the 123 new users of services in 2015, 84 (68%) made use of consultation services, 23 (19%) participated in formal mediation processes, and 16 (13%) participated in informal mediation processes.
5.1.2. Type of Conflict

In 2015, the most prevalent types of conflict for the 123 users were: Respect in the Workplace (34%); Termination/Non-Renewal of Contract of Employment (14%); Compensation and Benefits (9%); Performance Evaluation (8%); Promotion (7%); Communication (7%); Equity of Treatment (6%); Career Development (5%); Departmental Climate (4%); Performance Expectations (1%); Retaliation (1%); Norms of Prudent Professional Conduct (1%); Supervisory Effectiveness (1%); Appropriate Use of Authority (1%); and Resignation (1%). Figure 4 shows this distribution.

5.2. Agreements

Of the eleven mediation processes concluded in 2015, a total of 55% concluded with an agreement.
5.3. Evaluation of Mediation Services

At the conclusion of each mediation process, employees receive an evaluation form to measure the quality of the services received. The purpose of evaluating the quality of services is to see first-hand the opinions and perceptions of the users in terms of their experience in the mediation process, as well as the performance of the Office of Mediation and of the mediator. With the evaluation, the Office also wants to hear directly from its users about areas for improvement and/or consideration about the future development and management of mediation processes.

5.3.1. Assessment of Mediation Processes

Of the 11 mediation processes concluded in 2015, assessments were conducted in 10 processes\(^5\) with a total of 17 user evaluations received, which represents 53% of all participants.\(^6\)

“This process helped to improve the workplace atmosphere, not only when there were problems but also when we had failed to work together as a team.”

The assessment tool for services offered used a five point scale: \textbf{Excellent (5), Good (4), Average (3), Below Average (2) and Poor (1)}. Options also included \textbf{No Opinion}, and for the closed-answer questions: \textbf{Yes or No}.

\(^5\) Assessment is conducted on concluded cases regardless of whether an agreement was reached or not.
\(^6\) Total number of participants: 32.
5.3.1.1. Extent of Knowledge of the Parties Regarding the Mediation Process

In terms of knowledge among users about the mediation process, the average initial knowledge of the users was 2.9. Nonetheless, once the process was underway and the assessments evaluated, this number increased to 4.6.

<table>
<thead>
<tr>
<th>Knowledge of the Parties About the Mediation Process</th>
<th>Beginning of Process</th>
<th>End of Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td>2.9</td>
<td>4.7</td>
</tr>
<tr>
<td>Men</td>
<td>3.0</td>
<td>4.6</td>
</tr>
<tr>
<td>Total Average</td>
<td>2.9</td>
<td>4.6</td>
</tr>
</tbody>
</table>

5.3.1.2. Quality of Services provided by the Office of Mediation

This section of the assessment gathered information about five aspects related to the quality of services offered by the Office of Mediation. Users gave an average 4.9 out of 5.0 to the Office’s response to communications and to meeting established timelines for the development of the process.

In terms of the quality of content in the responses, the average given was 4.8. Users gave an average of 4.5 in the category of providing a response to their inquiries in an appropriate and timely manner.

In terms of having installations that were comfortable and adequate for carrying out the mediation process, the average received by users was 4.7.

“Excellent work. I had no idea that the Bank had a great service like this to support our managers. Thank you very much.”
5.3.1.3. Mediator’s Abilities

The purpose of this section of the assessment is to obtain information about the abilities of the internal and external mediators hired by the Office of Mediation.

Below are the average scores obtained in each of the assessment categories.
5.3.1.4. Other

This section of the assessment gathered information from participants on issues such as: (1) previous experience with mediation; (2) satisfaction with the process; (3) satisfaction with the outcome; (4) future use of mediation; and, (5) recommendations to colleagues regarding mediation.

- 65% of participants (11 people) reported that they had no previous experience using mediation, while 35% (6 people) expressed having previously had some experience with mediation;

- 88% of participants (15 people) said they were satisfied with the mediation process while 12% (2 people) said they were not satisfied;

- 65% of participants (11 people) said they were satisfied with the results obtained through mediation, while 23% (4 people) said they were not satisfied with the results, and 12% (2 people) replied “not applicable”;

> “Mediation helped to transform an explosive situation into something much more calm, a more manageable process.”

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**Figure 6**

**Level of Satisfaction and Use of Mediation**

<table>
<thead>
<tr>
<th>Satisfactory with the Process</th>
<th>88%</th>
<th>12%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Satisfactory with the Agreements</td>
<td>65%</td>
<td>23%</td>
</tr>
<tr>
<td>Would use Mediation Again</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>Would Recommend Mediation to Colleagues</td>
<td>100%</td>
<td></td>
</tr>
</tbody>
</table>
100% of participants (17 people) stated that they would use mediation again in the future;

100% of participants (17 people) said they would recommend mediation to others.

5.3.2. Group Mediation

“In my opinion, without the solid leadership of the mediator I don’t believe we would have been able to achieve the change that we have developed in the workplace atmosphere and as colleagues.”

“Without doubt I would recommend to any of my colleagues at the Bank that they use the resources provided by mediation.”

Group mediation is offered when there are several parties involved in the conflict. In these cases, with a view toward facilitating the efficiency and effectiveness of the process, the Office requires participants to select one or more individuals to serve as representatives for each group.

As is the case in all mediation efforts, this process is carried out in strict compliance with the principles of neutrality, confidentiality, and voluntary participation. The only difference in the case of group mediation is that the parties participate in the process through their representatives, who act as the spokespersons for everyone in the group.

It is worth highlighting that Aspects of the Quality of the Process is a section that is used exclusively in the assessment of group mediations. The other sections (knowledge about the mediation process, role of the Office of Mediation, and abilities of the mediator, among others) use the same categories as the assessment of individual mediations.

In 2015, a total of four group mediations were carried out involving 19 participants. Six participants in total (32%) provided evaluations of the process.

Below are the results obtained from the group evaluations regarding the quality of the process.
5.4. Design and Implementation of Training Programs

In 2015, the Office of Mediation designed and implemented a training program on Strategic Analysis of Conflicts. The training was offered to the Resource Planning and Administration Specialists (RPAS) in the Country Offices. Through this training, the Office of Mediation presented a tool for the integral analysis of conflict. This tool included key elements for the analysis of conflict situations, including the identification and distinction among positions and needs/interests, recognizing emotions, use of communication techniques to promote obtaining and clarifying information and facilitating the rethinking of conflict. The reason for presenting this tool to the RPAS was to provide them with more theoretical and practical knowledge so that they can apply them in their work. In total, 51 employees participated in this training.

“I felt like I was very welcome by the mediation team throughout the entire process, starting with my first call to the office all the way through to the end of the mediation sessions.”

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Table 4

Quality of the Process

<table>
<thead>
<tr>
<th>Process</th>
<th>Total Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access to information during the process</td>
<td>4.5</td>
</tr>
<tr>
<td>Level of involvement during the process</td>
<td>4.5</td>
</tr>
<tr>
<td>Key issues addressed during the process</td>
<td>4.5</td>
</tr>
<tr>
<td>Benefits of the process with regard to the time and resources invested</td>
<td>4.7</td>
</tr>
<tr>
<td>Outcomes of the process with regard to your interests</td>
<td>4.7</td>
</tr>
<tr>
<td>Solutions reached satisfied participants’ common needs</td>
<td>4.3</td>
</tr>
<tr>
<td>Recognition of other parties’ legitimate interests (before the process)</td>
<td>3.7</td>
</tr>
<tr>
<td>Recognition of other parties’ legitimate interests (after the process)</td>
<td>4.3</td>
</tr>
<tr>
<td>Understanding of other participants’ views and perspectives during the process</td>
<td>4.7</td>
</tr>
<tr>
<td>Counterpart’s authority to make commitments and decisions</td>
<td>5.0</td>
</tr>
<tr>
<td>Improvement of the relationship between the parties after the process</td>
<td>4.3</td>
</tr>
<tr>
<td>Improvement of trust between the parties after the process</td>
<td>3.7</td>
</tr>
<tr>
<td>Cooperation between the parties for agreement implementation</td>
<td>4.0</td>
</tr>
<tr>
<td>Overall rank of the process</td>
<td>4.8</td>
</tr>
</tbody>
</table>
In the context of Resolution AG-9/15 and IIC/AG-2/15 adopted by the Board of Governors of the Bank and the Inter-American Investment Corporation (IIC) during the Bank’s Annual Meeting held in Busan, Republic of Korea, agreement was reached to carry out a reorganization of the private sector windows of the Bank and the IIC, culminating in the creation of the New Corporation (NewCo).

This reorganization process implied consolidation of the non-sovereign guaranteed operations, an increase in capitalization for the IIC, and the launching of an open, transparent, and competitive process for the selection of staff of the new corporation. In this context, staff at the windows that were reorganized received employment termination letters along with the opportunity to apply for new openings in the new corporation. It is important to mention that during this reorganization process the Bank offered support services to employees in the areas of career development, employment assistance, visa consultations, retirement planning, and external services for career development.

During this period, the Office of Mediation offered services to 51 users from the private sector windows and the IIC, accounting for 41% of all users in 2015. The types of conflict that were addressed the most among this group of users were: Respect in the Workplace (54%), Termination of Contract of Employment (18%), Career Development (8%) and Promotion (8%).

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7 Inter-American Investment Corporation (IIC), Structured and Corporate Financing Department (SCF), Opportunities for the Majority (OMJ) and Legal Department/Non-Sovereign Guaranteed Operations Division (LEG/NSG).

8 This includes staff in the positions of general manager, executive posts, division chiefs, and the management team.
7.1. Consolidation of the Roster of External Mediators

The Office of Mediation works with seven External Mediators to carry out formal and informal mediation processes. These mediators have received training as well as all of the relevant information, context, and clarity regarding the regulations and internal processes of the Bank.

In terms of evaluation of the quality of the services offered by these mediators, the assessments received by 52% of users gave an average rating for overall performance of 4.6 out of 5 (with 5 being “excellent”).

7.2. Case Management System

The Office of Mediation, as well as the Office of Ethics, the Office of Institutional Integrity, and the Sanctions Office, uses the GoPro case and document management software program, which runs on a server that is external to the Bank. This system complies with existing standards designed to safeguard the principle of confidentiality of the mediation process.

During 2015, the Office of Mediation updated its case management system to guarantee optimum functioning, security, and utility.
7.3. Communication Strategy

In order to position mediation as an important additional tool for Bank employees in the management and resolution of conflicts, the Office of Mediation has a communication strategy and plan.

The Office continues to carry out promotion and informational activities that are designed to: i) *consolidate the Office's identity* as an open space for communication, collaboration, and the resolution of conflicts; ii) *position the web page* as a communication point of reference about the Office, its policies, services, and results; and, iii) *recognition of the Office's brand identity*.

One of the key factors that has contributed to this consolidation has been the continuity of the message and format used for print and digital communications, as well as the timeliness with which the Office plans and carries out the activities of promotion and information.

7.3.1. Outreach Efforts

The Office of Mediation continued to give in-person presentations to Departments and Offices of the Bank. These presentations covered the role and functions of the Office of Mediation, the services offered and results obtained, as well as the application of the following policies: PE-323, 323–2, 323–3, PN-1.03, 1.03–2, 1.03–3 and Conflict Resolution System.

During 2015 the Office of Mediation offered presentations to 429 employees through:
On-Boarding Sessions for New Employees

Presentations to Departments, Offices, and Country Offices

Presentations to Resource Planning and Administration Specialists (RPAS) from the Country Offices

Presentation to the Board of the Staff Association

Presentation to the Bank’s Administrative Tribunal

The Office of Mediation also organized a meeting with affiliated external mediators in order to present the Office’s Second Annual Report and the results of the evaluations received regarding their performance and skills. This meeting generated a broad space for reflection and feedback, thus facilitating the identification of practices that can contribute to improving services offered to users.

7.4. Work with Country Offices

One of the goals proposed by the Office of Mediation for this period was to achieve a larger presence in the Country Offices in order to provide closer guidance and support during the process of managing conflicts.

In this context, the Office of Mediation participated in videoconferences organized by the Human Resources Department with Resource Planning and Administration Specialists (RPAS) from all of the Country Offices of the Bank.

Additionally, conversations were held with each Country Office to better understand their needs and to identify short and medium-term measures that address these needs. Among the suggestions made by the RPAS that were implemented by the Office of Mediation were: organization of a series of in-person visits to Country Offices; inclusion in presentations of specific information regarding results achieved in Country Offices; and sending the Office of Mediation’s results each quarter to the RPAS for distribution among Country Office staff.

During 2015, the Office of Mediation conducted visits to six Country Offices where presentations were given to 151 employees. The goal of these presentations was to provide information about the Office, our services and policies, as well as
specific information about the services offered and results obtained. During these visits, the Office of Mediation offered individual consultation services to staff.

In addition, the Office of Mediation had the opportunity to enter a dialogue with staff regarding techniques for the management and resolution of conflicts and about the role of the four offices that are part of the Bank’s Conflict Resolution System: the Office of Mediation, the Ombudsperson, the Human Resources Department, and the Office of Ethics.

7.5. Inter and Intra-Institutional Collaboration

7.5.1. Gateway Intranet Site

The Gateway Intranet Site was launched as part of an initiative of the Bank’s Vice Presidency for Finance and Administration (VPF). This project was designed and developed jointly between the Offices of Mediation, Ombudsperson, Ethics and the Human Resources Department. Gateway went live in August of 2015. Gateway’s main goal is to provide employees with a shared portal to facilitate access to information about resources available through the Bank’s Conflict Resolution System. In addition, this initiative seeks to define the unique characteristics of each of the offices and the processes to follow by employees should services be needed. The Office of Mediation has helped to promote the Gateway Intranet Site through its own public website, as well as through its presentations and by sending copies of its promotional poster to each Country Office.

7.5.2. Agreement for the Provision of Services

In July of 2015, the Office of Mediation signed a service level agreement (SLA) with the Inter-American Investment Corporation (IIC). Under the terms of this agreement, the Office of Mediation provides consultations, administers the formal and informal mediation processes for employees at the IIC in accordance with its Conflict Resolution System, and designs and implements training programs in this area.

7.5.3. Collaborative spaces with the Coordinating Group of the Bank’s Conflict Resolution System

The Office of Mediation continued participating in regular meetings held by the Coordinating Group, led by the Vice Presidency for Finance and
Administration (VPF). During this period, the Office also collaborated with all those initiatives identified as being directed towards the promotion of conflict resolution services and strengthening the organizational values of the Bank.

7.5.4. Collaborative spaces with other Multilateral Organizations and Conflict Resolution Professional Associations

During 2015, the Office of Mediation maintained close relationships with counterparts at other multilateral organizations, such as the World Bank, the International Monetary Fund, the Asian Development Bank, and the Pan American Health Organization, as well as with professional associations specialized in conflict resolution, including the Association for Conflict Resolution (ACR), the International Mediation Institute – Brazil (IMI), the specialized center Collaborative Decision Resources (CDR), and the American Bar Association (Dispute Resolution Section). This allowed the Office to share lessons learned, achievements and challenges, and to learn about the experiences of specialists in the field of conflict resolution. At the same time, these exchanges allowed us to promote the work of the Bank in this area and to provide information about efforts to create an integrated system for conflict resolution at the Bank.

7.5.5. Access to External Resources

As a member of the Association for Conflict Resolution (ACR), the Office of Mediation has access to the services of Washington DC-based mediators, to online courses covering various aspects of alternative conflict resolution, and to teleconferences on related topics.

7.6. Participation in Training and Conferences


In June of 2015, the Office of Mediation participated in the 13th conference of the United Nations and Related International Organizations (UNARIO): Network of Ombudsmen and Mediators, held at the Asian Development Bank in Manila, Philippines. The Office of Mediation led the team charged with designing the conference’s agenda, and also coordinated the professional development session for conference participants. The purpose of this
event was to provide a space for the exchange of experiences among the participating organizations around themes such as analysis of organizations and their systems, the promotion of conflict resolution mechanisms at the management level of the organization, and effective management of difficult and highly emotional conversations in situations of conflict.
In every organization, conflict exists as a natural part of interpersonal and labor relations; avoiding or aggressively confronting these conflicts usually leads to escalation or to a rupture of labor relations, exacting a heavy toll on the organization and its employees. Knowing how to manage conflict and to address it early and in a constructive manner are hallmarks of a healthy and productive workplace. In this context, the capacity for dialogue is essential along with the ability to communicate, to listen, and to negotiate. Mediation is a tool that allows for the creation of safe spaces for constructive dialogue, thus contributing to better workplace relations. The goal of the Office of Mediation is to promote the use of these spaces, and to do so in a secure, impartial, and confidential atmosphere, helping in this way to build a culture of dialogue within the institution.

During 2016 the Office of Mediation will focus on continuing efforts to strengthen conflict resolution mechanisms at the Bank through:

- Supporting efforts to consolidate the new Inter-American Investment Corporation (IIC), offering our services to the new management team and disseminating them among employees;

- Addressing potential internal tensions that result from the processes of transformation and adjustment the Bank has been implementing and contribute to maintain a positive work environment;

- Strengthening our support for Country Offices which, due to distance and structural issues, often feel that conflict resolution mechanisms are less accessible to them;
Promoting mediation as a safe space for communication, learning, and mutual growth, with a view towards positioning it as a transformative approach in terms of change and development among the parties to a conflict.

We invite you to visit us on the web at: http://mediation.iadb.org.
1. **Office of Mediation Information Packet:**
   [http://mediation.iadb.org/LinkClick.aspx?fileticket=QtqIxHcTJGU%3d&tabid=12465&mid=27196&language=en-US](http://mediation.iadb.org/LinkClick.aspx?fileticket=QtqIxHcTJGU%3d&tabid=12465&mid=27196&language=en-US)

2. **Policies on Labor Relations and Conflict Resolution Mechanisms of the Inter-American Development Bank:**

3. **Conflict Resolution System of the Inter-American Investment Corporation (IIC):**
communication  collaboration  resolution