

“ADRIO’s C.Med Information Night”

Guest Speakers: Genevieve Chornenki, C.Med, C.Arb; Blaine Donais, LL.B., LL.M., C.Med, RPDR, WFA; Cheryl Gaster, LL.B., C.Med; and Mary Anne Harnick, M.A., LL.B.

By Mary Korica



Genevieve Chornenki,
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An ADR neutral since 1989, Genevieve offers mediation, arbitration, facilitation, Ombuds-work, ADR program design, and training. She sits on ADRIO’s Chartered Mediator Accreditation Committee and ADRIC’s National Audit and Appeal Committee.

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Blaine Donais, LL.B., LL.M.,
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Blaine is President of the Workplace Fairness Institute. They help organizations improve their health and profitability by enhancing workplace fairness. Blaine is author of “The Art and Science of Workplace Mediation.”



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Cheryl is a highly experienced mediator, trainer and settlement counsel in the areas of human rights, employment and labour.

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The ADR Institute of Ontario (ADRIO) presented a live program and webinar entitled “Chartered Mediator Information Night”. The panel discussion explained the Chartered Mediator (C.Med) designation and the process for achieving it through ADRIO. The panelists were: Cheryl Gaster, Genevieve Chornenki, and Blaine Donais, who are all C.Med certified mediators and members of ADRIO’s C.Med Assessment Committee, as well as Mary Anne Harnick, ADRIO’s then-Executive Director. The event took place on Thursday October 16, 2014 at the ADRIO office in Toronto.

The panel began by emphasizing that their purpose is to assist the many ADRIO members who are working toward the C.Med design-

ation. The C.Med is Canada’s most senior official designation for practising mediators, and the audience was interested to know what advantage it provides. The panel said that it is intended to convey the mediator’s achievement of a high level of training, experience and competency to prospective clients. It is conferred by the ADR Institute of Canada (ADRIC), the closest institution to a regulatory body for mediation in the country, added Ms. Gaster. Ms. Harnick called the C.Med designation the best assurance a client has of a mediator’s professionalism, and noted that it ties the mediator to a degree of accountability through ADRIO. The application process for the C.Med designation is adminis-

tered by ADRIO staff, and the evaluations are conducted by two C.Med Assessment Committees struck by ADRIO. Each is composed of three seasoned mediators with longstanding careers in the field, who have completed the C.Med process themselves. The panelists described the committee members as volunteers chosen by their peers on the basis of: their record of commitment to mediation; their having the competencies deemed by the organization as necessary for any style of mediation; and their being well-known to the Institute.

Ms. Chornenki outlined the two-step process to achieve the C.Med designation: The first component is a written application that documents the candidate’s course-based education and training, applied experience, and compliance with mediation standards. Mr. Donais and Ms. Harnick explained that the education requirement is 80 hours of mediation courses of specific duration from recognized institutions, as well as 100 hours of related study which can have a broader scope, potentially including negotiation or coaching training, in addition to mediation training.

Once the written application, with all supporting documentation, is deemed complete by ADRIO, the applicant is invited to an in-person session with one of the C.Med Assessment Committees. Ms. Gaster described this as the committee’s opportunity to assess the applicant’s mediation skills according to Appendix A of the “Principles, Criteria, Protocol,

Competencies for the designation Chartered Mediator, September 2011" document, ADRIO's "Code of Conduct for Mediators" and ADRIO's "Code of Ethics," all of which are easily accessible online.¹ The live session takes place over two hours, with the first hour allotted to a mediation role-play, followed by a second hour to debrief and present the candidate with an ethical dilemma to address. "We want to know as much about your practice as possible", said Ms. Gaster.

Ms. Gaster assured the audience that the role plays have been devised, and the assessors act as the parties, in such a way that ensures the applicant is provided opportunities to demonstrate the required skills, albeit without the assessors actively coaching the applicant on what is required. In response to an audience question, she added that the assessors are not looking for the applicant to bring the parties to settlement. Mr. Donais stressed that the interview and debrief are as important as the role-play or ethical dilemma, since all the segments demonstrate how the applicant thinks about mediation and performs it. In response to an

audience question about how the committee differentiates between "skills" and "competencies" listed in the "Principles, Criteria, Protocol, Competencies for the designation Chartered Mediator, September 2011", Mr. Donais clarified that the assessors do not differentiate between them in any significant way, that competency must be demonstrated in all of them.

Ms. Gaster emphasized that the committee members have robust discussions when rating applicants, and that consensus must be reached. She added that the committees are accountable to the assessment process, to ADRIO, and to the candidate. When someone does not pass the C.Med assessment, Ms. Chornenki said, the committee provides extensive, concrete and specific written explanation, pointing out which competencies the applicant did not demonstrate and must hone. The individual is encouraged to apply again, and if they do, their second application is referred to the second assessment committee who is never made aware that the person is applying for a second time. If a candidate reapplies within a

specific timeframe, they are only charged an administration fee. Ms. Harnick clarified that failed C.Med applications can only be appealed based on matters of policy.

The panelists urged applicants to rely on Appendix A of "Principles, Criteria, Protocol, Competencies for the designation Chartered Mediator, September 2011" as a guide when filling out the C.Med application, when preparing for the role-play, and even as a self-assessment tool to help them decide whether they are ready to apply. Ms. Chornenki also suggested applicants consider assembling a group of colleagues to practice the role-play and solicit feedback on whether they are consistently enacting all the skills required. Mr. Donais' advice was that applicants be careful not to spend too much time on the introduction during the role-play.

All the panelists agreed that the C.Med assessment can be nerve-racking and requires applicants to demonstrate a demanding set of skills in a condensed period of time. They confirmed that the assessors take into account both the stress factor and the artificiality of role-play. Ms. Chornenki pointed out that practicing role-plays can help desensitize oneself from the artificiality of the role-play, as it does during formal mediation training. Mr. Donais also noted that "dealing with anxiety is part of being a competent mediator. His advice was to "treat the role-play like you would any other mediation. It's not your job to show that you are competent in all the nine skill areas. It's your job to be a competent mediator." He added "treat your assessors as clients. If you're good with your clients, you should be good with these clients."

The audience was interested to know what qualifies an applicant for the "longevity of practice"



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classification that exempts an applicant from the skills assessment. Ms. Gaster and Mr. Donais clarified that the exemption applies only to highly exceptional individuals who are provincially, nationally, or internationally renowned for their body of work related to mediation, and clearly leaders in the field. Ms. Gaster pointed out that for individuals outside of this category, the education and training requirements for the C.Med application are not onerous, and in fact are in line with the ongoing professional development that all C.Meds must undertake to maintain their designation.

The panelists suggested that the C.Med designation may become increasingly important to secure work as a mediator, but added that the way in which any given C.Med uses their designation to market themselves is up to them. Ms. Harnick noted that, to be included on ADRIO's roster of mediators, the C.Med designation is a requirement though not for the Ontario Mandatory Mediation Program roster. She added that the C.Med is also a highly respected credential with the International Mediation Institute. The panelists encouraged those considering putting forward an application to do so. 🌱

1 All the source documents used by ADRIO's C.Med Assessment Committees, and additional useful information, are available on the ADRIO and ADRIC websites, including: The "Principles, Criteria, Protocol, Competencies for the designation Chartered Mediator, September 2011": http://www.adrcanada.ca/resources/PubUploadFiles/Website/CMedCriteria_web.pdf
The ADRIO "Code of Conduct for Mediators": www.adrontario.ca/rules/conduct.cfm
The ADRIO "Code of Ethics": www.adrontario.ca/rules/ethics.cfm.

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