



## **What is the service for Dispute Resolution Assistance in the Workplace (DRAW)**

**DRAW** is a mediation and dispute resolution service for employers and employees to help them resolve issues arising from COVID-19. It is a 3-month pilot provided through ELAN (Employment Law Advice Network) and funded by Trust for London

The mediators will be familiar with the law and guidance around C-19 and point the parties to relevant sections so they can inform themselves.

### **Why Now?**

COVID-19 presents significant challenges to employers and employees including:

- The Coronavirus Job Retention Scheme (“JRS”), which enables some employees to be placed on leave with the government paying 80% of wages up to a maximum of £2,500 pm.
- Health and safety issues around employers’ obligations to workers including those who are vulnerable or shielding;
- Pay entitlement

Lack of information can lead to confusion and conflict which may escalate into legal wrangles (possibly litigation) which is not in either party’s interests.

### **What service does DRAW provide?**

*Mediation* whereby a mediator helps the parties to find a solution together. It is:

- *Voluntary*: parties can refuse to mediate and withdraw if they choose;
- *Off the record* (Without prejudice) so cannot be used in litigation;
- *Confidential*: a mediator must keep confidential anything they have been told by a party unless the party gives specific authority to pass the information to the other party;
- *Flexible and informal*: there is usually an agreed format but this can be varied;
- *Forward looking*: the aim is to find a solution – through positive, constructive conversations.

To find out more about mediation, go to <https://www.yesslaw.org.uk/mediation/>.

### **Eligibility**

DRAW is available for SMEs and employees where the dispute is:

- related to COVID-19.
- Between an employee and employer living or working Greater London.
- Is judged suitable for mediation.

### **How does it work?**

- You must contact YESS using the email [mediation@Yesslaw.org.uk](mailto:mediation@Yesslaw.org.uk).



- You will need to complete a form and return it to the Administrator. If you need assistance with completion of the form, please email [mediation@Yesslaw.org.uk](mailto:mediation@Yesslaw.org.uk).
- An administrator will respond within 5 business days and may seek further information.
- A mediator will be selected and they will contact you to set up the mediation.
- DRAW will offer up to 6 hours free mediation to resolve coronavirus related issues.
- The mediator will signpost to relevant legal information and government guidance.
- You will not receive legal advice on your case by the mediator. YESS may be able to offer advice during the mediation day(s), to an unrepresented party, in some cases.

### **What will you need to take part in DRAW**

All parties must have access to a laptop and/or mobile phone. If one party does not have access to either, we will not be able to offer the service during the pilot period. However, we hope to look at access barriers for the second phase of DRAW.

### **How much does the service cost?**

The service is provided on a no costs basis.

### **Note about the duration of the service**

This service is a pilot. ELAN has the right, at any time, to withdraw the offer of assistance.