

## **A mediation agreement in labour relations. Russia and Italy**

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### **Abstract**

The article studies mediation industrial dispute in Russia and Italy. The material for investigation was normative legal documents, commentaries to the Labour Code of the Russian Federation, decrees selected by the method of continuous sampling from literature. The analysis of the use of mediation in Russia and in Italy is carried out, the use of mediation procedure in labour disputes is investigated and the comparative analysis is given. The author has studied the notions, types, models of mediation and labour disputes as well as the procedure for the conduct and pay of the process in Russia and Italy. The problems of mediation application in both countries have been analyzed, the currency has been reflected, the statistics of litigated cases on labour disputes has been given. In the article the author reveals the understanding of application of the procedure of mediation in labour disputes. The main objective of the author is to focus the work on the main criteria of the process of mediation not only within the framework of Russia but in Italy as well. The idea is in the fact that in any discussion concerning the choice of formal (judicial) and informal procedures we are to take into consideration the advantages and disadvantages of each concrete method of settlement of dispute irrespective of the fact whether it is formal or not. The article analyzes the essential legal elements of the procedure of mediation such as: voluntariness, confidentiality, collaboration and equality of the parties, objectiveness and independence of mediator, his neutrality. The author considers the minimum requirements such as informativeness and "openness to the result", responsibility. The advantages and the problems of using the mediation procedure in both countries have been stressed, the statistics has been presented.

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### **Keywords**

Italy, Labour dispute, Mediation, Mediation agreement, Mediator, Russia