



Are Mediators Really Santas In Disguise?

By Joe Bontke

"Yes, Virginia, there is a Santa Claus" is a phrase from an editorial in the New York Sun, September 21, 1897 entitled "Is There a Santa Claus?" and has since become part of popular Christmas folklore in the United States. We all believed in Santa Claus when we were children and our faith was rewarded with presents on Christmas Day every year.

Well, I am a Santa Claus. At least for one month every year when I am not serving as the Outreach and Education Manager for the EEOC's Houston District. From January to just after Thanksgiving my daily grind is hearing the stories of unlawful discrimination, harassment, retaliation and workplace conflicts. I am, however, surrounded with a great team at the EEOC and I don't go it alone. The Mediators, Investigators, Litigators, and Administrators all work to carry out our mission preventing and remedying unlawful employment discrimination and advancing equal opportunity for all in the workplace. The sum is way more than the parts.

Being Santa allows me to turn up the volume of my inner child. After all, a child with the Christmas spirit playing in their minds, allows this time of year to become their magical story. When we grow up, we sometimes forget to listen to the music and this spirit starts to disappear. We see reality. The News, a polarized political society demonizing "the other side" clearly lacks civility. When the music is gone, the stress of the Season makes it imperative that we get back into the true Spirit of the Season once again. Wait! This is a happy piece about believing in what we choose and about how to hold onto that music in our minds throughout childhood, into our teen lives and even into the adult years.

I recently taught a portion of a New Mediator, 40-Hour Training course, and I was reminded of the similarities of the Art of Mediation and the Art of Being Santa.

Let's talk about Challenging Parties. As a Mediator I never take myself too seriously or else I risk not hearing the real issues from the parties and being able to help them identify the cause of the conflict and steps to get past the hurdles (if possible). As Santa, I laugh hard through the challenges. Often while parents envisioned a joyous Santa visit, their young child cries out with tears of distress. I gently remind parents that these are often the best photos to show at the child's wedding rehearsal dinner because time flies and every moment is precious. Like you as a mediator, I often find a way to see the positive and help others understand to be in the moment.

How about Active Listening and Neutrality? When we initially engage with the parties, as Mediators, we serve as sounding boards and actively accept and filter the information received. We use our conflict resolution skills to deliver difficult messages with respect and try to maintain neutrality at all costs. As Santa, I balance this same tight rope, which is at the heart of every Santa's challenge. When a child looks up at you with wide doe eyes and innocently requests a puppy with an impassioned plea, the hope of entire Season seems to hang in the balance of his or her eyes. With my years of experience, I immediately explain using the same passion and sensitivity that I can't deliver a puppy (or horse or unicorn), because Santa cannot gift live animals. I patiently explain that only parents can do this because it's a great responsibility requiring great care and training for the animal. I also ask the child to imagine what my sleigh would look like after a night of having to transport all the animals throughout the world and Santa cannot stop for water or potty breaks! As both Santa and a Mediator, I know that it sometimes falls to us to give tough news, and also know that we can all appreciate good humor helping us and the parties through such tense conversations.

In mediation, we are all about the integrity of the process, carefully listening, receiving vital information, helping parties often address difficult situations, and empowering them with a better understanding to make the best decision for their situation. It takes a skilled conflict resolution professional with a deep (maybe red?) bag or toolkit to navigate parties toward a successful outcome. Similarly, as Santa, everything can't be the preverbal Red Ryder BB gun response of "You'll shoot your eye out." It takes all the finesse of a Mediator in a Red Suit assisting the child to reach the magic of the gift under the tree. We all do this magic in just one day!

In every conflict, in every mediation room filled with conflict, there is the opportunity of hope and peace. There is no doubt in my mind that if Santa has a day job, it's definitely as a mediator. The power of positivity is the job he does best. Positivity is the first skill we learn and use as Mediators. Sure, we all know that you can get coal in your stocking, but Santa's focus is not what you did wrong. It is on what you did right and always with an eye towards peace. Like Mediators, Santa's joy comes from bringing happiness to others, especially during tough times. Santa doesn't expect anything in return, but he does believe what goes around comes around. This world is what you make it.

In closing, I leave you with a quote from Chris Van Allsburg's Christmas classic, The Polar Express:

"At one time, most of my friends could hear the bell, but as years passed, it fell silent for all of them. Even Sarah found one Christmas that she could no longer hear its sweet sound. Though I've grown old, the bell still rings for me, as it does for all who truly believe."

For many of us whose hair may now be gray, the faint sound of the bell is no longer detectable. However, every December, as I share the Season in my Red Suit listening to the music from all the Christmas classics, I find myself listening extra closely in hopes of hearing:

Merry Christmas, Happy Hanukkah, and Happy Kwanzaa to all, and to all a good night!



"Santa" Joe Bontke is Outreach and Education Coordinator for the Houston District office of the EEOC. Joe has been in the field of Human Resources & Civil Rights for the past 30 years and has experience in employment law and adult education. With a Bachelor's in Philosophy and a Masters in Education, he has been a Human Resources Director, a Training Coordinator for the American Disabilities Act (ADA) Technical Assistance Center for Federal Region VI, he was appointed as Assistant Professor at Baylor College of Medicine and commissioned as an Honorary Admiral in the Texas Navy. Spending the majority of the year dealing with discrimination, harassment and retaliation in the workplace can take its toll. As the training officer for the District Office the wellbeing of his staff is an added concern of management and led to Bontke's "side job" as a real bearded Santa Claus for 100+ events each December, Joe learned many years ago his red suit made life better. His 90 second video on

youtube inspires others to find their "Red Suit" and tell others what works for them.

<https://www.youtube.com/watch?v=P-VHkHw2ZWs> It might also keep you on the Nice List. Joe and his wife Joyce have three adult children and two Grandchildren, ask him to show you a picture of them and he will.

