

## *CONCILIATION TRAINING ON THE MOVE*

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**Résumé:** Cet article est focalisé sur une expérience de mobile learning pour la formation de conciliateurs e de ceux qui veulent devenir conciliateurs. Dans la première partie de l'article nous introduirons la conciliation autant que sujet des nos cours, dans la deuxième partie de l'article nous décrirons nôtre expérience de mobile learning dans le détail. Le Nomadis Lab de l'Université de Milano-Bicocca a réalisé cette expérience de mobile learning avec l'aide de deux conciliateurs qui ont contribué à la création des tous les supports. Les deux conciliateurs ont coopéré et ils ont fait la supervision à la création des contenues de la formation dans tous leur parties.

**Summary:** This paper focuses on a current experience of mobile learning for the training of conciliators and of aspiring conciliators. In the first part of the paper we introduce conciliation as the topic for our course, while in the second part we describe the mobile learning experience in depth. The Nomadis Lab of the University of Milano-Bicocca realized this mobile learning experience with the support of two conciliators who contributed to designing the materials; they cooperated and supervised the creation of the learning materials in all of its phases.

**Mots clés:** Conciliation, mobile learning, mobile learning experience, mobile device, training, pilot.

# Conciliation training on the move

## 1 - INTRODUCTION

In this paper we report an ongoing experience of mobile learning for the training of aspiring and practicing conciliators. In the first part of the paper we introduce conciliation, as the subject of our course, while in the second part we illustrate some of the design characteristics and the realization of our current mobile learning experience. This training program is in its pilot phase. From our experience, we saw that the most critical phase in the design and production of a learning program is to make the pilot part of the training program. The analysis of the results of the evaluations of the test of the pilot part is very important and must be made on a sample of subjects who belong to the target of the program. The production of the pilot is seen as a strategic phase for the overall design. In fact, through the administration of the pilot to a sample of subjects belonging to a target it is possible to specify better:

- the functional characteristic of the product in its entirety (hardware, software, content organization, etc.);
- the effective training needs of the specific target the training program is intended for to test the learning model used.

Furthermore, considering the limited diffusion of m-learning programs on a large scale, it seems particularly useful to test a pilot part of a training program via m-learning on a representative sampling to see which approach of the target to m-learning in regards to the MLO is better. The administration of a demo of the product achieves:

- economic and time savings in the production of the training program, thanks to the production of the pilot and test on a representative sampling. It is possible to understand how to make the most of the work force for the overall production of the program and to minimize the risks of failure;
- the percentages of the possibilities for success of the training program. In

particular this is tied to the customization of the product, aimed to completely satisfy the training needs of the target.

This experience is realized by the Nomadis Lab of the University of Milano-Bicocca with the support of two conciliators who contributed to designing the materials and cooperated and supervised the creation of the learning materials in all of its phases. Nomadis is a lab at the University of Milano-Bicocca which does research and experimentation in applications for mobile technologies from the social and economic relevance viewpoint but also from the computer science one (<http://www.nomadis.unimib.it/flex/cm/pages/ServeBLOB.php/L/EN/IDPagina/7>).

## 2 - THE CONCILIATION

Conciliation is a form of Alternative Dispute Resolution, where two or more subjects in conflict, with the help of an impartial third party, the conciliator, try to find an agreement that is the best possible solution for all parties involved. Like in the US, conciliation is now rapidly expanding in Italy, and is being applied in more and more areas of transactions. In the Italian system the term conciliation indicates both the activity which is finalized in finding an agreement and also the agreement in itself. Conventionally, mediation is used to indicate that instrument of management and composition of conflicts by impartial third parties, with reference to the familiar, social, scholastic, criminal and environmental ambit, while conciliation is used when the impartial third party helps the parties to resolve a economic-commercial type of dispute. The object of our training is the extrajudicial commercial conciliation, in which the conciliator is a subject external to the judiciary order. "Conciliation is an instrument of conflict resolution through which two or more subjects in disagreement voluntarily try to reach an agreement to bring an end to the controversy. To this end, they turn to an impartial third party – the conciliator – who has the task of assisting the parties in the negotiation, helping to reach an understanding.

The attempt of conciliation takes place privately” (Azzali, 2007). The fundamental characteristics of conciliation are:

- Voluntarity: there can be a conciliation only if the parties agree to finding a friendly solution to the disagreement; the parties can leave at any time, without suffering consequences of any kind because of this.
- Direct participation: the parties are physically present (in the case of the juridical person the person with decisional power participates), they can be assisted by consultants, but they are directly interpellated by the conciliator.
- Absence of a judging member: the procedure is guided by the conciliator, a neutral third party, takes place with the direct participation of the parties and concludes with an agreement which expresses the solution identified by the parties. The conciliator does not have decisional power: her function is to help the parties find an agreement.
- Flexibility: the procedure does not have fixed rules and therefore can be adapted by the mediator and by the parties according to each specific case.
- Rapidity: it often lasts only a few hours and rarely more than two or three days.
- Contained costs.
- In private: it is operative both in a “closed system” which impedes the parties from diffusing information outside the “four walls” where the meeting takes place, and also in that there is a relationship of trust between the conciliator and the parties. The conciliator can gather confidential information from each party with the obligation of not divulging it to the other party without explicit authorization.
- Neutrality: where the parties do not reach an agreement, successive recourse to arbitration or to judiciary procedures is not comprised.

In light of what has been said up until now, it is easy to understand the reason why, as

Palmigiano (2007) underlines, the extrajudicial conciliation was promoted and favored by the Italian national legislator, through the emanation of a series of recent normative measures whose common denominator is constituted by strong attention to conflict resolution modalities which can rise from the actuation of the juridical negotiated relationship provided by those laws themselves. In each of these laws a normative is found which expressly sends the task of resolving and settling the controversies and the disagreement between the contracting parties back to the conciliatory instrument. This element offered the impression of a conscious willingness to prefer the alternative method of resolution to the traditional line of action in front of a juridical authority, advising and explicitly orienting the parties towards conciliation. The increase in the number of cases for which conciliation recourse is foreseen makes it necessary to train new conciliators, along with the identification of more effective techniques to reach satisfactory conclusions for both parties. The requests for conciliation, both from business to consumer and business to business are continuously increasing. For example, the requests for conciliation deposited in the Chamber of Commerce of Milan, which began its Conciliation Service in 1996, were 169 in 2003, 260 in 2004 and 263 in 2005. Since the Conciliation Service of the Chamber of Commerce of Milan began at the end of 2005, it has managed 1,557 conciliation procedures. For what regards, for example, the conciliation procedures activated in 2004 at the Chamber of Commerce of Milan (Camera arbitrale nazionale ed internazionale di Milano, 2005a):

- in 60% of the proposed cases it was found the willingness to find an agreement with the counter-party;
- over 90% of the meetings concluded with an agreement.

To begin the procedure for an extra judiciary commercial conciliation the interested party must send a request to the supplying structure of the chosen service (which in Milan could be the Chamber of Commerce) with a summary of the reasons for her complaint and ask to attempt a conciliation. The counter-party who receives the request will communicate if her intention is to accept the conciliation invitation or not. In the first contact with the counter-

party, she can be informed by the conciliator about the characteristics and advantages of the conciliation instrument. If the counter-party refuses the invitation, the other party can obviously choose to continue to protect her interests through other channels, for example in court. In the case where the counter-party decides to participate in the meeting, the structure which manages the procedure will organize the first meeting, in case it is necessary, also future meetings, supplying a space where the parties can meet without either of the two having territorial advantages. This solution helps create a balanced situation, in which no party feels they are in a disadvantaged condition. There are cases in which the parties decide with one accord to proceed to conciliation when a controversy arises, or if they have already included a conciliation clause in their contract in relation to disagreements.

As to how the conciliation meeting takes place, there are two reference models in commercial conciliation. In the value model, the conciliator can formulate a proposal finalized at allowing the parties to reach an agreement. In the facilitated model, the conciliator "limits" his participation by facilitating the discussion and negotiation between the parties, without however proposing solutions to the parties. The facilitated model presents elements of greater innovation with respect to the resolution of controversies and it is applied more in a chamber environment.

The conciliator organizes the discussion and manages the meeting according to the modalities she believes are best in relation to the specific case. In the first minutes of the meeting the conciliator proceeds to:

- present those who sit around the table (the parties and people with them, herself and eventual observers);
- set the rules which are necessary for the meeting to take place and a review of the characterizing elements of conciliation which are informality, voluntariness and privacy.

This first phase is very important for the process of the meeting. Through the reciprocal presentation it is fundamental that the parties clarify with what role, warrant and power they are participating in the meeting. Above all in conciliation cases with large companies who

send a delegate to the meeting, it is important that she is an employee of the company with legal representation. It is essential to clarify from the beginning what decisional powers she has, avoiding the case where after a lengthy discussion, that the underwriting of an agreement is cancelled by the impossibility of the party to make a certain type of decision.

In cases in which the subjects are not very familiar with the instrument it is essential above all to proceed to the recapitulation of the rules of the conciliation meeting and of the functions of the conciliator making sure that they have been completely understood by the parties. Since it is a relatively recent procedure, there are many cases where the idea which the parties have of the conciliator is closer to that of a judge than that of a facilitator of communication. They expect to receive a judgment from the conciliator who says who is guilty and who is in the right, and leave the meeting having won or lost. Therefore, it is fundamental to clarify on one hand, the fact that the role of the conciliator is not decisional; on the other hand, that the great potentiality of the conciliation meeting is to have both parties "victorious" at the end. The reference to privacy constitutes a particularly relevant aspect in a conciliation procedure. One must, in fact, consider that a good conciliation meeting can take place only in a climate of real serenity in which the parties can feel free to confront the dealings without particular binds. It therefore appears to be essential that what is affirmed in the course of the "meeting" does not "leave the meeting room". Only in this way can the confrontation be effective in order to reach the agreement. The parties along with the incentive of the guarantee of privacy which covers all that is said, have the possibility of submitting every element retained useful for the clarity of the discussion to the attention of those present, or also only to the conciliator.

With the consent of the parties, the conciliator can proceed to organize separate meetings called caucus, asking to discuss separately with each party and to confront delicate aspects of the conflict. Thus, each party can evaluate what to reveal exclusively to the conciliator and what to reveal to the other party. Both in the joined meeting and during the caucus the parties can be accompanied by whomever they trust, lawyers, other subjects represented by

consumer associations, subjects from the category, or simply family members or friends who give both professional and emotional support.

Once the meeting has ended, in the case in which a solution was reached, the parties and the conciliator underwrite a conciliation statement in which the positive result of the meeting is recorded. In a separate document they define the reciprocal concessions and every other aspect which they deem useful to highlight also in perspective of eventual future relationships. This last one is the real “conciliation agreement” which naturally requires an underwriting of the subjects involved in the controversy and between those who have new reciprocal rights and obligations. This agreement is in all effects a fully effective contract between the parties. In the case where instead the agreement has not been reached, a statement is underwritten in which the meeting having taken place is recorded and the unfruitful search for a satisfactory solution for the parties.

As seen before, in Italy conciliation is gaining more and more interest, at the scientific normative and practical level. In this context the role and experience of the Chambers of Commerce are extremely important. The results reached by the chamber system up until now are the consequence of considerable involvement also from the point of view of the training of the conciliators. For this activity, the adoption of uniform standards for training, adopted in 2002, has been a strategic and decisive choice for the development of alternative justice in Italy (Camera arbitrale nazionale ed internazionale di Milano, 2005b). The results, other than the practical point of view, are verifiable at the level of normatives, as is shown by the reform of company law which has recognized, although in a transitory way, the training standards of the Unioncamere as the prerequisite for obtaining qualification as a conciliator.

The chamber system is aware of the importance (to make the delicate task of conciliator) of a specific training path with the principal contents of conciliation (like for example the principles and the nature of conciliation and the techniques of negotiation and conciliation), of practical exercises, some simulations and a final exam. The courses

available for the aspiring conciliators and conciliators are the following:

- **BASIC COURSE** lasting 32 hours (of which at least 16 hours of practice) and 4 hours of final exam. This course is taken totally in a face to face teaching situation and foresees a part of the face to face lessons in which there are 4 hours of final exam. For the conciliators who attend the 32 hour course and the final exam (basic course) a mandatory supplement is foreseen, which is organized at the most biannually, but in every case annually is preferred; it is left to the discretion of the Chamber of Commerce. This course takes place keeping in mind the real needs in which the Conciliation Service operates. A supplement of community and/or national norms and an investigation of an aspect which emerged during the basic course or analysis of conciliation in a particular sector will be given in face to face lessons. In this supplementary course a practical exercise with an in depth analysis of the forms (verbal and written agreements) and the students will be involved in the management of a procedure with the presence of a national or international expert and/or of a psychologist.
- **ADVANCED COURSE** lasting 16 hours (of which at least 8 hours of practice) with 2 optional hours of evaluation. This advanced course foresees the fruition of the contents, with the case in point studies of the problematic connected to specific aspects of conciliation, both as a reference to the new legislative developments, with reference to the technical - practical aspects, practical exercises and guided simulations in the required sectors of specialization.
- **SUPPLEMENTARY COURSE** consists of 8 hours of specialized training on the techniques of conciliation. The training improves the knowledge of conciliation techniques, independently from the competences already possessed and of juridical knowledge, but at the same time favors

the development of the role of conciliator, strengthening the abilities possessed of each participant. In line with the general premises, there are two training paths: one dedicated to the training of aspiring conciliators in general, the other dedicated to the training of aspiring conciliators in company matters. For both these paths, the need for continuous training must be underlined, in order to not be left out of the lists of conciliators of the Chambers of Commerce. Only with continuous training, can an adequate level of professionalism of the conciliators be guaranteed other than the study of the new laws which can be introduced in the subject of conciliation.

### **3- OUR MOBILE LEARNING TRAINING EXPERIENCE**

As seen in the previous paragraph, in Italy, the training to become a conciliator involves mainly face to face teaching situations and role-playing experiences, while the use of support such as films is still rare. Classes are usually quite crowded, and after a basic course of 32 hours it is possible to take the qualifying examination. Further courses for specialization and updating are offered by the Chamber of Commerce and professional associations, in order to extend the preparation of conciliators to different fields. Often, the 32 hour basic course is not enough to provide a complete preparation. Aspirant conciliators are usually professionals, coming from fields such as law, accounting, or psychology. In the same class it is possible to encounter students with very different backgrounds and little previous knowledge and time availability. This can create problems in the planning of a course. Personalizing the course, providing tools for fruition on demand, a selection of interesting topics for the students, as well as the possibility to do exercises and receive feedback can improve the quality of training in this sector, allowing each student to create a unique training path which responds to his/her specific needs.

In order to meet conciliators' needs, the Nomadis Lab of the University of Milano-Bicocca, with the support of two conciliators,

created several mobile learning objects to support the conciliator training. With the term mobile learning, we refer to the modality of the distribution of almost any educational content, for example: entire traditional courses or new mini-courses, using mobile technologies such as PDA (Personal Digital Assistant), Table PC, eBook, mobile phones and other portable devices. Mobile learning is different from e-learning, since it is not just electronic, it is mobile (Shepherd, 2001). Mobile learning is seen as the natural evolution of e-learning, according to Hoppe, Joner, Milrad and Sharples (2003) "m-learning is e-learning using a mobile device and wireless transmission". Harris (2001) also writes, "m-learning is the point at which mobile computing and e-learning intersect to produce an anytime, anywhere learning experience."

Even if mobile learning has not yet been applied on a large scale, it has contributed to promoting a new way of looking at training. The phenomenon of mobile learning has required, and requires, a change in the design mentality and in the production of the training materials. In fact, today there are many mobile technologies available which are particularly adapted for building a new training model: the distribution of small learning units to people who are always on the go, who have little time to spend studying but who need instruments which will accompany them in a lifelong learning path. Generally speaking, practically at any time, from waiting at the bus stop to an underground ride, time which would otherwise be time "wasted" or time, in which it was not previously possible to enrich with learning contents, becomes a potential learning moment, thanks to mobile learning.

The production of the MLOs had a parallel path. On one hand, a comparison of learning quality issues, which gives a reference picture and draws on useful ideas by building a structured and knowledgeable installation, on the other hand, the organization of the project and the tuning of the learning characteristics of each MLO. In particular, when we relished our MLO we focused on the following issues: key figures involved, work plan, learning model and teaching strategies and technology.

Regarding the figures involved in the design and production, it is important to underline that the use of ICT technologies in training, first

with e-learning and then with m-learning lead to the development of new professional figures who have expertise only in the ICT field and not necessarily familiarity with learning processes, which is indispensable for the realization of training processes that foresee the use of ICT. Therefore, for the production of a training program via m-learning it is fundamental to remember the difficulties and advantages involved in getting a work group to collaborate which is made up of people from very different backgrounds like:

- people from the ICT sector, specialized in platform customizations;
- coordinator of the workgroup ;
- instructional designer (supervisor and producer of the model);
- authors;
- graphic designers/editors;
- sound and image technicians.

In fact, among the factors which condition a very complex and articulated debate, like that of quality of learning processes via m-learning, there are, among others, two important aspects. The first aspect is related to the difficulty, but also the abundance of information which comes from putting together expertise which up until now, in the traditional face to face learning, had not played such a direct role in the learning processes. The second aspect is related to the specific role of the experts of the subject who in approaching a learning path via mobile device interact in a totally new context both in location and training time. M-learning allows for an “anytime and anywhere” delivery and this strongly influences the following aspects: communications, relationships and interactions with and between the students, organization of the processes and technological complexities to be governed. The contents production must be ad hoc for the m-learning and cannot disregard the characteristics of use of this new learning methodology.

In the realization of the MLOs the planning phase of the work is fundamental, specifying the schedule for the different activities in temporal equivalent units. These activities are:

- definition of the structures of the project (ex: choice of the coordinator);
- definition of the project guidelines: organization, instruments;

- design of the pilot MLO;
- production of the pilot MLO;
- testing of the pilot MLO on a sampling;
- modification of the pilot MLO in light of test results;
- production of the learning program;
- distribution of the learning program;
- evaluation of the learning program.

For the first step of the design of the pilot MLO it is necessary to investigate the learning needs of the target and the delivery context, such as times and locations where the mobile device will be used. To produce a successful learning program it has been shown that it is fundamental to design and produce a pilot MLO and to test it, supplying it to a sample of subjects who belong to the target. The results of this test are fundamental to the development and production of the whole learning project. This information will need to be evaluated in order to gather precious information for further training programs. Regarding m-learning, we consider the assessment phase as critical also to the continuation of research in order to be effective. In the literature, there is still very little about the assessment aspects of the training experience supplied via mobile devices (Thorton and Houser 2005; Corlett, Sharples, Bull, Chan 2005; Naismith, Sharples, Ting 2005, Traxler, 2007). For the evaluation of the MLO pilot we created a questionnaire. All of the people who cooperated in the creation of the MLO participated in creating the questionnaire for the evaluation of the MLO pilot, in order to have a questionnaire which tested the experience in its totality. The areas to be investigated in the assessment of the quality of the m-learning experimentation have been identified in the literature and from our experience. In particular, we have considered:

- the features of fruition typical of m-learning, such as the chance to access the training contents anywhere and anytime;
- the features of the mobile device in itself, in this case the PocketPC, both in terms of hardware and software;
- how the user feels the mobile device as a learning tool;

- the structuring of the course both in terms of content organization and the stimuli.

The result expected from the analysis of the results obtained in the various areas had the purpose of identifying the areas of the training process where an intervention should be made in order to maximize the participants' satisfaction of the training processes.

Regarding the features of the mobile devices in themselves, if subjects have never used a PDA before, they are asked if they had any problem using the Pocket PC. They are also asked to assess the following aspects:

- readability of the contents on the screen;
- use of the pen;
- surfing and menu changing;
- screen colours;
- battery life;
- audio.

As for the fruition features, the space and time intervals when the mobile device has been used for the learning unit have been investigated. And if some difficulty was experienced, the student had to specify if it was caused by lack of concentration, reception, reading problems with the screen or some other factor. Regarding the MLO contents and organization, after a question about a general assessment of the course, the students are asked to assess the proposed topic and exercise and their relationship to their training needs. Finally, they had to indicate three positive and three negative points of the MLO; with the main problems they found, making suggestions regarding the development of the module offered to them. Concerning the didactic model and teaching strategies, the transformations in the current teaching strategies used for m-learning are mainly linked to the fact that the learning activity takes place using a new tool – the mobile device. Just as on line learning differs from face to face learning, learning via mobile device must also take into consideration several elements that differ from face to face and e-learning. Obviously these elements are not linked exclusively to the

mobile device in itself, but to the peculiarities of m-learning. Just as e-learning cannot be a simple transposition of personal learning in the most traditional sense, the same is also true for learning via m-learning – it cannot be a mere transposition of e-learning. From the tests and studies carried out so far, it seems that these technologies are quite flexible and they can support various models, from those based on the transmission of contents to those based on interaction, experience and the building up of knowledge. To create a MLO, the guidelines of Steinberger (2002) and Figg and Burston (2002) have been taken into consideration. According to them (as quoted by Trifonova and Ronchetti, 2003), “Modules should be short, and last no longer than 5-10 minutes. Users should be able to use their small fragments of waiting or idle time for learning, by reading small pieces of data, doing quizzes or using forums or chat. Simple, fun and added value functionality. The computational power and other properties of mobile devices make it difficult in most cases to use complex and multimedia content, although devices of the same size are used for entertainment with great commercial success. It should be possible to use an m-learning system without reading a user manual, and the experience of studying with the help of such devices should be interesting and engaging.” It is important to keep it short, because m-learning is subject to frequent interruptions and so must be designed with extremely short windows of opportunity in mind. It is important to keep it simple, because excessive use of complex navigation and complex interfaces are always bad practice in e-learning, but on a mobile device, where screen and keyboard size compound this issue, they are deadly. We recommend minimum navigational effort required by the user. Regarding usability, in a MLO contextualization for the navigation paths of the student, the following points are fundamental:

- pleasant graphic impact;
- study of the graphic elements which support the hypertextual navigation and definition of the graphic levels regarding content hierarchy;
- logical connection of the graphic layout depending on the choice of learning method;

- evaluation of accessibility.

Regarding the technology and its requirements, it is important to consider issues such as, ease of use and flexibility. One of these fundamental elements is to have easy and ready instruments to use which help in the insertion and modification of the contents. For this reason, at the initial phase of our work we created an ad hoc tool, a platform for the supply of the learning contents via m-learning. Our tool is designed to let non technical users build a unique and customized mobile leaning object. It lets the course designer merge presentation files, audio and video content ... and more. Our tool uses block diagram logic that lets users modify any sub-content element without reshaping the entire m-learning object. It has cross platform capability. In the production of our platform the following criteria have been considered: scalability, stability, flexibility and accessibility.

In light of the status quo which was briefly illustrated in the previous paragraphs, the great importance that conciliation is starting to assume in Italy is undeniable along with the need to train conciliators well. From interviews with various conciliators it clearly emerged that this training, though of good quality, is not sufficient to completely satisfy the training needs. In the attempt to eliminate this training shortage the idea of developing the training materials to distribute through a mobile device was born. We want to use the mobile device, a Pocket PC to train people who want to become economic conciliators. The product which we created is made to be used as a self-study training tool. This product allows the aspiring conciliators to enrich their mandatory/institutional face to face training path with other material. It also lets professional conciliators study particular topics of interest and to update themselves "everywhere and every time" they want.

Specifically, the mobile learning objects were created to support the face to face lessons, providing a focalized analysis on the topics which are considered more relevant or difficult by the aspiring conciliators. They can be also a useful and flexible tool for the continuing education of the conciliators. Different learning objects were designed; training pills on specific conciliation topics were identified by the two conciliators. Each mobile learning object consists of:

- Introduction: graphics and audio present the experience.
- Video: a movie clip where three actors, one conciliator and two parties, simulate a conciliation meeting based on the subject of the mobile learning object.
- Theory: graphics and audio explain the contents.
- Exercise: the video is played again in an interactive format. Learners are now asked to identify the topics from the learning object.
- Feedback: slides show students their individual performance.
- Afterwards they can choose to repeat the exercise or check the solution.
- Conclusions: graphics and audio summarize the contents of the mobile learning object.

The setting which faithfully reproduces the rooms of the Chamber of Commerce of Milan where the conciliation takes place is made up of a round table and three chairs.

For example, for the good outcome of the conciliation it is fundamental that the conciliator learns to understand if the "questions" of the parties in cause are "of principle" or "economical". To train aspiring conciliators in this task we made a video in which the three actors covered the following roles: Mr. Bianchi was the founding partner and CEO of a company which for over 15 years has handled the consultancy for some of the most important companies in Lombardy, Mrs. Rossi who is the owner of a company which develops software is the conciliator. Mr. Bianchi before acquiring an important new client, decided to purchase invoicing and payment management software which helps him to simplify client management. Mr. Bianchi has contacted various software programming companies, and on his advice to other partners at the end of 2005, they decided to contact Mrs. Rossi's company. After a series of meetings, Mrs. Rossi made an estimate, guaranteeing that she would be perfectly able to create software for all the needs of Mr. Bianchi's company. The foreseen amount was 15.000 euro to be paid in three installments, one at the signing of the contract, one at the presentation of the demo and one at the

delivery of the software. Mr. Bianchi, not being able to carefully follow all of the many telephone calls he receives, approved the demo which Mrs. Rossi presented and pays the second installment. Unfortunately, once the definitive version is received, Mr. Bianchi realizes that his requests were not respected, the product which was presented has a series of problems which makes it unusable and therefore he suspends the payments and he informs Mrs. Rossi of the problems. Mrs. Rossi send him the final invoice for the work and she makes herself available for solving the problem which she attributes to the lack of attention Mr. Bianchi gave during the presentation of the demo.

The video lasts seven minutes. At the end of the video material is presented to the students, in ppt format with audio where some notions relative to the "economic" and "principle" questions are given as the causes for the conciliation. At the end of the informative part the student is invited to review the video and to evidence the "economic" and "principle" questions where they are present. At the end of the task, the student can see where the trainer identified the "economic" and "principle" questions and in light of this feedback, she can decide to see the video again or not.

We created various training pills on many topics related to conciliation, and the creation of further interventions is foreseen for the next few months. The students can choose the training pill based on their interests and short comings, this lets students construct a personalized training path adjusted to their needs.

As has been seen, the training of conciliators takes place in a classroom and foresees role playing where a conciliation is simulated. This simulation is video recorded, the video registration is commented on by the students under the guidance of the trainer. With our modus operandi the students can see the video as many times as they want to, and thanks to the questions we ask them and the reflection points that we offer them that they can learn new elements in an involving way, and in some cases it can be fun. The main novelty tied to the principal strong point of this new training methodology is connected to the fact that the students, not having nor a place nor a pre-established training moment can from

other moments choose the most opportune moment which can be train travel while commuting to work or part of a lunch break. Furthermore, the student can always carry her Pocket Pc with her, as she already does with her cell phone, and this allows her to also take advantage of a learning objective in dead moments, as for example at the beginning of a delayed meeting.

#### **4- CONCLUSION**

Nomadis is a multi-disciplinary research lab, and for the creation of specific training it uses the support of external experts, as in this case with the two conciliators. Multidisciplinarity is a great resource; and it is present in all phases of the work. For example, the IT specialists actively cooperate on the construction of the evaluation questionnaire of the pilot phase, underlining which aspects of the software need testing.

In our opinion, the mobile device is a very flexible tool for this kind of training, and it can be used to integrate and increase face to face learning very effectively. The Nomadis Lab is presently beginning this experience, and if the results of the pilot phase are satisfactory we will continue to pursue our studies developing other contents and materials. This experience is part of a much broader mobile learning application. We have successfully experimented the use of mobile devices to train both university students and students enrolled in PhD programs and also Managers of technological transfer working in a scientific park in Italy. At present this conciliation project and another project finalized in creating a new type of artwork fruition with the support of mobile devices are being developed.

The main novelty tied to this new training methodology is connected to the fact that the students do not have a location or pre-established training moment, they can choose the most opportune moment for their training, and productively use those moments that would otherwise be wasted: for instance, while waiting for a bus or commuting on a train. The news in the field of conciliation is the fact that there is a broader selection of topics, covering areas that go from psychological to normative ones, an integration of the theory through video simulations of different situations, specific exercises and feedback. This allows

learners to immediately apply the notions which were studied. The possibility of fruition on demand is especially valuable since aspirant conciliators are mainly professionals who already work in other fields. The personalization of the training project is very important along with a continuous update of the knowledge thanks to the direct connection between research results and training.

In the field of mobile learning the innovation is represented by the new field of applications and the creation of contents by means of our new development tool. Our tool: is designed to let non technical users build a unique and customized mobile learning object, it lets the course designer merge presentation files, audio and video contents ...and more. It adopts block diagram logic that lets users modify any sub-content element without reshaping the entire mobile learning object and has cross platform capability.

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