

Kluwer Mediation Blog

Hockey promotes mediation

Rafal Morek (DWF LLP) · Wednesday, January 9th, 2013

It is not often that one has the satisfaction of witnessing mediation attracting so much public attention as has been the case lately in Canada and the US. All this thanks to Mediator, Scot Beckenbaugh, credited for his ‘extraordinary contribution’ to resolve the NHL Lockout dispute. Some observers have already nominated Mr. Beckenbaugh for the NHL’s Hart Trophy, awarded to the league’s most valuable player (NHL MVP). That would be well deserved!



At 4:40 am EST on January 6, after approx. 16 continuous hours of negotiating, with the assistance of Mr. Beckenbaugh, Deputy Director for Mediation Services for the Federal Mediation and Conciliation Service, a tentative deal was reached on a new collective bargaining agreement (CBA) to end the National Hockey League (NHL) lockout. The 2012–13 NHL lockout was a labour dispute that began on September 15, 2012, and lasted 113 days. The costs of this conflict were huge. A total of 625 regular-season games through January 14, 2013, comprising 50.8 percent of the 1,230 originally scheduled games for the regular season, were cancelled as a result of the lockout. The shortened season is to start on either January 15 or 19, 2013.

This was not the first lockout in the NHL’s history with previous player lockouts occurring in 1994–95 and 2004–05, with the latter leading to the cancellation of the entire season.

When Rick Weiler reported on this blog on the commencement of the mediation process, he then commented: *“one thing for sure, given hockey’s near sacred status in Canada, all eyes will be on this mediation. It may provide a very high profile example of the value of the mediation process.”*

Rick was right. Even though the process took some weeks (perhaps longer than some would have hoped), in the end it appears to be a great success story for mediation. The press headlines speak for themselves:

“If NHL lockout ends soon, mediator Scot Beckenbaugh will be the hero”

“Mediator Scot Beckenbaugh for NHL MVP?”

“NHL lockout over: Mediator credited for ‘extraordinary contribution’ to new deal”

“Mediation with Scot Beckenbaugh gets NHL, union on track”.

To quote one of them: Scot Beckenbaugh *“is owed a big thank-you from fans, players, owners and others who make a living from professional hockey.”* The same from the mediation community for the great promotion of mediation – congratulations!


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The graphic features a black background with white text and a circular icon. The icon depicts a group of five stylized human figures, with a magnifying glass positioned over the central figure. The background is accented with horizontal lines in blue and green.

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