


Pennsylvania Bureau of Mediation

THE MEDIATION PROCESS Working With a Mediator During Collective Bargaining



BUREAU OF MEDIATION

WHO ARE WE?

- The Bureau is a part of the Safety and Labor Management Deputate in the Department of Labor and Industry in the Commonwealth of Pennsylvania
- A staff of professional labor mediators
- We do not represent management or labor
- Our client is the deal

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Mission Statement

To encourage economic development in the state by promoting labor-management cooperation. This is done by dispute mediation, grievance mediation, and various training programs for labor and management

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Our Services

- Dispute Mediation
- Grievance Mediation
- Labor-Management Committees
- Communication Services
- Arbitration Services

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Dispute Mediation

- Traditional Bargaining
 - Public Sector
 - Police and Fire
 - Private Sector
- Interest Based Bargaining
- Timed Mediation

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Mediation Is Not Voluntary

- The law requires public employers and their employee unions to utilize mediation.
- Unlike notices for private sector contracts, Act 195 and act 88 notices are formal requests for mediation services.
- Parties may call in mediation early.
- If they don't , the Act requires both parties to request mediation in writing no later than 150 days prior to "budget submission date".

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We Are Not Deliverers of justice

- Mediators have no vested interest in what ends up in a collective bargaining agreement. That is left up to the parties.
- Our job is merely to help you reach agreement. We consider any contract the parties agree to a good agreement.

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We Are Not The Official Record Keepers of Negotiations

- For All intents and purposes, our notes don't exist.
- We will not take sides in a dispute over what was agreed to, that would violate our neutrality.
- Our notes cannot be subpoenaed. We cannot be made to testify about mediation.

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We Are Not Arbitrators

- Mediators have no power to force either side to agree to anything
- We do not issue decisions.
- We are not your legal advisor.
- In Short, we are not referees.

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What Do You Guys Get Paid For?

- We are confidential.
- We are facilitators.
- We are tellers of inconvenient truths.
- We can be, and often are, the designated bad guy.

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Mediators Are Confidential

- Anything you tell a mediator is confidential.
- Act 177 of 1990.
- Won't reveal what you tell us.
- Will not reveal to you what others tell us.

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Mediators Are Facilitators

- Explore Options.
- Supposals.
- Move the parties without moving table positions.

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Mediators Are Tellers Of Inconvenient truths

- We will deliver bad news.
- Parties are often too close to the trees to see the forest.
- We keep the big picture in mind.
- You can rest assured we are doing the same with the other side.

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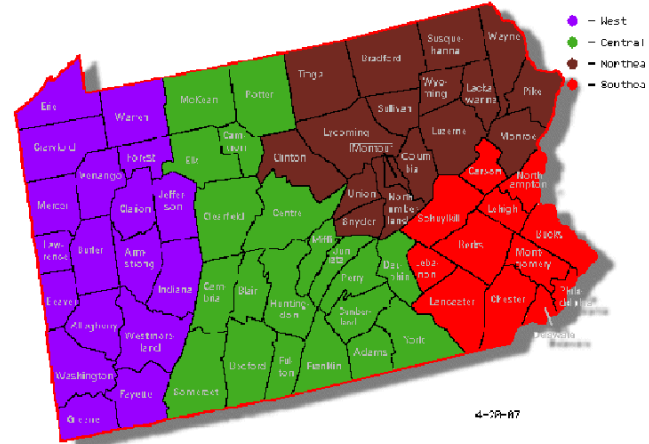


Hey, Somebody has To be Blamed

- Protect the parties from their constituents.
- Protecting the parties protects the process.
- After the contract is settled the parties have to live together, we leave.

Regional Boundaries

Regional Boundaries



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Questions

