



FMCS

FEDERAL MEDIATION & CONCILIATION SERVICE

Arbitration Services

Arbitration Services: Part of the Full Range of FMCS Offerings for Labor-Management Relationships

Does your collective bargaining agreement provide for arbitration or fact-finding?

Why Arbitration?

The labor policy of the United States promotes and encourages the use of voluntary arbitration to resolve disputes over the interpretation or application of collective bargaining agreements. Voluntary arbitration and fact-finding are important features of constructive labor-management relations and virtually all collective bargaining agreements contain arbitration provisions. FMCS administers a roster of qualified labor arbitrators. We promptly provide arbitrator panels from the roster when parties request, and appoint arbitrators pursuant to parties' agreement. We also offer education, promotion, and outreach to actual and prospective FMCS arbitration customers.

Who Are FMCS Arbitrators and How Are They Selected?

The Federal Mediation and Conciliation Service (FMCS) maintains a roster of approximately 1,000 arbitrators, who are experienced practitioners with backgrounds in collective bargaining and who meet FMCS arbitrator requirements. To be listed on the roster, FMCS will determine whether the applicant:

- ◆ Is experienced, competent and acceptable in decision-making roles in the resolution of labor relations disputes; or
- ◆ Has extensive and recent experience in relevant positions in collective bargaining; and
- ◆ Is capable of conducting an orderly hearing, can analyze testimony and exhibits and can prepare clear and concise findings and awards within reasonable time limits.

FMCS generally requires applicants to submit 5 arbitration decisions, but that can be reduced by taking the FMCS Institute training on "Becoming a Labor Arbitrator." Admission to the roster is by decision of the Director of FMCS, based on the recommendation of our internal Arbitrator Review Board. Once listed on our roster, arbitrators may not have advocacy or one-sided consultant roles related to labor or employment relations.



How Does a Union or Management Secure an Arbitrator?

You may request an arbitration panel of up to 15 names online via our website for a cost of \$30. You may also download FMCS Form R-43 and preferably email your request to the Arbitration Office for processing at a cost of \$50. A panel consists of a chosen number of arbitrators who can be selected based on geographical location, professional affiliation, or experience within an industry or other criteria. FMCS arbitration staff can also help the parties customize their request in other ways. When panels are requested, both parties are issued biographical sketches of arbitrators that include their fee schedules. Once the parties have made their selection and notified FMCS, an official appointment is made by FMCS.

How Fast Is a Panel Issued?

Panels requested online via our website are emailed within 10 minutes after the request is completed. If the request is processed other than using online submission, your panel will be sent to you within five days of receipt of your request. Once you select the arbitrator from the panel, the arbitrator is required to contact you within 14 days to arrange preliminary matters.

How Soon Can I Get a Decision?

FMCS rules require the arbitrator to issue the award no later than 60 days from the date of the closing of the record as determined by the arbitrator, unless otherwise agreed upon by the parties or specified by the collective bargaining agreement or law. Please contact the director of Arbitration at 202-606-5111 **as soon as the award becomes overdue.**

For More Information

To read all FMCS Arbitration Policies and Procedures, visit www.fmcs.gov, where all Agency rules and regulations are published. Please do not hesitate to contact our office at 202-606-5111 or specific personnel through the contact information provided on the website.

“Arbitration is the generally accepted final step under collective bargaining agreements for resolving contractual disputes. We maintain a roster of 1,000 private arbitrators with extensive experience in collective bargaining.”