



**FMCS**

FEDERAL MEDIATION &  
CONCILIATION SERVICE

# Role and Function of the FMCS

November 2016





# FMCS

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## Statutory Mission



Created in 1947 as an  
Independent agency  
under Taft-Hartley Act



# FMCS

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## Statutory Mission



Neither a regulatory nor an enforcement agency, but a neutral party designed to assist labor and management





# FMCS

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## Statutory Mission



Make available full and adequate government facilities for conciliation, mediation and voluntary arbitration to aid and encourage [the parties] to settle differences through collective bargaining.



# FMCS

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## Statutory Mission



Helps parties resolve  
collective bargaining  
disputes which threaten the  
free flow of commerce



# FMCS

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## Statutory Mission

Make its services available to Federal agencies to aid in the resolution of disputes through assistance, training, and the provision of neutrals.





# FMCS

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## FMCS Mission



Promote sound and  
stable labor-  
management relations;

Prevent or minimize work  
stoppages;

Advocate collective  
bargaining, mediation,  
arbitration;





# FMCS

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## FMCS Mission



Advocate the art,  
science and practice of  
ADR;

Provide conflict  
resolution services;

Foster improved labor-  
management  
relationships

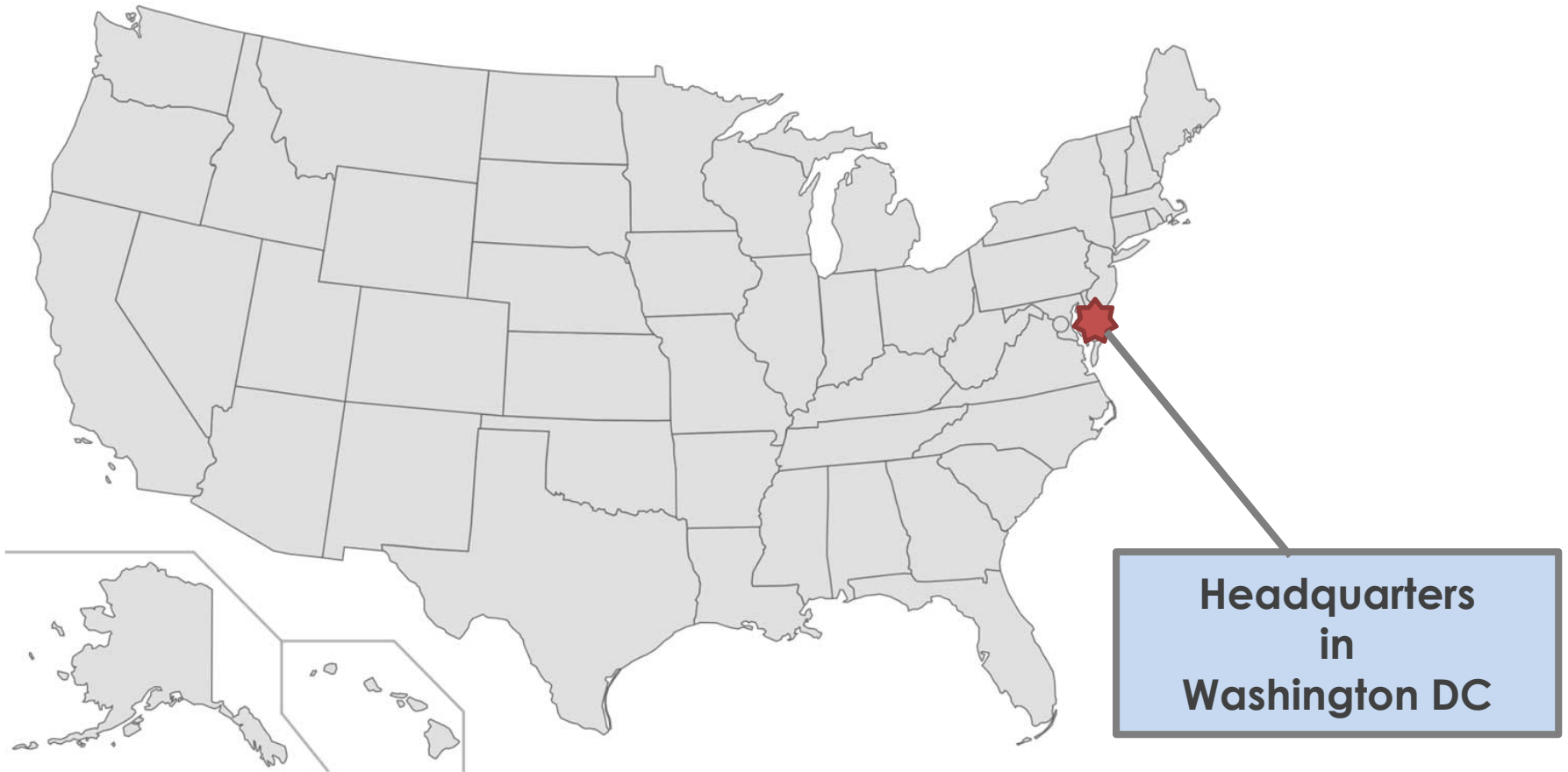




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## FMCS Structure

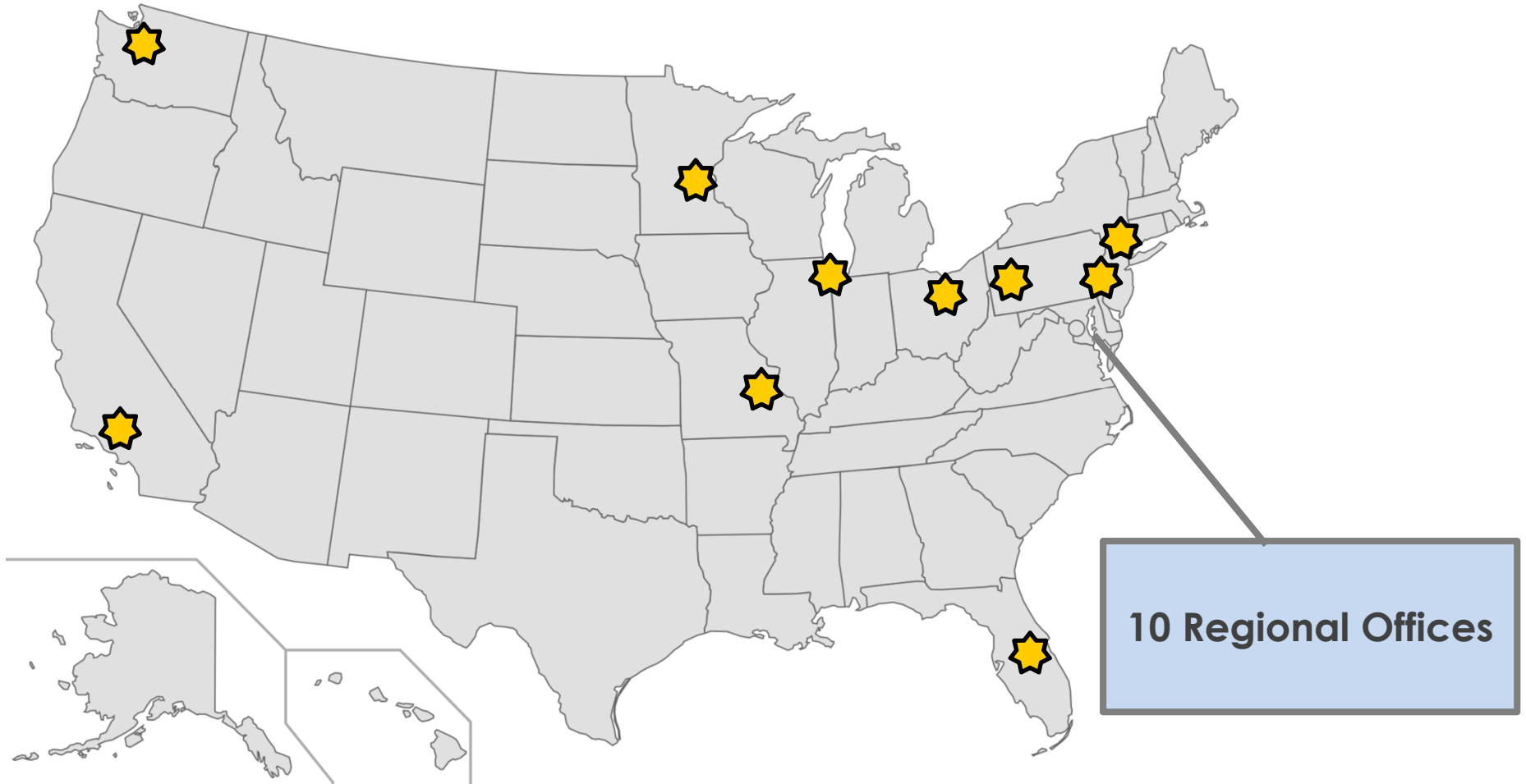




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## FMCS Structure

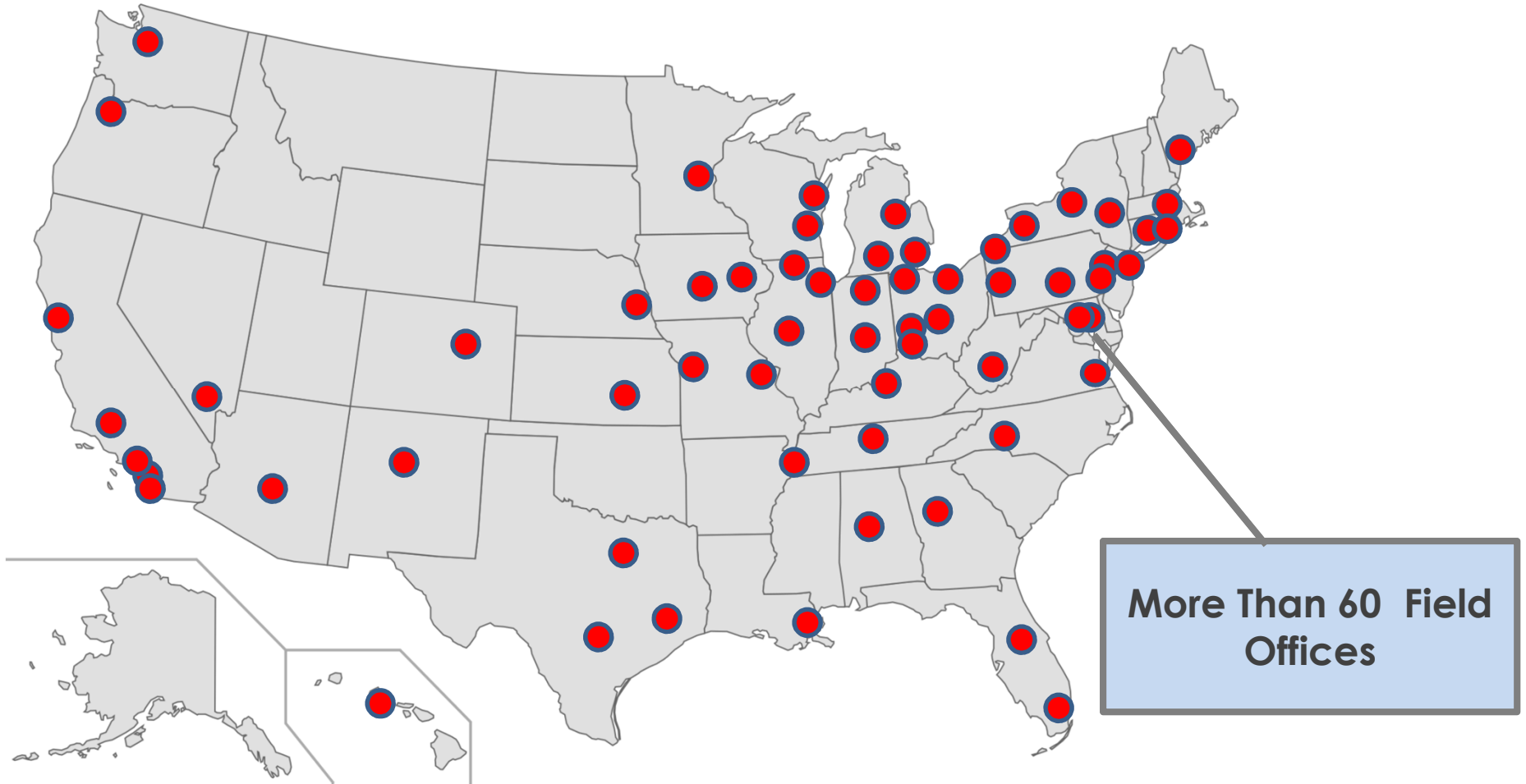




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## FMCS Structure





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## FMCS: How Can We Help You?







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## How Can Mediation Benefit You?

Mediation, the use of a third-party neutral, can help you “bridge the gap.”





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## Mediation: An Effective Tool for Conflict Resolution

- Parties retain control of resolution
- Voluntary (in most cases)
- Informal vs. formal process
- Time efficient
- Cost effective





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## A Mediator Can...

### Help Parties

- Clarify issues
- Define problems
- Generate options
- Explore alternatives







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## A Mediator Can...

### Help Parties

- Keep Talks Moving Forward
- Make Suggestions







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## A Mediator Can...

### Help Parties

- Establish Realistic Expectations





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## FMCS Services

- **COLLECTIVE BARGAINING MEDIATION**
  - *Private, Public, and Federal Sectors*
- **RELATIONSHIP DEVELOPMENT AND TRAINING**
  - *Customized training for labor and management*
- **GRIEVANCE MEDIATION**



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## FMCS Services

- **ARBITRATION SERVICES**

- *Maintains a nationwide roster of highly qualified arbitrators and promotes the advancement of fair and effective labor arbitration*

- **EDUCATION, ADVOCACY, and OUTREACH**

- *Of Collective Bargaining and Dispute Resolution Processes and Services*



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## FMCS Services

- **EMPLOYMENT MEDIATION and NON-COLLECTIVE BARGAINING ADR SERVICES**
  - *As an alternative to litigation of non-labor employment disputes, public policy and regulatory disputes*
  - *Includes consultation, convening, design, training, and neutral services*





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## FMCS Institute

- Unique Training
- The FMCS Institute for Conflict Management delivers conflict resolution training that's accessible, practical, experience-based and directed towards individuals and small groups of employees and managers.



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## The Impact of Mediation on the Bargaining Process

- In fiscal year 2016, FMCS mediators:
  - Actively monitored almost 12,000 collective bargaining negotiations
  - Actively involved in mediating more than 3,500 collective bargaining negotiations
  - Achieved settlement in 85.5% of the cases



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# Collective Bargaining and FMCS A National Look – FY 2016\*

- More than 19,000 Notices Filed with FMCS
- 11,734 Assignments to Mediators
- 3,540 Active Mediations

\*FMCS Closed Case Data



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# **Collective Bargaining and FMCS A National Look – FY 2016\***

- 1,941 Training Programs Conducted (RDT)
- 1,670 Grievances Mediated
- 1,076 Employment Mediations Conducted

\*FMCS Closed Case Data

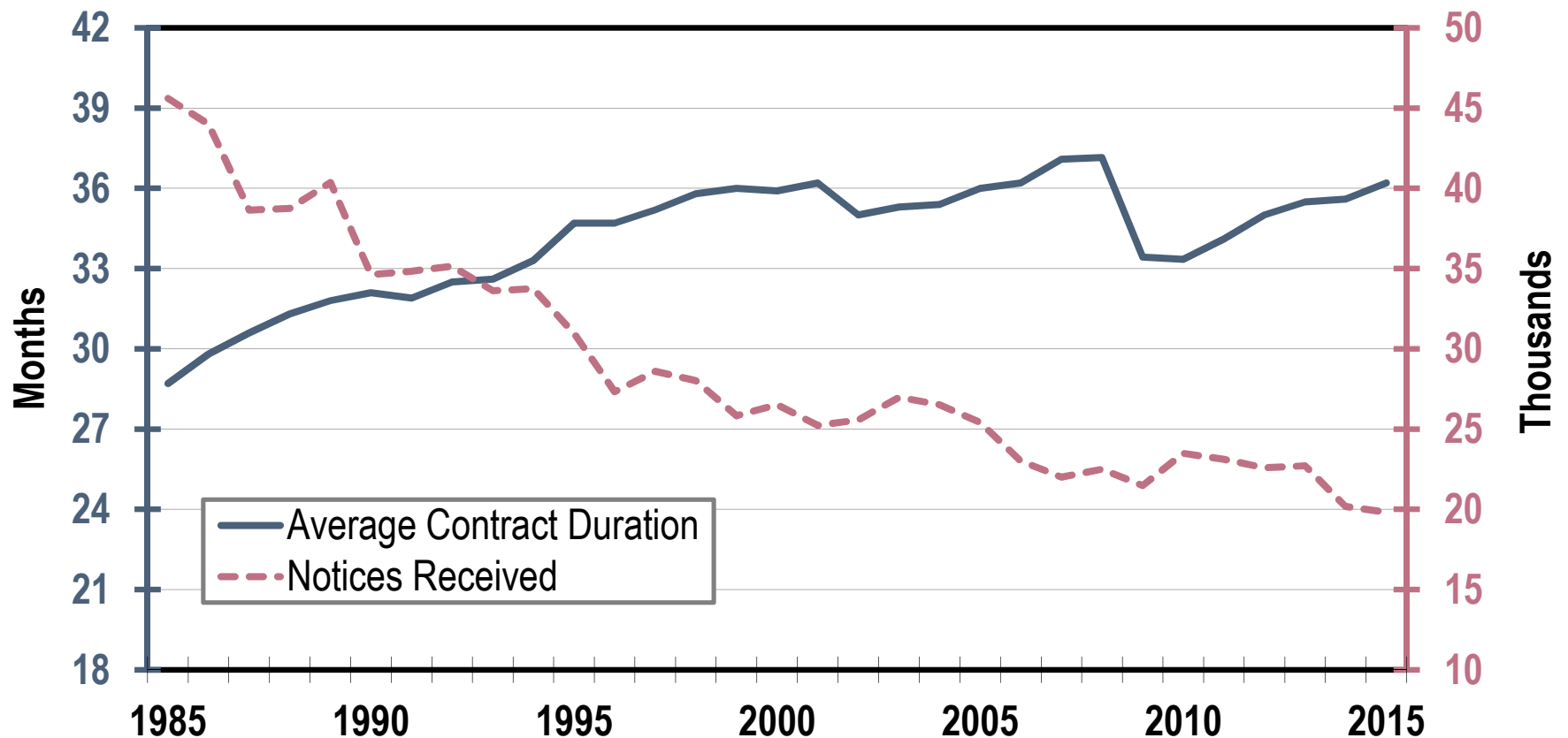




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## FEDERAL MEDIATION & CONCILIATION SERVICE

### Bargaining Notices Received and Contract Durations, 1985-2015



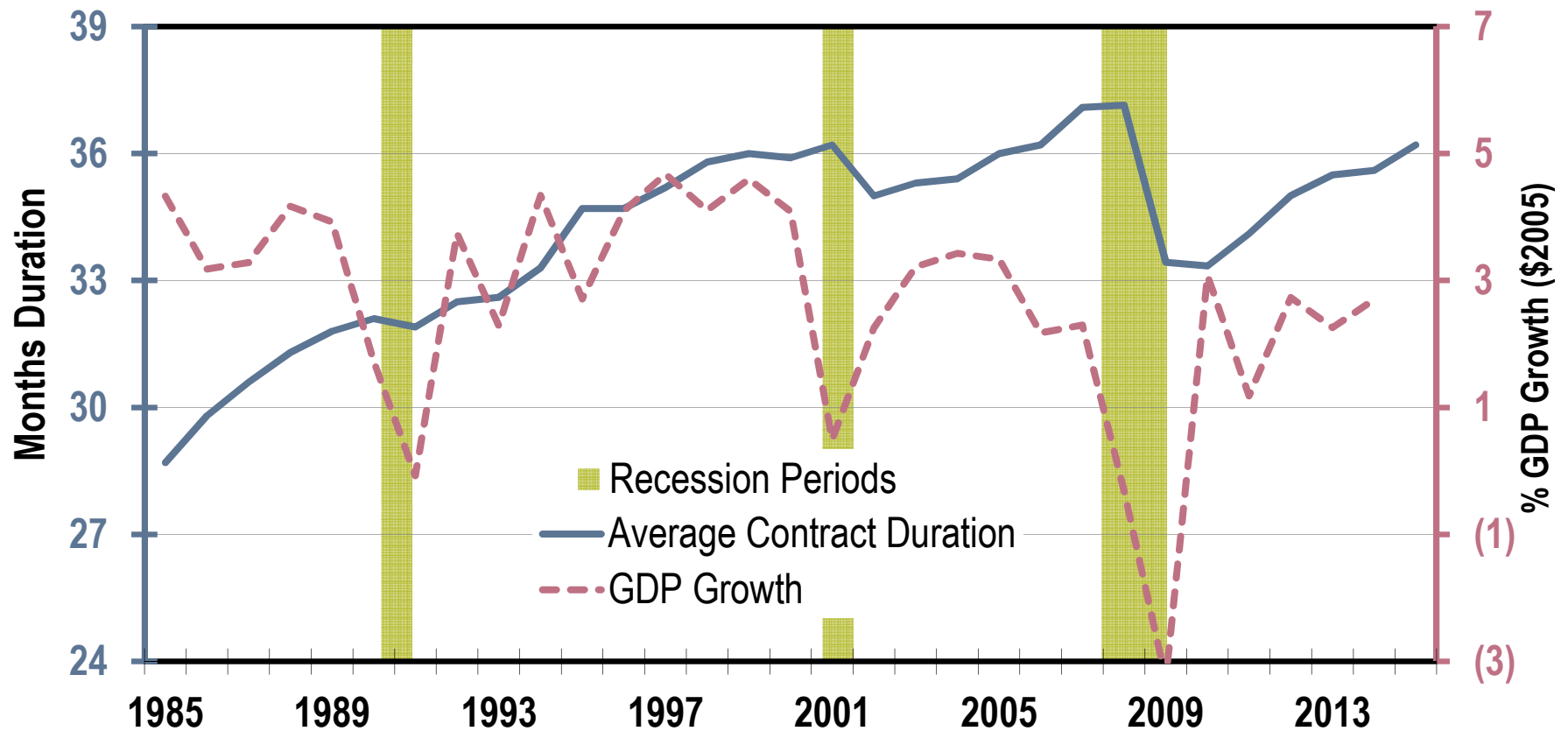
Source: FMCS Annual Reports



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### New Contract Durations v GDP Growth, FY 1985–2015



Sources: FMCS; Department of Commerce; National Bureau of Economic Research



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## ADR Services for Government

- Outside the collective bargaining arena, FMCS provides employment mediation services to the federal sector and to state and local governments.





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## ADR Services for Government



Our services help reduce litigation costs and promote better government decision-making.



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## Arbitration Services



- Through its Arbitration Department, FMCS administers a roster of over 1,000 highly qualified and experienced arbitrators





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## Arbitration Services

- Arbitrators are selected for the roster based on standards of excellence in a process overseen by the Arbitration Review Board and subject to approval of the Agency Director





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## Cooperative Relationships

### Keys to Cooperative Relationship of *Any Kind*



#### **COMMUNICATION**

(Develop joint problem-solving teams)



#### **COMMUNICATION**

(Don't let problems fester)



#### **COMMUNICATION**

(Be honest about issues)



#### **COMMUNICATION**

(Know when to get help)



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**For More Information:**

***[www.FMCS.gov](http://www.FMCS.gov)***