



FMCS

FEDERAL MEDIATION &
CONCILIATION SERVICE

Role & Function of the FMCS

FY 2021
(Updated Jan, 2022)

Statutory Mission...



1

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

2

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

3

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.



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Statutory Mission...



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

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



FMCS

Mission...



1

Promote sound and stable labor-management relations;

2

Prevent or minimize work stoppages;

3

Advocate collective bargaining, mediation, arbitration;



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Mission...



4

Advocate the art, science and practice of ADR;

5

Provide conflict resolution services;

6

Foster improved labor-management relationships.



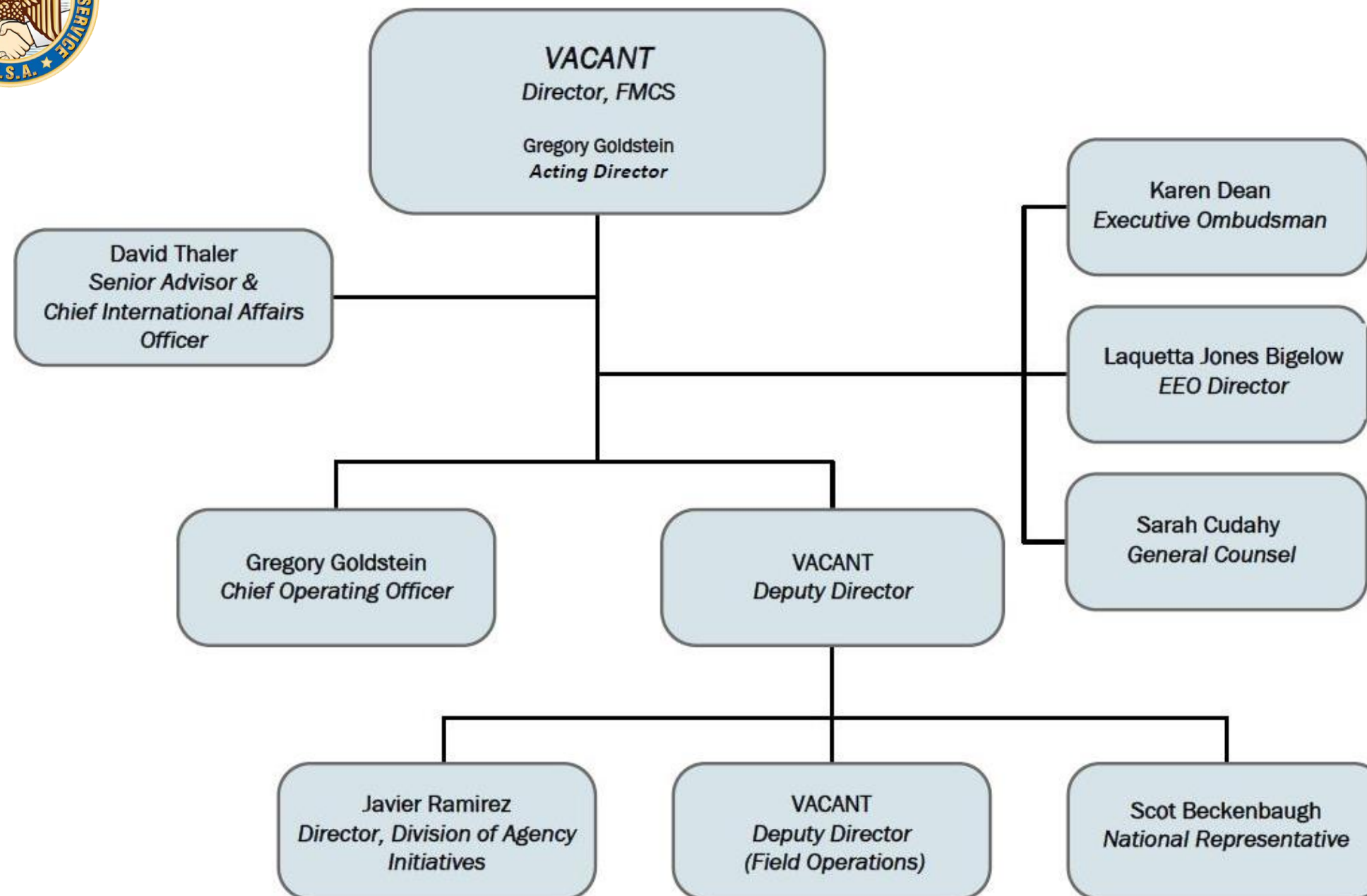


FMCS Office of the Director

FEDERAL MEDIATION & CONCILIATION SERVICE



OFFICE OF THE DIRECTOR



*As of Jan, 2022

Office of the Director



Gregory Goldstein

Acting Director/Chief Operating Officer*

*As of Jan, 2022

- Joined FMCS in 2018; Mr. Goldstein's 25+ year career in public service, business, and military life has included positions in the U.S. Marine Corps and Army National Guard, and most recently as a member of the Senior Executive Service, serving as Executive Officer and Director of Operations, Management and Technology Office within the Substance Abuse Mental Health Services Administration (SAMHSA).
- Responsible for overseeing FMCS's critical operations initiatives. Mr. Goldstein's considerable leadership and management expertise help to ensure proper development, execution, and coordination of the Agency's management and administrative functions.



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Office of the Director



Scot Beckenbaugh

National Representative

- Serves as the Agency's "master mediator" of high-profile collective bargaining disputes and is responsible for developing and coordinating increased engagement with FMCS customers for future relationship development and mediation opportunities in key industries and occupations.
- He has extensive experience in public sector dispute mediation, as well as in regulatory negotiations, public policy, land use, and civil rights disputes. A long-time member of the Association of Labor Relations Agencies, Mr. Beckenbaugh also serves on the ALRA Executive Board.



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Office of the Director



David Thaler

Senior Advisor, Office of the Director

- Has trained labor and management partners in many industries in core relationship and communications skills to help them better administer their collective bargaining agreements.
- Internationally, Commissioner Thaler has trained officials from several U.S. and foreign government agencies in mediation and conflict management.

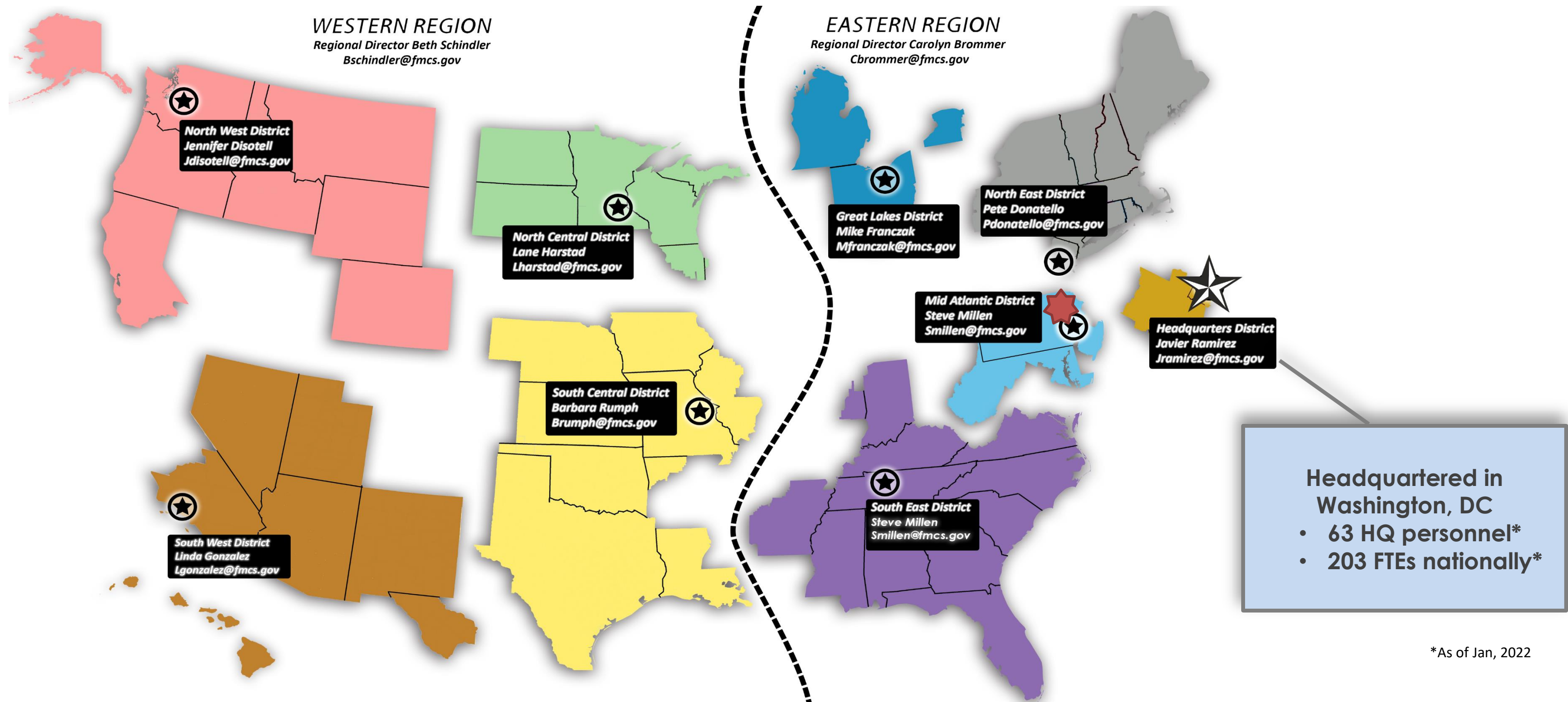


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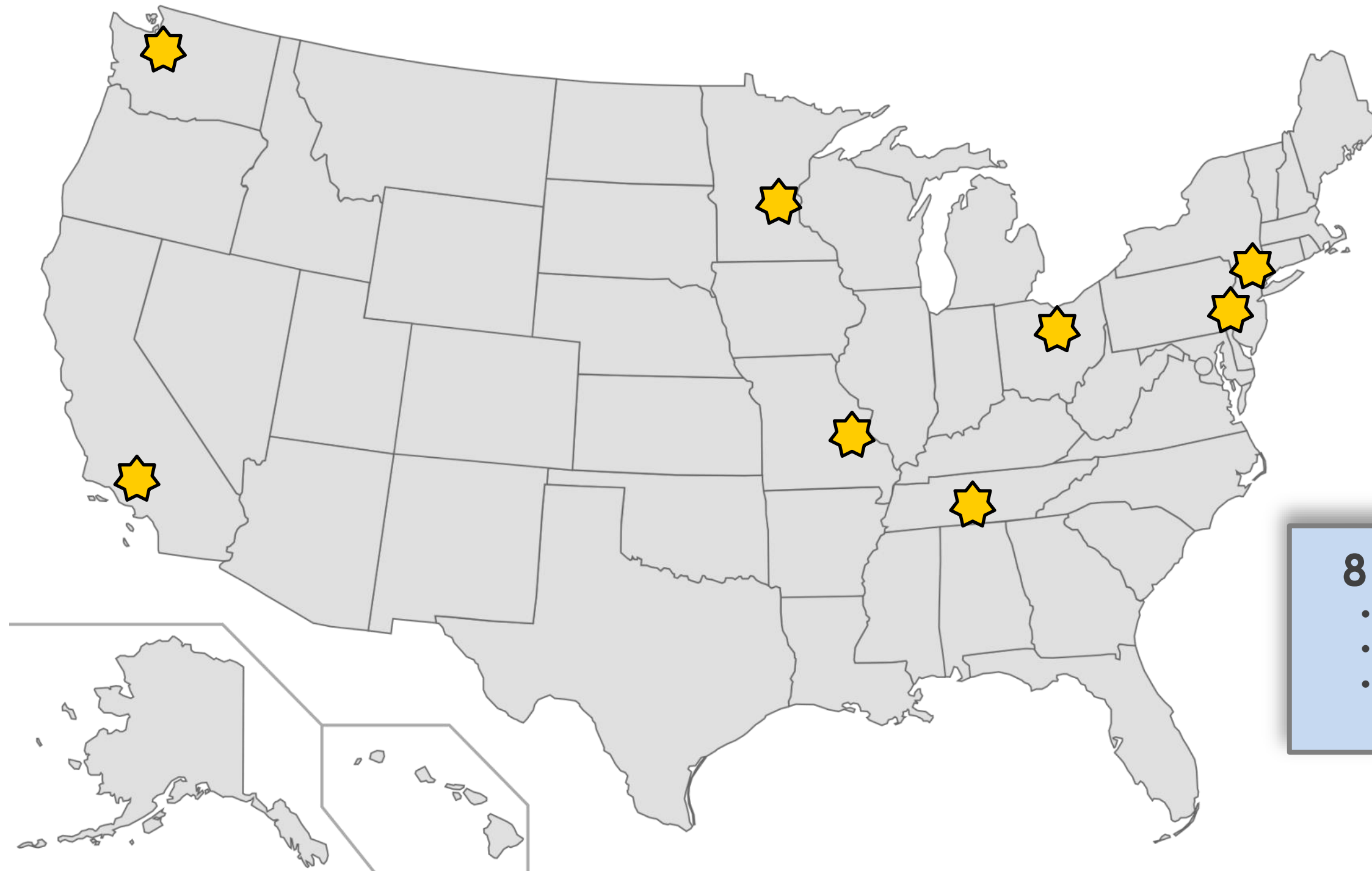


FMCS Structure





FMCS Structure



8 District Offices*

- 67 Field/Local Offices*
- 140 field mediators*
- 9 district administrative staff*

*As of Jan, 2022



**FMCS:
How Can We Help You?**

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



A Federal Mediator Can:

Help Parties

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



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A Federal Mediator Can:

Help Parties

- Keep talks moving forward
- Make suggestions
- Establish realistic expectations



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A photograph of a business meeting. A man in a white shirt and blue tie is standing and speaking to a group of people seated around a table. The scene is brightly lit, likely in a conference room or office. The text 'FMCS Services' is overlaid in white on a dark blue semi-transparent background.

FMCS Services



FMCS Services

COLLECTIVE BARGAINING MEDIATION

- *Private, Public, and Federal Sectors*

RELATIONSHIP DEVELOPMENT AND TRAINING

- *Customized training for labor and management*

GRIEVANCE MEDIATION



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*



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*



FMCS Services

CONFLICT MANAGEMENT AND PREVENTION SERVICES FOR GOVERNMENT

- *Outside the collective bargaining arena, FMCS provides employment mediation services to the Federal sector and to state and local governments.*
- *Our services help reduce litigation costs and promote better government decision-making.*





FMCS Services



SHARED NEUTRALS PROGRAM

- *Interagency mediation program administered by FMCS in the national capital area*
- *Provides collateral duty, non-FMCS neutrals to participating Federal agencies for mediation of non-complex cases*



FMCS Services

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.*

A photograph of a business meeting. In the foreground, a woman with dark hair and glasses is seen from the side, looking towards a man in a white shirt and tie who is speaking. Other people are visible in the background, some looking towards the speaker. The scene is set in a bright, modern office environment.

The Impact of Mediation on the Bargaining Process



FMCS By the Numbers

A National Look – FY 2021*

- Mediated **2,788** Collective Bargaining negotiations
- Mediated **1,967** high-impact Grievance Mediations
- Mediated **1,169** ADR cases

*FMCS Closed Case Data



FMCS By the Numbers

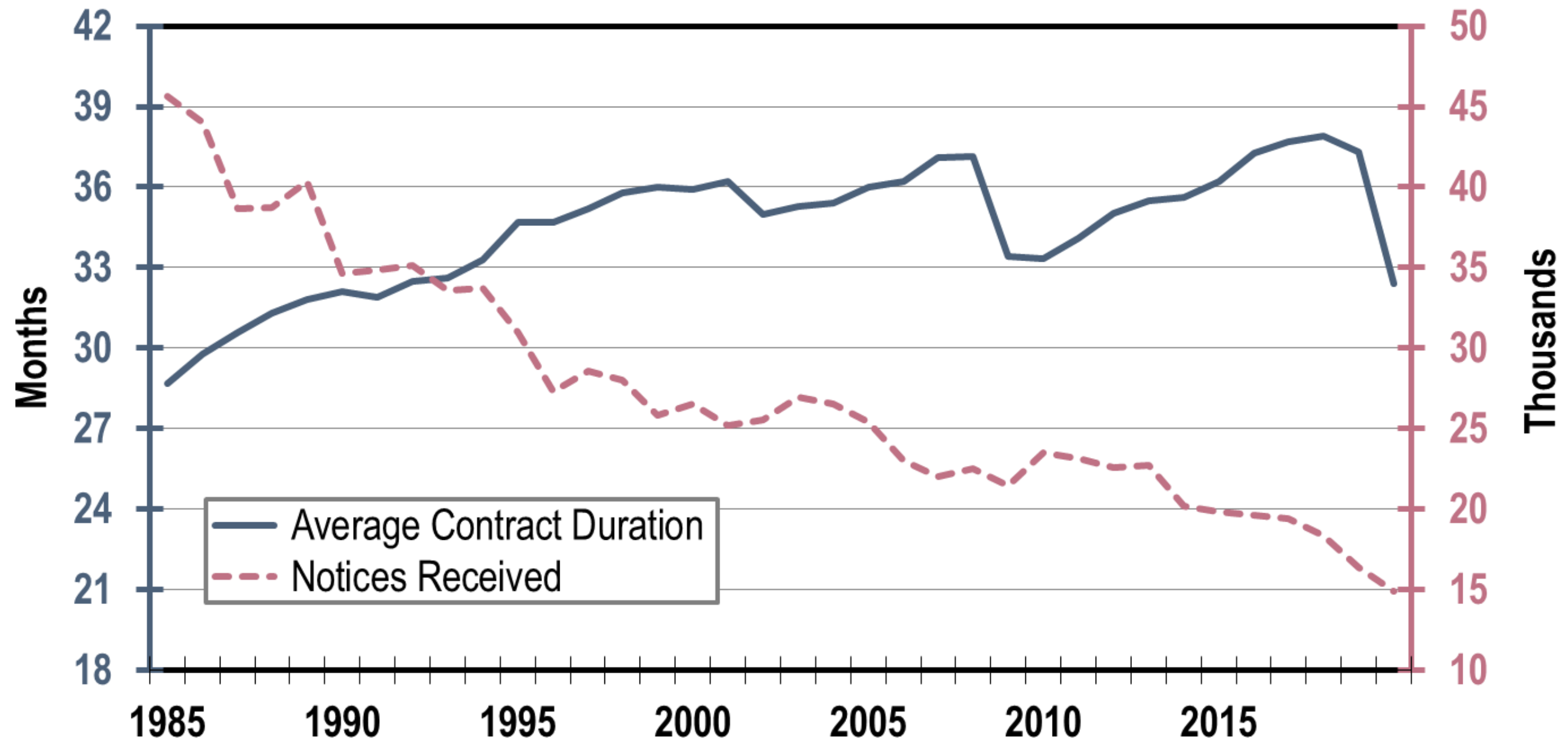
A National Look – FY 2021*

- Conducted **1,284** single or multi-day Training and Intervention Programs
- Provided **10,544** Arbitration Panels
- Appointed **4,417** Arbitrators

*FMCS Closed Case Data

Collective Bargaining Trends

Bargaining Notices Received and Contract Durations, 1985-2020



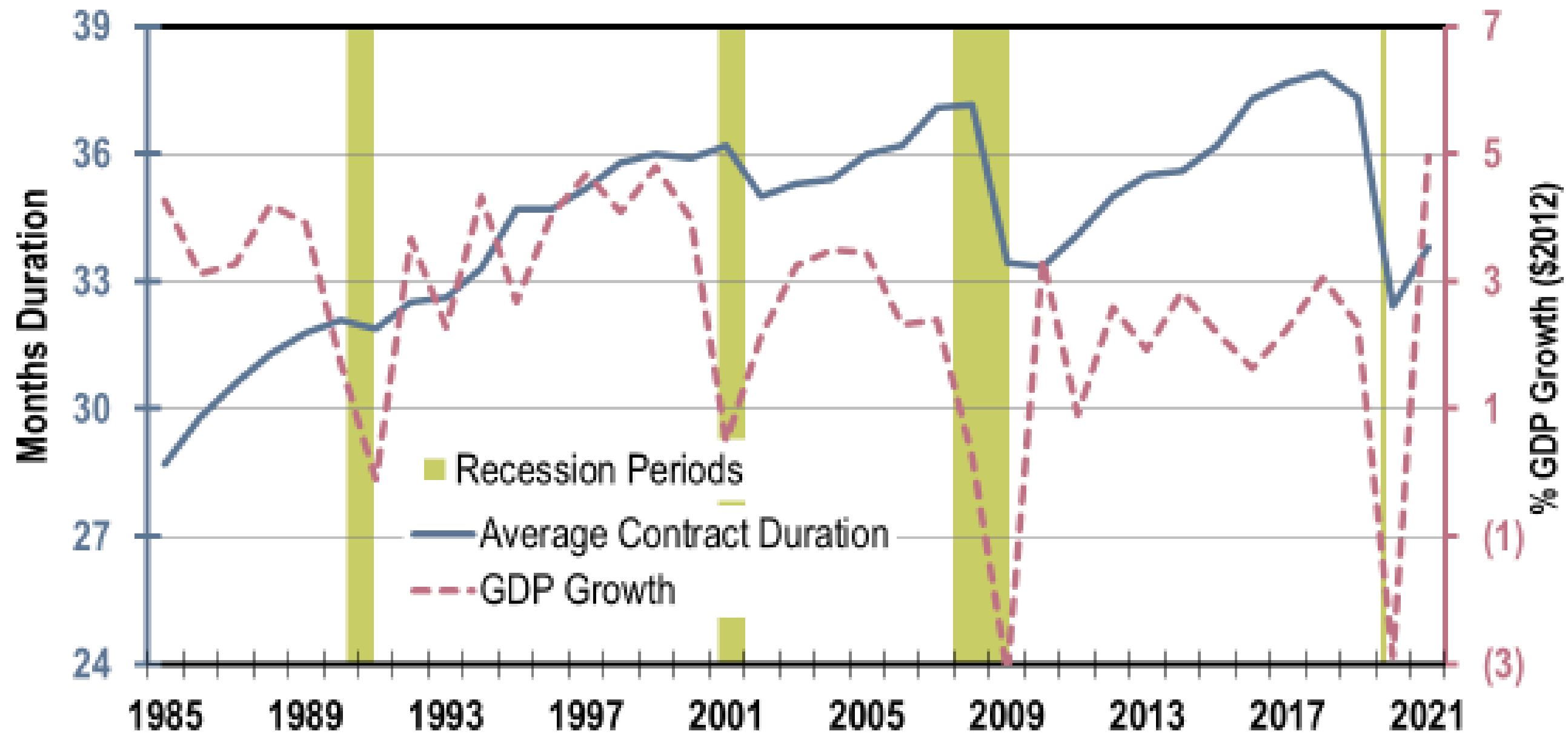
Source: FMCS Case Data



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Effect of Business Cycles

New Contract Durations v GDP Growth, FY 1985–2020



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



FMCS Services



ARBITRATION

- *Through its Office of Arbitration, FMCS administers a roster of approximately 1,000 highly qualified and experienced arbitrators.*
- *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.*



FMCS Services



ARBITRATION SERVICES

- In FY 2021, FMCS provided more than **10,544** arbitration panels to requesting parties, with **4,417** appointments from the FMCS roster by the requesting parties to hear their dispute.

Cooperative Relationships

Keys to Cooperative Relationships of Any Kind

1

COMMUNICATION

(Develop joint problem-solving teams)

2

COMMUNICATION

(Don't let problems fester)

3

COMMUNICATION

(Be honest about issues)

4

COMMUNICATION

(Know when to get help)



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THANK YOU.

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