



FMCS

FEDERAL MEDIATION & CONCILIATION SERVICE

Let FMCS Help You Take Your ADR Program to the Next Level!



The Administrative Dispute Resolution (ADR) Act of 1996 calls upon the Federal Mediation and Conciliation Service (FMCS), an independent U.S. government agency, to help other federal, state, and local agencies resolve disputes arising under their jurisdictions. To this end, FMCS provides sister agencies with a wide variety of professional services such as mediating disputes, designing and building capacity for effective conflict management systems, and developing tools for interagency and public-private cooperation and collaboration. In delivering these services, FMCS draws on more than 65 years of experience in conflict management and alternative dispute resolution, including negotiations, mediation, convening, facilitation, training, and systems design.

Dispute Mediation Services

Workplace and Employment Disputes

FMCS mediates workplace and employment disputes for federal and state agencies. The majority of these disputes concern claims of employment discrimination (EEO), other types of personnel issues and workplace conflicts. FMCS accepts individual and multi-party conflicts for mediation.



Disputes Involving Administrative Programs

FMCS also mediates disputes between agencies and their "regulated public," such as whistleblower complaints or disputes involving contracts, grants, licenses, enforcement, and administrative programs.

Consultation, Evaluation, and Systems Design

FMCS provides professional conflict resolution specialists to help agencies design conflict prevention and resolution systems to build capacity for constructive conflict management systems. Systems design may include an initial consultation, an assessment, program design and development, training, delivery, and program management follow-up.

FMCS ADR Services

Skills Development and Training

FMCS mediator-trainers bring their expertise to your agency through custom-designed and interactive, conflict management and dispute resolution training programs. Core program topics include:

Basic Mediator Training

Individuals assuming mediation or other dispute resolution duties must learn a new set of skills and techniques in order to be successful. Mediation fundamentals, such as the 8-step mediation model, effective communications and interest-based problem solving techniques, are among the subjects an effective dispute resolution professional must master. FMCS interactive exercises, mock mediations, role-plays and debriefs with experienced professional mediators provide a unique and effective learning experience.

Advanced Mediator Training

This workshop is for experienced neutrals interested in taking their mediation skills to the next level. Interactive dialogues, role-plays, demonstrations, and other skill building exercises will help neutrals manage more complex conflicts, dispute dynamics and personalities. Participants also will receive instruction in cutting edge theories and approaches to mediation, such as the art of inquiry, mediator self-awareness, and integrating interest-based principles and techniques into a mediator's "tool kit." Some experience as a lead mediator and basic mediation training are suggested prerequisites for this course.



Mediator Coaching and Mentoring

In addition to basic and advanced mediator training, on-the-job coaching and mentoring can deepen the skills, experience and confidence of new dispute resolution professionals. FMCS mediators can co-mediate cases, observe mediations, and provide one-on-one mentoring and coaching to enhance the development and competence of new mediators.

Facilitation Skills Development

Facilitation is a process in which a skilled neutral offers structure and procedural guidance to enable any type of committee or group to achieve shared goals. A skilled facilitator relies on many of the same communications, interest-based problem solving, and conflict resolution skills that mediators deploy in any conflict resolution setting.

Facilitation skills can be incorporated into FMCS mediator training programs or delivered as a stand-alone program. FMCS mediators can also serve as coaches and mentors to new facilitators.

Customized ADR Training

FMCS mediators also custom-design training programs to meet the needs of particular agencies. Among the programs that FMCS has delivered are: An Introduction to ADR for Employees, Supervisors, and Managers; Negotiations; Communication Skills; Conflict Resolution Basics; Interest-Based Problem-Solving; Workplace Diversity; and Team Building. Following a consultation and needs assessment, FMCS trainers will design a targeted program to meet your organizational objectives.

Facilitation Services

Facilitation is a process in which a skilled neutral offers structures and procedural guidance to help groups achieve successful outcomes. FMCS has decades of experience assisting collective bargaining partners, government teams and public-policy committees resolve conflicts and reach consensus decisions. FMCS mediators, thus, are uniquely qualified to help groups assess their needs, select the most efficient processes for their tasks and objectives, and navigate the various interpersonal dynamics that can prevent groups from achieving their goals. A skilled facilitator relies on many of the same communications, interest-based problem solving, and conflict resolution skills that mediators deploy in any conflict resolution setting. A facilitator keeps the group “on task” by moving the group toward their goals, maintaining group rules of engagement, and paraphrasing and synthesizing ideas.

Particularly in times of limited budgets, FMCS facilitation services can help agencies achieve cost-savings when decision-making is delegated to a committee, task force, or other type of group. FMCS facilitation services, including consultation, convening, training, and the actual facilitation help groups accomplish their tasks within specified time frames. Notably, these services can be provided both onsite and virtually, another valuable time and cost saving feature of FMCS facilitation services.

Small or Large Group Problem-Solving

FMCS can facilitate meetings for small or large work teams, task forces, advisory committees, or the like. This service can be especially helpful for large groups, with diverse interests, which are tasked with solving complex, multilayered problems. These services are customized to meet the specific needs and objectives of your group.

Negotiated Rulemaking

Negotiated rulemaking is a process in which a government agency invites persons and groups potentially impacted by a proposed rule to participate in its drafting. Interested parties who might otherwise oppose or challenge the rule are given the chance to participate in its formulation, thus reducing post-issuance challenges. The Negotiated Rulemaking Act of 1996 authorizes FMCS to convene and facilitate this process. Since the 1980s, FMCS has convened and facilitated dozens of negotiated rulemakings for numerous agencies.

Agency Cooperation & Collaboration

FMCS can facilitate intra-agency or multiple agency groups tasked with developing a strategic plan or identified objective involving complex matters. Interest-based problem solving and collaboration skills are essential to achieving successful outcomes.

Public Policy Dialogues

Similarly, FMCS is often called upon to facilitate public policy discussions under the Federal Advisory Committee Act (FACA). This law established a wide array of public-private stakeholder Advisory Committees to inform public policy decisions. These multi-party stakeholder discussions can benefit from the assistance of a skilled and neutral facilitator experienced in synthesizing discussion points and interests, as well as establishing and overseeing meeting structures and processes. Training and coaching are also available for participants.



FMCS ADR Services

General Workplace Intervention Services

Facilitated Dialogues

A facilitated dialogue is a targeted intervention by a neutral to help dyads or teams develop the trust and understanding required for successful collaboration and problem solving. Facilitated dialogues differ from mediation in that the neutral's role is not to assist the parties in reaching a settlement of a particular dispute, but rather to facilitate their discussion of issues, interests, and needs underlying the problem they are tasked to resolve. In facilitated dialogues, the participants determine the resolution objectives and the neutral helps them develop an environment conducive to meeting those objectives. Facilitated dialogues often result in more effective communication and problem-solving strategies for future issues.

Technology Enhanced ADR Services

FMCS also provides technology enhancements for these services – ask us how!

What Do These Services Cost?

Since FMCS does not receive appropriated funds for these ADR services, we must be reimbursed for the costs involved in delivering the services, which is generally \$130 per hour or about \$1,000 a day, plus any necessary overhead costs. In accordance with federal requirements, FMCS and the agency requesting service generally enter into a simple Interagency Acquisition Agreement (IAA) and/or a memorandum of understanding.

There is no cost for initial consultations.

Conflict Coaching and Mentoring

Conflict coaching is a one-on-one process for helping individuals improve their understanding of conflict and develop the skills to manage conflict and disputes more effectively. This pro-active, skill-building intervention by a neutral is utilized to assist an individual, dyad, or small team building strategies for more productive conflict management and problem-solving. The unique characteristics of each participant and the types of conflicts involved necessitate customized intervention approaches. Because of this, the neutral may use a variety of approaches to accomplish the objectives set by the client. The conflict coaching process generally includes an initial assessment, followed by joint strategy development, and active coaching.



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