



FMCS

FEDERAL MEDIATION & CONCILIATION SERVICE

Grievance Mediation

Guiding Parties Toward Mutually Acceptable Outcomes

Is your workplace characterized by difficulty in resolving grievances and costly arbitration?

What Is Grievance Mediation?

Many collective bargaining agreements include procedures for handling employee grievances, with arbitration as the final resort. FMCS grievance mediation provides parties with an opportunity to mediate a grievance before it reaches the more costly stage of arbitration. The FMCS mediator guides the parties to a mutually acceptable settlement of the grievance and works with them to improve their settlement techniques. The mediator has no authority to compel resolution, and, if the parties cannot settle the matter, they may proceed to arbitration or other processes as provided in their collective bargaining agreement.

FMCS mediates grievances on a case-by-case basis, or as part of a comprehensive approach to regularly manage and resolve conflicts in the workplace. Grievance mediation is particularly useful in workplace environments where grievances tend to linger and are not resolved expeditiously.

What Are the Benefits of Grievance Mediation?

- ◆ FMCS provides this service under the Taft-Hartley Act.
- ◆ Expedites grievance processing and eliminates complaint backlogs.
- ◆ Allows individual grievants, unions and management representatives to air, and potentially settle, their differences utilizing a neutral third party.
- ◆ Identifies common workplace problems and provides an opportunity to resolve them on a broader scale.
- ◆ Guides the parties toward self-resolution of grievances, helping to improve their communication and overall relationship.
- ◆ Evaluates the strengths and weaknesses of the grievance prior to arbitration.
- ◆ Permits the parties to return to established grievance-arbitration mechanisms if a settlement is not secured.



What Are the Basic Guidelines for Grievance Mediation?

- ◆ The parties agree to mediate the dispute.
- ◆ The parties must waive any time limits while the mediation step is utilized.
- ◆ The process is informal, and the rules of evidence do not apply.
- ◆ No stenographic record or tape recordings of the meetings are made.
- ◆ The mediator's notes are confidential and are destroyed at the end of the mediation.
- ◆ The parties agree that the mediator will not be called to testify at any other proceeding.

How Do I Request Grievance Mediation?

Any labor organization or management representative involved in a grievance can request grievance mediation services. Both parties must request and agree.

For More Information

Contact the FMCS Office of Client Services at clientservices@fmcs.gov.

"A mediator can help settle grievances before they reach the costly stage of arbitration. We can guide the parties to a mutually acceptable settlement of the grievance and work toward improving settlement techniques."