

## **MEDIATION INFORMATION SHEET**

### ***What is Mediation and Arkansas State Government's Mediation Program?***

Mediation is an informal way people can resolve disputes in the workplace. In mediation, a neutral person called a Mediator helps two persons explore ways to resolve their differences and reach an agreement that best addresses their interests. *The parties must be willing to work out their problems between them.* Mediation does not focus on who is right or wrong and the Mediator has no power to make the decision for the two parties or tell them what they should do. A Mediator helps the parties become decision-makers by understanding and listening to each one.

The State Government Mediation Program was established by Act 1448 of 2013 to actively support the resolution of differences between supervisors and employees in state government. It is a commitment to a positive approach and joint ownership of concerns and solutions.

### ***Why should I use the Mediation Program?***

Mediation is generally faster and less formal in both time and resources for all parties involved. The goal of mediation is that the parties choose to work together to create options and solutions which meet their needs. Remember the Mediator is a neutral third party trained in conflict resolution techniques who guides the process *but is not a decision maker.*

### ***How does the Mediation Program work?***

The mediation process is initiated when an employee contacts their agency's Grievance Officer to request that an issue be resolved using the dispute resolution process. The Grievance Officer will provide the Dispute Resolution Form which allows the employee to select mediation as the first step. If the issue is determined to be a grievable one, the case may proceed to mediation.

If the agency agrees to mediation, the agency Grievance Officer shall contact both parties participating in the mediation to sign the "Agreement to Mediate" form. The Grievance Officer will then contact the Office of Personnel Management who assigns a Mediator. A date, time and place are agreed by both parties and the Mediator. A party may have a representative or attorney present at the mediation. This person can participate during the open sessions of the mediation. At the conclusion of the mediation process, a "Settlement Agreement" or a "Non-settlement Decision" is signed by all parties including the Mediator. No other documentation from the mediation is kept. If the mediation is at the appeal level, the Mediator is required to provide a proposed resolution to the DFA Director in the event the parties do not reach a resolution. The results of the mediation are forwarded to the Grievance Officer; however, the specific matters involving the mediation are kept confidential.

### ***How can further information about the Mediation Program be obtained?***

For more information, contact the Dispute Resolution Coordinator at 501-682-5350 or [OPM.Disputeresolution@dfa.arkansas.gov](mailto:OPM.Disputeresolution@dfa.arkansas.gov).