

FEDERAL MEDIATION &  
CONCILIATION SERVICE

FMCS



## Services available from Federal Mediation and Conciliation Service



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## **FMCS: Mission-Driven to Build Partnerships, Resolve Conflict and Promote Successful Bargaining**

The Federal Mediation and Conciliation Service, created in 1947, is an independent agency whose mission is to preserve and promote labor-management peace and cooperation. Headquartered in Washington, DC, with ten regional offices and more than 60 field offices, the agency provides mediation and conflict resolution services to industry, government agencies and communities.

The Agency helps build better relationships through joint problem-solving and constructive responses to inevitable conflict. In turn, this improves the ability of organizations to create value for customers, shareholders and employees alike, and substantially benefits the national economy. The Agency concentrates its efforts on assisting employers and employees in coping with the demands of a rapidly changing workplace.

### **FMCS Mission Statement**

- ❖ Promoting the development of sound and stable labor-management relations,
- ❖ Preventing or minimizing work stoppages by assisting labor and management to settle their disputes through mediation,
- ❖ Advocating collective bargaining, mediation, and voluntary arbitration as the preferred processes for settling issues between employers and representatives of employees,
- ❖ Developing the art, science, and practice of dispute resolution,
- ❖ And fostering constructive joint relationships of labor and management, employment security and organizational effectiveness.



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**BUILDING LABOR - MANAGEMENT**  
**RELATIONSHIPS**



**Steward - Supervisor Training**

**Contract Administration Training**

**Labor – Management Committee Training**

**Committee Effectiveness Training**

**Collective Bargaining Training**



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## **STEWARD - SUPERVISOR TRAINING**

Supervisors and Union Stewards are the front line for translating a labor agreement into practice. For stewards and supervisors to work effectively together, it is important for them to understand the process of arriving at the labor agreement, as well as their roles and responsibilities. The emphasis of this program is on relationship building between stewards and supervisors and on their leadership roles within their organization. The program is aimed at developing the interpersonal and communication skills needed to build a cooperative relationship.

## **WHO SHOULD PARTICIPATE IN STEWARD – SUPERVISOR TRAINING?**

This program is particularly useful in organizations and unions with turnover in labor relations/collective bargaining practitioners. It is also useful in organizations with a first-time collective bargaining agreement, and in organizations where there are a high number of grievances and few, if any, are settled at the first step.

## **WHAT FMCS DOES**

FMCS provides training for the participants in the basic knowledge, skills, and attitudes that leaders in the organization need to do their job as a supervisor or steward. This includes content related to the process of the labor agreement, as well as communication, and grievance handling.



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## **STEWARD - SUPERVISOR TRAINING**

**FMCS Steward – Supervisor training is tailored to the specific needs of the requesting parties. Topics often included are:**

- Collective bargaining history
- Management rights and responsibilities
- Union rights and responsibilities
- Communications
- Leadership
- Contract administration/grievance processing

**\*Programs may be altered and personalized to fit the needs of the parties. The modules listed are sections that are generally covered in this training.**



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## **CONTRACT ADMINISTRATION TRAINING**

Once the parties have reached agreement on a contract, the work of implementing begins. For a contract to be successful, labor and management must translate the contract from language to practice. The administration of a collective bargaining agreement and the ability and willingness of the front-line supervisor and the shop steward to work together effectively are the foundation of this application. The FMCS contract administration training emphasizes relationship-building and the definition and understanding of leadership roles. A focus is placed on the development of knowledge of the communication skills and Labor/Management leadership roles necessary for a productive working relationship.

## **WHO IS THE IDEAL AUDIENCE FOR THE FMCS CONTRACT ADMINISTRATION TRAINING?**

The FMCS recommends labor-management groups jointly attend this and all trainings. However, understanding this is not always possible contract administration training can be delivered to stewards and supervisors together or separately. The program can be tailored to suit those in a new bargaining relationship or negotiating an initial contract, new leaders in an existing labor-management relationship, or experienced labor-management partners interested in a skills refresher and an update on the latest developments in administrative practices.



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## CONTRACT ADMINISTRATION TRAINING

**FMCS Contract Administration Training is tailored to the specific needs of the requesting parties. Topics often included are:**

- Leadership Roles and Responsibilities
- History of Collective Bargaining
- 7 Tests of Just Cause & Past Practice
- Contract Administration Roles and Responsibilities
- Grievance Mediation and Handling
- Fostering Labor-Management Dialogue
- Arbitration

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## **LABOR - MANAGEMENT COMMITTEE TRAINING**

### **WHAT IS A LABOR MANAGEMENT COMMITTEE?**

A Labor Management Committee (LMC) is a forum used by labor and management to improve the work place. The LMC is not a substitute for the grievance procedure or contract negotiations. A LMC is comprised of union members and managers/supervisors meeting periodically to discover, discuss, and resolve issues or problems that are not typically covered in the collective bargaining agreement. The union leaders and top management must be committed to the success of the LMC.

All too often, the only formal means of communication between labor and management is the contractual grievance procedure and contract negotiations.

. Clues that indicate the need for a worksite labor management committee may become obvious in contract negotiations. After the contract is settled, the unresolved problems are pushed to the side. Allowed to fester, they become grievances or critical issues in the next set of contract negotiations.

### **WHO IS THE IDEAL AUDIENCE FOR LMC**

The program is intended for federal, public, and private sector labor-management partners. Core concepts in the course are the same for all audiences. However, training in the federal sector includes discussion on the legal basis of partnerships.





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## **LABOR MANAGEMENT COMMITTEE TRAINING**

### **WHAT FMCS DOES**

FMCS can assist the parties in designing the frame work for an effective committee and can provide training in proven consensus building and a problem-solving process to promote the successful operation of the committee.

Mediators can also be available to help facilitate the LMC meetings until the parties become comfortable with the process and behaviors needed for an effective Committee.

### **CLUES THAT INDICATE THE NEED FOR AN IMPROVED MEANS OF COMMUNICATION BETWEEN LABOR AND MANAGEMENT:**

- ❖ An unusually high number of grievances, or repetitive grievances on the same issues.
- ❖ Lack of use or improper use of the grievance procedure.
- ❖ Few settlements of grievances in lower steps or an excessive number of arbitration cases.
- ❖ A larger number of “relationship-type” demands during contract negotiations.
- ❖ Distrust that breeds poor attitudes at the bargaining table or in the workplace.
- ❖ An indication of economic crisis within a company, i.e., partial workplace closure, low productivity, poor quality, inability to compete.
- ❖ A breakdown of communications at all levels.



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## **LABOR MANAGEMENT COMMITTEE TRAINING**

### **A BASIC FORMULA FOR SUCCESS IS:**

- ❖ Willingness to recognize that problems may exist
- ❖ Desire to improve the current situation
- ❖ Commitment to allocate resources (time, energy & money)
- ❖ Expectation, realistic in nature

**FMCS Labor Management Committee Training is tailored to the specific needs of the requesting parties. Topics often included are:**

- ❖ Pro's and Con's of Labor Management Cooperation
- ❖ Active Listening
- ❖ Consensus Decision Making
- ❖ Group Problem Solving Process
- ❖ Communication
- ❖ Brainstorming
- ❖ Constructing a Mission Statement

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## **COMMITTEE EFFECTIVENESS TRAINING**

FMCS Committee Effectiveness Training (CET) is a program designed to help labor-management groups of all types. The program provides committee members the opportunity to acquire the knowledge and skills necessary for effective contributions in group settings, and thus enable group goals to become reality. CET is a needs-based program. Potential program participants will be required to complete a needs assessment that will enable the mediator to tailor the workshop to the specific needs and time constraints of the group.

Upon completion of this program, participants will have a common vision and goal, be able to identify communication barriers and develop strategies to overcome them. They will improve their understanding of the dynamics, strategies and skills necessary for a productive labor-management relationship to increase their odds for success. FMCS experience demonstrates that a problem-solving mindset, open communications, respect, personal accountability, and transparency are the essential ingredients for productive and mutually beneficial labor-management relationships.

## **COMMITTEE EFFECTIVENESS TRAINING MODULES**

**FMCS Committee Effectiveness Training is tailored to the specific needs of the requesting parties. Topics often included are:**

- Common Vision & Goals
- Building Trust and Respect
- Collaborative Behavior
- Communication Skills
- Interest Based Problem Solving Model
- Committee Expectations
- Measuring Success

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# Organizational Effectiveness



**PARTNERS IN CHANGE**



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## **PARTNERS IN CHANGE PROGRAM**

The Partners-in-Change program (PIC) is an organizational change process to encourage labor-management cooperation, facilitation of organizational changes, and proactive planning. The PIC program is for organizations committed to building or expanding a cooperative labor management relationship.

*During a two day off-site workshop,* the parties learn to understand the dynamics of their organization, identify joint goals, and agree to pursue them together through labor-management cooperation.

Participants have the opportunity to explore their full partnership potential by analyzing their organization's current cultural, political and technical systems, identifying separate and jointly held perceptions of the organization, and creating a vision of the future. Based on that vision, the participants initiate a joint change process and develop the necessary skills to bring about the desired change.

## **WHAT FMCS DOES**

FMCS assists the parties in assessing their ability to move forward using the Partners-in-Change program. FMCS provides training through a series of presentations, exercises, and activities so the participants have the knowledge, skills, abilities, and practical experience to analyze the current state of operation. A mediator will facilitate the discussion of the current state of the organization, the development of a joint mission for the future, and an implementation process. The mediator will work with the parties to assure that follow up on the implementation of the plan occurs.



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## **PARTNERS IN CHANGE**

### **WORKSHOP OBJECTIVES**

- To provide a facilitated way of looking at and considering organizational change.
- To provide an opportunity for participants to discuss and apply techniques and processes used in constructive joint Labor-Management efforts.
- To provide a structured opportunity for Labor and Management to partially assess the present state of the organization.
- To provide a structured process for developing a joint vision of an improved or ideal future state of the organization.
- To identify individual and/or joint responsibilities of Labor and Management which contribute to organizational improvement.
- To provide an opportunity to discuss and consider workshop follow-up.

### **PROGRAM LOCATION**

It is strongly recommend that the program occur outside the work environment, preferably in a retreat setting.



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## PARTNERS IN CHANGE

### WHAT IS NEEDED

Agreement with the following principles:

1. **CHANGE** must be managed proactively, not passively. Organizations that fail to anticipate change and its impact will be at its mercy.
2. **PEOPLE** must be treated in a fair and positive manner. An organization must view its employees and its culture as significant resources requiring attention before and during change.
3. **NEW SKILLS** are required in an organization to manage change.

The relationship between labor and management needs to be based on trust, open/honest communication, and a commitment to partnership.

### WHAT TOPICS DOES THE PIC PROGRAM EXPLORE?

**Program topics will be determined by discussions with potential participants and a needs assessment. Incorporating the needs and goals of the participants, program delivery will include:**

- Analyzing the organization's current cultural, political, and technical systems
- Exploring the elements of a high performance workplace
- Identifying separate and joint held perceptions of the organization
- Creating a joint vision of the future
- Initiating a joint change process
- Developing necessary skills to bring about the desired change

**Programs may be altered and personalized to fit the needs of the parties. The modules listed are sections that are generally covered in this training.**



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# **REPAIRING BROKEN** **RELATIONSHIPS**



## **Relationship By Objectives** **Program**

**RELATIONSHIP BY OBJECTIVES PROGRAM**





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Sometimes an organization's labor management relationship has deteriorated to the point that jobs, or even the continued economic health of the entire operation are threatened. The RBO is a starting point in mending the fractured labor-management relationship. Once the RBO is completed, the work is just beginning.

The Relationship By Objective program (RBO) is an in-depth, conflict resolution program designed to improve the relationship between labor and management by mutually identifying action steps to address production, training, communication, and relationship needs within an organization.

The RBO is not a program in and of itself. **It is an intense three day conflict-resolution process that is effective in changing poor intra-plant labor-management relations.** The program provides a vehicle for the parties to resolve their differences.

RBO leads participants through the steps necessary to identify problems and solutions, and to develop an action plan to be executed when they return to the workplace. Program topics will be determined by discussions with potential participants and a needs assessment.

## WHAT FMCS DOES

The RBO process requires the active participation of trained mediators to assist the participants in analyzing the relationship and exploring the difficulties. In most RBO's a minimum of three mediators are required. FMCS works with the parties to assure that when the RBO ends, an action plan and a follow-up process is in place.



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## **RELATIONSHIP BY OBJECTIVES PROGRAM**

### **WHAT IS NEEDED**

Labor and Management must both recognize that they need help, want help and are ready to accept help. The top management person is responsible for the operation and the top union official(s) must participate. The decisions that will be made are too critical to be delegated, second guessed, or reversed.

Commitment of resources, time and money, are needed for the completion of the RBO and the implementation of the plan.

### **IS THE RBO PROGRAM RIGHT FOR MY ORGANIZATION?**

Labor-management relationships characterized by the following are ideal candidates for RBO:

- Costly Arbitrations
- Apathy
- Miscommunications
- Lack of Joint Vision
- Fractured Relationships
- Heavy Grievances
- Low Morale
- Limited Trust



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## **RELATIONSHIP BY OBJECTIVE PROGRAM**

### **WHAT ARE THE COSTS OF RBO?**

There is no cost for FMCS services related to an RBO program. Costs of an offsite venue (required) are to be shared between labor and management.

### **WHO SHOULD PARTICIPATE IN THE RBO?**

**Maximum of 30 participants (15 from labor and 15 from management)**

Cross Section to include:

- All levels of Management
- Representation from all shifts/job classifications
- Business Representatives and officers of the Union

### **WHAT TOPICS DOES THE RBO PROGRAM EXPLORE?**

**Program topics will be determined by discussions with potential participants and a needs assessment. Incorporating the needs and goals of the participants, program delivery will include:**

- Introduction to the RBO process
- Identification of viewpoints, concerns and conflict
- Skills building
- Transforming viewpoints and concerns into action
- Developing an action plan
- Identifying mutual next steps



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## **SKILLS DEVELOPMENT TRAINING**

- ❖ Conflict Resolution
- ❖ Cultural and Generational Diversity
- ❖ Maximizing Mediation
- ❖ Interest Based Bargaining
- ❖ Interest Based Problem Solving
- ❖ Leadership Roles & Responsibilities
- ❖ Traditional Contract Negotiation
- ❖ Communication and Active Listening
- ❖ Dealing with Difficult People
- ❖ Professionalism in the Workplace
- ❖ Bullying, Harassment, and Workplace Violence

**FMCS can also custom design a training program to  
fit the needs of the parties.**