

Preparing For Mediation

Make sure the right management official is present (at least one level above the alleged "bad guy").

If the complainant will be represented by an attorney, DG will represent management.

Educate yourself on the facts; consult before hand with personnel, legal, higher level management.

More Preparation

- Focus on the "interests" that you must have satisfied not on fixing blame or prevailing on a winning legal position.
- Come to the table with creative suggestions to resolve the complaint.
- The more complex and difficult the complaint the more time you must spend preparing for the mediation session.

Resolution/Settlement

- Goal: to have a written agreement before the end of the day. This is not always possible.
- You do not have to and cannot be expected to resolve every complaint through mediation.
- The parties usually gain something even when no resolution is reached.

More on Settlement

- Agree to things that are consistent with personnel laws, regulations, and the union agreement.
- Cash damages, back pay, attorney fees
- Legal and personnel advice before hand and review of the settlement after.
- Payments in excess of \$15,000 must be approved by someone in DDC HQ Command Group.

Summary

- Mediation is DLA policy.
- RESOLVE is one part of the ADR picture.
- We need to train more of our workforce on mediation.
- Learn from the complaint and the mediation experience.
- It does work if you come to the table prepared and with a cooperative attitude.