
Section: 1.8 Alternative Dispute Resolution Process

Effective Date: 07/01/2007

Revision Date: 04/25/2007

Approved by: J. Ehret 04/25/2007

PURPOSE:

This procedure provides a positive alternative means to the formal complaint process for Fire Department members needing help and guidance in resolving conflict or situations that are negatively affecting them at work.

BACKGROUND:

Normally conflicts that occur at work are resolved either through individual initiative, peer pressure, or supervisory intervention. However, these approaches have not always been effective in resolving disputes between supervisors and subordinates, and those involving cultural, race, personality or gender issues. With no intervention, these incidents often continue to escalate until a formal complaint is filed or the Department becomes aware and takes formal action. This usually occurs late in the evolution of the problem when relationships have suffered irreparable damage and performance has deteriorated and those involved possibly feel alienated and disconnected from the work group. Addressing these complicated problems through the formal complaint process often results in the incident being investigated and concluded without ever resolving the circumstances that allowed the problem to develop and grow. An alternative resolution process can shift the intervention focus to problem solving and resolution that involves only those directly involved.

PROCESS:

This procedure provides two non-traditional options that are available to department members. Both options are in concert with SMFD values, mutual respect, support and interpersonal communication with emphasis on tolerance, unity and consideration.

Option One: Recognizes and endorses the tradition of handling differences informally at the level at which they occur in the organization. To facilitate problem solving, a worksheet is provided to assist those involved in identifying the problem, recognizing how it impacts the crew or individual, and as an aid to generating possible solutions. It also can be used as an agreement contract with a review process. To be effective, Option One should be accessed early with the goal to restore effective workplace relationships. At this point in the process the intent is not to determine fault or administer discipline. Rather, this option can be used as a tool to proactively address workplace conflicts by creating win-win agreements where employees themselves manage the resolution process. Option One can be initiated by anyone in the workgroup affected by the problem, optimally by the individual(s) most directly involved. It is not necessary for the workplace supervisor to initiate the process, although he or she may choose to do so.

Option Two: Makes assisted mediation available to bring the parties toward successful resolution of the problem. Employee differences and disputes frequently arise in an emotionally charged atmosphere. In mediation, a neutral third party helps the disputants focus on the issues and possible solutions in a setting away from the background and personal circumstances that may have triggered the dispute. The mediator helps the parties identify the substantive issues and explore areas of agreement. The mediator's most valued attribute is neutrality. Their role is to improve communication, clear up misunderstandings, recognize differences in perception and facilitate the exchange of information. Often times, with the "roadblocks" removed it will be possible to work out an agreement. In general, you can expect a mediator to: work with involved parties jointly and separately; explain the mediation process; identify misunderstandings; facilitate communications; explore areas of agreement; facilitate problem solving.

What is discussed in the mediation is confidential and nothing the parties say can be used against them should the matter not be resolved. The mediator cannot be compelled to testify concerning what was said during mediation. Mediators can be selected from within the department or a professional mediator can be used. The decision on whether to use an internal or external mediator is up to the parties involved in the dispute.

The options listed in this procedure are alternatives to filing a formal complaint and should be considered in the early stages of a problem. Supervisors may initiate the process as a first step in handling a formal complaint if in their judgment it would be beneficial.

The Alternative Dispute Resolution Process is a confidential process and participation is voluntary. The Personnel Section or your union representative can arrange for mediation service. This process is not intended to discourage any department member from filing a formal complaint.

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Alternative Dispute Resolution Worksheet

(Informal process for dealing with issues on the job)

STEP I Identify and/or discuss the problem as you see it
(filled out by person initiating problem solving worksheet)

STEP I a How does this matter affect you personally or your work group?

STEP II Identify and/or discuss the problem as you see it.
(filled out by other person or persons in the workgroup)

STEP II a How does this matter affect you personally or your work group?

STEP III What steps can be taken by each involved party to resolve this problem?
(Possible Solutions)

Employee #1

Employee #2

Employee #3

Employee #4

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STEP IV The agreement:
 (How we are going to solve the problem)

STEP V Review date:
 (Mutual agreement on a date to reevaluate how agreement is working for all parties)

 Month Day Year

STEP VI Signatures of all parties

Employee #1 _____ date ____/____/____

Employee #2 _____ date ____/____/____

Employee #3 _____ date ____/____/____

Employee #4 _____ date ____/____/____