

# ATTACHMENT 1B1

## **ALTERNATIVE DISPUTE RESOLUTION TRAINING**

The Office of the General Counsel (OGC) of the Federal Labor Relations Authority (FLRA) provides alternative dispute resolution (ADR) training for union and management representatives to assist them design ADR approaches which meet their needs. This training is provided in accordance with the OGC's Unfair Labor Practices Case Handling Manual which governs the OGC's delivery of facilitation, intervention, training and education services to union and management representatives to promote stable labor-management relationships in the Federal sector.

### **What is Included in ADR Training?**

Although union and management representatives' needs vary, this training generally includes:

- Assessing local labor-management and other workplace disputes;
- Evaluating the parties' use of adversarial procedures;
- Identifying ADR methods as substitutes for adversarial procedures;
- Introducing skill and resource requirements for ADR methods; and
- Tailoring ADR methods to meet local needs.

### **How Is ADR Training Conducted?**

ADR training generally includes classroom training and interactive training on ADR methods and techniques, facilitated evaluation of ADR interests and needs, and ADR system design. The training is designed to meet the needs of the attending participants and is offered in 1-day and 2-day segments, on-site and off-site. Depending on local circumstances, all facets of the training may not be conducted in the same training period.

### **Who Should Attend ADR Training?**

ADR training is useful for union and management representatives who are experiencing significant costs in adversarial proceedings, including the costs of time, money, and the perpetuation of adversarial relationships, and who wish to explore methods for reducing the costs of conflict. This training enables representatives to explore methods for assisting employees, supervisors and managers to resolve their conflicts more productively through the design and implementation of an ADR system which meets their needs.

### **How Is ADR Training Arranged?**

ADR training is planned with the participation of the local management and union representatives. The training may be requested by telephone, fax, or letter directed to the Federal Labor Relations Authority's Regional Offices or to the FLRA's Office of Collaboration and Alternative Dispute Resolution at the addresses and telephone numbers below.

### **What Is The Cost?**

Costs vary with circumstances and may include reimbursement for travel expenses and expenses for training materials.

### **Inquiries May Be Directed To:**

Edward S. Davidson, Regional  
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99 Summer Street, Suite 1500  
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## **Interest-Based Negotiations and Problem-Solving Training**

The Office of the General Counsel (OGC) of the Federal Labor Relations Authority (FLRA) provides training for union and management representatives on interest-based negotiation and problem-solving techniques for contract negotiations and labor-management partnership activity. This training is provided in accordance with the OGC's Unfair Labor Practices Case Handling Manual which governs the OGC's delivery of facilitation, intervention, training and education services to union and management representatives to promote stable labor-management relationships in the Federal sector.

### **What is Included in The Training?**

Training in interest-based negotiations and problem-solving techniques covers:

- Assessing positional negotiations in comparison with interest based methods;
- Identifying interests which support parties' positions in negotiations;
- Exploring multiple options which satisfy interests;
- Establishing standards, criteria, and other methods for choosing among options;
- Developing communication skills; and
- Practicing consensus decision making.

### **How Is The Training Offered?**

Interest-based training is given in introductory and applied formats, on site or off site. The ½-day or 1-day introductory format includes "classroom" training and practice in applying interest based methods with generic exercises. In the applied format, which extends for 2 - 3 days, the participants apply the interest-based principals they have learned in the introductory period to analysis of current issues and/or problems at their workplace. The issues and/or problems so addressed, which determine the length of the applied training period, are selected by the participants' representatives when the training is planned.

### **Who Should Attend Interest-Based Training?**

Interest-based training is valuable for management and union representatives who desire to reduce the adversarial nature of their negotiations and problem solving efforts, increase the efficiency of the joint problem solving, and improve their working relationships.

## **How Is Interest-Based Training Arranged?**

This training may be requested by telephone, fax, or letter directed to FLRA Regional Offices or to the FLRA's Office of Collaboration and Alternative Dispute Resolution at the addresses and telephone numbers below. The local parties participate in designing of the interest-based training programs.

## **What Is The Cost?**

Costs vary with circumstances and may include reimbursement for travel expenses and expenses for training materials.

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# **Alternative Case Processing Procedures**

The Office of the General Counsel (OGC) of the Federal Labor Relations Authority (FLRA) provides alternative case processing procedures to union and management representatives who are experiencing or expect significant unfair labor practice activity, due to relationship difficulties or external influences, and agree to use OGC alternative dispute resolution (ADR) methods to try to resolve their conflicts and disputes. This is provided in accordance with the OGC's Unfair Labor Practices Case Handling Manual which governs the OGC's delivery of facilitation, intervention, training and education services to union and management representatives to promote stable labor-management relationships in the Federal sector.

## **What is Included In An Alternative Case Processing Procedure?**

Although alternative case processing procedures vary with parties' situations, needs, and interests, they generally involve the following types of activities:

- Evaluation of the conflicts which underlie the unfair labor practice activity;
- Identification of the parties' interests in the underlying conflicts;
- Exploration of the resolution options that serve the parties' interests;
- Resolution of the conflicts so as to meet the parties' interests and close the unfair labor practice cases; and
- Exploration of the means by which the parties can improve their working relationship.

## **How Are The Alternative Case Processing Procedures Conducted?**

Training is provided on the parties' rights and duties under the Federal Service Labor-Management Relations Statute and those practices which facilitate resolution of labor-management conflicts. Facilitation assistance is provided to resolve existing disputes and to assist parties in considering and agreeing to methods to improve their working relationship. Some skills training is provided, for example, on communication skills, interest-based problem-solving methods, and ADR techniques. OGC personnel who facilitate resolution of disputes in an alternative case processing procedure do not participate in the processing of unfair labor practice charges which may remain pending at the conclusion of the procedure.

## **Who Should Attend?**

Participation in an OGC alternative case processing procedure is wholly voluntary and must be jointly agreed upon by the parties who plan the procedure activity with OGC representatives. In accordance with the OGC Unfair Labor Practice Case Handling Manual, the parties must ensure the participation of all the union and management representatives who are necessary for the resolution of the parties' underlying disputes.

## **How Is An Alternative Case Processing Procedure Arranged?**

Alternative Case Processing Procedures may be at the request of labor and management or be initiated by the OGC for parties who appear to be experiencing significant unfair labor practice activity or labor-management conflict and who express an interest in, and commitment to participate in the OGC's alternative dispute resolution processes. Inquiries regarding Alternative Case Processing Procedures may be directed to the FLRA's Regional Offices or the FLRA's Office of Collaboration and Alternative Dispute Resolution at the addresses and telephone numbers below.

## **What Is The Cost?**

Costs vary with circumstances and may include reimbursement for travel expenses and expenses for training materials.

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## **Labor-Management Partnership Training**

The Office of the General Counsel (OGC) of the Federal Labor Relations Authority (FLRA) provides training for union and management representatives for the creation and maintenance of collaborative labor-management partnerships, for example, under Executive Order 12871 (October 1, 1993). This training is provided in accordance with the OGC's Unfair Labor Practices Case Handling Manual which governs the OGC's delivery of facilitation, intervention, training and education services for the promotion and maintenance of stable labor-management relationships in the Federal sector.

### **What is Included in The Training?**

Labor-management partnership training generally includes the following subjects and activities:

- Evaluation of the union's and management's goals and roles at the workplace;
- Identification of the obstacles for labor-management cooperation;
- Exploration of the parties' interests in collaborative activities;
- Applying interest based methods in negotiations and problem-solving activities;
- Identification of partnership goals and establishment of a partnership action plan; and
- Practicing pre-decisional involvement.

### **How Is The Training Offered?**

Training is provided on the law governing collective bargaining in the Federal sector and the nature and form of collaborative labor-management relationships. Some instruction is provided on interest-based problem solving, alternative dispute resolution, and techniques for consensus decision making. The program time is largely devoted to facilitation of the parties' own evaluation of their working relationship, their partnership goals and objectives, their creation of a partnership action plan, and their development of a formal structure for their partnership. The training is designed to meet the needs of the local participants.

### **Who Should Attend Labor-Management Partnership Training?**

Labor-management partnership training is valuable for union and management representatives who seek to form or who are forming collaborative labor-management partnerships and union and management representatives with established partnerships who need to revisit or renew their partnership goals, objectives, activities and/or structures.

## **How Is Labor-Management Partnership Training Arranged?**

Labor-management partnership training may be requested by telephone, fax, or letter directed to FLRA Regional Offices or to the FLRA's Office of Collaboration and Alternative Dispute Resolution at the addresses and telephone numbers below.

### **What Is The Cost?**

Costs vary with circumstances and may include reimbursement for travel expenses and expenses for training materials.

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## **Relationship Building**

The Office of the General Counsel (OGC) of the Federal Labor Relations Authority (FLRA) provides relationship building assistance to union and management representatives which will support their efforts to improve and strengthen their working relationships. This assistance is provided in accordance with the OGC's Unfair Labor Practices Case Handling Manual which governs the OGC's delivery of facilitation, intervention, training and education services for the promotion and maintenance of stable labor-management relationships in the Federal sector.

### **What is Included in Relationship Building Training?**

Relationship building generally includes the following activities, with the time devoted to each varying with the local representatives' needs:

- Review and discussion of the parties' rights and obligations under the Statute and those practices which support productive labor-management relationships;
- Evaluation of the existing working relationship;
- Analysis of the parties' interests in, and goals for, change;
- Identification of the means by which the parties can improve their working relationship;
- Creation of an action plan for change; and
- Resolution of the existing labor-management disputes.

### **How Is Relationship Building Training Offered?**

Relationship building programs are conducted on-site and off-site, preferably off-site. The programs are designed with the participation of local management and union representatives. Education and training varying with local needs is provided on statutory labor-management relations requirements, methods for improving working relationships, and communication skills. Significant program time is devoted to the parties' evaluation of their circumstances, their goals, and their development of an action plan. Portions of this activity can be accomplished in a day. Two to 3 days with follow-up are required for parties experiencing major difficulties.

## **Who Can Benefit from Relationship Building Training?**

A relationship building program can be helpful for parties in contentious relationships--as evidenced, for example, by their frequent participation in adversarial arbitration or unfair labor practice cases. A relationship building program can be helpful for representatives who foresee changes that will significantly impact agency operations and the workplace and who desire to strengthen their working relationship in anticipation of such changes. The program is designed with the parties to insure that the program is effective and meets their needs.

## **How Is A Relationship Building Training Program Arranged?**

A relationship building program may be requested by telephone, fax, or letter directed to the FLRA's Regional Offices or to the FLRA's Collaboration and Alternative Dispute Resolution Office at the addresses and telephone numbers below.

## **What Is The Cost?**

Costs vary with circumstances and may include reimbursement for travel expenses and expenses for training materials.

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**FACILITATION INTERVENTION TRAINING EDUCATION  
OFFICE OF THE GENERAL COUNSEL  
FEDERAL LABOR RELATIONS AUTHORITY**

## **Statutory Training**

The Office of the General Counsel (OGC) of the Federal Labor Relations Authority (FLRA) provides training to labor-management representatives to aid in their understanding of the Federal Service Labor-Management Relations Statute. A goal of this training is to assist the parties in improving their labor-management relationships within the requirements of the Statute. This assistance is provided in accordance with the OGC's Unfair Labor Practices Case Handling Manual which governs the OGC's delivery of facilitation, intervention, training and education services for the promotion and maintenance of stable labor-management relationships in the Federal sector.

### **What is Included in Statutory Training?**

Examples of subjects covered in statutory training:

- Rights and duties of employees, unions, and management under the Statute, e.g., duty of fair representation; Weingarten rights; requests for information under the Statute;
- Certification of unions as exclusive representatives and changes in bargaining units;
- Negotiation of collective bargaining agreements and the impact of a bargaining agreement on the duty to bargain and other statutory rights, e.g., "covered by", "contract interpretation" and "repudiation" principles;
- Duty to bargain and scope of bargaining; and
- Alternative procedures for labor-management disputes.

### **How Is Statutory Training Offered?**

Introductory, intermediate, and advanced statutory training is offered to management, union, or joint management and union audiences, on-site or off-site, and is tailored to local needs. The training may extend for a couple of hours (e.g., for elementary introductions and narrow subjects), ½ day, or 1 full day. The training generally includes classroom instruction and interactive discussion appropriate for adult audiences. Except where costs are prohibitive, copies of all presentation materials are distributed to the audience.

### **Who Should Attend Statutory Training?**

Statutory training is highly recommended for employees and management representatives when a union is newly certified as an exclusive representative. Supervisors, managers and union representatives who want to improve their understanding of their rights and responsibilities under the Statute should attend. This training is helpful for representatives needing updates on statutory requirements and the decisions of the FLRA and the courts. Statutory training commonly is helpful for representatives in contentious labor-management relationships as a prerequisite for their consideration of the steps they can take to improve their working relationships.

### **How Is Statutory Training Arranged?**

Statutory training may be requested by telephone, fax, or written inquiry to the FLRA Regional Offices or to the FLRA's Office of Collaboration and Alternative Dispute Resolution at the addresses and telephone numbers below.

### **What Is The Cost?**

Costs vary with circumstances and may include reimbursement for travel expenses and expenses for training materials.

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