

An alternative approach to resolving grievances

Fair,
Efficient
And
Everyone
Can Win



Mon County School Personnel Mediation Pilot Project

Mon County Schools Mediation Pilot Project

Is a unified effort by the Mon County BOE, AFT, MCSSPA, WVEA, WVSSPA, and WV Grievance Board to improve the grievance process. The pilot project's goal is to resolve grievances more quickly, allow for innovative problem solving, and provide more efficient allocation of resources.



What is mediation?

Mediation emphasizes problem solving and is a private, informal way to resolve a dispute. Mediation is a process that brings parties together to resolve their differences through discussion and problem-solving. The goal is to achieve "win-win" solutions. Mediation may very well lead parties to a compromise, or it may lead to one party dropping the grievance. The mediator is a neutral third person who helps facilitate the dialogue, but is not the final decision-maker, arbitrator, or judge.

Mediation: Is fair and neutral

Parties have an equal say in the process and the parties decide the settlement terms. Not the mediator! In the mediation process, there is no determination of guilt or innocence, or who is right or wrong. Both sides have to agree before a settlement can be reached.

Saves time and money

Mediations are generally scheduled for half a day, and many mediated settlements are completed in one meeting. While legal counsel is permitted in all cases, it is not required or recommended.



If you do not reach an agreement:

You may continue to use the grievance procedure. If the parties cannot settle the grievance through mediation, the mediator will not discuss the case with the Administrative Law Judge (ALJ) assigned to hear and decide the matter, or otherwise participate in deciding the case.

WV Education & State Employees Grievance Board Mediation Services

The Grievance Board will provide mediation services to assist the parties in identifying, clarifying and resolving issues regarding a grievance at any stage of the grievance process.

Who will be the mediator?

The Grievance Board's Administrative Law Judges (ALJs) have been trained as mediators in programs sponsored by the West Virginia State Bar. They have experience mediating disputes in federal and state courts, and before administrative agencies, such as the West Virginia Human Rights Commission.

What can the mediator do?

The mediator may assist the parties in generating alternatives to solve the problem. The parties cannot call the mediator as a witness in a subsequent grievance hearing, and statements made by the parties during mediation are confidential and are not admissible in the grievance hearing.

What are the advantages of mediation?

- It is free;
- Lets you develop your own solutions;
- May offer you fast resolution of your dispute;
- Fosters cooperation and problem solving;
- Improves communication and allows parties to share information which can lead to a better understanding of issues affecting the workplace;



- May mend your relationship with the other parties; and
 - Still allows you to revert to the statutory grievance procedure if you cannot reach a mutually-acceptable solution.
- * An independent survey showed 96% of all respondents and 91% of all charging parties who used mediation would use it again if offered.

To arrange for your mediation call:

Your association representative



The Monongalia County
Schools Human Resources
Department

304-291-9210



The WV Education & State
Employees Grievance Board

1-866-747-6743

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