



**THE FMCS TODAY:
*WORKING PRO-ACTIVELY TO IMPROVE
LABOR-MANAGEMENT RELATIONSHIPS***

**Bakery, Confectionery, Tobacco Workers and
Grain Millers International Union
38TH Constitutional Convention**

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Today's Goal

How is FMCS working to improve L-M relationships and promote collective bargaining?

1. Review 9 key FMCS programs/services

2. Describe two key initiatives
 - First contract bargaining
 - Health care/wellness



Background

→ Pre- 1935 and Wagner Act:

- Great Depression
- No legal right to organize or bargain collectively
- Millions out of work
- Enormous economic instability



Background

- ➔ **Wagner Act encouraged collective bargaining as means to:**
 - **Foster economic recovery**
 - **Build lasting prosperity**
 - **Facilitate “a partnership between industry and labor in the solution of national problems”**



Background

→ Post-Wagner Act:

- Time of industrial prosperity
- Stable collective bargaining relationships
- Companies and workers succeeded
- Middle class purchasing power created



Evolution of FMCS Mission

- 1947 FMCS created to mediate workplace disputes by promoting stable bargaining relationships

- Post-1947, Congress added more roles:
 - Special health care industry time limits/intervention
 - Federal sector labor-management disputes
 - Public sector (where no state agency)
 - Labor- management cooperation programs
 - Federal sector ADR (EEO) + negotiated rulemakings



FMCS Mission Today

→ Improve L-M relationships as means to:

- Prevent disputes & disruptions
- Help parties achieve innovation & competitive advantage
- Help parties create and maintain good jobs
- Help ensure success of business enterprise



9 Key Programs and Services

- 1. Collective Bargaining Mediation**
- 2. Arbitration Services**
- 3. Grievance Mediation**
- 4. Relationship Development & Training**
- 5. Outreach**
- 6. L-M Committee Grants Program**
- 7. Employment Mediation (ADR)**
- 8. International Training & Exchange**
- 9. FMCS Institute for Conflict Management**



#1: Collective Bargaining Mediation

- FY 2009, FMCS mediators monitored nearly 14,000 negotiations
- Actively involved in about 5,000
- Achieved settlement in nearly 86%



#2: Arbitration Services

- 1400 arbitrators on roster
- About 17,000 panel requests annually
- 2100 decided cases



#3: Grievance Mediation

- Evaluates strengths/weaknesses of case
- Eliminates backlog and expedites processing
- Prevents unresolved grievances from spilling into future contract negotiations
- FY 2009 2,000 grievances mediated



#4: Relationship Development & Training

- ➔ **Wide variety of training programs (2,300 FY 2009)**
 - **Relationship by Objective (RBO)**
 - **Committee Effectiveness Training**
 - **L-M Worksite Committee Training**
 - **Contract Administration**
 - **Steward-Supervisor Training**
 - **Cultural Awareness Skills**
 - **Collective Bargaining/Alternative Bargaining (IBB)**

**** Executive Order 13522****



#5: Outreach to L-M Community

- One-on-one meetings**
- Presentations**
- Conferences**
- Symposia**
- Workshops**



#6: L-M Grants Program

- Grants for novel approaches to collaborative L-M relations and problem solving
- Goal = improve L-M relationships, job security, and organizational effectiveness



#7: Employment Mediation (ADR)

- **Contracts with many federal agencies for mediation, training, facilitation**
- **EEO and other issues**
- **FY 2009 1,400 employment mediations**



#8: International Training and Exchange

- Promote CB and conflict resolution around globe
- Help establish labor relations institutions
- Level economic playing field by strengthening rule of law and workers' rights/core labor standards
- Educate mediators about global economy
- Better resolution of complex US-based disputes



#9: FMCS Institute for Conflict Management

- Training and education to labor + management practitioners from multiple organizations in off-site classroom format (cost-based/no profit to Agency!)

- Examples:
 - ✓ Conflict resolution skills
 - ✓ Collective bargaining
 - ✓ Arbitrator and arbitration skills
 - ✓ Facilitation process skills
 - ✓ Equal employment opportunity mediation skills
 - ✓ Cultural diversity
 - ✓ Workplace violence prevention



Initiative: First Contract Bargaining

- Key area for L-M relationship development
- How get past acrimony of campaign?
 - Employer anti-union campaign
 - Union promises to workers
- Start with relationship + communications
 - Share information
 - Engaged workers improve productivity/competitiveness
 - More realistic employee expectations
- Bargain only after relationship established



Initiative: Health Care/Wellness

- Key issue in most negotiations
- Employers demand worker “cost sharing”
- “Cost containment” better for both sides
- Impact of “Affordable Care Act”



Initiative: Health Care/Wellness

- Internal mediator training on key issues
- Grants to innovative joint programs
- Labor-management regional conferences
 - Labor and management experts
 - Industry analysts
 - Best practices
 - Practical guidance for negotiators



Initiative: Health Care/Wellness

→ In meantime – best practices

- Early intervention (at least 6 months before expiration)
- Committees and subcommittees
- Open information exchange
- Use facilitators to ensure progress



What is FMCS Doing to Improve Labor-Management Relationships?

- A lot!
- Wide variety programs/services
- Let us know how we can help you
- Tell us how we can improve our services