



Division 11 Personnel Management

Chapter 17 – Peer Mediation Program

March 2009

POLICY

The Department shall provide a voluntary process for employees and members to resolve workplace conflict that violates the Prince George's County Fire/EMS Departments Code of Ethics and the Equal Employment Opportunity policy.

DEFINITIONS

Peer Mediation - a process for employees to resolve disputes and conflicts in which a neutral third party acts as a moderator for the process. In peer mediation, trained mediator's help employees open up communications in order identify underlying causes of the conflicts in which they are engaged and find mutually agreed upon solutions. The goal is to work out differences constructively. Mediators help disputing parties to clarify their individual goals, resources, and options; to consider and better understand each other's perspectives; and, to make clear decisions for themselves that will result in a resolution of the conflict.

PROCEDURES

1. General Concept

This program has been created to further enable us to have a harmonious workplace. Talking about anger, conflict and differences is educational and creates healing in personal workplace relationships. Stress from conflict can escalate to the point where we work in quiet fear and anxiety, possibly becoming physically ill. Some individuals resort to violence because they have not learned to express themselves appropriately in conflict.

Resolution of conflict by a face-to-face meeting is more likely to result in long-term agreements that are adhered to by both parties because the participants take an active part in developing their solutions and open communication between both parties to avoid future disputes.

The program strives to help employees:

- Recognize the effectiveness of mediation
- Teach resolution communications skills
- Teach anger management
- Seek resolution with internal resources
- Encourage personal responsibility for ensuring a safe work environment

2. Resolution Process

Process Guidelines

Prior to filing a formal complaint, an employee may wish to explore the possibility of participating in peer mediation for workplace conflicts to include violations of the EEO policy. Peer mediation shall, involve a desire and willingness on behalf of participants to reach a reasonable conciliation that is acceptable to all parties involved.

Mediation can be used, with the approval of the EEO Counselor, as an alternative method for resolving conflicts relating to EEO violations.

Peer mediation can be requested by making a formal request thru the Office of Professional



Standards. The Peer Mediation Team Coordinator will contact the participant(s) and/or respondent(s) to explain the process, answer questions, and ascertain their willingness to participate in mediation. When a mediation request is received, the Peer Mediation Team Coordinator shall contact the complainant(s) and/or respondent(s) to ascertain their willingness to participate in mediation.

Mediation Session

If all parties agree to mediation, the Peer Mediation Team Coordinator shall arrange for the mediation session within ten (10) working days upon receipt of request. The mediation shall take place at a private, confidential forum normally during off duty hours, unless prior arrangements are made and approved.

Regardless of the success of mediation, the parties shall sign a form indicating mediation took place. This form shall be forwarded by the Peer Mediation Coordinator to the Office of Professional Standards for filing. The mediation form shall not include any factual background information regarding the dispute, but shall state whether conciliation was reached, as well as the substance of any resolution(s). The process is used to encourage cooperation and shared responsibility in the solution. Voluntary agreements represent the interests of both parties and are more likely to be honored over time. A mutual resolution means both parties win.

Limitations

Mediation is not a court hearing, witnesses are not necessary and it is not a process to determine guilt or innocence.

3. Mediation Personnel

The Peer Mediation Program is the responsibility of the Department's EEO Officer.

Mediators

The Department shall train interested personnel to serve as peer mediators. Interested participants shall complete a Peer Mediator Application Form (attachment #2) and forward to the Office of Professional Standards for consideration. The Peer Mediation Team Coordinator shall review the applications and recommend personnel to fill vacancies to Fire Chief or the Fire Chief's designee.

4. Responsibilities

Peer Mediation Team Coordinator

Responsible for the day to day operations to including:

- Maintaining a current list of Peer Mediation Team Members (attachment #1)
- Coordinating training activities
- Recommending personnel to fill vacancies to the Fire Chief or their designee

Department EEO Officer

The Department EEO Officer shall be responsible for program oversight.

5. Location

The Office of Professional Standards is located at 9201 Basil Court, Suite 356, the telephone number is (301) 883-5253.

6. Confidentiality



The parties, in agreeing to mediation, also agree to maintain the confidentiality of the proceedings. Furthermore, by agreeing to mediation, the parties agree not to introduce statements or assertions made during mediation, in a subsequent proceeding, whether administrative or judicial.

REFERENCES

Equal Employment Opportunity Act, Title VII of the Civil Rights Act of 1964 and 1991, Article 49B of the Annotated Code of Maryland, and the Human Relations Act for Prince George's County, Maryland.

FORMS/ATTACHMENTS

Attachment #1- Mediation Notice Form

Mediation Notice

To: Office of Professional Standards

For: Filing

From: Confidential EEO Mediation

Date:

On _____, 20____, an Equal Employment Mediation was held to mediate a dispute between
_____ and _____.
Complainant Respondent

The mediation took place _____ and was presided over _____.
Location Mediation Leader

As a result of the mediation process, conciliation was _____ was not reached by participants.

The following is the substance of any resolution(s) reached by the participants

Signature of Complainant

Signature of Mediator

Signature of Respondent