



ADMINISTRATIVE PROCEDURE

EMPLOYEE DISPUTE RESOLUTION

4176
Procedure No.

January 10, 2017
Date

- I. **PURPOSE:** To increase employee options in addressing workplace disputes and to encourage the prompt and efficient resolution of problems at the earliest opportunity.
- II. **BACKGROUND:** PGCPS recognizes the benefits of resolving disputes through informal means designed to decrease reliance on adversarial processes. It is the expectation of PGCPS that work-related disputes between employees be addressed in a manner that encourages constructive resolution of conflict and provides the opportunity for productive learning and work relationships.

III. **DEFINITIONS:**

Dispute Resolution Process – A structured process in which the Neutral Facilitator assists parties in reaching a voluntary settlement or resolution, such as mediation or facilitation.

Neutral Facilitator – An individual who is trained or experienced in providing dispute resolution services. This individual has no stake in the dispute or controversy other than to assist the parties in reaching an agreement or resolution.

IV. **PROCEDURES:**

A. **Referral**

When an employee has a conflict with another employee(s) which an immediate supervisor has been unable to resolve, the matter may be referred to a Neutral Facilitator for mediation by an employee or an employee’s supervisor. The referral form is attached as Exhibit A to this Administrative Procedure.

Examples of disputes that may be appropriate for referral include, but are not limited to:

- Disputes between colleagues stemming from differing personality types or work styles;
- Disputes related to perceived lack of clarity or consistency regarding work assignments, goals or expectations;
- A belief that PGCPS policies, practices, rules, regulations or procedures have been applied inconsistently;
- Behavior that one employee may perceive as disrespectful, bullying or harassment that is not premised upon an employee’s membership in a protected class; and
- General communication breakdowns/barriers.



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B. Process

1. **Voluntary** - Participation in a dispute resolution session is voluntary. All parties to a dispute must agree to participate in such process. No presumption of fault may be inferred from a party's decision to proceed or forgo the opportunity to engage in a dispute resolution process.
2. **Non-Exclusive** – Participants in the dispute resolution process do not forfeit the right or opportunity to participate in other appropriate procedures. Similarly, participants in other available procedures do not forfeit the right to participate in the dispute resolution process. However, participants may not use the dispute resolution process to revisit issues already resolved in a final decision or ruling on a grievance or complaint.
3. **Leave** – Employee time spent engaged in the dispute resolution process is considered a part of the employee's normal working time, and supervisors must make reasonable efforts to allow employees to participate in such process. Employees shall not be required to take annual or other leave to participate in the dispute resolution process.
4. **Confidential** – The Neutral Facilitator and the parties shall keep statements made during the dispute resolution process confidential. However, all participants, including the Neutral Facilitator, are required to report statements that reveal conduct that is criminal or that poses a clear threat to the safety of others.
5. **Agreement** – The parties are encouraged to memorialize the resolution of their workplace dispute in writing wherever possible. The purpose of such written document is to ensure that everyone involved in the dispute has a common understanding concerning the resolution of the dispute. Any agreement reached during the dispute resolution process should be provided to the parties and their immediate supervisors.
6. **Disciplinary Action** – Participation in the employee dispute resolution process will not stop or otherwise affect any pending disciplinary matter.

C. Exclusions

The Employee Dispute Resolution process is not available in the following circumstances:

1. Disputes that have been the subject of a final ruling or decision according to other policies or procedures.
2. Disputes involving criminal charges or serious threats to persons or property.



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3. Disputes that do not concern the official business of the school system.

- V. **RELATED PROCEDURES:** Administrative Procedure 4170, Discrimination and Harassment.
- VI. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** This Administrative Procedure originates from the Equal Employment Opportunity Advisor and will be updated as necessary.
- VII. **CANCELLATIONS AND SUPERSEDURES:** None. This is a new Administrative Procedure.
- VIII. **EFFECTIVE DATE:** January 10, 2017.

Attachment:

Employee Dispute Resolution Referral Form