

SERENITY BEHAVIORAL HEALTH SYSTEMS

SUBJECT: Mediation Procedure
POLICY NUMBER: HR-61.00
EFFECTIVE DATE: July 2004
SUPERSEDES: N/A
LAST REVISION DATE: December 2009

POLICY:

- I. The Mediation Procedure for Serenity Behavioral Health Systems (SBHS) is established to provide an informal, non-adversarial process in which employees and/or supervisors involved in work place may meet with a certified mediator. The intent is to resolve disputes between employees and/or supervisors by reaching a mutually satisfactory agreement. Both classified and unclassified employees may participate in mediation.
- II. Employees, supervisors or other authorized officials are encouraged to contact the Human Resource Department to discuss issues which may be appropriate for mediation. Employees who are attempting to informally resolve disputes by requesting mediation prior to filing formal grievances should be mindful of filing deadlines within the grievance procedures.

ISSUES ELIGIBLE FOR MEDIATION

Disputes between employees (co-workers) or between employees and their supervisors which are work-related may be appropriate for mediation. The issues may relate to a specific occurrence or may be ongoing.

ISSUES NOT ELIGIBLE FOR MEDIATION

Mediation is not appropriate in some matters including, but not limited to, the following:

- A. Issues which are pending or have been concluded by direct appeal to the State Personnel Board, the Georgia Commission on Equal Opportunity, or through other administrative or judicial procedures;
- B. Allegations of unlawful discrimination or sexual harassment;
- C. Pending staff reduction or other related actions, and,
- D. Actions involving separations, demotions, salary reductions or suspensions with or without pay.

INITIATING THE MEDIATION PROCESS

- I. A supervisor may request that a mediation session be scheduled to resolve disputes between co-workers.
- II. An employee may request that a mediation session be scheduled to resolve disputes with a co-worker or supervisor.
- III. A supervisor may request that a mediation session be scheduled to resolve disputes with a subordinate employee.
- IV. Requests for mediation are to be submitted to the Human Resource Manager by using SBHS Mediation Request Form 876.

NOTE: The Human Resource Manager may initiate mediation when work-related disputes are brought to their attention and mediation is determined appropriate.

REVIEW & NOTIFICATION

- I. The Human Resource Manager will review all requests to determine if mediation is appropriate.
- II. If it is determined that mediation is not appropriate, the Human Resource Manager will provide written notification with reasons for denial within five (5) workdays.
- III. If mediation is determined appropriate, the Human Resource Manager will schedule the mediation session.
 - A. The Human Resource Manager will coordinate the assignment of a certified mediator.

NOTE: The mediation cannot be related to any person involved in the dispute or employed in the direct line of authority of any person involved in the dispute.

- B. The employees and/or supervisors involved will be advised when a mediator has been assigned. Written notice of the time and location of the session will also be provided.

CONDUCT OF MEDIATION SESSION

- I. The mediator will conduct the session and work directly with the participants through the mediation process.
- II. The mediation session will not be taped.

- III. Only the persons involved in the dispute and the mediator are to be present in the session unless it is to be observed for training purposes. Participation of third parties is prohibited in the mediation process.
- IV. The mediator listens to the persons involved in an effort to learn how they would like to resolve the problem.
- V. The mediator does not decide who is right, but helps the participants to agree upon a solution which they deem as fair and reasonable.
- VI. If an agreement is reached, the terms are written down by the mediator and signed by both participants.
 - A. The mediation settlement agreement cannot violate laws, Rules of the State Personnel Board or SBHS policies.
 - B. All mediation participants must comply with the terms of the mediation settlement agreement, unless modified by mutual consent.
 - C. The mediator will forward a copy of the mediation settlement agreement to the Human Resource Manager. If an agreement is not reached, the mediator will close the session and notify the Human Resource Manager of non-agreement.

ATTACHMENT:

[SBHS Mediation Request Form 876](#)

APPROVAL SECTION:

Chief Executive Officer

Date

Committee Chair

Date

RECISSION SECTION:

Chief Executive Officer

Date

REVIEW SECTION:

Committee Chairperson

Date

Committee Chairperson

Date

Committee Chairperson

Date