

**State of Michigan
Civil Service Commission**

Capitol Commons Center, P.O. Box 30002
Lansing, MI 48909

Position Code

1.

POSITION DESCRIPTION

This position description serves as the official classification document of record for this position. Please complete the information as accurately as you can as the position description is used to determine the proper classification of the position.

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|---|---|
| 2. Employee's Name (Last, First, M.I.) | 8. Department/Agency LEO-LABOR AND ECON OPPORTUNITY |
| 3. Employee Identification Number | 9. Bureau (Institution, Board, or Commission) Bureau of Employment Relations (MERC) |
| 4. Civil Service Position Code Description Labor Mediator-E | 10. Division Mediation |
| 5. Working Title (What the agency calls the position) Labor Mediator | 11. Section |
| 6. Name and Position Code Description of Direct Supervisor MCBRIDE, SIDNEY; STATE DIVISION ADMINISTRATOR | 12. Unit |
| 7. Name and Position Code Description of Second Level Supervisor MCBRIDE, SIDNEY; SENIOR MANAGEMENT EXECUTIVE | 13. Work Location (City and Address)/Hours of Work OFFICE: Hybrid at Cadillac Place Building, Detroit, MI and Home Office HOURS: 40 hours/week, irregular hours Servicing mostly SE MI, other area as work necessitates |

14. General Summary of Function/Purpose of Position

The MERC Labor Mediator skillfully provides interactive and impartial mediation services to assist parties in the voluntary resolution of workplace disputes—

- Involving contract negotiation and contract grievances in the public and private workplaces;
- MERC cases outside of the Mediation Division;
- Workplace related grievance disputes of other state agencies, where appropriate.

The position also provides outreach services to parties, constituents, employers and labor organizations through trainings, presentations, conferences, webinars and written materials.

All work assignments are performed using various methods including in-person, virtual, hybrid and remote technology.

15. Please describe the assigned duties, percent of time spent performing each duty, and what is done to complete each duty.

List the duties from most important to least important. The total percentage of all duties performed must equal 100 percent.

Duty 1

General Summary:

Percentage: 60

Using the appropriate skills, schedule and conduct mediation sessions to assist union and management representatives to resolve outstanding disputes involving labor contract negotiations and alleged contract violations in public and private sector workplaces throughout Michigan.

Mediation activity involves conducting joint and separate meetings of the involved party representatives using in-person and virtual means.

Individual tasks related to the duty:

- Promptly schedule and conduct mediation conferences and provide prompt case/ system updates.
- Conduct mediation conferences using the most appropriate and efficient means be it in person, virtual or hybrid.
- Obtain a reasonable understanding of the pending disputes issues prior to conducting each mediation conference.
- Maintain neutrality throughout the process when in discussion and review with parties on areas of compromise and agreement.
- Actively engage and facilitate discussion on alternative options to help resolve areas of dispute.
- Establish and maintain a collaborative working environment during the process.
- Remain open to offer options and proposals for discussion and/or resolution.
- Assist drafting and editing proposals for review, acceptance and final ratification by parties.
- As appropriate, alert parties to potential pros, cons and ambiguities of drafted language, proposals and other related areas.
- As appropriate, prepare and offer written "mediator recommendations for settlement" on stalemated issues.

Duty 2

General Summary:

Percentage: 25

Conduct, facilitate and participate in the mediation of labor relations division cases (e.g., ULP, Elections, etc.) and other agency approved alternative dispute resolution processes such as Collaborative Bargaining, Last Offer Elections.

Mediate non-labor contract workplace disputes and grievances, as appropriate.

Assist parties and constituents with various collaborative activities, meetings, conferences and trainings.

Conduct and/or participate in agency sponsored outreach activities including presentations, seminars, conferences and training initiatives, as well as, others related activity.

Individual tasks related to the duty:

- Schedule events, meetings and activities after contact with the parties and/ or representatives.
- Conduct or participate in the various activities using the most appropriate means be it in-person, virtual or hybrid.
- Maintain neutrality in carrying out any work activity while also engaging parties' and participants to review and discuss the relevant subject matter areas, alternatives and possible outcomes.
- Assist parties in various labor-management collaborative activities including facilitation of meetings and training.
- Any of the tasks listed under Duty 1, as appropriate.

Duty 3

General Summary:

Percentage: 10

Timely record/ input case information and activity into the established systems (e.g., Outlook calendar and agency's case management system) including but not limited to meetings, trainings events and closings.

Review and monitor assigned cases that proceed to Fact Finding and Act 312 Arbitration.

Individual tasks related to the duty:

- Maintain calendar and system updates on all assigned cases.
- Promptly appropriate scheduled and held mediation conferences in case management system and Outlook calendar within 48 hours of occurrence.
- Ensure proper closure of cases upon settlement of the dispute.
- Submit timely mediation activity reports, as required.

Duty 4

General Summary:

Percentage: 5

Perform other duties, as assigned.

Individual tasks related to the duty:

- Consult with supervisor and/or other staff on significant cases and/or mediation division activity, as requested.
- Perform other duties, as assigned.
- Consult with Mediation Supervisor, Bureau Director on significant cases, or as requested.
- Prepare any written reports, presentations or other materials related to mediation division activity, as required.

16. Describe the types of decisions made independently in this position and tell who or what is affected by those decisions.

- Extensive independent judgment is required to carry out assignments, especially those having a substantial impact on the outcome of the parties' dispute, as well as the services and/or programs provided by the agency and Commission.
- Materials and guidelines are available (but limited) on the methods, protocols, principles, and practices of the professional labor mediator to help to determine appropriate courses of action.

17. Describe the types of decisions that require the supervisor's review.

Decisions in unusual or difficult situations, such as:

- Work stoppage—actual and threat.
- Plant or business closing or relocation out of state.
- Situations that would suggest intervention to minimize conflict.
- Situations presenting conflicts in existing policies, practices and legal authority

18. What kind of physical effort is used to perform this job? What environmental conditions in this position physically exposed to on the job? Indicate the amount of time and intensity of each activity and condition. Refer to instructions.

Irregular hours and sometimes long continuous work sessions extending outside of regular work hours; substantial travel; working with disputes of intense public interest, often controversial, dealing with organizations and people very hostile to each other and sometimes to the neutral mediator; working with cases involving local, state or municipal political issues; ability to maintain impartial attitude and neutral role in conflict situations; ability to maintain acceptability with the parties involved; need for extraordinary physical, mental and emotional stamina.

19. List the names and position code descriptions of each classified employee whom this position immediately supervises or oversees on a full-time, on-going basis.

Additional Subordinates

20. This position's responsibilities for the above-listed employees includes the following (check as many as apply):

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|---|------------------------------------|---|-----------------------------------|
| N | Complete and sign service ratings. | N | Assign work. |
| N | Provide formal written counseling. | N | Approve work. |
| N | Approve leave requests. | N | Review work. |
| N | Approve time and attendance. | N | Provide guidance on work methods. |
| N | Orally reprimand. | N | Train employees in the work. |

22. Do you agree with the responses for items 1 through 20? If not, which items do you disagree with and why?

Yes

23. What are the essential functions of this position?

- Effectively mediate disputes involving contract bargaining and grievance violations between unions and employers to limit or reduce workplace disruptions and promote collaborative working operations in public and private sector workplaces.
- Provide a working knowledge to unions, employers and workers on the applicable labor laws and statutes, personnel practices and the theory and principles of the collective bargaining and mediation process.
- Provide timely and accurate case scheduling, reporting and status updates to comport with agency protocols.

24. Indicate specifically how the position's duties and responsibilities have changed since the position was last reviewed.

No Changes.

25. What is the function of the work area and how does this position fit into that function?

This position functions principally by providing non-binding mediation assistance to parties seek voluntary resolution of labor disputes before moving to the next step often involving adjudication of the dispute. The work functions performed are supported by various state statutes and legal authority including-- Taft-Hartley Act or 1947, Labor Relations and Mediation Act (LMA), Public Employment Relations Act (PERA), Compulsory Arbitration (Act 312); Compulsory Arbitration of State Police Troopers and Sergeants (Act 17 of 1980), MERC's General and Act 312 Rules and more.

Additionally, the position conducts various outreach programs and initiatives geared to better educate and promote improve working relations between labor and management groups in the private and public sectors.

26. What are the minimum education and experience qualifications needed to perform the essential functions of this position.

EDUCATION:

Possession of a bachelor's degree with a major in labor relations, business administration, industrial psychology, personnel management, or public administration or legal related studies or educational substitute per civil service descriptions.

EXPERIENCE:

Prefer: Minimum five years in labor relations or related area with substantial involvement in the collective bargaining process such as a chief spokesperson in contract negotiations or grievance processing.

Labor Mediator 14

Three years of professional experience in the field of labor relations or personnel management, including two years of substantial involvement in the settlement of labor-management problems such as the resolution of grievances, the settlement of contract interpretation disputes, and/or the negotiation of collective bargaining agreements.

Labor Mediator P15

One year of professional experience in labor mediation activities equivalent to a Labor Mediator 14.

Alternate Education and Experience

Labor Mediator 14 - 16

One year of professional experience in the field of labor relations involving the settlement of labor-management problems such as resolution of grievances, settlement of contract interpretation disputes and negotiation of collective bargaining agreements, may be substituted for one year of college, up to a maximum of four years. (Experience used to substitute for the required education may not also be used to meet the required experience.)

Possession of a master's degree with a major in labor relations, industrial relations, or industrial psychology may be substituted for one year of experience in the field of labor relations or personnel management.

KNOWLEDGE, SKILLS, AND ABILITIES:

Perform as a “quick study” to understand and analyze complex issues in a short period of time.
Effectively evaluate and recommend appropriate actions to disputants in a neutral and effective manner.
Perform under pressure as well as under emotionally charged situations while remaining calm and composed.

CERTIFICATES, LICENSES, REGISTRATIONS:

Valid driver’s license

NOTE: Civil Service approval does not constitute agreement with or acceptance of the desired qualifications of this position.

I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.

Supervisor

Date

TO BE FILLED OUT BY APPOINTING AUTHORITY

Indicate any exceptions or additions to the statements of employee or supervisors.

N/A

I certify that the entries on these pages are accurate and complete.

Appointing Authority

Date

I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.

Employee

Date