



NORTH CAROLINA DEPARTMENT OF TRANSPORTATION MEDIATION PROGRAM



**NCDOT is an Equal
Opportunity Employer**

What is Mediation?

Mediation is an informal, semi-structured process where parties involved in a conflict or dispute use the assistance of a neutral third party to attempt to resolve their conflict(s) or dispute(s) in a mutually acceptable manner.

Program Objective:

It is the intent of the Department to provide a means to assist employees in working through and resolving conflicts and disputes together at the lowest level possible, thereby avoiding the grievance process. Mediation is not a step in the Grievance Procedure.

What is a Mediator?

A Mediator is an NCDOT approved neutral third party whose role is to guide the mediation process, facilitate communication and help the parties generate and evaluate possible outcomes for resolution. A mediator does not act as a judge and does not render decisions.

Who is eligible for Mediation?

This policy applies to all NCDOT full-time and part-time employees with permanent, probationary or trainee appointments.

Issues for Mediation:

Mediation is an appropriate tool for dealing with most inter-personal and work-related conflicts and disputes, office behaviors, issues of respect, cooperation and poor communication.

It is also an effective tool for addressing conflicts and disputes related to work assignments and duties.

Confidentiality

The mediation process shall be kept confidential to the extent permitted by law.

How to initiate mediation:

- ◆ The first step of the mediation process is for an employee to contact his/her Employee Relations Representative to obtain a Mediation Request Form. The Employee Relations Representative is available to answer all questions about the mediation policy and process. Either party may initiate access to the mediation process. It can also be initiated by a manager or supervisor who has identified a conflict or dispute between subordinates, and he/she feels that the issues are appropriate for mediation. Mediation is a voluntary process for all parties.
- ◆ The Employee Relations Representative will submit the Mediation Request Form to the Mediation Intake Coordinator within two (2) working days upon receipt. Employees may contact the Mediation Intake Coordinator directly at 919-661-4803. The Mediation Intake Coordinator will submit the Mediation Request Form to the Program Administrator. The Administrator will determine if the issue is appropriate for mediation. If it is not, the employee will be provided an explanation for the decline within two (2) days of decline. If the issue is

determined to be appropriate for mediation, the Mediation Intake Coordinator will contact all parties and assign a mediator.

Who is the Mediator?

- ◆ NCDOT Employee Relations Representative
- ◆ Another assigned mediator from the NCDOT mediation pool
- ◆ Assigned mediator from another State agency

Mediation Procedures:

- ◆ Once the mediator is assigned, he/she will be responsible for contacting all parties, securing an agreement to mediate and scheduling the mediation. The mediator is required to schedule the mediation within ten (10) working days of assignment.
- ◆ During the mediation process, each party will have an opportunity to communicate his/her views on the dispute and offer recommendations for resolution.
- ◆ If successful mediation occurs, both parties and the mediator will sign a written Mediation Agreement. This Agreement is binding.
- ◆ Any party may withdraw from the mediation at any time during the process. The mediator also has the option to cease mediation at such time he/she feels the parties cannot reach an agreement.