

MEDIATION PROCESS FOR NRCS, SDACD, and CONSERVATION DISTRICT PERSONNEL

Given the long and close association that NRCS, Conservation District personnel, and the SDACD have enjoyed, some disputes between agency and CD personnel may be unavoidable. This process has been established to provide an alternative, nonadversarial way to resolve workplace conflicts or disputes with NRCS and partners.

The mediation process utilizes a third party to assist in identifying and communicating problems as they pertain to the working relationship between NRCS and CD boards and personnel. Parties participate voluntarily in the process and both agree to a mutually satisfactory resolution. The resolution is not binding nor mandatory. It reflects instead, a willingness of the parties to see both sides of the issues and improve the working relationship as best they can. This program is not intended to supersede or compromise employee rights.

When Mediation is Appropriate

Mediation is an appropriate avenue when (1) the in-house mediation process has failed, ie a meeting with a representative from the area SDACD, the ASTC-FO, representative from the SDACDE and the persons in dispute, (2) the problem is or has the potential to become long standing, and (3) the parties involved are willing to seek an agreement that both can live with, at least to a level that fosters a working relationship.

Probably the most sensitive issue regarding mediation is how to determine when to seek mediation, who should be the initiating party and who should be involved. Mediation can be requested by NRCS personnel such as the District Conservationist, Assistant State Conservationist for Field Operations, the affected NRCS field office staff, Conservation District Board members or Conservation District personnel. Concurrence should be sought from the CD Board and ASTC-FO as well as the personnel involved in the dispute. A determination must also be made that the personnel involved will respond to mediation, since it is a voluntary process.

Where Will Mediation Take Place

Sessions will be scheduled in a mutually agreed to, neutral location. Motels, community centers, county or city libraries, places of worship, and some local businesses may have meeting rooms available for use. It's important that the sessions take place off site from the work place.

What Takes Place During the Mediation Process

Mediation sessions involve analyzing the relationship, identifying specific problem areas, developing mutually agreeable objectives to address the problem and agreeing on action steps and time tables. The mediation process may involve several meetings before an agreement is reached.

Mediators

Mediators are people trained to facilitate mediation sessions. They are not arbitrators and are completely neutral. A list of mediators will be available to the personnel involved in the dispute from which to select. The selected mediator shall be agreeable to all parties involved. The mediators on this list are not associated with any Conservation District or Federal entity. Mediators will also be involved in follow-up sessions in order to track the progress made towards resolution of the dispute.

Since mediation is a non-binding, voluntary process, participants may not be able to reach a mutually satisfactory resolution or may not follow through on the agreed to action items. In that case, it's up to the Conservation District Board, SDACD, SDACDE and NRCS to decide on the next step together.