



FMCS

FEDERAL MEDIATION &
CONCILIATION SERVICE



Congressional Submission

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FISCAL YEAR 2017

Congressional Budget Submission

&

Annual Performance Plan

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Fiscal Year 2017 Budget Estimates

I. Executive Summary

New technologies and business models are fundamentally changing nearly every sector of the U.S. economy. Driven largely by the ongoing evolution from a manufacturing based economy to one that is more service and knowledge based, this transformation presents enormous challenges and opportunities. Just as in earlier periods of economic transition, however, the current evolution also increases the likelihood of workplace conflict. Thus, while policy makers debate the “future of work” and the very definition of “the workplace,” workers and businesses are increasingly concerned about securing their own futures *now*.

Many disputes are taking place in traditional labor-management settings and in conventional industries and sectors of the economy, such as cargo shipping, oil refining, and automobile and steel manufacturing. Others are playing out among low-wage workers and those participating in the “gig” economy and who are increasingly taking their demands for better wages and working conditions to the streets and to state legislatures and local governments. Whatever the setting, these labor disputes are presenting the business community with complex decisions relating to costs, hiring and retaining skilled workers, managing technology, and competing globally.

Nearly 70 years ago, Congress had the wisdom and foresight to recognize that although workplace conflict is inevitable, disruptive work stoppages need not be. Managing conflict or preventing it altogether was seen as the best way to avert adverse economic impacts. Congress created the Federal Mediation and Conciliation Service (FMCS) in 1947 with the explicit objective of “assist[ing] parties to labor disputes in industries affecting commerce to settle such disputes through conciliation and mediation.”

In subsequent years, Congress recognized the additional economic benefits of a more proactive approach to workplace stability. Good labor-management relationships, collaboration, and pragmatic problem solving between companies and their workers not only prevents disputes, but also significantly contributes to increased competitiveness, job growth, and enhanced economic well-being. Through the Labor-Management Cooperation Act of 1978, Congress provided FMCS with robust grant-making authority to encourage the establishment of local, regional or industry-wide labor management committees to improve labor management relationships, involve workers in decisions affecting their jobs, and to promote job security, organizational effectiveness, and economic development.

In 1990, Congress further tasked FMCS to use its conflict management expertise to help sister Federal agencies reduce the excessive time and costs spent on litigating disputes arising under their statutory jurisdictions. FMCS was named as a “go-to” resource for resolving individual employment disputes, as well as conflict resolution training and systems design. Congress also encouraged agencies to use FMCS facilitation services to achieve stakeholder consensus on new regulations and to conduct more effective multi-stakeholder public policy dialogues.

FMCS has a proud record of success in helping parties resolve disputes, learn joint problem-solving skills, and create successful, collaborative problem-solving relationships. Every day, the Agency’s small corps of skilled, professional mediators applies cutting-edge conflict resolution strategies to enhance organizational effectiveness, improve competitiveness, job security, and organizational efficiency. As the nature, complexity, and range of the issues confronting business and labor have evolved, so too has FMCS, constantly seeking new and innovative methods to prevent disruptions to the U.S. economy, to reduce costs to U.S. taxpayers, and, most importantly, to help business and labor succeed in the changing economy.

The 2017 Budget requests \$50.7 million for FMCS, a \$1.9 million increase over the 2016 enacted level. This reflects the elimination of the one-time relocation costs provided in the 2016 enacted level, inflationary increases to cover pay and rent, as well as a proposed expansion in the agency’s labor-management grants to support area- and industry-wide labor-management partnerships.

A. Rising to the Challenge of the 21st Century Workplace

FMCS was born during the economic turmoil following the Second World War. Then, the U.S. was in the final stages of the disruptive transition from an agricultural to an industrial economy. In this second decade of the 21st century, the U.S. is at a similar point, this time in the transition from a manufacturing economy to one driven by advanced technology, knowledge, and services.

Although labor and management have resolved many recent conflicts in legacy industries within the framework of traditional collective bargaining, new forms of bargaining have emerged in new segments of the economy, such as multi-party dialogues and local legislative initiatives, including high profile social media campaigns and community-based rallies to achieve increased minimum wages and paid sick leave. At the same time, there has been a surge of traditional organizing and demands for collective bargaining among "new economy" and previously unorganized workers, such as digital media professionals, adjunct college and university professors, campus resident advisors, "tech" transportation workers at companies like Uber, Bikeshare, Megabus, Compass and Loop, retail industry workers, and physicians serving as hospitalists.

Regardless of the forum or framework, the issues now and in 2017 are fundamentally the same: workers seeking to improve their terms and conditions of employment and businesses seeking to ensure their competitiveness and profitability. In all cases, FMCS’s highly skilled, professional mediators are uniquely positioned to help parties find durable solutions in a transitioning economy.

FMCS understands that just as business and labor must innovate and embrace new workplace models during times of change, so too must FMCS. Accordingly, the agency recently engaged in an in-depth review of its operations and updated its structure and services to ensure the operational excellence, employee engagement, and culture of innovation needed to meet the evolving needs of its labor, management and government customers.

FMCS is proud of its accomplishments to date and looks forward, in 2017, to intensifying its efforts to educate and inform business and labor of the value and benefits of the Agency's training, facilitation, and dispute resolution services. In 2017, FMCS will increase its efforts to:

- Inform workers and companies about the value of good labor-management relationships, developed through on-going joint problem-solving, open communications, respect, trust and transparency, specifically through the use of web-based technologies, social media, and the return of the highly acclaimed FMCS National Labor-Management Conference.
- Help labor and management leaders embrace the massive generational shift underway in their workplaces so that together they can address issues of recruitment, retention, and job satisfaction among young workers.
- Launch a Young Labor-Management Leaders Academy to prepare the next generation of labor and management leaders in inclusive leadership and problem-solving skills.
- Incorporate cutting edge theory, such as conflict neuroscience, into training, relationship, and bargaining processes.
- Offer its expertise in varied models of bargaining from traditional, to modified traditional, expedited, interest-based, and what FMCS calls the affinity model of economic bargaining.
- Help sister government agencies manage their disputes and resolve stakeholder conflict through alternative dispute resolution processes, including the facilitation of public policy discussions, and negotiated rulemaking.
- Leverage FMCS mediators' unparalleled conflict resolution experience and skills, both nationally and internationally, across all sectors, industries, and dispute arenas, at the workplace and the bargaining table, in the public policy arena, and in skills development forums, to improve relationships and create the trust, respect and problem-solving skills essential for continued economic growth, increased job security, and greater efficiency in the provision of government services.

B. External Operations: Mediation and Conflict Management

With its history of nearly 70 years of providing mediation, training, and facilitation services, FMCS has more aggregate experience in dispute resolution than any other government agency. For the U.S. economy, the FMCS's statutory mandate to "prevent" or "minimize" labor disputes remains as vital today as it was when the agency was created.

Managing Bargaining Challenges: Recent Major Contract Negotiations

Even the best labor-management relationships can be challenged when negotiations involve the kinds of multiple and complex issues currently facing most bargaining partners. This reality was powerfully demonstrated throughout 2015 by a number of high profile disputes, some of which are listed below, in which the parties jointly requested FMCS mediation services to bring their negotiations to a successful conclusion.

- **Atlanta Symphony Orchestra Players' Association (ASOPA), the Atlanta Symphony management and the Woodruff Arts Center.** Following the second lockout of musicians in two years, the agreement reached by the parties helped ensure the continuing viability of one of the South's premier cultural institutions.
- **International Longshore and Warehouse Union (ILWU) and the Pacific Maritime Association (PMA).** Following nearly six weeks of intensive negotiations with the FMCS top dispute mediator, and the 11th hour assistance of Secretary of Labor Thomas Perez, Secretary of Commerce Penny Pritzker, and Los Angeles Mayor Eric Garcetti, a complete shutdown of West Coast shipping operations was avoided. Analysts had predicted that a 10-day shutdown of the West Coast ports would have cost the U.S. economy \$2.1 billion a day.
- **Major League Soccer (MLS) and the Major League Soccer Players Union.** With assistance from FMCS, a new 5-season collective bargaining agreement "will provide a platform for our players, ownership, and management to work together to help build Major League Soccer into one of the great soccer leagues in the world," stated MLS Commissioner Don Garber.
- **FairPoint Communications, Inc., the International Brotherhood of Electrical Workers (IBEW) and the Communications Workers of America (CWA).** An 18-week work stoppage impacting telecommunications services and delivery in the northeastern United States was successfully concluded when the parties resumed bargaining at FMCS Headquarters in Washington, DC with FMCS leadership.
- **National Nurses United (NNU) and the University of Chicago Medical Center (UCMC).** With FMCS assistance, issues surrounding the use of ratios versus an acuity-based system for staffing, team leads, charge nurses, elimination of rotation positions, and other staffing concerns, along with Ebola

treatment, union access, and many economic issues were ultimately resolved in a final, full day of bargaining that lasted until early the next morning.

- **Kaiser Permanente and the Coalition of Kaiser Permanent Unions.** A team of FMCS mediators helped the parties reach agreement in the largest private-sector contract talks in the United States in 2015. The three-year, national contract covering 105,000 Kaiser Permanente health care workers used an interest based bargaining model to develop new quality, safety, and affordability standards.
- **United Steelworkers (USW) and U.S. Oil Facilities.** For the first time in 35 years, negotiations broke down between these parties and oil workers from coast to coast went on strike in February 2015. After agreement on national issues was reached, local negotiations faltered and work stoppages continued at a number of locations. FMCS mediators assisted in the settlement of all these disputes over several months.
- **NY State Nurses Association (NYSNA) and NYC Hospital Alliance.** A team of senior FMCS mediators helped the parties avoid what would have been the largest nurses' strike in New York City history.
- **Consolidated Nuclear Security (CNS) / Pantex and the Amarillo Metal Trades Council.** Pantex is the nation's primary facility responsible for production and maintenance of the U.S. nuclear warhead arsenal. Senior FMCS mediators helped the parties through lengthy and difficult talks until they reached agreement.

Managing Bargaining Challenges: Anticipating Major Contract Negotiations.

In 2017, FMCS expects to receive approximately 21,000 notices of expiring collective bargaining agreements. Some 250 of the known expiring contracts involve bargaining units of 1,000 members or more and represent a total of more than 1.1 million members. Many of these expiring agreements are in key private sector industries, such as food service, manufacturing, construction, health care, sports, and entertainment.

- In March, 2016 contracts covering more than 40,000 supermarket workers in Southern California will expire. In October, 15,000 workers at Fry's food stores in Arizona will likewise have their contract expire. On the East Coast, contracts for more than 20,000 workers at Giant and Safeway in the greater Baltimore, MD area will also expire at the end of that month. In the greater Atlanta, GA region, more than 11,000 Kroger workers will be renegotiating their contracts in March, 2017.
- On December 1, 2016 contracts covering the thirty clubs of Major League Baseball (MLB) will expire. Although these contracts include only 1,200 players, the national impact of these negotiations includes tens of thousands of

restaurant, hotel, and other service and professional employees who earn their livings from the sport.

- Midwestern meatpacking facilities, including Cargill, Tyson, and National Beef will have contracts covering at least 7,000 expire in late December and early January, 2017.
- Major equipment manufacturers will also be renegotiating contracts in the spring. These include more than 4,500 Sikorsky workers in Florida and 9,600 Caterpillar workers in Peoria, IL. By the end of July, more than 8,000 Goodyear Tire employees will also be looking for a new contract.
- Defense industries also face a number of large contract renegotiations in 2017. In July, more than 11,000 workers at Newport News Shipbuilding will be renegotiating a new contract. In September, 1,500 workers at Lockheed Martin in New Jersey and 2,300 at Raytheon in Massachusetts will likewise be in negotiations.
- Health care facilities will also feature prominently in the years' negotiations. Approximately 15,000 Dignity Health employees in California will be seeking a new contract in April and more than 30,000 Kaiser Permanente employees at facilities in California will be renegotiating contracts in August and September, 2017.
- Finally, 165,000 members of the Screen Actors Guild-American Federation of Television and Radio Artists (SAG-AFTRA) will be renegotiating their contracts in June, 2017.

Appendix A contains a complete listing of these other large negotiations anticipated in 2017.

Promoting Collaborative Solutions: Labor-Management Training

While the Agency's first priority must always be to prevent or to promptly resolve labor disputes that could have an immediate adverse impact the U.S. economy, FMCS experience demonstrates the enormous value of training parties in the tools and techniques of collaboration and joint problem-solving well in advance of any contract dispute. In the private, public, and federal sectors, FMCS offers a wide range of programs designed to prevent workplace disputes and improve labor-management relationships by helping the parties develop collaborative, problem-solving approaches for managing conflict. Developed through decades of hands-on dispute resolution experience, the FMCS labor relations model encourages an ongoing, joint problem-solving approach characterized by open communications, respect, trust, and transparency.

In the private sector, this approach was best demonstrated recently by a specialized program FMCS delivered for the United Auto Workers (UAW) and the Ford Motor Company (Ford) national negotiating committee. The UAW and Ford had previously

changed their approach to labor relations and bargaining as a result of the devastating impact of foreign competition on Ford products in the early part of this century. As a result, the company not only survived but even prospered following the Great Recession in large part because of the problem-solving, collaborative relationship the parties had spent years cultivating.

In anticipation of major contract negotiations in the summer of 2015 and high internal expectations resulting from the Company's recovery, the UAW and Ford jointly approached FMCS to train their combined company-wide negotiations committee at a pre-bargaining conference, nine months before contract expiration. Both sides recognized that the 2015 round of bargaining could be especially contentious if their leadership throughout the country—not just at the national/corporate level—did not have additional training conducted by well-respected neutral experts in the collective bargaining process.

A team of FMCS mediators worked closely with the UAW and Ford to design a full day training program for 150 negotiation committee members. Twelve FMCS mediators, divided into two-person teams, delivered five training modules. For each of the following modules, the concept was presented then followed by interactive exercises: (1) building trust and respect; (2) collaborative behavior and basic problem-solving approaches; (3) listening skills; (4) how to jointly collect facts and data; and (5) managing stakeholder expectations and social media. The program was so well-received that FMCS now offers a training program for bargaining committees modeled on the UAW-Ford training.

In the federal sector, FMCS will continue to build upon its important partnership with the Federal Labor Relations Authority (FLRA) to deliver training across the country on federal sector bargaining "Rights, Responsibilities, and Relationship-Building." A recent and well-received workshop involved the General Services Administration (GSA) and focused on the thorny recurrent issue of office relocations. FMCS is continuing to work with the FLRA to offer additional programs to reduce the conflict created by relocations and office space moves and to demonstrate how collaborative problem-solving techniques can enhance decision-making.

FMCS will also continue its important work promoting and supporting labor-management collaboration throughout the federal government through the labor management forums mandated by Executive Order 13522 to "promote satisfactory labor relations and improve the productivity and effectiveness of the Federal Government." In addition, the National Council on Federal Labor-Management Relations continues to call upon FMCS instructional design experts to develop and deliver interactive web-based training tools to improve forum performance. Since the President issued EO 13522 in late 2009, FMCS has provided over 270 Relationship, Development, and Training programs in support of labor-management cooperative efforts.

FMCS collaboration and training programs are highly sought in the public sector as well. For example, the City of Cuyahoga Falls, Ohio recently approached FMCS about taking a more collaborative approach to bargaining and improving their overall labor-

management relationship. FMCS mediators met with the parties, explained various collaborative bargaining models and trained the parties, at their request, in the Interest Based Bargaining (IBB) model. FMCS mediators provided additional training for committee members and have facilitated all committee meetings to date. Notably, these parties successfully addressed the often contentious issue of health care coverage, including, funding mechanisms, trends, wellness programs, and statutory requirements.

Promoting Collaborative Solutions: Labor-Management Grants

The Labor-Management Cooperation Act of 1978 created the FMCS grants program and authorized appropriations of up to \$10 million annually to finance this grant-making authority. The act directs FMCS to encourage and support joint labor-management activities conducted by plant, area, and industry-wide committees that are designed to improve labor-management relationships, competitiveness, economic development, and innovative joint approaches to achieving organizational effectiveness. Congress' intent was for FMCS to use its grants program to support and expand upon the success of locally created area labor-management committees.

Through its grants program FMCS provides support for plant, area, and industry-wide labor-management committees confronting a specific, definable problem for which they have developed a specific solution. FMCS intends that the funding it provides will seed innovative solutions through detailed, measurable, and benchmarked strategies identified in the grant application. The integrity of the grant funds are monitored through regular reviews, which include a local FMCS mediator assigned to the project, as well as monthly reporting to the grants manager. FMCS grantees are not permitted to use grant funds for training or other services available through FMCS's appropriated programs.

Successful examples of past grants include:

- In 2002, FMCS funded a labor-management coalition in the Upper Midwest, working to address rising health care benefit costs in Wisconsin, Minnesota, and Iowa. The grant led to the formation of the Labor/Management Health Care Coalition of the Upper Midwest, a fund that today includes 24 Taft-Hartley health and welfare funds with more than 290,000 covered lives—many of them individuals who otherwise might not have health insurance.
- In 2005, FMCS funded GrowJobsCT, a state-wide labor management program created to retain and expand manufacturing jobs in Connecticut. The labor-management partnership created with grant funding advanced educational and communications programs on manufacturing sector job creation for manufacturers, workers, media, and policy makers.
- In 2006, FMCS funded a project to increase the number of women and minorities in the skilled construction trades, as proposed by the Skilled Trades Diversity Council in Ithaca, New York. FMCS grant money helped to establish a pre-apprentice program with a focus on helping under-represented groups find skilled construction jobs. One female graduate founded and now runs her own

home repair business. As a result of the training, half of the graduates in the program's second year found skilled jobs. The financial support provided by FMCS enabled the council to secure other funding and to organize as a permanent program—ensuring that its good work on behalf of diversity would continue.

- In 2007 and again in 2015, an FMCS grant supported the regional expansion of the Chicago Manufacturing Renaissance Council (CMRC.) The effort by the Chicago Federation of Labor, the central AFL-CIO labor council in Cook County, and an alliance of businesses, workers, trade, and industry associations developed collaborative efforts that improved and strengthened regional businesses.

For 2017, the President's Budget seeks \$5 million for the FMCS grants program, an increase of \$4.6 million from 2016. This funding level marks a significant expansion of the program and is designed to use successful models to enable business and labor to jointly address the dramatic shifts in labor market trends to a more mobile workforce, a new generation of workers, and rapid advancement in technology-based work structures.

With additional funding, FMCS believes that it will be able to better respond to and appropriately provide support for initiatives designed to improve labor-management relationships at a moment when they are most needed. Enhanced funding will permit the wider use of time-tested, collaborative and cost-effective approaches for dealing with definable problems caused by the transitioning economy. Successful grantees, for example, will be able to create structures and mechanisms on an area- and/or industry-wide basis to address structural or systemic problems.

The ongoing shift in labor market trends, coupled with the fact that significant labor-management reform activity is taking place across industries and at the city, state, and regional level, requires greater efforts to coordinate activities and successfully prevent and manage the conflict that historically accompanies economic and technological change. Collaborative solutions, achieved through multi-stakeholder consensus and more permanent mechanisms for responding to workplace challenges as they arise are arguably more durable and cost effective than piecemeal approaches. With increased funding, FMCS believes that its grantees will have a greater capacity to meet their stated objectives and thus have a greater positive impact on labor-management relationships and the economic well-being of their communities. This change in focus to address community-wide and industry-wide challenges associated with the transitioning economy returns FMCS grant-making to a role originally contemplated by Congress in 1978.

Promoting Collaborative Solutions: Innovative Education and Outreach

FMCS recognizes that just as technology has changed the workplace; it has also changed the delivery systems for workforce education and training. For this reason, FMCS will continue to make broad use of innovative web-based technologies, not only to deliver training, but also to share labor-management success stories with its customers.

In early 2015, FMCS presented its second series of Conflict Resolution Week training programs with FMCS mediators delivering five webinars focused on “Maximizing Mediation.” These webinars provided over 400 widely dispersed participants from the private, public, and federal sectors with an opportunity to engage with FMCS mediators in real time and to learn about the mediation process, the role of the mediator, and best practices for improving outcomes. Post session evaluations confirmed the success of these webinars.

In 2017 FMCS will continue to build upon the success of the first two conflict resolution weeks, seeking to expand its audience and provide fresh and relevant programming. FMCS now offers periodic web-based “success stories” webinars highlighting the positive outcomes associated with FMCS conflict resolution services. In a cost-effective, web-based format, FMCS labor-management customers tell the story of their improved relationships and interact with the audience. These programs have become so popular that they are filling to capacity minutes after being announced. Indeed, the most recent event added a voice-only option to accommodate many more participants than expected and integrated an innovative “Live-Tweet Your Questions” option. Samplings of recent web-based outreach programming provided by FMCS mediators include:

- **From Adversaries to Allies: An Interest-Based Bargaining Success Story.** Described the journey of the Nevada Health District and SEIU 1107 from an adversarial relationship to one of mutual understanding and trust with the assistance of FMCS.
- **Clearing the Deck: A Grievance Mediation Success Story.** Described how NHS Human Services and AFSCME DC 88 in Philadelphia improved their labor-management relationship and learned to quickly resolve workplace conflict and potential collective bargaining disputes by utilizing grievance mediation as a tool for achieving voluntary settlement.
- **FMCS Grievance Mediation: Solving Disputes & Improving Relationships.** Described the process of grievance mediation and how parties might use this tool as a best practice for improved success in establishing better methods of communication and conflict management and to improve labor-management relations.
- **Mediación Federal: Más que Solo Mediación.** Developed for the Spanish-speaking labor-management community, this webinar, conducted entirely in Spanish by bilingual FMCS mediators, explained the role of the Agency, the process and benefits of mediation, FMCS services, and information on how to access them.

In addition to these remote, collaborative innovations, in 2016 FMCS will relaunch it’s highly acclaimed, National Labor-Management Conference (NLMC). The NLMC, held bi-annually from 1982 until 2008, successfully educated existing and prospective agency customers on cutting edge labor-management relationship building and dispute

resolution techniques as well as collaborative solutions to complex bargaining issues. In its first few years, the conference attracted hundreds of attendees from the labor relations community, eventually expanding into a 2½-day conference drawing more than 1,500 participants. FMCS NLMCs are known for providing high-quality, nationally known speakers and workshop presenters, and providing outstanding learning and networking opportunities for labor relations practitioners.

In response to significant expressions of interest from the labor relations community about reviving this event, FMCS will hold the 2016 NLMC in Chicago. The conference program will reflect the full range of issues and topics arising from the evolving workplace, while emphasizing FMCS messages on the value and benefits of labor-management collaboration and cooperation. Multiple workshops will highlight individual partnership success stories, with presentations by the parties describing their experiences and lessons learned. Others will address current trends and issues the parties are confronting such as multi-generational workplaces, social media and implications for labor dispute resolution, alternative bargaining models, and recruitment and retention challenges. The conference strengthens agency ties with existing customers, who often are presenters, and creates new customers for FMCS services among attendees.

Finally, FMCS continues to innovate with the production of on-line interactive instructional tools designed to help FMCS customers more effectively utilize its services. Recent topics covered the on-line filing of statutorily required §8(d) notices of contract expiration, how to properly apply for a labor-management grant, and effectively using FMCS negotiated rulemaking support services.

Alternative Dispute Resolution Services to Government

In addition to providing labor-management dispute resolution services, the Administrative Dispute Resolution (ADR) and Negotiated Rulemakings Acts of 1996 call upon FMCS to assist federal, state, and government entities in resolving disputes arising under their jurisdictions. On a cost-reimbursable basis, FMCS provides a wide variety of professional services to more than 130 federal agencies and bureaus. These services include: mediating employment disputes and disputes involving administrative programs; training in the skills and procedures of alternative dispute resolution; consulting, evaluating, designing, and building capacity in conflict management systems; facilitating public policy and intra/inter-agency discussions; and developing tools for interagency and public-private cooperation and collaboration.

During 2015, FMCS provided negotiated rulemaking services to the U.S. Department of Energy (DOE), which had a goal of defining energy efficiency standards for manufactured housing. FMCS mediators helped a working group successfully develop the draft standards. Those involved praised the facilitators for having played a critical role in convening industry, efficiency advocates, and consumer interest groups to negotiate an all-encompassing new efficiency standard. The parties successfully concluded the draft rule in less than four months—a particularly impressive feat given that industry consensus on the rule had been elusive for several years.

Also during 2015, in what has been hailed as the biggest energy-saving standards rulemaking in DOE history, FMCS assisted industry, government, and advocacy groups in achieving major new consensus energy standards for commercial heating and air conditioning equipment. The new standards have the potential to save nearly 15 quadrillion BTUs (quads) of energy over 30 years and reduce energy consumption and costs by billions of dollars over the lifespan of the equipment. DOE has asked FMCS to facilitate three additional rulemakings in 2016.

In 2015, FMCS also provided training to more than 20 agencies in the skills and procedures of alternative dispute resolution. These trainings included an agency-wide effort to assist the Social Security Administration's ADR program by training 6,000 supervisors and managers in the effective utilization of ADR. Additionally, in conjunction with the Office of Personnel Management (OPM), the Federal Executive Boards in Philadelphia, Detroit, Atlanta, Dallas, Washington, and Baltimore, and other federal agencies, FMCS provided basic, advanced, and refresher mediation Skills training to more than 320 neutrals for the Federal Neutral Shared Services and other federal agency ADR programs. The training included more than 120 IRS agents from the IRS Office of Appeals.

Based upon its proven record of past successes and a growing interest from other federal agencies, FMCS also expects to increase its work with federal regulatory negotiations in 2017.

C. Internal Operations: Securing the Future of FMCS Together

In the past year, FMCS began the serious work of ensuring that it was a model of government efficiency, integrity, employee engagement, and customer service. Since the last in-depth examination of agency structure, management, and services occurred nearly 20 years ago, FMCS began the year with a new initiative called "Securing the Future of FMCS Together." The purpose of the initiative was to engage all FMCS employees in mapping a path forward.

This initiative was particularly timely because, like many federal agencies, FMCS was experiencing many challenges related to employee recruitment, training, and retention. Two areas in particular raised concerns that FMCS was not fully prepared and positioned for the future.

Relating to personnel issues, FMCS had experienced three consecutive years of significant mediator retirements. In 2015 alone, FMCS lost 18 mediators to retirement with more than 379 years of combined mediation experience. In response, FMCS had recruited, on-boarded, and began training 18 new mediators, or slightly more than 10 percent of its mediator workforce. Training new mediators is a labor-intensive process, involving five weeks of formal classroom training and between six and 24 months of on-the-job training and job shadowing. Bringing a large number of new employees without previous federal experience into any organization presents challenges but it also provides an opportunity to create a consistent operating culture.

In its physical operations, FMCS is facing its most significant challenge of the past 40 years. In early FY 2017, the FMCS national office will be relocating from its long-standing address at 2100 K Street, NW in Washington, D.C. due to the planned demolition of the building it currently occupies. FMCS is taking the opportunity that the move presents by expanding its training and mediation space, shrinking the footprint that its support operations requires, and rethinking how employees can work together more effectively.

Embracing these challenges, the Securing the Future initiative centers around five themes: creating structural integrity and operational consistency; increasing compliance and strengthening internal controls; reforming hiring practices and managing performance; promoting employee engagement; and modernizing communications with customers.

FMCS is using the results of the annual Federal Employee Viewpoint Survey (FEVS) to help guide this initiative. The FEVS results have consistently recognized FMCS as one of the best places to work in the federal government, including a second place finish in calendar year 2014 and a first place finish in 2015 among small agencies. The survey also designated FMCS as one of the “most innovative” federal agencies, rating highly among 371 federal agencies and subcomponents for fostering innovation and motivating employees to develop new ideas on the job. Nevertheless, FMCS is focusing on areas of lower scoring to inform improvements across all areas of its internal operations.

Creating Structural Integrity and Operational Consistency

With the goal of ensuring structural integrity and creating operational consistency, FMCS reorganized the agency management structure to ensure better integration between field and national office operations. It is currently reviewing and revising standard operating procedures across the agency, has tasked a working group with developing succession planning guidelines, and is reviewing field office utilization for efficiency and cost-effectiveness.

FMCS continues to employ a well-developed system for evaluating the distribution and effectiveness of its field office staff and offices. This evaluation occurs on an annual basis and as retirements and attrition present opportunities for non-disruptive realignment of its personnel. With the majority of its employees involved in direct program delivery—175 employees (75 percent of its workforce) distributed across 67 field stations—FMCS makes sure to place employees in areas where they can provide the greatest benefit at the least cost. FMCS will continue to use a workload evaluation model to determine trends in specific field stations. The results help ensure that decisions to fill vacant mediator positions reflect the current and potential demand for FMCS services.

Increasing Compliance and Strengthening Internal Controls

In 2015, FMCS created a new position, Manager of National Office Operations, to oversee all administrative functions of FMCS. A critical part of the effort to improve compliance is the learning management system (LMS) that FMCS procured in 2015. The LMS tracks and records each employee’s completion of mandatory training, receipt of

internal memos, and other professional development activities. This system will provide critical support to insure that FMCS employees are continuing the culture of innovation and creativity necessary for the success of the FMCS mission.

For its financial operations, FMCS hired a new finance director to update FMCS policies, strengthen and document its internal controls, and update staff skills. Strengthened financial policies and procedures, uniformly applied, will improve FMCS's ability to transparently demonstrate effective and efficient use of public resources. Also in 2015, FMCS contracted with the National Archives and Records Administration (NARA) to review its records keeping policies and systems and in 2016 will complete staff training on the new policies and procedures recommended by NARA. Finally, FMCS is currently reviewing and updating, as necessary, all internal policy statements (FMCS Directives). By 2017, FMCS expects to have reaped the benefit of these initiatives and strengthened its performance in all of these areas.

Reforming Hiring Practices and Managing Performance

Small agencies often face a challenge in attracting talented job applicants. By 2017, and in the ensuing years, FMCS seeks to position itself as one of the most desirable places to work in government in order to attract the widest, most diverse, and best qualified applicants and to retain the best and most effective workforce. To this end, in 2015, FMCS hired a new human resources director with years of high-level experience at Department of Navy and specialized OPM staffing experience. The new director is in the process of completely revamping and modernizing the FMCS HR office. Improvements to date include: OPM granting FMCS delegated hiring authority; FMCS being the first agency to beta test and use the new USA Staffing system; developing and implementing consistent on-boarding and mentoring practices across its operations; and reviewing and revising employee position descriptions and performance standards.

As previously mentioned, FMCS has experienced a significant number of retirements and, consequently, new mediator hiring. This turnover places greater emphasis on training and institutional knowledge transfer. Training this geographically dispersed workforce in new mediation techniques has in the past proven both expensive and time-consuming. In 2017, FMCS will expand upon the initial success of a new internal training platform for employees that it calls its Virtual Academy. This "academy" leverages new internet-based technologies to provide FMCS employees with on-demand programs and live webinars that sharpen their skills, develop expertise in new and complex areas, and help share institutional knowledge and best practices through mediator "success stories" and experiences with colleagues.

FMCS employees find that the Virtual Academy fits easily into their busy and ever-changing schedules and is also extremely cost effective, reducing or limiting the need for FMCS mediators to travel to regional training sites. Recent offerings have focused on timely topics such as health care bargaining and the Affordable Care Act. This format also allows for mediator-to-mediator peer sharing of institutional knowledge critical for diffusion of information and innovation. Appendix B contains a full list of the 2015 academy offerings.

Promoting Employee Engagement

Employee engagement is a process designed to ensure that employees are committed to their organization's goals and values, motivated to contribute to organizational success, and are simultaneously able to enhance their own sense of well-being. To meet its employee engagement goals for 2017, FMCS is currently pursuing the following objectives: encouraging diverse viewpoints, feedback, and innovation; practicing open communications; and increasing transparency.

FMCS is using a number of strategies to achieve its objectives including, among other things: regular communications from the Director; daily internal and external news roundups; quarterly Virtual Town Hall Meetings; regular newsletters featuring up-to-date information about significant cases and training programs; regular meetings between the Agency Director, managers, and staff, including a series of first ever Virtual Mediator Roundtables between the Director and all agency mediators; instituting monthly meetings with national office managers to discuss upcoming needs, goals, action plans and deliverables; providing field directors with opportunities for regular information exchange and collaboration; and a reinvigorated labor-management forum to constructively engage the FMCS unionized workforce on a regular basis.

Modernizing Communications with Customers

FMCS strives to provide high-quality high-value services to its customers in order to meet and fulfill its statutory mission. Equally important is FMCS's commitment to using allocated resources as efficiently as possible in order to ensure that customers and taxpayers receive the most value for the services it provides. In 2015, FMCS created a new position, Manager for National Programs and Initiatives, to lead a new center of creativity and innovation for all areas of service delivery.

In 2015, FMCS also revamped and updated agency technology to better serve current and future customers, including: launching a new public website; using social media (Facebook, Twitter, and YouTube) to communicate with customers and employees; and using a new email service delivery system designed to reach larger audiences with information about upcoming live and web-based conflict resolution presentations and training events. By the end of 2017, FMCS expects to have an effective and modern communications strategy in place that clearly communicates the positive benefits of FMCS services.

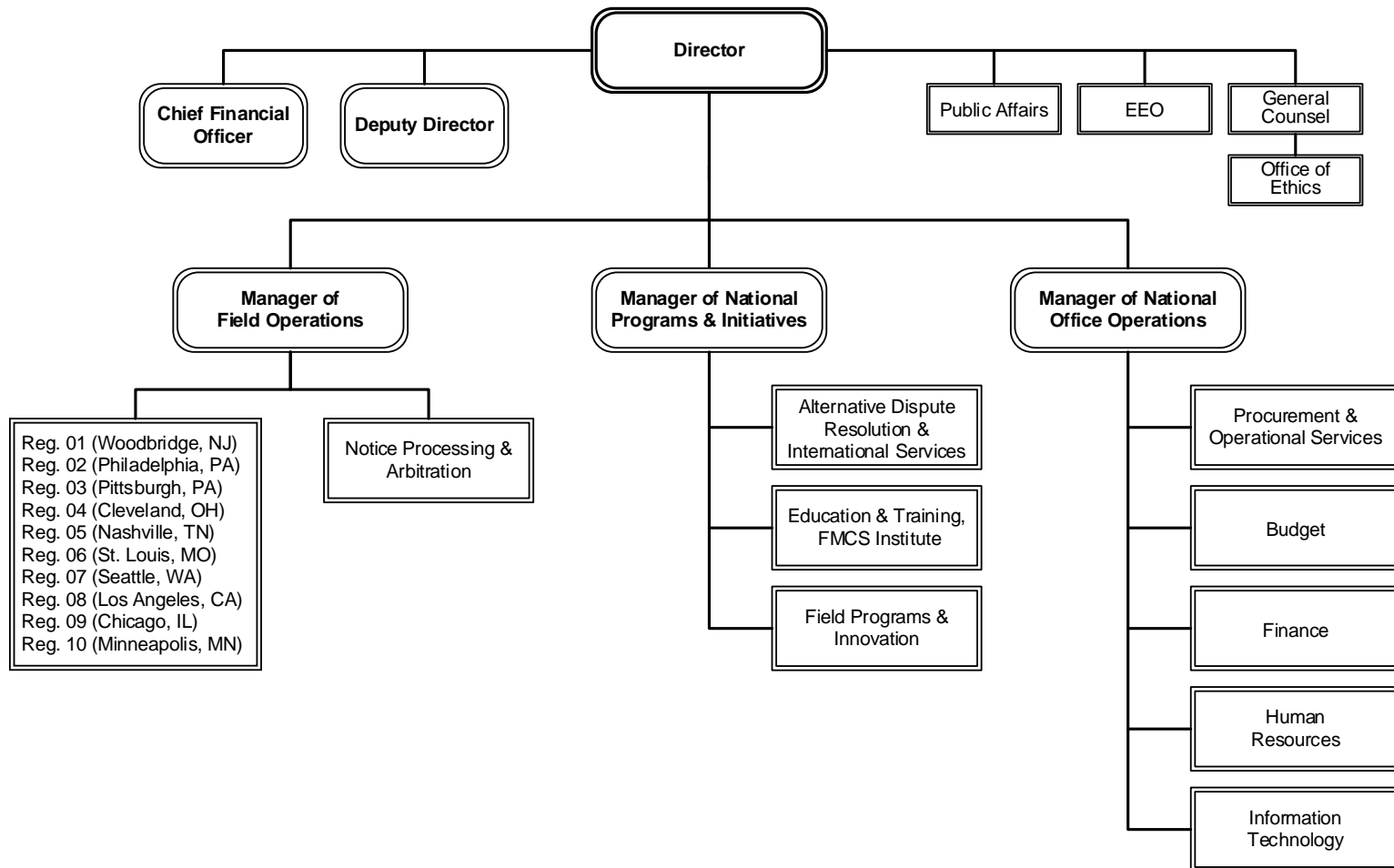
D. Conclusion

The U.S. economy is in a period of transition from a manufacturing based economy to one that is more service and knowledge based. While this transformation presents great opportunities, it also presents the challenge of increased workplace conflict as workers and businesses grapple with issues of technology, automation, competition, skills, and cost-cutting. Workplace disputes are arising in both traditional labor-management collective bargaining settings, as well as in high profile social media and community based campaigns for improved wages and working conditions.

Over nearly seven decades, the FMCS has compiled a proud record of success in helping parties resolve disputes, learn joint problem-solving skills, and create successful, collaborative problem-solving relationships. As the nature, complexity, and range of the issues confronting managers and employees in business and government have evolved, so too has FMCS, constantly seeking new and innovative methods to prevent disruptions to the U.S. economy, to reduce costs to U.S. taxpayers, and, most importantly, to help managers and workers together overcome the challenges of the changing economy in business and government workplaces.

Given the anticipated size and number of collective bargaining agreements expiring in FY 2017, the increased demands for collective bargaining among workers in new and previously unorganized sectors of the economy, the new forms of bargaining that are emerging in communities and across industries, and the increased need for labor and management to work collaboratively to achieve competitiveness, economic development and job security, we urge you to favorably consider this request for \$50,738,000. This reflects the elimination of the one-time relocation costs provided in the 2016 appropriation, inflationary increases to cover pay, rent, and a proposed expansion in the agency's labor-management grants to support area- and industry-wide labor-management partnerships.

II. FMCS Organizational Chart



As of Feb. 1, 2016

III. Appropriation Language

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service ('Service') to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, [\$48,748,000] \$50,738,000, including up to [\$400,000] \$5,000,000 to remain available through September 30, [2017] 2018, for activities authorized by the Labor-Management Cooperation Act of 1978: *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction. (*Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2016*)

IV. Statutory and Other Legal Authority

FEDERAL MEDIATION AND CONCILIATION SERVICE

The Federal Mediation and Conciliation Service was established by Title II of the Labor-Management Relations Act (Taft-Hartley) in 1947 as an independent agency of the federal government whose primary mission is to prevent and minimize labor-management disputes affecting interstate commerce by providing mediation, conciliation, and voluntary arbitration services. All mediation and conciliation functions of the secretary of labor and the United States Conciliation Service were transferred to FMCS at that time. This mission includes both the private and public sectors, except for the railroad and airline industries, which are covered by the Railway Labor Act administered by the National Mediation Board.

The Civil Service Reform Act of 1978 authorized FMCS to assist with dispute resolution in federal sector labor disputes. The Labor-Management Cooperation Act amended the Taft-Hartley Act in 1978 and directed FMCS to encourage labor-management cooperative activities. It also authorized the issuance of grants to support joint labor-management activities conducted by plant, area, public sector, and industry-wide committees.

In 1990, FMCS was authorized by the Administrative Dispute Resolution Act and the Negotiated Rulemaking Act to assist other federal agencies in resolving disputes arising out of grants, contracts, licenses, or other agency administrative actions, and to assist in the process of negotiated rulemaking. The Administrative Dispute Resolution Act of 1996 amended and permanently reenacted these 1990 Acts.

Over the years, Congress and the Executive Branch have authorized FMCS to perform a variety of dispute resolution functions as well as to assist in the improvement of labor-management relationships. Specific statutory and other authorizations of FMCS programs are described below.

- I. The Labor-Management Relations Act of 1947 (Public Law 80-101, as amended, 29 U.S.C. 158(d), 173 et seq.) directs FMCS to prevent or minimize interruptions to the free flow of commerce growing out of labor disputes by helping the parties settle such disputes through mediation. Parties are required to notify the FMCS 30 days prior to a contract termination or modification date so that mediation services may be proffered.

The Act establishes a special procedure for threatened or actual strikes which, in the opinion of the President, imperil the national health or safety. In such

situations, the President may appoint a board of inquiry to ascertain the facts with respect to the dispute. After receipt of a report, the President may seek to enjoin the strike, and a court may do so if it finds that the threatened or actual strike or lockout affects a substantial part or all of an industry and would imperil the national health or safety. 29 U.S.C. 176-178.

- II. The Health Care Amendments of 1974 (Public Law 93-360, 29 U.S.C. 158(d) (4), (4)(A)-(4)(C)) (amending the National Labor Relations Act) include special provisions intended to prevent or minimize work stoppages in the health care industry. In the case of this industry, FMCS must be notified 60 days before the contract termination date. A 30-day notice is required in initial bargaining situations. If, in the opinion of the Director, a strike is threatened which would interrupt the delivery of health care in any, the Director may appoint a board of inquiry. 29 U.S.C. 183. The board has 15 days within which to investigate and file its report and recommendations; parties must maintain the status quo for 15 days thereafter while further negotiations and mediation take place. The parties are required to cooperate in any mediation efforts by FMCS.
- III. The Civil Service Reform Act of 1978 (Public Law 95-454, 5 U.S.C. 7119(a)) directs the FMCS to provide mediation assistance in disputes arising from negotiations between federal agencies and the representatives of their employees.
- IV. The Postal Accountability and Enhancement Act of 2006 (Public Law 109-435, as amended, 39 U.S.C. 1207) requires FMCS to provide mediation services and assist in establishing arbitration boards in collective bargaining disputes between the Postal Service and the exclusive representatives of its employees.
- V. An Act to Establish Dispute Resolution Procedures to Settle Disputes Between Supervisors and the United States Postal Service, 1980 (Public Law 96-326, as amended, 39 U.S.C. 1004) directs FMCS, upon the request of either the Postal Service or an organization representing its supervisors, to convene fact finding panels to recommend supervisory pay and fringe benefit policies and to create panels to review the effectiveness of these procedures and other employment policies.
- VI. Presidential Statement, March 24, 1953. The Atomic Energy Labor-Management Relations Panel was established within FMCS in March 1953, by President Eisenhower, in order to ensure the uninterrupted functioning of the atomic energy program without strikes or lockouts due to labor-management disputes. This panel was moved to the Atomic Energy Commission in March 1956 but was returned to FMCS under an inter-agency agreement with the Department of Energy in April 1980 and renamed the Energy Labor Management Relations Panel (ELMRP).

- VII. Executive Order 11374, October 11, 1967, transferred the responsibilities of the Missile Sites Labor Commission (created by Executive Order 10946) to provide priority resolution of labor disputes at missile sites to FMCS.
- VIII. The Federal Insecticide, Fungicide and Rodenticide Act of 1978, (Public Law 95-396, as amended, 7 U.S.C. 136a(c)(1)(F)(iii)) requires FMCS to provide for the appointment of arbitrators to decide disputes concerning compensation for the use or development of pesticide registration data.
- IX. The Labor Management Cooperation Act of 1978 (Public Law 101-552, as amended by Public Law 95-524, 29 U.S.C. 175a, 186(c)(9)) added Sections 205A and 302(c)(9) to the Labor-Management Relations Act and authorizes and directs FMCS to encourage and support joint labor-management activities conducted by plant, area, and industry-wide committees designed to improve labor-management relationships, employment security, and organizational effectiveness. The Act authorizes the Service to provide grant funds to assist in the establishment and operation of these labor-management committees.
- X. The Administrative Dispute Resolution Act of 1996 (Public Law 104-320) (ADRA) authorizes and encourages agencies to use various alternative means of dispute resolution in the federal administrative process in order to avoid the time and expense of litigation. The ADRA amended, permanently enacted, and incorporated into the Administrative Procedure Act, the Administrative Dispute Resolution Act provisions (5 U.S.C. 571 *et seq.*) and the Negotiated Rulemaking Act provisions (5 U.S.C. 561, *et seq.*) of 1990 legislation. These provisions and their predecessors suggest that the ADR and regulatory-negotiation “experiments” have become well-accepted processes of federal agencies. The ADRA encourages the development of guidelines to expedite the selection of neutrals and to facilitate the use of alternative dispute resolution in the federal government.

This legislation also amends the Labor-Management Relations Act of 1947 (Taft-Hartley) by permanently adding Section 173(f) of Title 29 of the United States Code (29 U.S.C. 173(f)) so that FMCS may provide all forms of ADR assistance to federal agencies. Under this legislation, FMCS continues to assist agencies in negotiated rulemaking processes as well as other ADR procedures by providing training, facilitation, mediation, and other neutral skills.

- XI. The U.S. Code of Federal Regulations at 45 CFR 90.43(c)(3), issued by the Department of Health and Human Services, implementing its authority under the Age Discrimination Act of 1975, 42 U.S.C. 6101 *et seq.*, authorizes FMCS to provide mediation assistance for the resolution of age-discrimination charges filed against any agency receiving federal financial assistance to any program or activity.

- XII. The Federal Aviation Reauthorization Act of 1996 (Public Law 104-264, as amended by Public Laws 106-181 and 112-95, 49 U.S.C. 40122(a)) directs the administrator of the Federal Aviation Administration (FAA) and the exclusive bargaining representative of its employees to use FMCS, or a mutually agreed upon alternative, to mediate disputes concerning changes to the FAA's personnel management system or the parties' collective bargaining agreement. If mediation is unsuccessful, FMCS is required to prepare a list of 15 qualified arbitrators, from which 2 will be selected by the parties and a third by the board, to form an arbitration board. This board will render a final and binding determination.
- XIII. The Veterans Health Care Capital Asset and Business Improvement Act of 2003 (Public Law 108-170, as amended by Public Law 111-163, 38 U.S.C. 7403 (h)(4)(C)) gives the Secretary of Veterans Affairs or the exclusive representative of the affected employees the option of requesting the services of FMCS to assist the parties in reaching an agreement regarding disputes with respect to any system of promotion and advancement proposed by the Secretary.
- XIV. Executive Order 13522 (Creating Labor-Management Forums To Improve Delivery of Government Services), December 9, 2009, continued by Executive Order 13591 and 13652 until September 30, 2015, permits FMCS to furnish assistance to the National Council on Federal Labor-Management Relations, including training for executive departments and agencies in establishing labor-management forums and pilot projects to identify problems and negotiate solutions without regard to whether the matters are subject to bargaining (permissive subjects) under the Federal Service Labor-Relations Statute.
- XV. The Transportation Security Administration Determination, "Transportation Security Officers and Collective Bargaining," February 4, 2011, requires the facilitation of collective bargaining negotiations by FMCS or other agreed-upon entity, and requires TSA and the unions subject to bargaining to attend training in interest-based negotiations conducted by FMCS.

V. Budget Tables and Detailed Financial Requirements

FEDERAL MEDIATION AND CONCILIATION SERVICE

BUDGET AND STAFFING BY ACTIVITY

(in thousands of dollars)

	FY 2015		FY 2016		FY 2017		Total Program Increase or (Decrease) 2016 to 2017	
	Actual		Enacted		Request		Full-Time Equivalent Employment	Budget Authority
	Full-Time Equivalent Employment	Budget Authority	Full-Time Equivalent Employment	Budget Authority	Full-Time Equivalent Employment	Budget Authority		
1. Collective Bargaining and Grievance Mediations (Dispute), Relationship Development Training (Preventive), and Outreach (Public Information) Workloads	172	\$35,548	177	\$36,563	177	\$36,719	0	156
2. Arbitration Services	8	709	8	672	8	672	0	0
3. National Office Support and Operational Support	38	9,009	42	11,113	42	8,347	0	(2,766)
4. Labor-Management Grants	0	400	0	400	0	5,000	0	4,600
Sub-Total Appropriated	218	\$45,666	227	\$48,748	227	\$50,738	0	\$1,990

BUDGET AND STAFFING BY ACTIVITY
(in thousands of dollars)

	FY 2015		FY 2016		FY 2017		Total Program Increase or (Decrease) 2016 to 2017	
	Actual		Enacted		Request		Full-Time Equivalent Employment	Budget Authority
	Full-Time Equivalent Employment	Budget Authority	Full-Time Equivalent Employment	Budget Authority	Full-Time Equivalent Employment	Budget Authority		
5. Reimbursable programs: ADR Services, Employment Mediation, International Training, and Institute Courses....	8	\$1,910	9	\$2,100	9	\$2,100	0	\$0
6. FMCS Internal Training and Education.....	1	950	1	950	1	950	0	0
Sub-Total Reimbursable	9	\$2,860	10	\$3,050	10	\$3,050	0	0
TOTAL RESOURCES	227	\$48,526	237	\$51,798	237	\$53,788	0	\$1,990

FEDERAL MEDIATION AND CONCILIATION SERVICE

BUDGET ESTIMATES FISCAL YEAR 2017

FINANCIAL REQUIREMENTS

(in thousands of dollars)

	FY 2014 Actual	FY 2015 Actual	FY 2016 Enacted	FY 2017 Request	2016 to 2017 Change (+/-)
<u>Personnel Compensation</u>	<u>\$25,661</u>	<u>\$24,992</u>	<u>\$26,464</u>	<u>\$26,938</u>	<u>\$474</u>
Full-time permanent	25,305	24,625	25,928	26,163	235
- Full-time permanent positions	25,305	24,625	25,928	26,163	235
Other than full-time permanent	61	68	237	240	3
- Other than full-time permanent positions	61	68	237	240	3
Other Personnel Compensation	295	299	299	299	0
- Overtime & holiday pay	11	15	15	15	0
- Cash incentive awards	284	284	284	284	0
<u>Personnel Benefits</u>	<u>\$7,570</u>	<u>\$7,848</u>	<u>\$8,321</u>	<u>\$8,311</u>	<u>\$(10)</u>
Civilian Personnel Benefits	7,570	7,848	8,321	8,311	(10)
- CSRS Retirement Contribution	156	136	131	127	(4)
- FERS Retirement Contribution	2,652	2,911	3,033	3,080	47
- Federal Retirement Thrift Savings Plan Contribution	1,070	1,070	1,118	1,149	31
- Group life insurance	45	49	49	49	0
- Health Insurance Contribution	1,644	1,682	1,791	1,828	37
- OASDI – FERS	1,304	1,325	1,409	1,458	49
- Employee compensation	302	285	304	239	(65)
- Relocation expenses (PCS)	0	0	100	0	(100)

BUDGET ESTIMATES FISCAL YEAR 2017
FINANCIAL REQUIREMENTS
(in thousands of dollars)

	FY 2014 Actual	FY 2015 Actual	FY 2016 Enacted	FY 2017 Request	2016 to 2017 Change (+/-)
<u>Personnel Benefits (continued)</u>					
<u>Civilian Personnel Benefits (continued)</u>					
- Cost-of-living allowance	15	15	16	16	0
- Subsidy for commuting costs	35	35	35	35	0
- Medicare contribution	347	340	335	330	(5)
	<u>\$16</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Benefits of Former Personnel</u>					
- Unemployment compensation	16	0	0	0	0
- Voluntary separation incentive	0	0	0	0	0
	<u>\$1,590</u>	<u>\$1,708</u>	<u>\$1,703</u>	<u>\$1,703</u>	<u>\$0</u>
<u>Travel and Transportation of Persons</u>					
- National office travel	148	183	184	184	0
- Official car	4	5	5	5	0
- Field office travel	1,438	1,520	1,514	1,514	0
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Transportation of Things</u>					
- Transportation of household goods (PCS)	0	0	0	0	0
	<u>\$6,319</u>	<u>\$6,501</u>	<u>\$6,718</u>	<u>\$6,732</u>	<u>\$14</u>
<u>Rents, Communications, and Utilities</u>					
Rental Payments to GSA	5,569	5,780	5,985	5,999	14
- Rental payments to GSA	5,569	5,780	5,985	5,999	14

BUDGET ESTIMATES FISCAL YEAR 2017
FINANCIAL REQUIREMENTS
(in thousands of dollars)

	FY 2014 Actual	FY 2015 Actual	FY 2016 Enacted	FY 2017 Request	2016 to 2017 Change (+/-)
<u>Rents, Communications, and Utilities (continued)</u>					
Rental Payments to Others	3	7	7	7	0
- Conference room rental	3	7	7	7	0
Communications, Utilities, and Miscellaneous	747	714	726	726	0
- Reproduction equipment rental	0	0	0	0	0
- Miscellaneous charges	2	0	5	5	0
- Audio-visual equipment rental	0	0	3	3	0
- GSA Phones	156	150	150	150	0
- FTS Phones	25	24	28	28	0
- Commercial Phones	185	180	180	180	0
- Data communication services	353	320	320	320	0
- Postal services and rentals	26	40	40	40	0
<u>Printing and Reproduction</u>	<u>\$23</u>	<u>\$40</u>	<u>\$40</u>	<u>\$40</u>	<u>\$0</u>
- FMCS forms and other printing	23	40	40	40	0
<u>Other Contractual Services</u>	<u>\$2,075</u>	<u>\$3,677</u>	<u>\$4,602</u>	<u>\$1,750</u>	<u>\$(2,852)</u>
Advisory and Assistance Service	35	50	59	59	0
- Computer assisted legal research	14	10	13	13	0
- OPM background investigations	16	36	36	36	0
- Office equipment and machinery relocation	5	4	10	10	0

**BUDGET ESTIMATES FISCAL YEAR 2017
FINANCIAL REQUIREMENTS**

(in thousands of dollars)

	FY 2014 Actual	FY 2015 Actual	FY 2016 Enacted	FY 2017 Request	2016 to 2017 Change (+/-)
<u>Other Contractual Services (continued)</u>					
Other Services	731	618	461	461	0
- Management and professional services	726	613	456	456	0
- Official representation fund	5	5	5	5	0
Other purchases of goods and services	273	252	275	275	0
- Guard security and Federal Protective Services	273	252	275	275	0
Operation and Maintenance of Facilities	30	1,860	2,882	30	(2,852)
- Office repairs and alterations	30	60	30	30	0
- National Office moving (cabling, furniture, fixtures, equipment, and IT)		1,800	2,852	0	(2,852)
Medical Care	12	15	15	15	0
- Medical care	12	15	15	15	0
Operation and Maintenance of Equipment	994	882	910	910	0
- Maintenance of office equipment	114	100	100	100	0
- Maintenance of information technology equipment	255	265	360	360	0
- Information technology support services	594	468	400	400	0
- Support of payroll/personnel operations	31	49	50	50	0
- Household goods storage (PCS)	0	0	0	0	0

BUDGET ESTIMATES FISCAL YEAR 2017
FINANCIAL REQUIREMENTS
(in thousands of dollars)

	FY 2014 Actual	FY 2015 Actual	FY 2016 Enacted	FY 2017 Request	2016 to 2017 Change (+/-)
<u>Supplies and Materials</u>	<u>\$213</u>	<u>\$230</u>	<u>\$230</u>	<u>\$230</u>	<u>\$0</u>
- Office supplies and materials	114	150	150	150	0
- Information technology supplies and materials	99	80	80	80	0
<u>Equipment</u>	<u>\$1,282</u>	<u>\$270</u>	<u>\$270</u>	<u>\$270</u>	<u>\$0</u>
- Furniture and fixtures	365	80	120	120	0
- Information technology hardware/software	877	150	150	150	0
- Machinery and equipment	40	40	0	0	0
<u>Grants, Subsidies and Contributions</u>	<u>\$400</u>	<u>\$400</u>	<u>\$400</u>	<u>\$5,000</u>	<u>\$4,600</u>
					0
Sub-total appropriated	\$45,149	\$45,666	\$48,748	\$50,738	\$1,990

BUDGET ESTIMATES FISCAL YEAR 2017
FINANCIAL REQUIREMENTS
(in thousands of dollars)

	FY 2014 Actual	FY 2015 Actual	FY 2016 Enacted	FY 2017 Request	2016 to 2017 Change (+/-)
<u>Reimbursable Programs (non-appropriated)</u>	<u>\$1,462</u>	<u>\$1,910</u>	<u>\$2,100</u>	<u>\$2,100</u>	<u>\$0</u>
- Compensation	811	800	940	949	9
- Benefits	217	230	300	303	3
- Travel	209	245	336	324	(12)
- Communications	5	4	3	3	0
- Other contractual services	214	621	511	511	0
- Supplies and materials	6	10	10	10	0
Sub-total of Reimbursable Programs	\$1,462	\$1,910	\$2,100	\$2,100	\$0
<u>Internal Training and Education (non-appropriated)</u>	<u>655</u>	<u>950</u>	<u>950</u>	<u>950</u>	<u>0</u>
- Compensation	132	135	142	144	2
- Benefits	43	42	45	46	1
- Seminars, workshops, conferences and training	191	332	337	337	0
- New mediator costs	107	189	133	133	0
- Tuition	80	90	115	115	0
- Other contractual services	24	65	75	72	(3)
- Supplies & materials	2	19	10	10	0
- Subscriptions	76	78	93	93	0
Sub-total of FMCS Training and Education	\$655	\$950	\$950	\$950	\$0
Sub-total of non-appropriated (reimbursable)	\$2,117	\$2,860	\$3,050	\$3,050	\$0
TOTAL RESOURCES	\$47,266	\$48,526	\$51,798	\$53,788	\$1,990

FEDERAL MEDIATION AND CONCILIATION SERVICE

Detail of Total Employment – End of Year

	2015 Actual	2016 Enacted	2017 Requested
Executive Level III.....	1	1	1
ES.....	2	3	3
Subtotal.....	3	4	4
GS-15	25	25	25
GS-14	125	129	128
GS-13	36	38	36
GS-12	6	5	8
GS-11	5	2	2
GS-10	0	2	2
GS-9	5	5	5
GS-8	11	15	15
GS-7	8	5	5
GS-6	3	7	7
GS-5	0	0	0
GS-4	0	0	0
GS-3	0	0	0
GS-2	0	0	0
Subtotal	224	233	233
Total employment, end of year.....	227 *	237 **	237 **
Full-time equivalent (FTE) usage.....	227 *	237 **	237 **
Average ES Salary	\$167,221	\$169,394	\$171,596
Average GS Level	13.07	12.96	12.94
Average GS Salary	\$112,888	\$113,100	\$114,290

* 9 FTE funded by reimbursable revenue.

** 10 FTE funded by reimbursable revenue

VI. Mission and Program Structure

Congress established the Federal Mediation and Conciliation Service (FMCS) in 1947 through the Labor Management Relations Act (Taft-Hartley) amendments to the National Labor Relations Act (NLRA) as an independent agency whose mission is “to assist parties to labor disputes in industries affecting commerce to settle such disputes through conciliation and mediation.” Subsequent acts of Congress and presidential orders have expanded the FMCS role to provide mediation services to the federal sector and alternative dispute resolution (ADR) programs to federal government agencies, as well as promote and establish labor-management partnerships.

The FMCS commits to:

- Promoting the development of sound and stable labor-management relationships;
- Preventing or minimizing work stoppages by assisting labor and management to settle their disputes through mediation;
- Advocating collective bargaining, mediation, and voluntary arbitration as the preferred process for settling disputes between employer and representatives of employees;
- Developing the art, science, and practice of conflict resolution; and,
- Fostering the establishment and maintenance of constructive joint processes to improve labor-management relationships, employment security, and organizational effectiveness.

For more than 65 years, FMCS has provided services that embrace this mission and demonstrate its commitment to preventing or minimizing interruptions of the free flow of commerce growing out of labor disputes. As labor-management relationships have evolved over time, so, too, has the nature of FMCS work within collective bargaining relationships. The FMCS today provides a range of services to labor and management, such as relationship-development training and training in interest-based bargaining, to help the parties deal effectively with disputes that may arise between them without resorting to work stoppages. The following section describes FMCS’s comprehensive package of core programs and services.

A. Collective Bargaining Mediation

Through collective bargaining mediation, FMCS helps avert or minimize the cost of work stoppages to the U.S. economy. The FMCS's core work is to mediate collective bargaining negotiations for initial contract negotiations—which take place between an employer and a newly certified or recognized union representing its employees—and for negotiations for successor collective bargaining agreements. FMCS provides mediation services to the private sector, and also to the public sector, including federal agencies, and state and local governments.

During mediation, the mediator's task is to identify alternative solutions and compromises, encourage settlement where appropriate, control the critical timing of offers, and persuade the parties to honestly discuss their differences. In FY 2015, FMCS mediators were actively involved in more than 3,700 collective bargaining contract negotiations in every major industry throughout the United States.

B. Grievance Mediation

Grievance mediation involves the use of a neutral party to mediate disputes that may arise over the terms and conditions of a collective bargaining agreement. FMCS mediators provide this service to the private and public sectors with the goal of preventing unresolved contract interpretation issues from spilling over into future contract negotiations. Lengthening contract terms increase the importance of resolving contentious issues arising during the term of a contract. In FY 2015, FMCS mediated more than 1,600 grievance mediation cases and helped the parties reach agreement in 1,200 of these (73 percent).

C. Relationship-Development and Training

Preventing conflict that may arise during the term of a collective bargaining agreement is another important goal of FMCS. The FMCS's relationship-building training programs are designed to improve labor-management relationships by helping labor and management to develop collaborative problem-solving approaches. Use of these programs better enables the parties to jointly respond to rapidly changing business and economic conditions during the term of the contract and also make future mediation efforts more effective.

In FY 2015, FMCS mediators conducted more than 1,900 training programs with collective bargaining partners.

FMCS relationship-development and training programs include:

- **Alternative Bargaining Training.** Teaches the benefits and techniques of a non-adversarial, joint problem-solving approach to negotiation. In addition to the **Interest-Based Bargaining** process, various models include:
 - **The Affinity Model of Collaborative Economic Bargaining.** The Affinity Model is a facilitation tool that can be applied immediately to deal with distributive economic issues in an integrative and collaborative setting. The

Affinity Model of bargaining has been used with a great success in a variety of industries and sectors such as K-12 Education and the Performing Arts.

- **Critical Issues Bargaining (CIB).** CIB is a hybrid collaborative bargaining model which encourages information- sharing and interest-based problem-solving to resolve issues, and which then provides a built-in transition to traditional bargaining for unresolved and other critical issues. Prior to bargaining, parties present their economic forecast/projections/parameters.

FMCS has developed other alternative bargaining models for training parties to enhance problem-solving and mitigate adversarial relationships. These include: Enhanced Conventional Negotiations (ECN); Compressed Bargaining (CB); and Modified Traditional Bargaining (MTB).

- **Relationship by Objective.** Improves the parties' relationship with one another, particularly where the relationship has worsened after a contentious representation election, initial contract negotiation, or strike.
- **Committee Effectiveness Training.** Assists the parties in developing joint labor-management committees designed to bring the parties into regular communication.
- **Partners in Change.** Explores the organization's current culture, identifies perceptions within the organization, creates a vision for the future, and designs systems that effectuate change.
- **Labor-Management Work-Site Committee Training.** Helps labor-management committees extend to the work-site level, forming work-site committees, group interactions, and learning techniques to manage change.
- **Contract Administration/Steward-Supervisor Training.** Trains front-line supervisors and shop stewards on their roles and responsibilities in contract administration, grievance processing, the arbitration procedure, and interpersonal communications for building cooperative relationships.
- **Cultural Awareness Skills for Labor and Management.** Trains the parties to function in a multicultural work setting including the resolution of cross-cultural conflicts in a workplace.
- **Collective Bargaining and Mediation Training.** Trains the parties on effective negotiation and communication skills.

D. Conflict Resolution and ADR Services for Government

Outside the collective bargaining arena, FMCS provides professional services to a wide range of federal, state, and government agencies. With a mandate to resolve disputes, train persons in skills and procedures employed in alternative means of dispute resolution design conflict management systems, build capacity for constructive conflict management, and strengthen inter-agency and public-private cooperation, FMCS seeks to reduce litigation costs and to promote better government decision-making.

In this context, FMCS provided conflict management and ADR services more than 1,100 times in FY 2015. These services included negotiation, mediation, convening, facilitation, training, and systems design. FMCS provides these ADR services to federal agencies and to state and governments on a cost-reimbursable basis:

- **Workplace and Employment Disputes.** FMCS mediates workplace and employment disputes for federal and state agencies. The majority of these disputes concern claims of employment discrimination (EEO), other types of personnel issues and workplace conflicts. FMCS accepts individual and multi-party conflicts for mediation.
- **Disputes Involving Administrative Programs.** FMCS also mediates disputes between agencies and their “regulated public,” such as whistleblower complaints or disputes involving contracts, grants, licenses, enforcement, and administrative programs.
- **Training Persons in the Skills and Procedures Employed in Alternative Means of Dispute Resolution.** FMCS also provides training in conflict resolution to aid in the effective use of alternative dispute resolution throughout the federal government. To that end, FMCS offers both live and web-based training on a variety of topics.
- **Consultation, Evaluation, and Systems Design.** FMCS provides professional conflict resolution specialists to help agencies design conflict prevention and resolution systems to build capacity for constructive conflict management systems. Systems design may include an initial consultation, an assessment, program design and development, training delivery, and program management follow-up.
- **Facilitation during Decision-Making.** Particularly in times of limited budgets, FMCS facilitation services can help agencies achieve cost-savings when decision-making is delegated to a committee, task force, or other type of group. FMCS facilitation services, including consultation, convening, training, and the actual facilitation, help groups accomplish their tasks within specified time frames. Notably, these services can be provided both onsite and virtually, another valuable time and cost saving feature of FMCS facilitation services.
- **Negotiated Rulemaking.** Negotiated rulemaking is a process in which a government agency invites persons and groups potentially impacted by a proposed rule to participate in its drafting. Interested parties who might otherwise oppose or challenge the rule are given the chance to participate in its formulation, thus reducing post-issuance challenges. The Negotiated Rulemaking Act of 1996 authorizes FMCS to convene and facilitate this process. Since the 1980s, FMCS has convened and facilitated dozens of negotiated rulemakings for numerous agencies.
- **Agency Cooperation & Collaboration.** FMCS can facilitate intra-agency or multiple agency groups tasked with developing a strategic plan or identified objective involving complex matters. Interest-based problem-solving and collaboration skills are essential to achieving successful outcomes.

- **Public Policy Dialogues.** Similarly, FMCS is often called upon to facilitate public policy discussions involving federal agencies and public-private stakeholders such as those conducted under the Federal Advisory Committee Act (FACA). These multi-party stakeholder discussions can benefit from the assistance of a skilled and neutral facilitator experienced in synthesizing discussion points and interests, as well as establishing and overseeing meeting structures and processes. Training and coaching are also available for participants.

E. International Training and Exchange

Beyond the nation's borders, FMCS plays an important role in promoting collective bargaining and conflict resolution around the world. The FMCS international work is a small, but integral, part of its services. Emerging market economies often struggle to compete effectively in a globally integrated marketplace. FMCS helps establish the labor relations institutions that are essential to the smooth functioning of free market economies. These programs are also a knowledge-sharing experience: FMCS mediators gain familiarity with complex issues affecting the global economy and, as a result, are more effective in resolving domestic labor-management disputes with international implications.

FMCS international training programs are delivered using cost-reimbursable funds, largely through interagency acquisition agreements with other government agencies, such as the Departments of State, Labor, and USAID. In FY 2015, FMCS mediators delivered more than 330 hours of mediation and industrial relations training programs and consultation for delegations visiting the U.S. from Swaziland, Korea, Taiwan and Nigeria and in country for participants in Burma, Morocco, Swaziland, Haiti, Bangladesh, Honduras, and Thailand. In addition to programs delivered abroad, every year, FMCS mediators host numerous foreign delegations visiting the U.S. and interested in U.S. labor-management relations and conflict resolution practices.

F. Arbitration Services

National labor policy favors arbitration over litigation for settling contractual disputes. The FMCS Office of Arbitration Services maintains a roster of approximately 1,100 independent arbitrators who are qualified to hear and decide disputes over the interpretation or application of collective bargaining agreements. Upon request from the parties, FMCS furnishes a list of names from which they may choose an arbitrator to hear their case and render a decision. FMCS administers its established policies and procedures on arbitration which also incorporate the Code of Professional Responsibility for Arbitrators of Labor-Management Disputes, to which FMCS is a signatory.

During FY 2015, the Office of Arbitration Services processed more than 12,700 requests and oversaw the appointment of more than 5,400 arbitrators nationwide.

G. FMCS Institute for Conflict Management

The FMCS Institute for Conflict Management (Institute) delivers accessible, innovative, and experience-based conflict resolution training for individuals and small

groups of employees and managers. The training is specifically designed to meet the challenges of labor-management relations and organizational change. The Institute's training programs provide participants the opportunity to interact with and learn from experienced practitioners who use these skills every day. Federal mediators and private-sector arbitrators comprise the Institute faculty.

The Institute offered eight courses in 2015: Mediation Skills for the Workplace, Labor-Management Negotiation Skills, Arbitration of Advocates, Six Competencies of Outcome-Based Communications, and Becoming a Labor Arbitrator. The Institute runs as a reimbursable program and is funded by fees received from training participants.

H. Labor-Management Committee Grants

The 1978 Labor-Management Cooperation Act authorizes and directs FMCS to encourage and support joint labor-management committees "established for the purpose of improving labor-management relationships, job security, and organizational effectiveness, enhancing economic development or involving workers in decisions affecting their jobs, including improving communication with respect to subjects of mutual interest and concern." Congress funds this initiative in FMCS annual appropriations, and grants are competed and awarded to encourage labor-management committees to develop innovative joint approaches to workplace problems. In FY 2015, FMCS awarded almost \$800,000 in grants from funds appropriated in 2014 and 2015. Awarded funds included:

- **Helen Miller Member Education and Training Center & SEIU HCII.** Funds addressed a need to engage front-line hospital employees and hospital management to jointly identify areas for improvement in order to successfully transition health care delivery into the new performance-based systems that reward patient satisfaction, successful healthcare outcomes, and efficient service delivery. The grantees expect that the partnership projects will lead to stronger performance on value-based purchasing and other frontline worker performance metrics. This will in turn lead to reduced payment reimbursement penalties by Medicare and Medicaid.
- **Manufacturing Renaissance & Chicago Federation of Labor.** Between 1979 and 2009, manufacturing employment fell by 41 percent and wages have remained historically stagnant due to global competition, the infusion of new technologies, and lean processes. This, in turn, has negatively impacted communities, schools, local services, and the ability of workers to provide for their families. Grant funds will be used to build strategic public-private partnerships focused on creating a vision for advances manufacturing in the 21st century. The project expects to foster healthy communities by developing collaborative, locally tailored programs that will fuel manufacturing innovation and competitiveness.
- **Golden Living Nursing Home Centers & SEIU Healthcare PA Training and Education Fund.** Nursing homes are being inundated with standards,

regulations, best practice guidelines for efficient processes, and many other obligations or recommendations set forth by the Centers for Medicare and Medicaid Services (CMS) and the Affordable Care Act (ACA). While these are intended to improve patient safety, they can also have a negative impact on the flow of work if labor and management are not communicating well. By creating a Quality Assurance and Performance Improvement (QAPI) committee at each participating facility, one which includes management and frontline staff, the three facilities will improve employee satisfaction, work flow, and patient outcomes.

VII. Workload Projections – FY 2016 and FY 2017

The following pages include FMCS workload over prior fiscal years, caseload estimates, accomplishments for 2015, and estimated workloads in 2016 and 2017.

WORKLOAD OUTPUTS AND PROJECTIONS

FISCAL YEARS 2011 - 2017

PROGRAM SERVICES	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2015	FY 2016	FY 2017
	Actual	Actual	Actual	Actual	Estimated	Actual	Estimated	Estimated
1. COLLECTIVE BARGAINING								
MEDIATION.....								
Assigned Cases ⁱ	13,712	13,114	12,938	12,054	12,800	11,636	12,500	12,500
- Private Sector	12,460	11,814	11,802	10,856	11,587	10,620	11,307	11,307
- Public Sector (state and municipal)	943	943	843	905	912	749	898	898
- Federal Sector	309	357	293	293	301	267	295	295
Mediated Cases ⁱⁱ	4,665	4,528	4,122	4,009	4,387	3,719	4,267	4,267
- Private Sector	3,271	3,079	2,826	2,697	3,074	2,600	2,971	2,971
- Public Sector (state and municipal)	1,091	1,111	981	1,020	1,025	842	1,011	1,011
- Federal Sector	303	338	315	292	289	277	285	285
Closed Cases	13,776	13,652	12,651	12,032	12,466	11,644	12,217	12,217
Closed Mediated Cases	3,815	3,764	3,339	3,299	3,592	3,081	3,497	3,497
Activity Rate ⁱⁱⁱ	28%	28%	26%	27.4%	28.8%	28.8%	28.6%	28.6%
Settled and Closed Mediated Cases	3,234	3,159	2,807	2,852	3,347	2,605	3,257	3,257
Percentage of mediated cases settled w/FMCS ^{iv}	85%	84%	84%	86.5%	93.2%	84.6%	93.2%	93.2%
Activity rate in significant cases ^v	33%	46%	47%	40.6%	48.0%	42.6%	48.0%	48.0%
2. GRIEVANCE MEDIATION								
Assigned Cases	1,968	1,837	1,872	1,762	1,900	1,729	1,850	1,850
Mediated Cases	1,905	1,784	1,809	1,704	1,857	1,676	1,805	1,805
- Private Sector	1,513	1,372	1,398	1,330	1,451	1,319	1,411	1,411
- Public Sector (state and municipal)	261	264	267	256	280	240	267	267
- Federal Sector	131	148	144	118	135	117	128	128
Settled GM Cases	1,428	1,367	1,383	1,308	1,427	1,221	1,376	1,376
Percentage of cases settled w/ FMCS ^{vi}	75%	77%	76%	76.8%	76.8%	72.9%	76.2%	76.2%

PROGRAM SERVICES	FY 2011 Actual	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Estimated	FY 2015 Actual	FY 2016 Estimated	FY 2017 Estimated
3. RELATIONSHIP-DEVELOPMENT AND TRAINING								
Number of training programs provided	2,301	2,128	2,027	1,884	2,200	1,923	2,000	2,000
- Private Sector	1,267	1,262	1,174	1,111	1,314	1,090	1,192	1,192
- Public Sector (state and municipal)	493	463	533	436	545	472	491	491
- Federal Sector	541	403	320	337	341	361	317	317
4. ADR Services.....								
Mediated Cases	1,330	1,110	1,118	910	1,100	1,193	1,200	1,200
- Federal Sector	1,323	1,090	1,089	884	1,081	1,152	1,177	1,177
- Public Sector (state and municipal)	3	5	1	6	5	3	6	6
- Private	4	15	28	20	14	38	17	17
Settled ADR Cases	641	537	488	410	518	536	562	562
Percent of ADR cases settled w/ FMCS ^{vii}	48%	48%	44%	45.1%	47%	44.9%	46.8%	46.8%
5. OUTREACH								
Outreach cases ^{viii}	3,190	3,019	2,911	2,710	3,080	2,722	2,900	2,900
6. ARBITRATION SERVICES								
Number of panels issued	13,500	13,538	13,361	13,179	14,000	12,744	13,500	13,500
Number of arbitrators appointed	5,575	6,129	6,020	5,836	5,693	5,415	5,489	5,489
7. INSTITUTE.....								
Number of courses provided	5	8	10	8	10	8	10	10
Number of participants	93	179	188	114	200	151	200	200

VIII. Annual Performance Plan

Performance expectations for each service area are guided by the FMCS current five-year strategic plan. For each strategic goal, the FMCS has identified a number of objectives, key implementation strategies and actions, and measures for tracking its performance toward achieving each goal. The following section details each goal and presents a matrix identifying the programs impacted by them, performance objectives and accomplishments for 2015, and performance goals for 2016 and 2017.

Strategic Goal #1: Mediation

Minimize the number and duration of work stoppages that may occur during collective bargaining negotiations.

Objective:

- Use of FMCS collective bargaining mediation by labor and management leaders.

Action:

- Early intervention activities, particularly in initial contracts, the health care industry, and large and high-impact bargaining units.

Strategies:

- Encourage labor and management leaders to employ mediation in their contract negotiations.
- Pursue FMCS joint problem-solving initiatives during the term of the agreement.

Expected Outputs:

- Increased mediator case activity rates.
 - Increased proportion of cases with meetings held prior to contract expiration date.
-

Discussion:

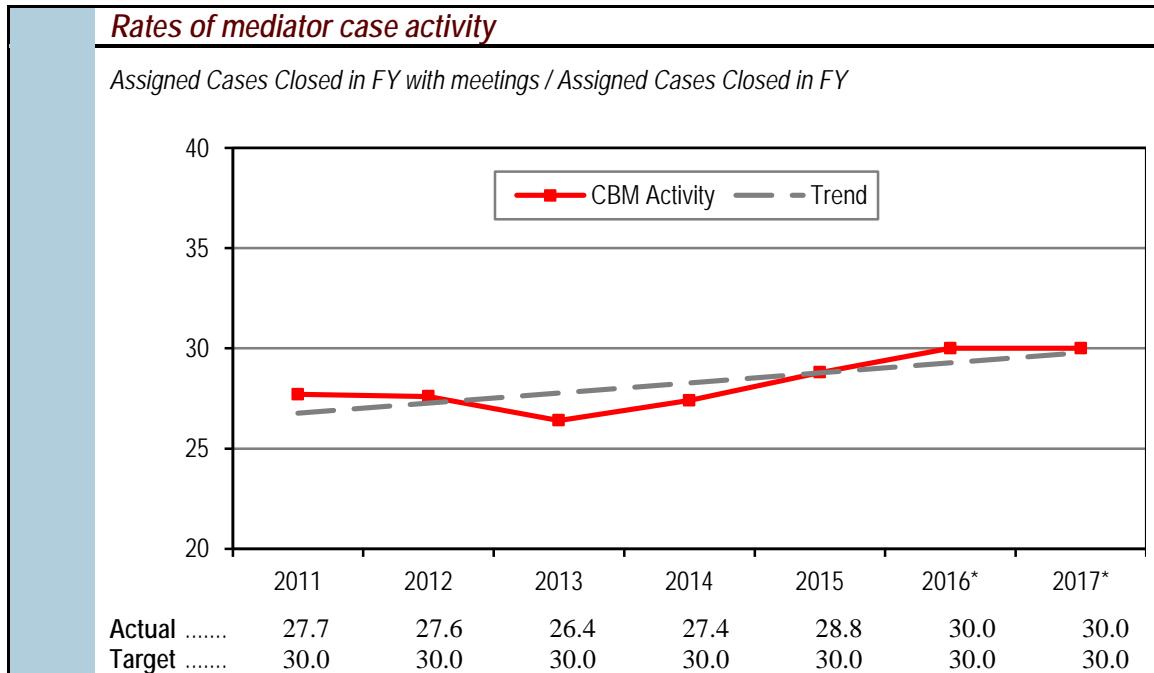
Collective bargaining mediation represents the core of the FMCS mission and its most publicly visible work. An independent study conducted for the FMCS found that mediation prior to a contract's expiration date significantly reduces the duration of any work stoppage that occurs. Previously, three separate studies of matched bargaining pairs found that FMCS mediation was also an important factor in preventing work stoppages from occurring in the first place.

As a result of these studies, the FMCS believes that early and ongoing contact with the parties to a labor contract negotiation is imperative in reducing the number and duration of work stoppages. This is particularly true in collective bargaining cases that involve: an initial contract; national security; the health care industry; large bargaining units; or those cases that have the potential for permanent shutdowns or disruptions to the community, work force, or interstate commerce.

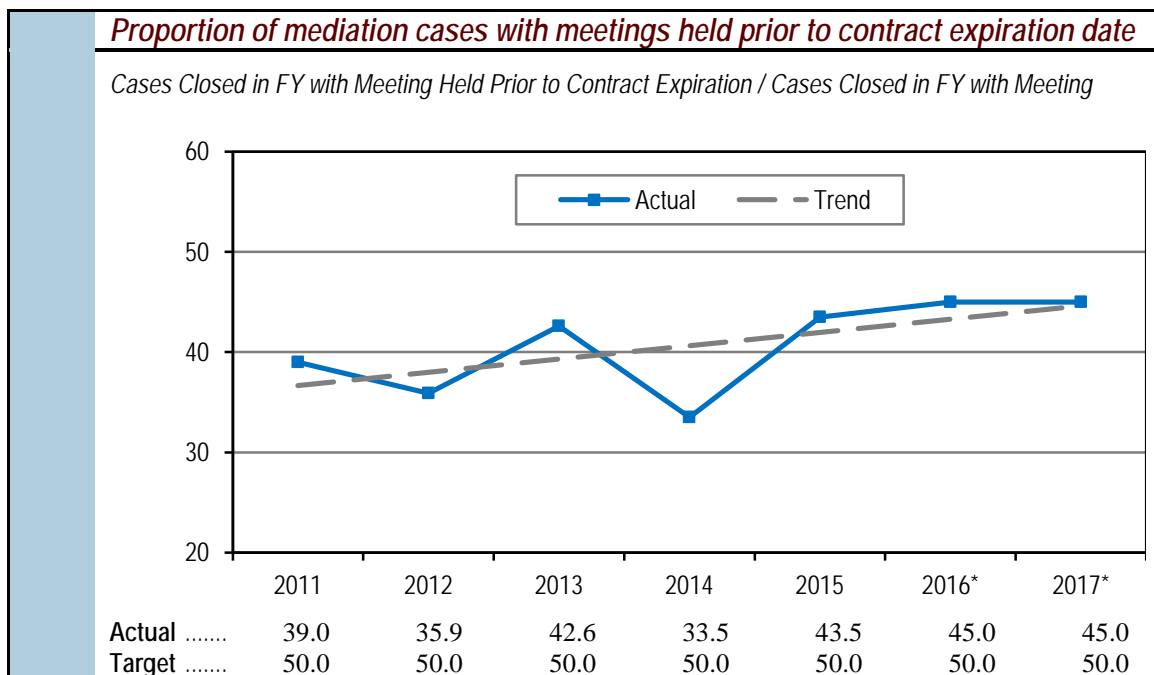
The FMCS evaluates its success in these areas by looking at how many negotiations use mediation services, whether or not a work stoppage occurred, the duration of any stoppage, and the timing of mediators' involvement. On an aggregate basis, the FMCS also estimates the financial cost of work stoppages that actually occur and the value of work stoppages that its mediators are able to prevent or shorten.

Mediation Outputs and Performance Measures

Minimize the number and duration of work stoppages that may occur during collective bargaining negotiations.



* Estimated



* Estimated

Strategic Goal #2: Building Problem-Solving Relationships

Improve labor-management relationships.

Objective:

- Use collaborative dispute resolution processes to manage workplace conflict.

Actions:

- Provide techniques and information that help parties improve their collective bargaining relationship, with particular emphasis on implementing changes to health care benefits.
- Deliver internally sustainable dispute resolution systems.
- Educate labor and management leaders at home and abroad in the art of building and maintaining labor-management partnerships.

Strategy:

- Promote the use of FMCS programs and outreach emphasizing joint initiatives on significant issues likely to impact collective bargaining.

Expected Output:

- Increased customer satisfaction with FMCS educational products and services.
-

Discussion:

Relationship development and training, grants, and a number of related activities are designed to help the parties to a collective bargaining agreement better understand the issues and external forces affecting their collective bargaining relationship and to develop internal task forces or groups to help them improve their relationship. In an increasingly global economy, outreach to sister agencies in other countries is a small, but important aspect of the FMCS's work in this area.

The continued success of American employers and employees in a globally competitive arena requires a degree of cooperation between labor and management that traditional confrontational bargaining relationships cannot easily accommodate. This is particularly true with respect to new circumstances confronting both parties in the collective bargaining relationship, such as the challenges associated with the implementation of the Affordable Care Act. These competitive issues can be both complex and subtle and require creative solutions that address unique challenges.

The FMCS is committed to delivering to its customers the best possible information, analysis, practices, and solutions. Through its individual program evaluations, the FMCS is constantly seeking to improve its core curriculum.

Strategic Goal #3: Resolving Mid-Term Disputes

Resolve contract-based disputes (grievances) that arise during the term of collective bargaining agreements.

Objectives:

- Assist parties to voluntarily resolve contract-based disputes.
- Provide high-value arbitrator referral service for situations when parties cannot voluntarily resolve a contract-based dispute.

Actions:

- Increased utilization of FMCS services to resolve contract-based disputes.
- Maintain roster of experienced arbitrators.
- Improve all aspects of the arbitration referral service.

Strategies:

- Advocate mediation and arbitration as the preferred methods for settling disputes between parties in a collective bargaining relationship.
- Facilitate joint, collaborative, problem-solving events on an ongoing basis.

Expected Outputs:

- Increase the proportion of settled grievance mediation cases.
 - Increase customer satisfaction with quality of arbitration service.
-

Discussion:

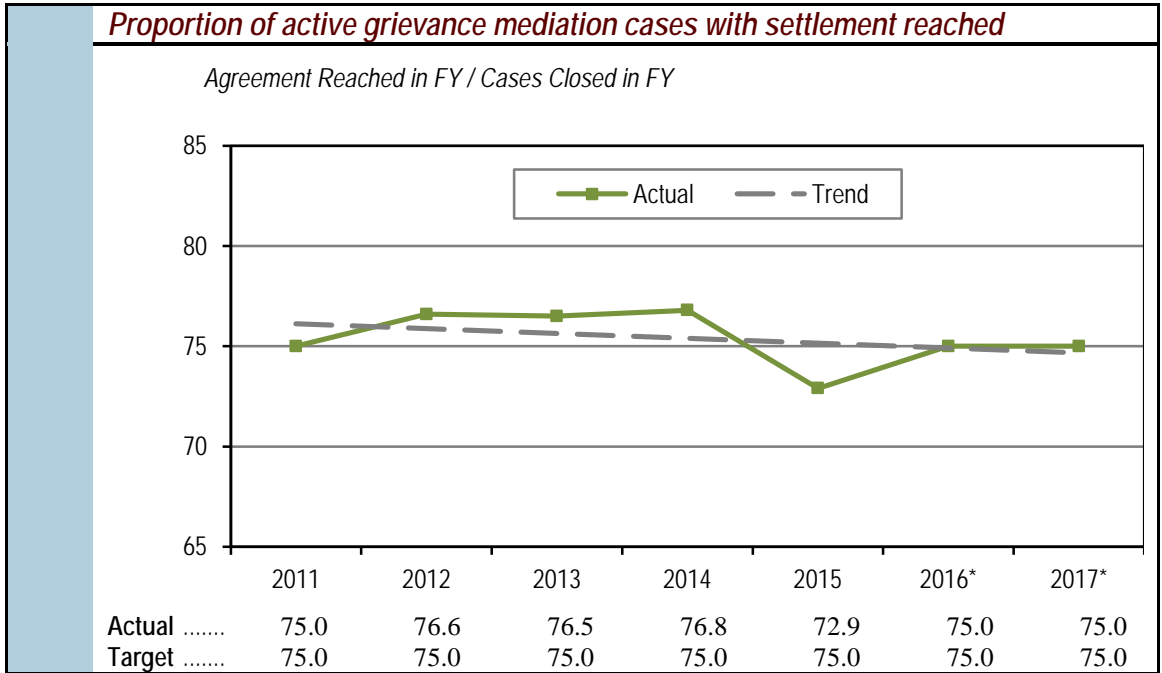
Grievance mediation, joint problem-solving facilitation, and arbitration are three approaches for resolving disputes that may arise from differing interpretations of a labor contract's terms and conditions. Grievance mediation and joint problem-solving facilitation are voluntary processes that rely upon consensus building. Arbitration is a structured process that provides a final and binding determination. All three approaches are designed to reduce the need for expensive and time-consuming court litigation, and resolve disputes before they negatively affect the collective bargaining relationship.

Increasing the FMCS presence among groups that have not traditionally used its services is one way to build healthier collective bargaining relationships. The FMCS involvement in these interventions encourages the parties to engage in other collective bargaining activities with less disruption and animosity.

Improved settlement rates in contract-based disputes and joint problem-solving cases provide a good indication of how well FMCS mediators are able to facilitate agreements. Likewise, favorable customer evaluations of the arbitrator referral service help the FMCS improve the quality of the service.

Resolving Mid-Term Disputes Outputs and Performance Measures

Resolve contract-based disputes (grievances) that arise during the term of collective bargaining agreements.



* Estimated

Strategic Goal #4: Promoting ADR

Resolve regulatory / enforcement policy disputes and statute-based workplace disputes.

Objectives:

- Use employment mediation as an alternative to litigation.
- Use problem-solving processes to resolve regulatory/ policy based disputes.

Action:

- Increase number and variety of dispute mediation services provided to government agencies, including, but not limited to, employment mediation, regulatory negotiations, public policy disputes, systems design, skills development and training, facilitation of inter- and intra-Agency cooperation and collaboration, mediator coaching and mentoring.

Strategy:

- Advocate alternative dispute resolution (ADR) as the preferred method for settling non-collective bargaining disputes.

Expected Outputs:

- Increase the number of mediated settlements in employment mediation cases.
 - Increase the number of regulatory/policy disputes resolved through facilitated processes.
-

Discussion:

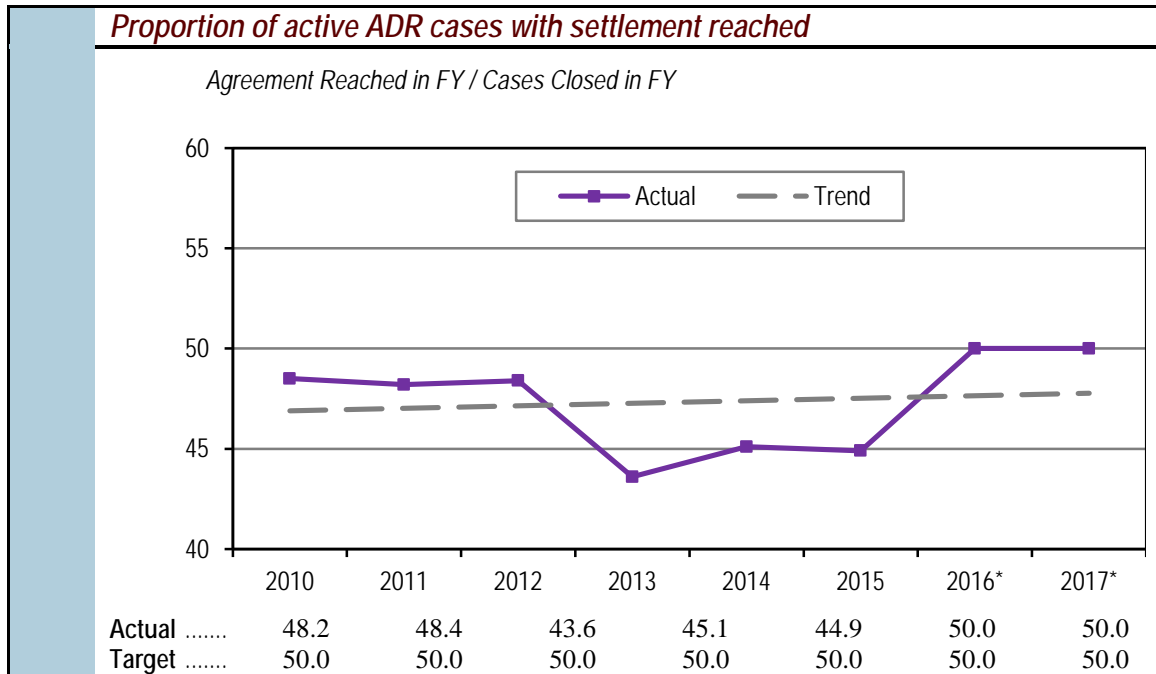
The FMCS alternative dispute resolution (ADR) work is defined by the Administrative Dispute Resolution Act of 1996 and is designed to help resolve disputes that do not result from a collective bargaining relationship. Under the Act, the FMCS is generally limited to work in the federal sector, but may include state or local entities if the dispute is related to a federal rule or regulation.

Using traditional dispute resolution vehicles, such as the courts or other statutory processes, may take several years and cost hundreds of thousands of dollars in legal fees and court costs, and require significant resource expenditures from the affected parties. In addition, imposed outcomes from utilization of these processes are unpredictable and the conditions present when the dispute arose may have changed dramatically. In regulatory matters, voluntary resolution of a single issue by multiple parties through a facilitated consensus-based process will normally offset any costs incurred. Broader resolution of more issues increases the benefits on an exponential basis.

By increasing the number of individual employment cases conflict management services and regulatory/enforcement services that the FMCS takes and achieving an increased number of resolved matters, FMCS seeks to provide a cost-effective alternative to litigation and promote better government decision making.

Promoting ADR Outputs and Performance Measures

Resolve statute- or regulation-based workplace disputes.



* Estimated

Appendix A. Known Upcoming Significant Negotiations

Date	Employer	Union	Affected Location	BU Size
10/01/16	DOD DDSP	AFGE 2004	New Cumberland,	2,100
10/01/16	Robins Air Force Base ALC	AFGE 987	Warner Robins, GA	17,000
10/01/16	Safeway Inc	IBT 439	Tracy, CA	1,400
10/01/16	Boeing Company	SPEEA 2001	Seattle, WA	24,000
10/07/16	US ARMY (AMRDEC)	AFGE 1858	Huntsville, AL	2,703
10/08/16	Safeway, Inc. (Food & Meat Agreement)	UFCW 5	Pleasanton, CA	13,146
10/08/16	Safeway Inc.	UFCW 8-GS	Various Cities, CA	6,336
10/10/16	Redstone Arsenal	AFGE 1858	Huntsville, AL	4,383
10/12/16	Save Mart Supermarkets/Luckys	UFCW 8-GS	Various, CA	5,657
10/13/16	Allegheny General Hospital-RNs	SEIU PA HC	Pittsburgh, PA	1,295
10/14/16	Wisconsin Physicians Service Insurance	UFCW 1473	Madison, WI	1,243
10/15/16	WHEATON FRANCISCAN ST FRANCIS	WI 5001	Milwaukee, WI	1,045
10/25/16	Fry's Food Stores of AZ, Inc.	UFCW 99	Globe, AZ	14,840
10/31/16	Chicago Parking Attendants Master Agreement	IBT 727	Chicago, IL	1,000
10/31/16	Foodland Super Market Ltd	ILWU 142	Hawaii, HI	1,122
10/31/16	Group Health Cooperative	SEIU 1199NW	Multiple locations,	2,200
10/31/16	Airport Maintenance Service Companies	SEIU West	Los Angeles, CA	2,930
10/31/16	Chicago Midwest Meat Association (CMMA)	UFCW 1546	Barrington, IL	2,500
10/31/16	Giant Food Inc	UFCW 27	Baltimore	5,882
10/31/16	Safeway Inc.	UFCW 27	Baltimore &	2,957
10/31/16	Giant Food Inc	UFCW 400	Landover, MD	12,000
11/23/16	Kings Super Markets Inc.	UFCW 1245	23 Different	1,466
11/30/16	VA Health Care System	AFGE 3669		1,300
11/30/16	Will County	AFSCME 1028	Joliet, IL	1,200
11/30/16	Association of Independent Commercial	IATSE 52	New York, NY	3,634
11/30/16	Women & Infants Hospital	NEHCEU 1199	Providence, RI	1,700
12/01/16	Duke Energy Florida	IBEW SC-U8	St. Petersburg, FL	1,900
12/01/16	Thirty (30) Major League Clubs (The Office of	MLBPA	New York, NY	1,200
12/03/16	A&P	UFCW 1500	Montvale, NJ	4,245
12/08/16	Pratt & Whitney Div of United Technologies	IAMAW 1746 & 700	East Hartford, CT	2,950
12/11/16	National Beef Packing Company LLC	UFCW Dist 2	Dodge City, KS	2,600
12/21/16	Mountaire Farms of Delmarva, Inc.	UFCW 27	Selbyville, DE	1,072
12/30/16	Providence St. Vincent Medical Center	Oregon Nurses	Portland, OR	1,297
12/31/16	DOD DDSP	AFGE 2004	New Cumberland,	1,800
12/31/16	APCom Power	BBF	Windsor, CT	3,000
12/31/16	Alstom	IBB	Lenexa, KS	1,000
12/31/16	Northern States Power Company d/b/a Xcel	IBEW	MN/SD/ND/WI,	2,400
12/31/16	Constructors Association of Western PA	IUOE 66	Pittsburgh, PA	3,700
12/31/16	West Virginia University Hospitals, Inc.	LIUNA 814	Morgantown, WV	1,100
12/31/16	Avondale - A Subsidiary of Huntington Ingalls	NO Metal Trades	Avondale, LA	1,500
12/31/16	Hotel Industries of New York	NYHMTc	New York, NY	5,347
12/31/16	Columbus Janitorial Contractors	SEIU 1	Columbus, OH	1,000
12/31/16	Cooperative Home Care Service, Inc. (CHCS)	SEIU 1199	Bronx, NY	1,654
12/31/16	Champlain Valley Physician Hospital (Clerical	UHWE 1199	Plattsburgh, NY	1,300
12/31/16	Medstar Georgetown Medical Center	UHWE 1199 MD/DC	Arlington , VA	1,000
12/31/16	Tyson Fresh Meats Inc.	UFCW 431	Waterloo, IA	2,223
12/31/16	Transfield Services / American Resources and	USW 1945	Varioues (ie;	1,099
01/07/17	Cargill Meat Solutions	UFCW 230	Ottumwa, IA	2,145
01/25/17	Acme Markets	UFCW 27	Wilmington, DE	1,215
01/27/17	NORTHWESTERN MEMORIAL HOSPITAL	SEIU HC IL/ IN	Chicago, IL	1,295
01/27/17	SuperValu/Jewel Food Stores	UFCW 881	Chicago, IL	17,129
01/31/17	GA National Guard	Civilian Tech	Savannah, GA	1,000

Date	Employer	Union	Affected Location	BU Size
01/31/17	Visiting Nurse Service of New York Home	FN/UFT/AFT 2	New York, NY	1,600
01/31/17	Honeywell International	IBT 1145	Minneapolis, MN	1,007
01/31/17	The Zoological Society of San Diego(San	IBT 481	San Diego, CA	1,300
01/31/17	HealthPartners	SEIU HC MN	Bloomington, MN	1,600
01/31/17	Production Companies Agreement Los Angeles	Drivers 399	North Hollywood,	2,500
01/31/17	Marshalls Distribution Center	WU 237	Philadelphia, PA	1,144
02/01/17	Frontier	CWA 4370	Madison, WI	1,300
02/02/17	HARLEY DAVIDSON MOTOR COMPANY	IAMAW 175	York, PA	1,977
02/07/17	LORT	Actors Eq Assoc	New York, NY	9,500
02/09/17	AT&T Mobility, LLC	CWA District 7	Birmingham, AL	21,126
02/16/17	Sikorsky Aircraft Corporation	IBT 1150	Palm Beach	4,500
02/17/17	Foster Poultry Farms	UFCW 8-GS	Turlock, CA	1,500
03/01/17	Caterpillar,Inc	UAW 145-751-786-	Peoria, IL	9,600
03/01/17	Cooper Tire & Rubber Company	USW 207L	Findlay, OH	1,060
03/14/17	HCA (Multiple Facilities)	UHW 2005	Various,	3,000
03/17/17	Elevator Constructors New Jersey/New York -	IUEC 1	Long Island, NY	1,200
03/17/17	Kroger Co. - Atlanta	UFCW 1996	Atlanta, GA	11,911
03/17/17	Farmland Foods	UFCW 293	Crete, NE	1,960
03/29/17	Stop & Shop - New York Metro Division	RWDSU / UFCW 338	Purchase, NY	1,760
03/30/17	Tops Market LLC (Midstate)	UFCW 1	Buffalo, NY	3,105
03/30/17	Tyson Foods Inc.	UFCW 227	Robards, KY	1,230
03/31/17	American Medical Response Envision	AFSCME		1,700
03/31/17	DHL - IBT National Master Agreement (39)	IBT	Washington , DC	2,543
03/31/17	HEAVY CONSTRUCTORS ASSOCIATION	IUOE 101	Kansas City, MO	3,000
03/31/17	Associated General Contractors of Illinois	IUOE 649	Springfield, IL	1,100
03/31/17	HCA Hospitals Las Vegas NV	SEIU 1107	Las Vegas, NV	3,172
03/31/17	Premier Home Health Care Services Inc.	UHWE 1199	White Plains, NY	4,058
03/31/17	Premier Home Health Care Services Inc.	UHWE 1199	New York, NY	4,058
03/31/17	Collins Brothers Commercial Moving Corp.	Carpenters Regional	Philadelphia, PA	11,600
04/01/17	E & J Gallo Winery	UFCW	Modesto, CA	1,386
04/03/17	Iowa Bricklayers	BAC 3	Marshalltown, IA	8,694
04/08/17	Smith's Food and Drug Centers, Inc	UFCW 711	Las Vegas, NV	3,239
04/14/17	League of Resident Theatres	SDC	New York, NY	1,900
04/16/17	Baltimore Washington Standard Refractory	BAC 1	Camp Springs, MD	1,000
04/16/17	Mylan Pharmaceuticals, Inc.	USW District 8	Morgantown , WV	1,150
04/19/17	Tops Market LLC (Buffalo Division)	UFCW 1	Buffalo, NY	5,456
04/23/17	New York Electrical Contractors' Association,	IBEW 3	White Plains, NY	1,443
04/24/17	City of Columbus - Dept of HR	CWA District 4	Columbus, OH	1,254
04/26/17	Arrowhead Retail Grocers Alliance	UFCW 1189	(see attached list),	1,342
04/29/17	NECA Penn-Del-Jersey Chapter Philadelphia	IBEW 98	Philadelphia , PA	3,600
04/29/17	The Philadelphia Division of the Penn-Del-	IBEW 98	King of Prussia, PA	2,800
04/29/17	Masonry Contractors Association of Central	Laborers' District	Scranton,	1,500
04/30/17	Defense Logistics Agency	AFGE Council 169	Nationwide	1,000
04/30/17	Construction Industry Assoc. of Rochester	BAC 3	Various, NY	2,000
04/30/17	Builders Association of Tazewell County	CJA	Morton, IL	2,400
04/30/17	Central Illinois Builders Chapter of AGC	CJA	Springfield, IL	2,400
04/30/17	Greater Peoria Contractors & Suppliers	CJA	Peoria, IL	2,400
04/30/17	The Residential Carpenter Contractors	IKORCC	Northeast Ohio	5,000
04/30/17	The Residential Carpenter Contractors	CJA IN/KY/OH	Northeast Ohio	9,000
04/30/17	Construction Companies of Ohio (1417)	IUOE 18	Cleveland, OH	13,000
04/30/17	Central Illinois Builders of the AGC	IUOE 965	Springfield, IL	1,050
04/30/17	Associated Master Painters & Decorators	IUPAT District	Philadelphia , PA	1,000
04/30/17	Associated General Contractors of Minnesota	LIUNA District	Whole State, MN	3,000
04/30/17	Painting & Decorating Contractors of Buffalo	PAT	Buffalo, NY	1,800
04/30/17	Dignity Health	UHW 2005		15,000

Date	Employer	Union	Affected Location	BU Size
04/30/17	SMARCA Inc. Commercial Subdivision	SMW 10	Minn/St. Paul	1,500
04/30/17	Peacehealth Southwest Medical Center	WSNA	Vancouver, WA	1,080
05/01/17	ABC, CBS and NBC,AMPTP Theatrical and	Writers Guild	Various	10,000
05/01/17	CBS Broadcasting Inc. @ Eyelab	Writers Guild	Los Angeles, CA	1,000
05/11/17	PPL CORP	IBEW 1600	ALLENTOWN, PA	3,300
05/14/17	Chicago and Suburban Building Maintenance	IUOE 150	Chicago, IL	1,006
05/14/17	Brown's Super Stores, Inc.	UFCW 1776	Philadelphia, PA	1,686
05/19/17	The Kroger Company (Atlanta Division &	UFCW 1995	Hermitage, TN	6,080
05/20/17	US Army	NFFE	Columbia, SC	1,200
05/22/17	Walgreen Company	USW/NPHA 1969	Naperville, IL	1,500
05/31/17	AGC of Wisconsin (3) (BAC 8)	BAC 8	Madison, WI	3,300
05/31/17	City of Memphis	BAC 8	Memphis, TN	1,579
05/31/17	Chicago Area Bricklayer & Masonry Contrs	BAC DC 1	Chicago, IL	10,000
05/31/17	Area, AGC, Floorcovers Association &	CJA	6 Southeast	1,600
05/31/17	Colorado Springs School District 11	Colorado Springs	Colorado Springs,	1,500
05/31/17	Aria Hotel & Casino (MGMRI)	CWA 226 &	Las Vegas, NV	4,000
05/31/17	Mandalay Bay Resort/The Hotel Casino	CWA 226 &	Las Vegas, NV	3,000
05/31/17	Cooper University Health Care	HPAE 5118	Camden/Voorees/M	1,000
05/31/17	Public Service Company of Colorado	IBEW 111	Denver, CO	2,000
05/31/17	Marba & Marba Signatories	IBT 731	Willowbrook, IL	2,000
05/31/17	Southwest Residential Carpenters Association,	IKORCC,UBC	Cincinnati, OH	1,000
05/31/17	Northwest Indiana Contractors Assoc. of	IN/KY/OH Regional	Hobart, IN	2,500
05/31/17	AGC of Wisconsin	Ironworkers 383	Statewide, WI	1,000
05/31/17	Contractor signatory to National Field mfg	Boilermakers	Hendersonville, TN	3,000
05/31/17	Addendum to Heavy and Highway Agreement	IUOE 139		2,705
05/31/17	AGC of Wisconsin	IUOE 139	Statewide, WI	1,700
05/31/17	Northwest Indiana Contractors Association Inc.	Ironworkers 395	Portage, IN	1,374
05/31/17	Master Builders Assn. of Western PA	IUOE 66	Pittsburgh, PA	4,661
05/31/17	Finishing Contractors Association	IUPAT Council 57	Pittsburgh, PA	1,500
05/31/17	AGC of WI, Inc (2)	LIUNA District	Madison, WI	4,000
05/31/17	General Contractors Association of Pittsfield	LIUNA 473	Hopkinton, MA	12,342
05/31/17	The Whiting-Turner Contracting Company	LIUNA 657/11	Baltimore, MD	1,000
05/31/17	MARBA Signatory Contractors (17)	LIUNA CGLDC OF	Chicago, IL	10,000
05/31/17	Highway Heavy and Utility Division-ICA Inc.	LIUNA Indiana	State of Indiana, IN	4,400
05/31/17	Construction Industry of Western	Massachusetts	Hopkinton, MA	12,340
05/31/17	Wi AGC Commercial Agreement	NCSRCC (Minnesota)	Various locations,	3,000
05/31/17	Various Residential Contractors(Cornerstone	NCSRCC N/A	Green Bay, WI	3,000
05/31/17	Contractors Association	PAT DC 11	Groton, CT	1,000
05/31/17	Pipe Line Contractors Association	PPF	Phoenix, AZ	1,000
05/31/17	West Suburban Association of Plumbing	PPF 130	Chicago, IL	1,000
05/31/17	Plumbing and Mechanical Contractors	PPF 501 93	Chicago, IL	9,183
05/31/17	Midwest Association for Plumbing-Heating-	PPF 501 93	Chicago, IL	2,061
05/31/17	Kankakee and Iroquois Counties Plumbing and	PPF 501 93	Chicago, IL	1,000
05/31/17	Mechanical Contractors Association of Greater	PPF 533	Kansas City, MO	1,670
05/31/17	Kendall Regional Medical Center - Service /	SEIU Florida	Miami, FL	1,350
05/31/17	University of Miami Hospital	SEIU Florida	Miami, FL	1,800
05/31/17	NISMACNA	SMART 265	Bellwood, IL	1,740
05/31/17	PIPE LINE CONTRACTORS ASSOCIATION	Plumbers	Annapolis, MD	2,500
05/31/17	WI Transportation Employers Council	WI Laborers' District	Various locations,	2,000
06/01/17	NHS Human Services	AFSCME Council 13	Harrisburg , PA	1,500
06/01/17	NHS Human Services	AFSCME Council 13	Harrisburg , PA	1,500
06/01/17	AGC of Illinois (Heavy & Highway Wage	CJA multi 166 195	Rock Falls, IL	2,444
06/01/17	MCA of Northwest WI	Plumbers 400	Appleton, WI	1,477
06/02/17	Electrical Contractors Association (4) Chicago	IBEW 134	Chicago, IL	8,691
06/07/17	The Kroger Company	UFCW 1000	Shenandoah, TX	6,906

Date	Employer	Union	Affected Location	BU Size
06/11/17	Asarco LLC (Amarillo Copper Refinery)	IBEW 602	Amarillo, TX	2,000
06/28/17	US Department of Veterans Affairs	NNU	Pittsburgh, PA	9,000
06/28/17	Giant Eagle Markets Company-Grocery	UFCW 23	Pittsburgh, PA	3,657
06/28/17	Giant Eagle Markets Company-Meat & Deli	UFCW 23	Pittsburgh, PA	1,374
06/29/17	QPP Inc.	UFCW 9	Austin, MN	1,280
06/30/17	Orchestra Managers Media Committee (AFM N/A	NY, NY	9,453
06/30/17	Cuyahoga County Human Services	AFSCME 1746	Cleveland, OH	1,400
06/30/17	All Signatories to 2011-2014 Exhibit A of the	AFTRA	Encino, CA	165,0000
06/30/17	North Slope Contractors Association	APJCC	Prudhoe Bay, AK	1,500
06/30/17	Cincinnati Public Schools	Cincinnati Federation	Cincinnati, OH	2,150
06/30/17	AGC of Alaska Inc.	CJA Pacific NW	Anchorage, AK	1,600
06/30/17	Dignity Health	CNA Glendale	Oakland, CA	12,265
06/30/17	Daughters of Charity Health System	CNA/NNU		1,932
06/30/17	AMPTP re DGA- Basic Agreement of 2011	Directors Guild of	Los Angeles, CA	15,500
06/30/17	STATE OF HAWAII HR	HGEA 152	Honolulu, HI	1,200
06/30/17	Department of Education	HSTA	Honolulu, HI	13,500
06/30/17	Fremantle Productions Inc.	IATSE N/A	Burbank, CA	1,500
06/30/17	Los Angeles County Chapter National	IBEW 11	Pasadena, CA	9,680
06/30/17	Westar Energy, Inc	IBEW 304	Topeka / Wichita,	1,242
06/30/17	Arizona Chapter- NECA	IBEW 640	Phoenix , AZ	1,605
06/30/17	DHL Express USA	IBT	Philadelphia, PA	2,000
06/30/17	Taylor Farms of California, Inc	IBT 890	Salinas, CA	2,000
06/30/17	Plainfield Community Consolidated School	IEA Region 50	Plainfield, IL	1,800
06/30/17	Waukegan Community Unit School District 60	IFT 504	Waukegan, IL	1,200
06/30/17	Northwest Ironworkers Employers Association	Ironworkers 506	Spokane, WA	5,614
06/30/17	Cedar Rapids School District	ISEA CREA		1,250
06/30/17	Various Construction Industry Companies	IUOE 14/15	New York, NY	14,910
06/30/17	Northern California Painters Master Agreement	IUPAT DC 16	Livermore, CA	2,500
06/30/17	LOS ANGELES COMMUNITY COLLEGE	Los Angeles College		4,000
06/30/17	Associated Brick Mason Contractors of Greater	MTDCGNY 79	New York, NY	1,700
06/30/17	Employer Association of New York and	NYC & Vicinity	New York, NY	10,000
06/30/17	Providence St. Vincent Medical Center	ONA	Portland, OR	1,289
06/30/17	Sacred Heart Medical Center	ONA	Springfield, OR	1,244
06/30/17	Southern California Cement Mason's	Plasterers 500-600	S. California, CA	3,500
06/30/17	Plumbing and A/C Contractors of Arizona	PPF 469	Phoenix, AZ	2,500
06/30/17	Mechanical Contractors Association of New	PPF/EAS 638	New York, NY	3,500
06/30/17	BART	SEIU 1021	Oakland, CA	2,400
06/30/17	Medstar Washington Hospital Center	SEIU 722	Washington, DC	2,000
06/30/17	Korean Women's Association	SEIU 775	Multi City, WA	1,100
06/30/17	Loretto Systems	UHWE 1199	Syracuse, NY	1,400
06/30/17	Sheet Metal & Air Conditioning Contractors	Sheetmetal 100	Greenbelt , MD	3,049
06/30/17	Mechanical Contractor Association Of	UA 50	Northwood, OH	1,100
06/30/17	Freeman Decorating	UBC 1846	New Orleans, LA	3,110
06/30/17	Nevada Contractors Association	UBC 1977	Las Vegas, NV	4,249
06/30/17	United Builders & Contractors Association	UBC 1977	Las Vegas, NV	4,249
06/30/17	Painting & Decorating Contractors of America	UBC 1977	Las Vegas, NV	4,249
06/30/17	Associated General Contractors of Las Vegas	UBC 1977	Las Vegas, NV	4,249
06/30/17	Western Wall & Ceiling Contractors	UBC 1977	Las Vegas, NV	4,249
06/30/17	Food 4 Less of California	UFCW 324	Multi, CA	5,136
06/30/17	Walgreen Co	UFCW 648	San Francisco, CA	1,500
06/30/17	HMS Host	Unite Here 1	Chicago, IL	1,058
06/30/17	Rady Children's Hospital-San Diego	United Nurses	San Diego, CA	1,200
06/30/17	UNM	USUNM	Albuquerque, NM	1,100
06/30/17	Construction Association of New York Area	Various Building	New York, NY	1,500
07/01/17	COLLIER COUNTY SCHOOLS	CCA Chapter	NAPLES, FL	1,200

Date	Employer	Union	Affected Location	BU Size
07/01/17	City of Annapolis	UFCW 400	Annapolis, MD	1,800
07/01/17	Florida International University	UFF-FIU	Miami, FL	2,100
07/10/17	Newport News Shipbuilding	USW 8888	Newport News, VA	11,000
07/12/17	CVS/Pharmacy	UFCW 324	Buena Park, CA	3,948
07/13/17	AT&T Internet Services	CWA	FL/GA/KY/LA/MS	1,803
07/15/17	Unified Grocers	IBT 117	Seattle, WA	1,120
07/20/17	Seaboard Foods	UFCW 2	Guymon, OK	2,100
07/27/17	Verizon Florida LLC & Verizon Enterprise	IBEW 824	Tampa, FL	2,850
07/27/17	Michelin Grp.- Michelin N.A.- BF Goodrich	USW District 9	Knoxville , TN	2,550
07/29/17	Goodyear Tire & Rubber Company (Master	USW District 9	Akron, OH	8,000
07/31/17	Metropolitan Opera	AGMA	New York, NY	1,146
07/31/17	Mason Contractors Association of	BAC 3	Boston, MA	2,500
07/31/17	American Crystal Sugar Company	BCTGM Multi 167G	East Grand Forks,	1,300
07/31/17	Construction Cos (Sheet Metal) NYC NY &	SMW 28	New York, NY	1,175
07/31/17	St. Louis Signatory Contractors	SMW 36	St. Louis, MO	2,000
08/01/17	Northern California Maint. Contractors	SEIU / USWW 1877	San Francisco, CA	4,000
08/02/17	Tops Markets Inc.	UFCW 1	Rochester, NY	2,290
08/05/17	Frontier Communications	CWA District 2-13	Charleston, WV	1,600
08/12/17	Bigge Crane & Rigging	IUOE 450	Houston, TX	1,150
08/12/17	B & G Crane Services LLC	IUOE 450	Houston, TX	1,150
08/12/17	Burkhalter Transport, Inc.	IUOE 450	Houston, TX	1,150
08/15/17	University of Illinois	AFT GEO	Champaign, IL	2,400
08/15/17	We-energies	IBEW 2150	Milwaukee, WI	1,997
08/15/17	Alabama Power	IBEW SCU19	Birmingham, AL	2,727
08/23/17	University of Illinois Hospital - Chicago	INA /ILNA (Illinois	Chicago, IL	1,200
08/23/17	Jewel Food Stores, Inc	UFCW 1546	Itasca, IL	4,800
08/24/17	Elgin School District U-46	IEA Region 53	Elgin, IL	2,400
08/26/17	Stanford Hospital & Clinics and Lucile	SEIU-UHW 2005	Palo Alto, CA	1,498
08/26/17	Stanford University Medical Center	SEIU-UHW 2005	Palo Alto, CA	1,188
08/30/17	HealthPartners	OPEIU 12	Bloomington, MN	1,124
08/31/17	Kaiser Foundation Hospital & Health Plan	CNA	North California,	18,200
08/31/17	Minneapolis Chapter - National Electrical	IBEW 292	St. Cloud, MN	2,812
08/31/17	Contractors Association	IUPAT 831	Multiple cities, CA	1,800
08/31/17	Columbia College Chicago	PFAC 1EA	Chicago, IL	1,000
08/31/17	Plumbing, Heating & Cooling Contractors of	UA 12	Boston, MA	1,500
08/31/17	Jacksonville Mechanical Contractors	UA 234	North Florida, FL	1,241
08/31/17	Shaw's Supermarkets, Inc.	UFCW 791	East Bridgewater,	1,500
08/31/17	SFO Restaurant Employers' Council	Unite Here 2	San Francisco, CA	1,000
09/01/17	Lorillard	BCTGM 317T	Greensboro, NC	1,043
09/09/17	Tyson Foods, Inc	RWDSU AL	Forest , MS	1,040
09/12/17	Zodiac Seats US f/k/a Weber Aircraft	IBT 767	Gainesville, TX	1,250
09/13/17	Riser Foods Company d/b/a Giant Eagle	UFCW 880	Cleveland area, OH	6,863
09/13/17	Heinen's, Inc.	UFCW 880	Cleveland area, OH	2,566
09/14/17	Rite Aid Corporation (Retail Pharmacist CBA)	UFCW 1776	Harrisburg, PA	2,800
09/15/17	Bud of California/Dole Fresh Vegetables	IBT 890	Various	1,500
09/17/17	Schneider Electric/Square D	IAMAW	Palatine, IL	1,500
09/19/17	Cessna Aircraft Co	IAMAW 774	Wichita, KS	2,549
09/20/17	Strong Memorial/Univ. of Rochester	SEIU 1199	Rochester, NY	1,368
09/26/17	Lockheed Martin	ASPEP N/A	Moorestown, NJ	1,500
09/27/17	Raytheon	IBEW 1505	Waltham, MA	2,300
09/30/17	Palm Beach County Public Employees	CWA	West Palm Beach,	1,100
09/30/17	Ohio Valley Area Coop	IBB	Various, OH	2,860
09/30/17	Nursing Homes of New York and Vicinity	SEIU 1199		7,856
09/30/17	Kaiser Permanente Medical Center & Medical	UNAC/UHCP	Pasadena, CA	12,390

Appendix B. FMCS Virtual Academy Courses, 2015

Live webinars:

- Mediating Cases under the OECD Guidelines
- The Robot Invasion of the Workplace: Implications for FMCS's Work
- Mediating Contracts Under the Service Contract Act
- The Art of Storytelling for Presenters
- The Affordable Care Act Series, Session 1
- Training Assessment and Evaluation Using Statistical Principles
- Thinking Outside the Slide: Using Images to Convey Concepts
- Using Mind-mapping as a Tool and Technique for Problem-Solving
- The Art and Science of Inquiry (3-part webinar Series)
- Strategic Outreach Strategies
- Getting Parties to the Table: Strategies for Mediators
- Best Practices for Dealing with Challenging ADR Cases
- The FMCS Arbitration Program: A Primer for the Field
- Mediator Roundtables: Interesting cases, best practices, and lessons learned

On Demand webinars:

- EEOC Neutral Qualifications Session 1: The EEO Process
- EEOC Neutral Qualifications Session 2: Workplace Discrimination Laws
- EEOC Neutral Qualifications Session 3: Theories of Discrimination
- EEOC Neutral Qualifications Session 4: Available Remedies
- GenerationNow Series – An Overview
- GenerationNow Series – The Millennial Generation
- GenerationNow Series – The Alpha Generation
- The Federal Labor Relations Statute: Part 1- Duty to Bargain
- The Federal Labor Relations Statute: Part 2 – Scope of Bargaining
- Engaging the Federal Workforce to Reduce the Footprint
- Negotiability in the Federal Sector
- The Federal Service Impasses Panel Part 1 – Structure and Process
- The Federal Service Impasses Panel Part 2 - Jurisdiction
- The Federal Service Impasses Panel Part 3 – Final Actions
- The Federal Service Impasses Panel Part 4 – Alternative Work Schedules
- Negotiated Rulemaking: An Overview

Endnotes

- ⁱ Section 8(d) of the National Labor Relations Act, as amended, 29 U.S.C. §158(d) requires that any employer or labor organization provide notice to the FMCS 30 days prior to contract expiration. Not all cases providing notices are assigned. Actual 2015 FMCS case intake was nearly 20,000.
- ⁱⁱ Mediated cases represent the number of cases in the FY where mediators have become active in the negotiations.
- ⁱⁱⁱ Defined as the number of closed cases where there was at least one meeting divided by the number of total closed assignments.
- ^{iv} Defined as the number of mediated cases settled divided by the total number of mediated cases.
- ^v Significant cases are generally defined as situations where the bargaining unit exceeds 1,000.
- ^{vi} Defined as the number of grievance mediation cases settled and closed within the fiscal year divided by the number of closed GM assignments.
- ^{vii} Defined as the number of ADR cases settled divided by the number of mediated cases closed.
- ^{viii} FMCS requires all mediators to engage in outreach efforts. These kinds of activities include non-bargaining meetings with labor and management representatives, attendance at conferences, meetings with local and state officials to offer FMCS services, and presentations designed to increase public knowledge.