

Position Classification Standard for Mediation Series, GS-0241

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SERIES DEFINITION

This series includes all positions that involve providing mediation assistance to labor and management in the settlement or prevention of industrial labor disputes connected with the formulation, revision, termination or renewal of collective-bargaining agreements. The paramount qualification requirement of all positions in this series is ability and skill in applying the techniques of mediation in dealing with the parties to a dispute. The application of these techniques in the settlement of industrial labor disputes requires knowledge of the field of labor-management relations, particularly of collective-bargaining principles, practices and processes; understanding of economic, industrial, and labor trends, and of current developments and problems in the field of labor relations; and knowledge of applicable labor laws and precedent decisions.

(This series applies only to mediator positions in the Federal Mediation and Conciliation Service and in the National Mediation Board.)

This standard supersedes the standard for the Conciliation and Mediation Series, GS-0241, published in April 1947 under the code CAF-241-0.

EXCLUSIONS

Excluded from this series are:

1. Positions which primarily involve the resolution of labor-management disputes concerning collective-bargaining representation or charges of unfair labor practices, but not concerning the formulation or revision of collective-bargaining agreements, in industries covered under the National Labor Relations Act. (See the [Labor Management Relations Examining Series, GS-0244](#).)
2. Positions which primarily involve serving as agency labor relations specialist and representative on contractor industrial relations matters and labor problems affecting agency procurement of materials and services, but which do not involve responsibility for settling labor-management disputes through mediation. (A new series is being proposed for such positions.)

TITLES

The following are the authorized titles for positions in this series:

Mediator is the title for positions primarily involving use of the techniques of mediation to assist labor and management in the settlement and prevention of collective-bargaining disputes in general industry, in accordance with the provisions of Title II of the Labor Management Relations Act (National Labor Relations Act, as amended).

Mediator (Railroads and Airlines) is the title for positions primarily involving the same skills as the above, except that these positions function under the Railway Labor Act and involve application of intensive knowledge of the railroad and airline industries.

Supervisory positions are titled by prefixing the word "*Supervisory*" to the nonsupervisory titles, as appropriate.

COVERAGE OF THE STANDARD

This standard provides grade-level guides for nonsupervisory mediator positions only. Positions involving supervisory responsibilities can be evaluated by reference to the [General Schedule Supervisory Guide](#).

This standard provides grade-level criteria for grades GS-11 through GS-14. It does not provide a grade-level description for GS-15 because nonsupervisory positions at this level are few in number and are generally one of a kind. Such positions can be evaluated by extension of the criteria and considerations discussed in this standard and by application of general classification principles.

EXPLANATION OF THE WORK

The Federal Mediation and Conciliation Service and the National Mediation Board carry out the Federal Government's role of mediating collective-bargaining disputes between labor and management in industries engaged in or affecting commerce. The purpose is to promote and maintain peace in labor-management relations as a means of avoiding interruptions to commerce. The Federal Mediation and Conciliation Service, which functions under Title II of the Labor Management Relations Act, is concerned with disputes in industry in general (with the exception of the railroad and airline industries). The National Mediation Board, which functions under the Railway Labor Act, is concerned with disputes only in the railroad and airline industries.

Collective bargaining between labor and management normally takes place at the time of formulation, modification, renewal, or termination of a contract agreement between them. When contract changes of this nature are planned by either party, the law requires that, in most instances, formal written notice be given to the other party a specified number of days in advance of the intended action. During this period the parties are expected to meet and negotiate with each other regarding the proposed action. Through various channels of information, formal or informal, as appropriate, the mediation agencies are made aware of and alerted in advance to these situations and, thus, to the possibility of a collective-bargaining dispute within their respective jurisdictions.

In most instances, labor and management can, between themselves and without Government assistance, accommodate their divergent and mutual interests on such matters as wages, hours, and a host of working conditions, rules and fringe benefits issues, which may be the subject of a

changed or new contract. However, in the event that the parties are unable themselves to settle their differences, a Federal mediator may be assigned to enter the case. This occurs upon receipt of formal notice (where required by law), or at the direct request of the parties, or on the intervention of the mediation agency itself if, in its judgment, such dispute threatens to cause a substantial interruption to commerce. Thus, mediators are called upon to help in settling those disputes that cannot be voluntarily resolved by labor and management without outside mediation assistance.

The mediators come into the case as impartial third parties, neutrals not connected with either side, who use their good offices to assist labor and management in finding their own solutions to their problems. The heart of the mediation procedure is bringing together management and labor spokesmen for joint conferences, led by the mediators, in an atmosphere that will encourage frank and full discussion and negotiations toward settlement. The mediators do not decide how the issues between the parties must be settled, for they have no decision-making powers on substantive issues. The final decisions must ultimately be made by the parties themselves. During negotiations they aid the parties by leading them through examination of the facts and alternative considerations directed toward terminating in an agreement acceptable to the parties.

An essential characteristic of the mediators' work is their responsibility, during the course of the negotiations in a case, for making independent, on-the-spot judgments as to what steps to take next in the progress of the proceedings. While their very presence at the conference table in itself may serve as a catalyst to hasten resolution, the actual success of their cases depends, in the last analysis, upon the mediators' own ability to make the right judgments at the right times. Crucial to their success is a fine sense of timing as well as sensitivity to variations in the atmosphere during the course of the negotiations. It enables them to sense when to put forth a suggestion for consideration, when to press for decision, or when to sit on the sidelines and listen.

There are many common approaches and tactics which mediators may use to bring about settlement, but each mediator must use them in the way they deem best to meet the needs of the individual situation at hand. Mediation tactics, therefore, vary with the case and the mediator themselves. During the bargaining negotiations, they may simply limit their activities to procedural and facilitating devices when they deem such tactics will suffice. However, in the more difficult situations where, for example, tension is high, it is the mediator's function to establish a more relaxed atmosphere; or where a stalemate exists or persists on one or more issues, it is the mediator's function to contribute ideas and suggestions for alternative solution or compromise. Such suggestions are usually made privately to the parties and are an aspect of the confidential nature of much that a mediator does. It is particularly through such private sessions that they maintain both their neutrality and the confidence of each party. Here they can freely and frankly offer their advice and opinions as to the feasibility of a party's own proposal (without violating the confidence of the other party), and impartially point out the drawbacks and advantages as they see them, and offer further suggestions if such seems desirable.

TYPES OF MEDIATION ACTIVITY

There are two major types of mediation activity which may be characterized as "dispute mediation" and "preventive mediation."

Dispute mediation

The best known feature of this type of mediation work is the "fire-fighting" aspect of helping settle work stoppages quickly after they have started. An equally important function of mediation is to assist parties in resolving contract disputes in ways that will avoid use of the economic sanction of the strike or lockout; mediation activity in contract disputes is usually intensified just before an impending work stoppage.

Although in some cases settlements of contracts between the parties are concluded satisfactorily well in advance of contract termination dates, it is characteristic of present-day collective bargaining that agreements may be signed within minutes, hours, or a few days of deadline dates. This crisis-bargaining atmosphere, often accompanied by continuous day-and-night meetings, is a "fact of life" with which the mediators must contend. They often use this crisis atmosphere as a means of pushing for and getting a settlement.

Preventive mediation

This type of mediation is aimed at preventing, or at least minimizing, potential labor-management disputes.

To some degree, preventive mediation is found in all mediator positions as an inherent part of their responsibility for promoting harmonious labor-management relations. For purposes of this standard, however, preventive mediation refers to mediation work which is carried on away from the bargaining table, prior to the development of a formal dispute. It may encompass a variety of activities that can contribute to better relationships and understanding between labor and management and to less difficult contract settlements in the future. These activities are aimed at assisting in eliminating disruptive factors that cause harmful and destructive disputes to arise.

The advantage of preventive mediation is that it may be carried out at a time when no crisis or immediate irritations exist. The mediators make use of this favorable climate, at a time they deem appropriate, to create better understanding between the parties regarding the mutual problems facing them.

The range of preventive mediation activities includes, for example, maintaining continuing liaison with industry and labor; visiting with labor or management representatives, exploring potential problems with them, and offering prenegotiation consultation and advisory assistance on impending bargaining problems; chairing or participating in joint labor-management problem conferences and discussions; conducting joint meeting on grievance procedures; personal consultation with representatives of both labor and management regarding industrial relations problems; and seminar discussions, lectures, and audio-visual presentations before interested groups such as joint shop-steward and foremen groups, supervisory groups, or personnel groups.

AGENCY MEDIATION FUNCTIONS

National Mediation Board

The jurisdictional responsibility of the Board embraces only the railroad and airline industries. The Railway Labor Act, under which this agency operates, imposes two major functions that are carried out by its mediators:

1. To mediate disputes between carriers and the labor organizations representing the employees, in matters relating to the making of new agreements or the changing of existing agreements affecting rates of pay, and rules governing working conditions,
2. To settle representation disputes among employees in the railroad and airline industries. This involves ascertaining and certifying to the carrier the appropriate representative of any craft or class of employees, after investigation through secret ballot elections or other appropriate methods of employee representation choice. This type of dispute is confined to controversies among employees over the choice of collective-bargaining agent. The carrier is not a party to such disputes.

The investigation and resolution of charges of violations and grievances arising under the Railway Labor Act are not within the province of the mediators but of various Adjustment Boards, as provided by this Act.

The Act establishes a code of orderly procedure for the handling of labor relations, which must be followed by the carriers and employee unions in both the industries involved. Disputes can be referred to this agency only after the parties have attempted, but have been unsuccessful in, their own bargaining efforts to compose their differences. Either party may then request the mediatory services of the Board, or the Board may offer its services to the parties. Consequently, only those cases which have advanced to a deadlock stage ever reach the Board. Because of these special procedural requirements, preventive mediation in the form of special activities is not normally engaged in by mediators in this agency.

In the event that the mediation is unsuccessful, the law requires that the Board urge the parties to submit the dispute to arbitration (not compulsory except in certain types of cases). In that event, the arbitration decision is final and binding upon the parties. Arbitration is a function apart from mediation and not within the purview of this standard.

Federal Mediation and Conciliation Service

The jurisdictional responsibility of this Agency, which functions under Title II of the Labor Management Relations Act (National Labor Relations Act, as amended), embraces all segments of American Industry affecting commerce, with the exception of the railroad and airline industries. The major responsibility of this agency is to mediate collective-bargaining disputes between labor and management. Resolution of representation disputes or of charges of unfair

labor practices in industries subject to the Act are not within the jurisdiction of the Service but of the National Labor Relations Board under Title I of this Act.

In contrast to the requirements of the Railway Labor Act which affect the National Mediation Board, the nature of the duties with which this Service is charged permits it to engage actively in preventive mediation work, in addition to the more predominant dispute mediation work. Although the Labor Management Relations Act expects the parties first to seek to settle between themselves any differences which they may have, there is no mandatory requirement that they do so. Hence, it is possible for the Service to enter the picture at an early stage, if deemed practicable.

In the event that the dispute mediation in a case is unsuccessful, the Service may recommend that the parties submit the unresolved issues to arbitration. The Labor Management Relations Act does not, however, specifically require the Service to urge that this be done; nor is an arbitration decision binding upon the parties, unless they agree voluntarily to that procedure.

CLASSIFICATION FACTORS

The factors which are significant in differentiating grade levels of mediator positions are: (1) Nature and impact of the cases assigned, and (2) level of responsibility. The following explains the particular elements to be considered under these factors:

1. Nature and impact of the cases assigned

This considers the extent to which various elements of difficulty, complexity, and scope of assignments are typically reflected in the overall character of a mediator's total caseload, and includes the elements of:

1. Impact of the case -- This takes into account the typical scope of the cases assigned, in terms of the size and significance of the enterprises or industries affected, the size and variety of employee groups involved, and whether the impact is limited and local in nature, area-wide, or nationwide. It considers the seriousness of the effect of a threatened or actual work stoppage on the industrial activities, economy, and welfare or public interest in the area involved
2. Complexity of the issues and their susceptibility solution. -- This considers such aspects as the relative simplicity or complexity of the issue in dispute and its ramifications; whether more than one issue in dispute is involved; and whether the case lends itself to readily negotiable solutions. Cases may range from those marked by the simplicity and clarity of an issue and its susceptibility to early compromise through bargaining, to cases where the issues are highly complicated and involve numerous problems, and where the real issues blocking successful negotiation may not even be stated; or from those cases for which there are ample precedents regarding the settlement of certain types of issues, to cases where existing precedents cannot be satisfactorily applied to the particular situation involved.

3. Climate in which cases are handled. -- This considers environmental conditions which may compound the difficulty of the cases, such as the sensitive nature of the situation, the hostility of the parties involved, or the pressures exerted by the parties or by public or private interests. It considers the pressures exerted by the parties or by public or private interests. It considers the pressures for speedy or favored solutions as a result of the interest the dispute may arouse or has aroused. Interest may be expressed by the public and by influential and highly placed persons such as members of Congress, top military officials, department heads, State Governors, nationally known representatives of labor and Industry.
4. Cases may involve parties who are quite cooperative and amenable to reasonable compromise through the bargaining process. Other cases may involve an atmosphere which is highly charged, because either or both of the parties are bitterly antagonistic toward the other and have a long history of a controversy in labor troubles, or one or both sides intend to remain intractable.
5. Variety of caseload. -- This considers the typical range of the mediators' total case load in terms of the variety of types of cases, of issues involved, etc.

2. Level of responsibility

The very nature of mediation work requires mediators to function with considerable freedom. Normally, mediators are responsible for independently conducting all the negotiations in their assigned cases. Supervisory assistance may be provided as needed in the form of consultation and advice regarding precedent cases, procedural matters, and possible approaches. Supervisors may make initial contacts for mediators in areas where they have not yet established themselves. In some cases, mediators may be guided by a senior mediator as a panel participant; in other cases they themselves may serve as lead mediators on a panel with one or two other mediators.

The mediator's work can be reviewed, usually, only in terms of appraisal of results.

QUALIFICATIONS REQUIRED TO PERFORM THE WORK

Certain basic qualifications are essential to the work of all mediators, but special elements are closely interrelated with the foregoing factors.

Basically, all mediators must have a thorough understanding of collective-bargaining principles, practices, and processes, and be skilled in the use of the techniques of mediation during collective-bargaining negotiations. They must be familiar with the background history of industrialization and of the labor movement, and be familiar with present-day economic, industrial and labor trends, current developments and problems in the field of labor-management relations and with changes and trends in union agreements. They must understand the general structure, functions, policies, and practices of industrial management and of labor organizations, and be familiar with the applicable laws governing collective bargaining, wages, hours, etc.

The mediators must be able to analyze the issues in a dispute and evaluate their relative importance and their susceptibility to compromise to formulate ideas and practical suggestions for alternative solutions, compromise, and settlements. They must be able to deal effectively with parties of opposing views and with people of varying personalities, prejudices, and attitudes, and to command their confidence and respect as to their impartiality, good judgment, integrity and discretion; to alleviate tensions and promote frank and constructive discussions; and to motivate people to follow a course of constructive action within a relatively short period of time.

In particular, and of the utmost importance, is the mediator's ability to establish their own acceptability to the parties involved. This quality is particularly required in very high degree for such difficult assignments as those which involve hostile parties.

The degree to which possession of these various skills, knowledges and abilities is necessary to the successful conclusion of cases is related to the degree of complexity, scope and importance of the cases assigned and the difficulty of the conditions surrounding them. As the case assignments become more difficult, a proportionately higher degree of skill, resourcefulness, and ingenuity is required to win cooperation in highly sensitive situations, to delay pressures, and, where complex and novel issues are involved, to develop new ideas, new approaches or alternative solutions.

Note: The differences in the qualifications required at the various grade levels are reflected in the other two classification factors and are not, therefore, described separately at each grade level.

MEDIATOR, GS-0241-11

Cases for which GS-11 mediators have responsibility are characterized by such conditions as the following:

- The issues involved are ordinary (e.g., a small wage increase for which there is ample precedent) and are expected to be susceptible to early compromise by the parties involved.
- The case would have very limited impact since it typically involves one local activity or a narrow occupational area and would have no serious effect on related businesses within the locality.
- The dispute, while at a controversial stage, presents no apparent immediate threat of a work stoppage.
- If a work stoppage or potential work stoppage is involved, it holds no significant public interest.

- The issues involved introduce no, or only a few, questions on matters having significance for more than one employee group in a plant (e.g., whether an apprentice plan for a particular craft should be included in the contract under consideration).

GS-11 mediators also serve as assistant to a senior mediator in the settlement of more difficult dispute cases. They may, for example, be responsible for investigating the background of those issues in dispute where past solutions in similar industries have had lasting results and can serve as useful precedents. On the basis of their findings they furnish information to senior mediators and participates with them in the mediation proceedings. The GS-11 mediators also usually draft portions of the joint reports on the dispute situation.

In general, GS-11 mediators work under rather close supervisory guidance, in progressively more difficult assignments. Before undertaking the conduct of their mediation negotiations, the GS-11 employees obtain as much background information as they can about the facts of cases and the past history of the parties, and is usually furnished additional background information and advice by their supervisors or senior mediators. During the course of each case, they consult with supervisors concerning the progress of cases at their various stages. However, when they conduct the negotiations the incumbents are entirely on their own, with responsibility for making independently the actual decisions on the scene as to what steps to take next, considering the situation of the moment.

MEDIATOR (RAILROADS AND AIRLINES), GS-0241-11

Assignments of mediators in this specialization at this level are comprised of both representation disputes and mediation cases, with a large proportion of the assignments in the representation case category.

At this level the representation assignments typically involve the smaller carrier organizations, with recognized occupational categories, and present no serious procedural problems as to application of rules, regulations, or precedents. The mediators are responsible for the conduct of investigations in the field, including interviews with major officials of the carriers as well as officers of the labor organizations involved, and for the reporting of findings. The conduct of ballot-box elections involves securing agreement, if possible, among the disputing employee groups, on lists of eligible voters; setting up election schedules; checking signatures and reporting results of the elections for certification by agency officials. They independently conduct such work, and all other work in the field as necessary in the disposition of the representation dispute, with the exception of situations which require higher-level decision on policy and rulings on law and procedures.

Mediation cases at this level involve disputes typically concerning routine revision of agreements, such as changes in existing rates of pay for particular types of positions or changes in the simpler rules in agreements. In general, the responsibilities and characteristics involved in the mediation assignments are essentially similar to those described above for the general industry mediator in GS-11. Typically, the cases assigned are expected to involve small carrier organizations, have a limited local effect, and present no complex or serious problems.

Supervisory guidance received is similar to that given the general industry mediator in GS-11; and, similarly, the mediator serves as assistant to and participant with a senior mediator in the more difficult cases.

MEDIATOR, GS-0241-12

Nature and impact of assignments

Cases for which the GS-12 mediator has responsibility are characterized by such conditions as the following:

- The issues involved are complex, but such issues in the past have been settled without a long, drawn-out controversy.
- The case involves several occupational areas that are significant only within a locality.
- The case involves an employee group whose work stoppage would affect the operations of an entire plant and related business activities in a small locality.
- The case involves a business in which a work stoppage would not have an imminent adverse effect on the public welfare but which, if prolonged, poses a potential threat.
- The record of labor-management relations has not been characterized by strong disagreements, long disputes, or high feeling between the parties; but the current dispute, if prolonged, could result in a work stoppage which could adversely affect the employment condition of the locality.
- The case involves wage structure questions that affect several occupational groups in a plant.

Level of responsibility

Supervisory consultation and advice are usually given the incumbent at the start of each mediation assignment. During the course of the case, progress reports rather than stage-by-stage consultation with their supervisor are required, although the supervisor is consulted as the mediator needs their advice.

The Mediator GS-12 may be called upon to serve as assistant to and participate with a senior mediator in negotiations on more difficult cases, such as those described at the next higher level.

MEDIATOR (RAILROADS AND AIRLINES), GS-0241-12

Nature and impact of assignment

Assignments of mediators in this specialization at this level are comprised of a substantial proportion of mediation cases as well as representation disputes.

Mediation cases at this level are characterized by issues, conditions, and scope of impact which are, in nature and degree of difficulty, essentially similar to that discussed above for the general industry mediator in GS-12.

Representation cases at this level involve the same basic duties as in the position of Mediator (Railroads and Airlines) GS-11, and include the same authority to conduct independently all the field work involved in making investigations and conducting elections. However, at this level the responsibility is greater because the issues and problems involved in the representation cases are more complex, and the conditions are more difficult. They require the GS-12 mediator to have a broader understanding and knowledge of the wide variety of occupational categories (crafts and classes) involved in the railroad and airline industries, and an intimate understanding of the labor traditions behind the immediate issues. For example, at the GS-12 level

- A case may involve disputes among several crafts or classes, and the issues regarding their occupational division are controversial and strongly contested. This requires that the mediator thoroughly understand the nature of the work of the different, but closely related, occupational areas involved and their distinctive characteristics in order to determine whether separate crafts or classes are warranted.
- A case may involve a large carrier with large employee groups (e. g., 5,000 to 50,000). Typically, such large groups pose numerous and varied problems and procedural questions for which there may be no specific clear cut guides. Problems may require the mediator to make determinations regarding eligibility period, eligibility of casual or temporary employees, method of balloting (mail, personal or combination), and disposition of challenges and impounded ballots. Several voting areas usually need to be set up and policed, requiring that the mediator supervise several voting teams to assist in the conduct of the elections in each area.
- A case may involve jurisdictional disputes among several crafts or classes, e.g., raiding by one labor organization seeking to enlarge its jurisdiction to areas which have historically been under the jurisdiction of another area.

Level of responsibility

Supervisory assistance received on mediation cases is similar to that given in the GS-12 general industry mediator position. Also, as in the position of the GS-12 general industry mediator, incumbent may serve as assistant to and participate with a senior mediator on more complex and difficult cases. Representation assignments are carried out independently.

MEDIATOR, GS-0241-13

Nature and impact of assignments

- Dispute cases for which the GS-13 mediator has responsibility are characterized by such conditions as the following:
- The issues in dispute are of a kind which in other cases have proved difficult to solve. For example, the issues in each case may involve different ramifications or the situations may have individual peculiarities that preclude use of standard solutions; or the underlying causes of the problem at issue, or the advantages in the suggested solutions, are not generally comprehended or appreciated by one or both parties.
- The dispute has reached a state of imminent or actual work stoppage.
- The case involves an employee group whose work stoppage would cripple plant-wide operations of a large business, or seriously affect related industrial and business activities of a locality.
- The case involves a business in which a work stoppage would adversely affect public utilities or services in a locality.
- The case is likely to arouse, or has aroused, substantial public interest
- The case involves a multi-plant operation, the plants being geographically distributed in separate areas within a region, and consequently affect several occupational areas in more than one locality.
- The case involves circumstances that justify an expectation of greater than normal resistance by the parties in establishing a common meeting ground.
- The record of labor-management relations shows long, drawn-out disputes and a history of hard feelings between the parties.
- The parties are known to have a reputation of not being amenable to compromise or as being likely to create disrupting incidents during the mediation proceedings.

Preventive mediation work at this level is similar, in nature of activities involved, to that described at GS-14. However, the issues and problems involved in GS-13 preventive mediation cases are typically of a degree of difficulty and complexity as characterized above for the GS-13 dispute cases. In contrast with the preventing activities at GS-14, the GS-13 cases do not generally involve independent contracts with the highest officials of very large industries and labor organizations, nor independent conduct of negotiations in very complex situations involving, for example, very large plants, multiple issues, or novel and precedent-setting approaches.

Level of responsibility

GS-13 mediators generally functions independently throughout the entire course of their individual mediation assignments. They report on the results of each case, and on its progress if the dispute continues over a long period, and consult with their supervisors as they deem necessary.

Normally, they independently establish and maintain contacts with representatives of labor, industry and other concerned groups at local and State levels. As may be needed, the supervisors establish initial contacts for them with top-level representatives and officials in labor, industry, or Government.

GS-13 mediators may also assist a mediator in a lower grade level, by providing advice on background and approaches in certain situations and, in some cases, serve as the lead mediator on a panel with them.

In critically important cases, whether dispute mediation or preventive mediation is involved, GS-13 mediators may also share the negotiations responsibility with one or two senior mediators. Or, if very serious and highly critical problems develop in any of their own cases, a mediator in a higher grade level may be assigned to join the case as a participating senior panel member.

MEDIATOR (RAILROADS AND AIRLINES), GS-0241-13

Nature and impact of assignments

The assignments of GS-13 mediators in this specialization are comprised mainly of mediation cases involving disputes which have important area-wide significance; assignments also occasionally include representation disputes of very difficult nature.

Typically, the characteristics of the mediation dispute cases at this level are similar to those of the general industry mediator in GS-13 in that they: (1) involve large, or several carriers or labor organizations; (2) have a widespread effect in an area; and (3) involve multiple and complex issues such as (a) complete revisions of working agreements, (b) wage demands covering a large group of employees, and/or (c) issues of interrelated nature which concern two or more large carriers and several labor organizations.

Mediators (Railroads and Airlines) GS-13 also mediate disputes in an emergency category (i.e., a strike is in effect, or a deadline date for a strike has been set). Assignments of such nature usually are confined to a single carrier, and involve issues relating to wage rates or working conditions which are not of novel nature.

Level of responsibility

Level of responsibility of GS-13 mediators in this specialization is similar to that of the general industry mediator in GS-13, as described above.

MEDIATOR, GS-0241-14

Nature and impact of assignments

Dispute cases assigned to a Mediator GS-14 are characterized by such conditions as the following:

- The issues are very complex, frequently multiple in nature, and/ or involve new features the outcome of which could have precedent-setting results. For the conduct of negotiations and finding satisfactory solutions in such disputes, the mediator is required to have a background of considerable experience in and comprehensive understanding of the nature and effect of the problems involved: and a high degree of ingenuity in developing new approaches, and effectiveness in persuading the parties to consider these approaches.
- The scope of the case is broad, involving a very large industry and affecting thousands of employees, and/or cutting across many States in or among regions, or having national industry-wide implications.
- A work stoppage would have a widespread, serious effect on the services to the public and/or the economy and the industrial and business activities of an area, because of the importance of the locale and nature of the dispute (e.g., waterfront cases).
- Public interest in the case is high and widespread.
- Personal interest in the case has been expressed by members of Congress, agency heads or joint chiefs of staff, or other high-level officials.
- The issues are highly controversial and of pressing importance; the situation is extremely sensitive and the atmosphere highly charged because of the rancor and bitter resistance of the parties.
- The case involves a national defense installation (e.g., missile or atomic energy plants) where a strike would seriously impair this Nation's defense program.
- The case is of the complexity and scope of those described at the GS-13 level, but has reached a stalemate and requires an unusual degree of mediation skill to bring about positive action.

Prerenegotiation "preventive" mediation at this level involves problems and issues of a degree of difficulty, complexity, and widespread scope as characterized above for GS-14 dispute mediation cases. These problems and issues are usually earmarked by the mediators themselves for preventive work to be done at an appropriate time, based on their observations and identification of certain problems noted during bargaining-table conferences, where such problems or issues may or may not have been the subject of the immediate negotiations. However, either or both parties may request their assistance, or such assignments may be made directly by the supervisor.

Characteristically, preventive mediation of the GS-14 level requires that mediators initiate positive action toward solving potential future problems while no immediate crisis is pressing for such solution. This action further requires an unusually good ability to understand, influence, and motivate toward joint constructive action, persons on both sides who have divergent views, and varying philosophies, attitudes, prejudices and temperaments. They need to maintain continuing contacts with these people and acquire thorough background knowledge about them and their labor relations problems. They need to be able to skillfully use this knowledge and these contacts as appropriate, judging when the time is proper to take up the issue with each party, and when to bring the parties together for joint discussion.

Preventive mediation at this level further requires that the incumbent explore and keep well abreast of the latest developments and trends in industry and in the labor-management relations field. They must be able to understand and assess these developments in considering their possible application to the particular situations involved. This requires considerable resourcefulness and ingenuity to be able to contribute possible solutions and alternatives; in many cases the solutions are novel and precedent-setting in the particular industry involved, particularly in the newer areas relating to fringe benefits.

Level of responsibility

GS-14 mediators are responsible for independently carrying out the mediation work involved in a wide variety of very difficult cases.

At this level, their range of formal and informal contacts is very wide and well-established, enabling them to deal directly with top-level officials to expedite action or exchange information in critical situations, and obviating the necessity for supervisory assistance in initiating the contact. These contacts include top representatives of labor organizations and of industry at both local and national levels, top local and State officials including State Governors, and top-level military officials and Federal agency heads, as well as members of Congress.

The majority of their preventive mediation cases are self-initiated, as they deem necessary, and some are initiated by the parties; in either case, they notify the Regional Director before proceeding; in other cases they are assigned by the Director.

MEDIATOR (RAILROADS AND AIRLINES), GS-0241-14

Nature and impact of assignments

The assignments of GS-14 mediators in this specialization typically are comprised of major disputes cases of great importance to the maintenance or restoration of peaceful labor relations in the railroad and airline industries. The cases assigned at this level are characterized by such conditions as the following:

- The dispute is nationwide in scope.
- Large groups of carriers and/or labor organizations are involved in a dispute in which the issue(s) have national application.
- The outcome of the issue in the dispute could be precedent-setting for the entire industry.
- A strike is imminent in a case having national significance.
- The dispute is in an emergency category (i.e., a strike is in effect or a strike deadline has been set), and involves complex and/or multiple issues or several carriers and/or organizations.

Typically, many of the cases at this level in this specialization are national scope, and are more likely to have a widespread and precedent effect throughout the carrier industry involved. Therefore, the mediators must give special consideration to the broad economic and industrial implications involved and must be able to anticipate the probable effect of the outcome on current rail and air carrier labor agreements and employee-management relations. They must be able to persuade the parties to consider new ideas and thoughts, where desirable, and be able to suggest modified or alternative possibilities, based on their comprehensive knowledge and background of rules in carrier agreements, as well as of the problems, general working conditions and wage rates in the industries, and the latest developments and trends in the field of labor relations.

Level of responsibility

The Mediators (Railroads and Airlines) GS-14 functions on a level of responsibility similar to that of the GS-14 general industry mediators, with the exception that preventive mediation is not carried out as a special activity. They also have responsibility for maintaining and, as needed, independently and directly utilizing a wide range of top-level contacts.