

**Affirmation of Compliance with Requirements for Renewal
Advanced Practitioner Member, Workplace Section - Mediator**

I affirm that:

- I am an Advanced Practitioner member in good standing with ACR;
- I have completed eighteen (18) hours of continuing education in the past three years.

Advanced Practitioner members of ACR's Workplace Section are eligible for inclusion in the ACR Workplace Section's Mediator Referral Service. If you wish to be listed in this service, you must have current liability insurance that covers you in the practice of mediation in all areas in which you practice, or indicate why you are not required to have insurance. Please check the appropriate box below:

- I wish to be included in the Referral Service. I hereby declare that I currently hold professional liability insurance that covers me in the practice of mediation in all the areas in which I practice. I agree that I will maintain such liability insurance at all times during which I am an Advanced Practitioner member of ACR.
- I wish to be included in the ACR Mediator Referral Service and am providing an explanation as to why liability insurance coverage is not required in my particular circumstances.
- I do not wish to be included in the Referral Service at this time.

I understand that ACR may require me to show evidence of compliance with any of the requirements above.

By my signature below, I certify that the information provided herein is accurate. I also agree to honor the ACR Standards of Practice and to participate in the Ethics Review Process.

Signature

Date

Two ways to submit affirmation:

- 1) Fax signed and dated affirmation to ACR at 202-464-9720
- 2) Mail to:

AP Program Manager
Member Concierge Center
Association for Conflict Resolution
5151 Wisconsin Avenue, NW
Suite 500
Washington, DC 20016

**ADVANCED PRACTITIONER REQUIREMENTS - WORKPLACE MEDIATION
(including Labor & Employment Mediators)**

July 1, 2003

Excerpt related to training and continuing education requirements for tri-annual renewal.

- III. B. Continuing education As part of the tri-annual application process for renewal of Advanced Practitioner - Workplace Mediation status, the member must show evidence of having completed eighteen (18) hours of continuing education and training within the three (3) years prior to application for renewal. Training may be drawn from the subjects in the core areas identified under IV, below, or from other areas shown to be relevant to the practice of workplace mediation.
- C. Teaching and training credit Applicants for initial qualification or renewal of Advanced Practitioner - Workplace Mediation member status, and who are experienced teachers or trainers of subjects in IV below, may substitute their teaching or training time of these subjects, on an hour for hour basis, for up to two-thirds (2/3) of the required hours of education and training.

IV. Core Areas of Education and Training for Workplace Mediators

The Advanced Practitioner - Workplace Mediation member must be knowledgeable in substance, process, and application of knowledge and skills related to the workplace and employment issues. The core training components related to knowledge of substance, process, and application of this knowledge reflect this need.

Education and training required under Section III must be draw from subjects in the three core areas below, except as stated in Section III.

A. Substantive knowledge

Understanding the context of workplace issues is important to the successful practice of mediation in the employment arena. Knowledge of the laws governing the workplace, the terminology used in workplace claims, available remedies, and the impact of company procedures, external regulating agencies and the courts on such claims is required. The following subjects provide examples of workplace knowledge.

1. Law and developing issues: Human and civil rights laws and issues (In the United States, e.g. Title VII, EEOC, Wage and Hour Act, ERISA, FMLA, and Labor Relations,) as well as such issues as workplace violence, and the effects of current events on the workplace.
2. Understanding Claims: e.g. terminology of workplace issues and claims, standards of proof, and damages.
3. Remedies: e.g. common settlement agreement provisions and agreement drafting issues, review by employer, agency, and court.
4. Procedures: e.g. filing deadlines and procedures, case management issues, collective bargaining agreements, and mediation intake procedures.
5. Special issues: e.g. large-group mediations, multiple claims, formal class actions suits, and ethical issues especially likely to arise in workplace disputes.
6. Diversity and equity: e.g., cultural issues in workplace mediation, fairness, etc.

B. Knowledge of process

A thorough knowledge of the process of mediation is critically important when mediating workplace issues and claims. How conflict develops in the workplace, power issues, the emotions involved and mediating with large groups or class action claims, for example, are some of the process issues with which the Advanced Practitioner - Workplace Mediation should be thoroughly familiar. Relevant subjects may include:

1. The dynamics, causation, and effects of workplace conflict, with exploration of its relevance to mediation, e.g. communication, trust and power issues, workplace culture, and the emotional impact of workplace conflict.
2. The special aspects of typical workplace mediation, e.g. managing multiple parties with differing interests, access to authority, power issues, representatives in mediation (attorneys, union officials, friends/family, disabilities and/or civil rights advocates, multiple management layers, etc.), organization culture, special issues in confidentiality and ethics, and the effect of disabilities on the organizational process.

C. Application of skills and knowledge

Applying the skills and knowledge to workplace issues requires experiential training. Therefore, the use of techniques in which mediators can apply knowledge and skills is an essential part of training. The use of case studies, role-plays, and demonstrations are an important learning tool. It is recommended that advanced training in mediating workplace/employment disputes include some, if not all, of the following components:

1. Case studies: Case studies that allow for analysis of positions and interests are an essential part of understanding workplace conflict. Other components that are useful to explore with the case study method are unearthing hidden agendas, understanding the external forces affecting decision-making, and the no agreement alternatives available to participants in the mediation process. Other skills that may be elicited through the case study method include recognizing interventions appropriate to the circumstances and the range of possible outcomes to the dispute.
2. Role plays: Realistic workplace and litigated employment dispute fact patterns, to include multi-party cases, should be used in small group role-plays. Ideally, experienced mediators trained in both substance and training, should provide real-time coaching in small groups.
3. Demonstration: Role-play demonstrations by the trainer are appropriate but these should not constitute a majority of the training.
4. Focused interactive sessions: Dealing with difficult parties, specific issues that arise in the workplace, specific mediation dynamics, and/or how to deal with substantive issues may be demonstrated or addressed via a focused role-play in front of the larger group.