



FAQ: MEDIATION

PAT Members Frequently Asked Questions – June 2017

Q: I thought we were using collaborative bargaining. What happened?

A: The District has given PAT formal notice that it will withdraw from our collaborative Interest-Based Bargaining (IBB) process and has asked for mediation.

Q: What is Mediation?

A: Mediation is a formal step in the bargaining process identified in state law. Deciding to go to mediation is the first of three decision points that can lead to the District imposing its contract proposal or PAT going on strike.

Q: What legal requirements control our negotiations with PPS?

A: The Oregon Public Employee Collective Bargaining Act (PECBA), ORS 243.650 - 243.782, establishes a collective bargaining process for school districts and unions representing their employees. It requires several steps designed to help the parties reach agreement. PAT and PPS were initially required to meet and bargain directly with each other in good faith for at least 150 calendar days. 150 days have passed. PPS has now requested mediation.

Q: Who is the Mediator?

A: The State Conciliation Service, part of the Employment Relations Board, assigns mediators. Our mediator is Janet Gillman, who also served as our mediator three years ago and has been facilitating our Interest Based Bargaining (IBB) sessions.

Q: How does mediation work?

A: A mediation session is scheduled when the mediator and the members of both bargaining teams are available. No specific format is required. Teams can meet face-to-face or the mediator may choose to shuttle proposals between caucus rooms. If the first session is unsuccessful, additional mediation sessions may be scheduled.

Q: Will there be more than one mediation session?

A: By law the parties are required to mediate for at least 15 calendar days. The timelines start with the first mediation session. The mediator may schedule multiple mediation sessions.

Q: Can the mediator force the parties to agree, or dictate what the contract language will be?

A: No.

Q: How will I know what is going on?

A: Mediation will most likely occur over Summer Break. PAT will send updates to your home email address. Make sure your building Rep has your summer contact information.



Q: Will mediation be public?

A: Mediation is usually not in public.

Q: Can the teams meet without the mediator?

A: Yes. There is no limit on the parties mutually agreeing to meet with or without the mediator present.

Q: What happens if an agreement is not reached in mediation?

A: After at least 15 calendar days of mediation, either party may declare impasse. This is followed by a 7 calendar-day impasse period and a 30 calendar-day cooling off period. After that, the District may impose a contract on you and PAT may call a strike.

Q: Does this mean we will be on strike in August?

A: It is highly unlikely that that could happen so quickly. However, when we return to school in August, we may be close to the end of the timelines.

Q: Should I save money now?

A: If the District continues down this path, PAT will provide more information about strike benefits.