



**STATE OF OREGON  
POSITION DESCRIPTION**

**Position Revised Date:**

**This position is:**

- ☒ Classified  
☐ Unclassified  
☐ Executive Service  
☐ Mgmt Svc – Supervisory  
☐ Mgmt Svc – Managerial  
☐ Mgmt Svc - Confidential

**Agency:** Employment Relations Board

**Facility:**

☒ New ☐ Revised

**SECTION 1. POSITION INFORMATION**

<b>a.</b> Classification Title:	ERB Mediator	<b>b.</b> Classification No:	C1542
<b>c.</b> Effective Date:		<b>d.</b> Position No:	0034007
<b>e.</b> Working Title:	Mediator	<b>f.</b> Agency No:	11500
<b>g.</b> Section Title:	Conciliation Division	<b>h.</b> Budget Auth No:	000004980
<b>i.</b> Employee Name:		<b>j.</b> Repr. Code:	UA
<b>k.</b> Work Location (City – County):	Salem, Marion		
<b>l.</b> Supervisor Name (Optional):	Janet F. Gillman, State Conciliator		
<b>m.</b> Position:	<input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Seasonal <input type="checkbox"/> Limited Duration <input type="checkbox"/> Academic Year <input checked="" type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Intermittent <input type="checkbox"/> Job Share		
<b>n.</b> FLSA:	<input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt	If Exempt:	<input type="checkbox"/> Executive <input checked="" type="checkbox"/> Professional <input type="checkbox"/> Administrative
		<b>o.</b> Eligible for Overtime:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**SECTION 2. PROGRAM AND POSITION INFORMATION**

**a. Describe the program in which this position exists. Include program purpose, who's affected, size, and scope. Include relationship to agency mission.**

The Employment Relations Board (ERB) is a quasi-judicial body empowered by statute to adjudicate and mediate labor disputes arising out of collective bargaining and employer/employee relationships prescribed by or created under ORS Chapters 243, 240, 662, and 663. The ERB acts as a "labor law appeals court" for the State of Oregon. The agency is responsible for the enforcement and administration of labor relations laws governing approximately 250,000 employees and 3,000 employers, including the State of Oregon, cities, counties, school districts, transportation districts, other local governments, and private employers and employees not subject to the National Labor Relations Board's jurisdiction.

The Conciliation Service renders assistance to resolve labor disputes, encourages practices fundamental to the peaceful adjustment of labor disputes, and promotes the improvement of labor/management relations through the process of conference and collective bargaining.

**b. Describe the primary purpose of this position, and how it functions within this program. Complete this statement. The primary purpose of this position is to:**

The purpose of this position is to function as a liaison between employers and employees (or their representatives). This position investigates areas of conflict and provides conciliative assistance as a neutral party to keep the conflict from becoming a labor dispute; to mediate labor disputes arising from the collective

bargaining process, the interpretation of collective bargaining agreements, and other related disputes. Additionally, this position assists the union and management in cooperative efforts through facilitation and training.

### SECTION 3. DESCRIPTION OF DUTIES

List the major duties of the position. State the percentage of time for each duty. Mark “N” for new duties, “R” for revised duties or “NC” for no change in duties. Indicate whether the duty is an “Essential” (E) or “Non-Essential” (NE) function.

% of Time	N/R/NC	E/NE	DUTIES
80%	NC	E	<p><b>Preconference Research:</b></p> <ul style="list-style-type: none"> <li>Confer with management and employee representatives in potential or actual labor disputes.</li> <li>Conducts extensive review of proposals and counterproposals and facts alleged in the case.</li> <li>Researches case law and other appropriate settlements to facilitate resolution.</li> </ul> <p><b>Mediation and Conciliation Conference:</b></p> <ul style="list-style-type: none"> <li>Preside over and conducts mediation and conciliation conferences between disputant parties regarding labor disputes and other related disputes.</li> <li>Identify and define issues of the dispute.</li> <li>Apply and interpret appropriate statutes, rules, policies, and case law.</li> <li>Collect, analyze, and interpret information relating to the disputes.</li> <li>Promote an understanding of the positions and contentions of both parties.</li> <li>Review and evaluate solutions with disputant parties.</li> <li>Assists parties in communicating their respective needs, interests, concerns, and perceptions to one another.</li> <li>Facilitate an understanding of opposing points of view.</li> <li>Maintain objectivity when dealing with opposing viewpoints.</li> <li>Apply judicial impartiality during mediation conferences and other meetings.</li> <li>Establish trust and confidence in the disputant parties.</li> <li>Interpret statutes, rules, policies, and guidelines to provide timelines and procedures for services performed.</li> </ul>
15%	NC	N	<p><b>Facilitation:</b></p> <ul style="list-style-type: none"> <li>Provide facilitation of group problem solving processes to assist joint labor-management committees and bargaining teams with negotiation and problem solving.</li> <li>Choose appropriate facilitation techniques and processes for the particular circumstance, using a variety of facilitation skills and techniques.</li> </ul> <p><b>Training:</b></p> <ul style="list-style-type: none"> <li>Consults with management and union officials about their training needs and assist parties in developing training plans.</li> <li>At the joint request of union and management, design processes for dispute resolution and labor management cooperation.</li> <li>Prepare and conduct training.</li> <li>Adapt curriculum, training materials, and agendas to the parties' needs.</li> </ul>

5%	NC	E	<ul style="list-style-type: none"> <li>• Maintains professional and technical knowledge by reviewing professional publications and attending professional conferences and seminars.</li> <li>• Reviews arbitration decisions, court rulings, and other developments in labor and employment law related to bargaining, mediation, and arbitration. Researches trends and innovations in labor management cooperation and training.</li> <li>• Answers requests for information regarding collective bargaining law, mediation, and arbitration.</li> <li>• Establishes and maintains rapport with unions, employers, public, press, and elected officials.</li> <li>• Speaks at conferences, seminars, college classes, and to other interested groups on dispute resolution including mediation, union/management cooperation, and services offered by the Conciliation Service.</li> </ul>
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## SECTION 4. WORKING CONDITIONS

**Describe any on-going working conditions. Include any physical, sensory, and environmental demands. State the frequency of exposure to these conditions.**

Irregular hours and extended work days and work weeks on an ongoing basis. Extensive travel to all parts of the state.

## SECTION 5. GUIDELINES

**a. List any established guidelines used in this position, such as state or federal laws or regulations, policies, manuals, or desk procedures.**

ERB Rules (OARs)  
 ORS 243, 240, 342, 662 and 663  
 Board policies  
 State policies

**b. How are these guidelines used?**

These guidelines are used to identify time lines and establish procedures for providing the services performed by the Employment Relations Board (ERB). A State Mediator must explain ERB procedures, provide general information, and respond to questions from the parties and the public concerning the collective bargaining laws affecting bargaining, relevant employment statutes, ERB rules and decisions, and any appropriate court rulings.

## SECTION 6. WORK CONTACTS

**With whom, outside of co-workers in this work unit, must the employee in this position regularly come in contact?**

Who Contacted	How	Purpose	How Often?
Union negotiators	Telephone, correspondence, in person, e-mail	Varies	Daily
Management negotiators	Telephone, correspondence, in person, e-mail	Varies	Daily
Attorneys	Telephone, correspondence, in person, e-mail	Varies	Daily
Administrators	Telephone, correspondence, in person, e-mail	Varies	Daily
Elected officials	Telephone, correspondence, in person, e-mail	Varies	Varies
Public	Telephone, correspondence, in person, e-mail	Varies	Varies
Press	Telephone, correspondence, in person, e-mail	Varies	Varies

## SECTION 7. POSITION RELATED DECISION MAKING

**Describe the typical decisions of this position. Explain the direct effect of these decisions.**

A mediator must be careful to make decisions that are in the best interest of the parties and the public and are in keeping with the neutral function of the mediator. Decisions frequently must be made immediately and in conflict situations. Conflicts not resolved may result in strikes, lockouts, work stoppages, or costly litigation. Resolutions or agreements reached may impact the political environment or financial resources of cities, counties, state, or other public jurisdiction.

A mediator decides what mediation interventions and techniques will be appropriate for a particular dispute. In consultation with the parties, the mediator decides the format, curriculum, and materials for training and the specific dispute resolution process/system to be used.

This position requires the use of independent judgment; frequently decisions must be made immediately and often in tense situations.

Imprecise communication and not exercising good judgment can negatively impact the likelihood of effective dispute resolution and also negatively impact the reputation of the Agency with respect to constituents and the public.

## SECTION 8. REVIEW OF WORK

**Who reviews the work of the position?**

Classification Title	Position Number	How	How Often	Purpose of Review
State Conciliator	0632001 / 000000024497	Assigns cases and gives general direction of caseload.		Reviews cases with mediator, consults and assists mediator when appropriate.

**SECTION 9. OVERSIGHT FUNCTIONS****THIS SECTION IS FOR SUPERVISORY POSITIONS ONLY**

a. How many employees are directly supervised by this position? 0  
How many employees are supervised through a subordinate supervisor? 0

b. Which of the following activities does this position do? None

- |  |   |
|--|---|
| <input type="checkbox"/> Plan work               | <input type="checkbox"/> Coordinates schedules                    |
| <input type="checkbox"/> Assigns work            | <input type="checkbox"/> Hires and discharges                     |
| <input type="checkbox"/> Approves work           | <input type="checkbox"/> Recommends hiring                        |
| <input type="checkbox"/> Responds to grievances  | <input type="checkbox"/> Gives input for performance evaluations  |
| <input type="checkbox"/> Disciplines and rewards | <input type="checkbox"/> Prepares & signs performance evaluations |

**SECTION 10. ADDITIONAL POSITION-RELATED INFORMATION**

**ADDITIONAL REQUIREMENTS:** List any knowledge and skills needed at time of hire that are not already required in the classification specification:

The duties and responsibilities of this position involve the overall complexity of dispute resolution which requires in-depth analysis and interpretation of issues, development of alternative solutions, extensive use of information and evidence from disputant parties, and maintenance of mediator-to-party trust and confidence. This position requires the use of independent judgment; frequently decisions must be made immediately and often in tense situations. Because these disputes are generally publicly and/or politically sensitive and may have financial implications, expertise in labor relations, labor laws, and dispute resolution is required.

All ERB employees are expected to be aware of and abide by agency security plans, policies, and procedures, and protect sensitive and confidential information at all times.

In addition to the duties outlined above, each ERB employee is expected to:

- contribute to a positive and productive work environment;
- work cooperatively with co-workers;
- participate in team and agency development and training activities;
- provide excellent customer service to the public, co-workers, and other state employees;
- advance the mission of the agency by treating all customers, stakeholders, partners, and co-workers with dignity and respect; and
- contribute to a work environment where individual and cultural differences are valued and respected.

**BUDGET AUTHORITY:** If this position has authority to commit agency operating money, indicate the following:

Operating Area	Biennial Amount (\$00000.00)	Fund Type
None		

## SECTION 11. ORGANIZATIONAL CHART

Attach a current organizational chart. Be sure the following information is shown on the chart for each position: classification title, classification number, salary range, employee name, and position number.

## SECTION 12. SIGNATURES

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Appointing Authority Signature

\_\_\_\_\_  
Date