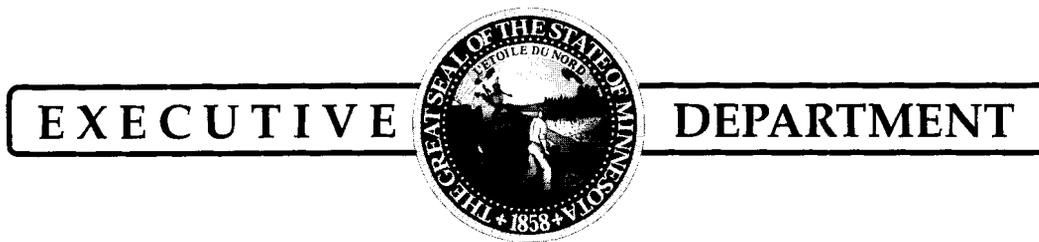


STATE of MINNESOTA



TIM PAWLENTY
GOVERNOR

EXECUTIVE ORDER 04-07
WORKPLACE MEDIATION PROGRAM

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, workplace disputes disrupt the ability of agencies to fulfill their missions; and

WHEREAS, unresolved disputes can undercut workplace morale, interpersonal relationships, and negatively impact productivity; and

WHEREAS, many workplace disputes fall outside of established grievance procedures and could be resolved before rising to the level of a formal complaint; and

WHEREAS, the best resolution to a dispute is often one fashioned by the parties to the disputes; and

WHEREAS, workplace mediation assists the disputants in finding a resolution to their dispute in a non-adversarial setting; and

WHEREAS, a workplace mediation program that uses trained state employees to help resolve disputes within state agencies would be easily accessible and an efficient use of existing resources; and

WHEREAS, the use of mediation can mitigate or reduce the reliance on, or trend toward, litigation and other expensive formal procedures as a means of resolving employee disputes; and

WHEREAS, the Bureau of Mediation Services has developed and administered a workplace mediation program for state agencies; and

WHEREAS, the Departments of Employee Relations and Finance; Minnesota Association of Professional Employees; Association of Federal, State, County and Municipal Employees; Middle Managers Association; and Minnesota Government Engineers' Council, have all worked with the Bureau of Mediation Services to fashion a shared neutrals mediation program for state agencies and MNSCU campus;

NOW, THEREFORE, I hereby order that:

1. State agencies and MNSCU Campuses are encouraged to make use of the workplace mediation program offered by the Bureau of Mediation Services,
2. The Bureau of Mediation Services has the following responsibilities:
 - A. Coordinate the recruitment, selection and training of workplace mediators.
 - B. Assist agencies and campuses in publicizing the workplace mediation program.
 - C. Administer the program, which includes, but is not limited to, these duties:
 - (1) Maintain phone access during working hours;
 - (2) Contact the parties requesting mediation and the parties who are requested to mediate;
 - (3) Contact mediators, assign them to cases and provide them with relevant information; and
 - (4) Provide appropriate materials, and collect, evaluate and summarize evaluation forms;
 - D. Maintain a base of available workplace mediators sufficiently large to accommodate the requests for mediation.
 - E. Maintain and conduct workplace mediator training updates as needed.
 - F. Supervise the professional department of the workplace mediators and implement corrective action as needed.
 - G. Provide technical assistance to parties inquiring about the workplace mediation program and consult with appropriate state employees and bargaining units.
3. Executive branch agencies and MNSCU campuses assume the following responsibilities:

- A. Encourage managers, supervisors and employees to use the workplace mediation program and guarantee release time for employees to participate in the program.
- B. Recommend potential workplace mediators to the Bureau of Mediation Services.
- C. Pay for training and approve release time for training as needed (up to 20 hours a year) to conduct mediation for those chosen for the workplace mediation roster.
- D. Appoint a workplace mediation program coordinator to work with the Bureau of Mediation Services, employees and bargaining units.
- E. Participate in evaluation of the workplace mediation program.

Pursuant to Minnesota Statutes 2002, section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the State Register and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes 2002, section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this 30th day of April, 2004.


TIM PAWLENTY
Governor

Filed According to Law:


MARY KIFFMEYER
Secretary of State

