

“There are numerous workplace complaints, ranging from statutory claims of discrimination to personality conflicts, not typically resolved in the collective bargaining arena. Dynamic Adaptive Dispute Systems, or DyADS — the process we’ve developed — can reduce workplace disputes, improve morale, and enhance the quality of workplace life.”

What are Dynamic Adaptive Dispute Systems, or DyADS?

DyADS programs are designed to manage disputes that may not be addressed in an organization’s collective bargaining agreement. These can include claims of discrimination based on race, gender, disability, age or sexual orientation as well as working-style disputes, personality conflicts, and certain kinds of disagreements between supervisors and employees, or among employees themselves.

Dynamic Adaptive Dispute Systems — known by their acronym DyADS (the word dyad means a pair, such as labor and management, working together as a unit) — are unique conflict resolution programs designed, developed and sustained by labor and management parties within an organization. A team of experts in dispute system design worked with the Federal Mediation and Conciliation Service over 18 months to help develop the DyADS process which, in 2004, is being made available to companies with organized workforces nationwide on a pilot basis. With FMCS facilitation and support — which is given by the federal agency at no cost during this early roll-out period—organizations are trained to develop and manage a unique state-of-the-art dispute resolution system to address the full range of conflict that falls outside the scope of a collective bargaining agreement.

Because participants develop their own process, rules and regulations for handling workplace disputes, the result is a system that is specifically tailored to the needs of each organization. Utilizing dispute resolution resources and techniques selected by the parties involved, a DyADS program is flexible, responsive and cost-efficient.

How Does an Organization Benefit from a DyADS Program?

A DyADS program can bring about quick and efficient settlement of disputes, open and inclusive communication, and a workplace that encourages resolution of conflict at its earliest stages. Ultimately, these changes in the organizational culture can lead to improved productivity, better organizational learning, and a more successful working environment.

What Does a DyADS Process Require from Labor and Management?

A DyADS process begins with discussions between front-line managers and union representatives whose member employees would be directly affected by any new system. The parties themselves, through key stakeholders in the

Why FMCS?

“With a history of more than a half century of providing mediation and facilitation services, FMCS has more collective experience in dispute resolution than any other agency of government.”

workplace, build the program from its inception, designing different processes to efficiently handle, and hopefully resolve, workplace disputes. With the DyADS approach, the parties jointly develop an internal “neutral function” — performed by either an individual or a committee — to coordinate and implement the program and help disputants reach solutions to their workplace problems. During this process, an FMCS team facilitates internal dialogue between the parties, and helps them collaborate to design a flexible DyADS program that has multiple tracks for conflict resolution.

Does DyADS Sidestep Existing Collective Bargaining Agreements?

No. DyADS is not an end-run around the grievance-arbitration provisions of a collective bargaining agreement. It is an inclusive process that encourages parties to develop a proprietary system with multiple options available for resolution of various types of employment disputes. The result is a dynamic, constantly evolving system that does not interfere with collective bargaining rights or the rights of individuals to seek redress in any statutory scheme.

How Much will this Program Cost to Develop?

During the DyADS pilot phase, there will be no cost for the services and training provided by FMCS. Given the quality results promised by the DyADS process, this is a remarkable opportunity for any company with an organized workforce. To develop a DyADS program that is specifically tailored to the needs of your workplace, please call FMCS General Counsel Arthur Pearlstein at 202-606-3635 or e-mail him at APearlstein@FMCS.gov.

FMCS

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mission

The primary responsibility of the Federal Mediation and Conciliation Service (FMCS) is to promote sound and stable labor relations through mediation and conflict resolution services. We mediate collective bargaining negotiations, provide other forms of alternative dispute resolution services outside of the collective bargaining context, provide training courses to improve the workplace relationship, and refer arbitrators for settlement of contract application disputes. FMCS mediators are widely dispersed throughout the country. For more information about the Service and its programs, please visit our Web site at www.FMCS.gov