

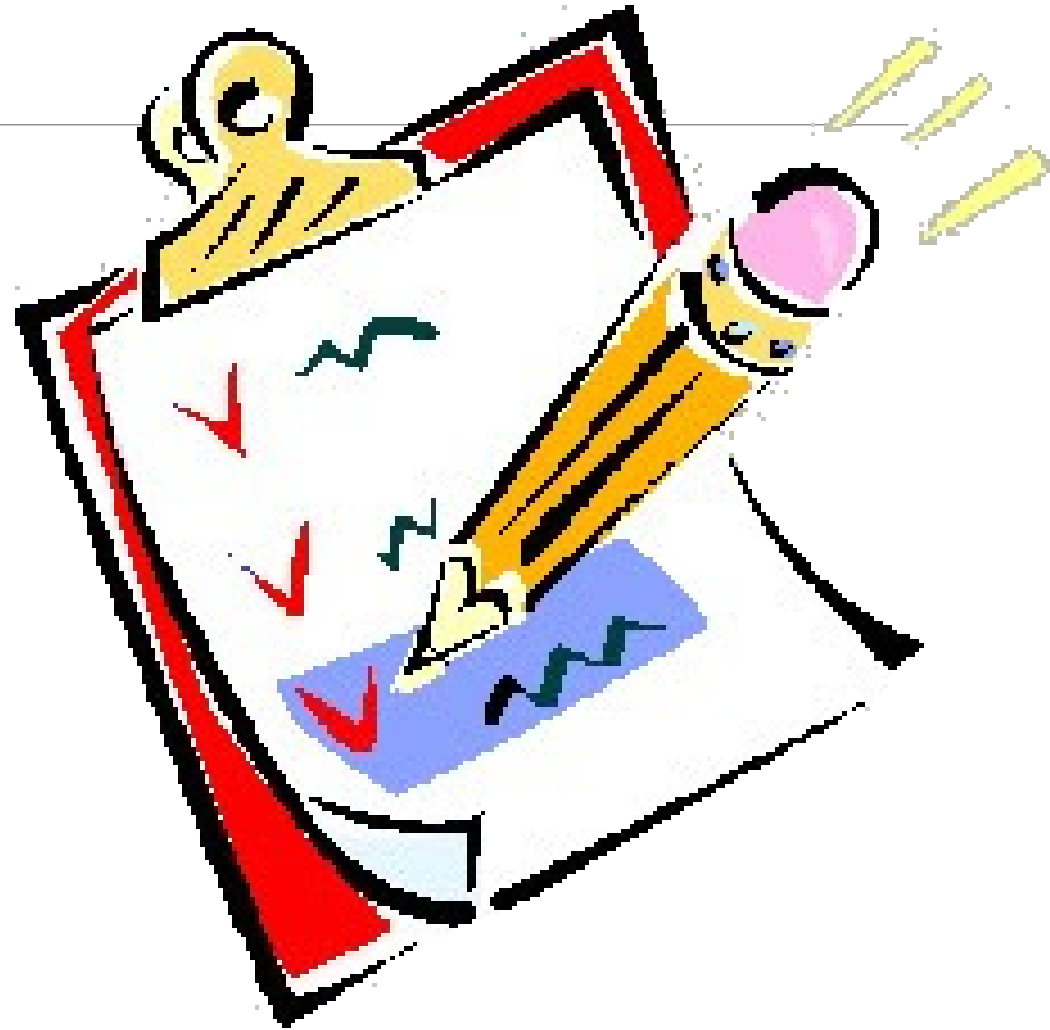
How to Use Audio, Web, and Video Conferencing in ADR

ADR.gov

**INTERAGENCY ALTERNATIVE DISPUTE RESOLUTION WORKING GROUP
TECHNOLOGY COMMITTEE**

Agenda

- 12:00 Opening remarks
- 12:10 Margaret Ross
- 12:30 Kevin Buffington
- 12:50 Daniel Rainey
- 1:10 Q&A, discussion
- 1:25 Closing remarks
- 1:30 End





Opening Remarks

WHY CONSIDER ADR TECHNOLOGY

- ❑ **Appropriate technology** can enhance delivery of ADR
 - ❑ Time, place, cost, process
 - ❑ Problems, decisions, action
- ❑ **Mission *requires* adoption** of appropriate tech
- ❑ **Who will parties select** if your ADR tools lead to better success & mine don't?

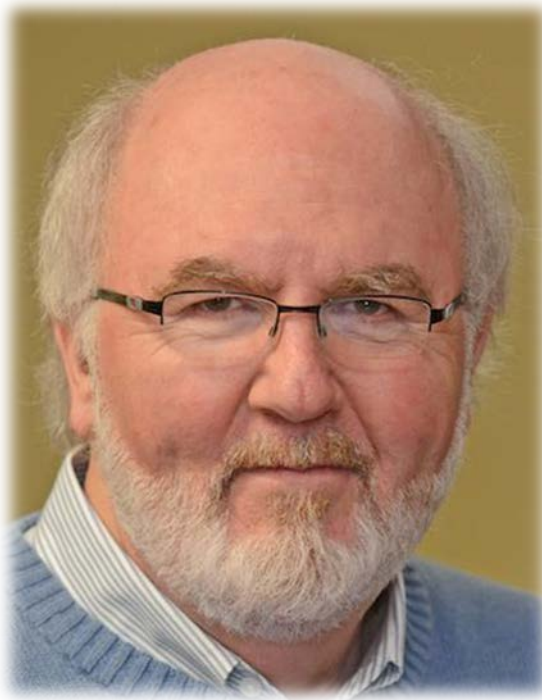
THE PROBLEM

- ❑ **20th Century ADR training** does not prepare us to understand, select, or use appropriate tech
- ❑ **Rapid changes** in technologies & specific hardware & software

Speakers

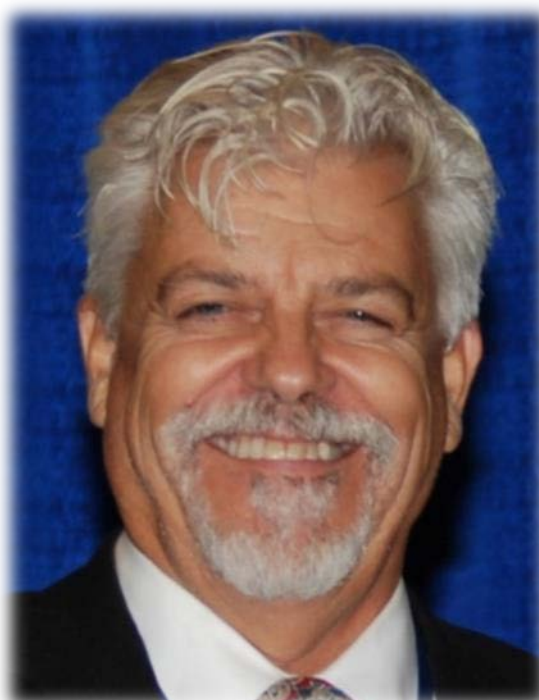
Daniel Rainey

Chief of Staff, NMB



Kevin Buffington

Commissioner and
Field Technologies
Administrator, FMCS



Margaret Ross

Conflict Resolution
Specialist, EPA



TODAY: How to Use Audio, Web, & Video Technology in ADR

Display, Describe, and/or Demo

Best Practices

Overcome Barriers

Q&A

May 10


Web-based services

Survey tools

Scheduling tools

Thereafter?





How to Use Audio, Web, and Video Conferencing in ADR

EPA's experience & efforts



CPRC

Conflict Prevention and Resolution Center

First do no harm

- Set aside adequate time for learning, planning, execution.
- Assess participant capabilities/access.
- Tailor your approach to ensure equal access.
- Build a team.
- Provide clear communication and troubleshooting.
- Create backup and contingency plans.
- Use a technology annotated agenda.



CPRC

Conflict Prevention and Resolution Center

Types of Real-Time Collaboration



In-Person



Remote



Hybrid



CPRC

Conflict Prevention and Resolution Center

Considerations

Event	Time	Cost	Participation	Communication
In-Person	Lead time for room and equipment reservations.	Travel costs. Room and/or audio/visual costs.	Must be physically present. Requires some amount of travel time.	High context communication.
Remote	Limited lead time required, limited staff time required.	Possible licensing costs. No travel costs.	Technology availability and capability.	Lower context communication.
Hybrid	Significant planning required, and more than one facilitator may be required.	Room reservation + integration of multiple audio/visual components	Most flexible for participants. Most work for facilitators.	Difficult to balance high and low contexts.



CPRC

Conflict Prevention and Resolution Center

EPA Tools

Tool Name	External Parties	Integrated A/V	Physical equipment required	Pitfalls
Reservationless Plus Audio Conferencing	Yes	No	Telephone	Noise, interruptions, hard to gauge attention, no body language
Adobe Connect Web Conferencing	Yes	Yes (or separate, as desired)	Computer, internet, webcam, mic, telephone	Tech troubleshooting, audio integration issues, video bandwidth problems
Skype for Business	No	Yes	Computer, internet, VPN, webcam, mic	Tech troubleshooting, can only use internally
Tandberg Video Conferencing	No	Yes	Tandberg station, computer	Room reservations, can only use internally, splitting screen



CPRC

Conflict Prevention and Resolution Center

Two Contexts for Tech use in ADR

Community Involvement

- External stakeholders.
- Can involve large numbers of participants/parties.
- Differing levels of technology access & capability.
- Long term process, many events over time.
- Use of in person, telephone, web meetings, and other social media tools to keep momentum.

EEO Mediation

- Internal to EPA.
- Usually small number of participants.
- Same technology and support available to all.
- Usually a single event.
- Use of video teleconferencing almost exclusively.



CPRC

Conflict Prevention and Resolution Center

Video Conferencing

- Very high quality audio and visual.
- Straightforward connector just dial the number.
- Easy set up for “face to face” meetings.
- Very high cost: initial investment in equipment, ongoing maintenance, service contracts.
- Participation limited by room access.



CPRC

Conflict Prevention and Resolution Center



The Federal Mediation and Conciliation Service uses TAGS to enhance the customer Online Dispute Resolution experience. Technology Assisted Group Solutions (TAGS) is our umbrella that houses a number of our software programs.



Conducting some or all Dispute Resolution and sub-committee meetings online saves

Time, Money, Travel and Stress!



What We Know

- We maintain our own servers that allow labor, management and other involved parties to conduct secure business like negotiations, surveys and committee work via the Internet.
- This technology has been successfully used by FMCS in F2F, Remote and Combination meetings of 4 – 400 users in a session. Our online Surveys have had thousands of users.
- Parties can access their data 24/7 via a smartphone, iPad or laptop. We also have laptops and mobile servers that can be provided for a meeting if needed.
- Labor and management has in almost every case saved both time and money when we have used this technology. They like it!



Technology at the FMCS

- **Adobe Connect – Biggest benefits – user control, breakout rooms and integrated audio and video. Ref: Adobe.com**
- **FacilitatePro – Biggest benefits – user anonymity if desired, electronic flip-charting, brainstorming, surveys, reports, capable of gathering input and evaluating viability of possible solutions from large groups as easily as working with small numbers of participants. Software's information processing saves massive negotiation time in an Interest-based method of ADR. Can be used simultaneously with Adobe. Ref: Facilitate.com**
- **eRooms – Biggest benefits – 24/7 availability, document management. Ref: Emc.com**



When do we have a Technology-assisted meeting?

- **When we believe these software tools may benefit a labor/management or ADR experience by doing any of the following:**
 - A. Saving the agency or the parties “Time” (travel or meeting process time)**
 - B. Saving the agency or the parties “Money” (travel expense and related stress).**
 - C. Accomplishing a better end-result by changing methodology.**
 - D. Logistics can be in place to accommodate the technology.**



Organizational involvement

- **Educate our potential users (our field agents and their management) on the software and it's benefits via webinars.**
- **Conduct tech training for willing agents.**
- **Tech request discussion**
 - **5 W's and how will the technology be used?**
 - **Field agent's ability and/or comfort level?**
 - ✓ Can they run a TA meeting on their own?
 - ✓ Will they need help in preparing or conducting the meeting?
 - ✓ What level of support is needed (physical presence or remote)



Adobe Connect

DEMO (Sharing) - Adobe Connect

Meeting Layouts Pods Audio Help

Video

Start My Webcam

Share

Attendees (1)

Active Speakers

Start Breakouts

Main Meeting (1)

- Kevin Buffington
- Breakout 1 (0)
- Breakout 2 (0)
- Breakout 3 (0)

Chat (Everyone)

The chat history has been cleared

Everyone



FacilitatePro - IBPS - Interests

Issue #1: Title 21, Recruitment- Interests- Completed

Interests. Issue #1: Title 21, Recruitment of Qualified Candidates. Insuring vacancies are filled by qualified candidates.

The WHY behind the topic. The fears, needs, qualities, concerns behind the issue. Why do we care?

Refresh

Use My Facilitator Settings

Finished

Print

Electronic Flip Chart This session is NOT anonymous. The following 13 items have been contributed to this Topic:

- 1 Company believes that a process which effectively screens candidates to insure vacancies are filled via qualified employees/new hires is a shared interest. Typically such processes include: 1) a means for employees to express their interest in a vacancy; and 2) an interview of the most competitive candidates to select the successful one. George T.
- 2 Defendable selection process - Terry W
- 3 Management retains the right to selection successful candidate. - Terry W
- 4 Supervisor responsibility is to give feedback to the unsuccessful candidates. - Terry W
- 5 The Company is open to have other involved in the resume review or interview process. Participants must be qualified to judge other qualifications for job being filled. - Terry W

Comments:

1. Hold the job that is being filled or higher classification. - Terry W
- 6 The Company is interested in maintaining a "qualifications" based selection process. - Terry W
- 7 The Company has interest in ensure selection process is free from "discrimination". - Terry W
- 8 Timely filling of vacancies - Union
- 9 opportunity for promotion - Union
- 10 Title 21 eliminates possible discrimination - Union
- 11 assist in the determination of qualified candidates and participate in the interview process - Union
- 12 explore the continued use of the pre-bid system to identify possible candidates - Union
- 13 The Company would like to be able to consider candidates from outside the unit for vacancies, including vacancies for non-entry level positions - Management



FacilitatePro – IBPS-Brainstorm Options

Issue #1: Title 21, Recruitment- Options- Completed

Options. Issue #1: Title 21, Recruitment

The many ways we can improve. What would our organization look like if we dealt with this issue perfectly? What do we need to do NOW to get there?

Refresh

Use My Facilitator Settings

Finished

Print

Electronic Flip Chart This session is anonymous. The following 9 items have been contributed to this Topic:

- > It is imperative that we define the transfer/bid unit (e.g. own bid unit - CRE or CRE Land.)
- > Union and Company review list of applicants (from within and outside unit) and agree on list of candidates to be interviewed
- > - for senior positions or higher, candidates will be selected from employees in the current line of progression
- if no qualified bidders within the current LOP's, then proceed to qualified applicants within the current unit positions (63).
- if no qualified bidders with the current unit then proceed to outside the unit - internal or external of the company
- > Fill all vacancies as we do today by utilizing the current management process.

Comments:

1. Union and Company review list of applicants (from within and outside unit) and agree on list of candidates to be interviewed
 2. seniority shall prevail when there are two or more closely qualified/ranked candidates.
- > Blended approach: Allow employees to pre bid jobs. Do joint/company panel resume review on all bidders. If not qualified bids then open to process to all interested parties.
 - > Interested parties receive scratch offs. Whoever has the lucky number gets the job. Another approach is to have fishing contest. Whoever catches and release the most fish gets the job. George [REDACTED]
 - > Blended Title 21 and Posting Process: allow interested employees to state their interest in a future vacancy. Once a vacancy happens, we would work the transfer/bid list. If no qualified transfers or bids, then utilize the current management process including interviews. Union would be involved in the establish decision criteria and selection process.
 - > Blended approach: Allow employees to state their interest for future vacancies. Interview top three qualified candidates. Determining qualified candidates would happen through joint Union/Company panel. If no bidders or less than 3 interested parties, open the process to all interested parties.
 - > If less than three qualified bidders then job would be open to all interested parties.



FacilitatePro - Evaluate Options

Issue #1: Title 21, Recruitment- Options- Completed

Options. Issue #1: Title 21, Recruitment

The many ways we can improve. What would our organization look like if we dealt with this issue perfectly? What do we need to do NOW to get there?

Instructions

Indicate your level of agreement with each item below by indicating whether you Strongly Agree, Agree, are Neutral, Disagree, or Strongly Disagree with it.

Save and Submit

Cancel

Please evaluate the following items.

	Agreement
- for senior positions or higher, candidates will be selected from employees in the current line of progression	Neutral
- if no qualified bidders within the current LOP's, then proceed to qualified applicants within the current unit positions (63).	
- if no qualified bidders with the current unit then proceed to outside the unit - internal or external of the company	
Blended Title 21 and Posting Process: allow interested employees to state their interest in a future vacancy. Once a vacancy happens, we would work the transfer/bid list. If no qualified transfers or bids, then utilize the current management process including interviews. Union would be involved in the establish decision criteria and selection process.	Neutral
Fill all vacancies as we do today by utilizing the current management process.	Neutral
<p>Comments:</p> <ol style="list-style-type: none"> 1. Union and Company review list of applicants (from within and outside unit) and agree on list of candidates to be interviewed 2. seniority shall prevail when there are two or more closely qualified/ranked candidates. 	
Interested parties receive scratch offs. Whoever has the lucky number gets the job. Another approach is to have fishing contest. Whoever catches and release the most fish gets the job. George [REDACTED]	Neutral
If less than three qualified bidders then job would be open to all interested parties.	Neutral
Blended approach: Allow employees to state their interest for future vacancies. Interview top three qualified candidates. Determining qualified candidates would happen through joint Union/Company panel. If no bidders or less than 3 interested parties, open the process to all interested parties.	Neutral
Blended approach: Allow employees to pre bid jobs. Do joint/company panel resume review on all bidders. If not qualified bids then open to process to all interested parties.	Neutral
Union and Company review list of applicants (from within and outside unit) and agree on list of candidates to be interviewed	Neutral
It is imperative that we define the transfer/bid unit (e.g. own bid unit - CRE or CRE Land.)	Neutral

Save and Submit

Cancel



Results (most to least acceptable)

Issue #1: Title 21, Recruitment- Options- Completed

Options. Issue #1: Title 21, Recruitment

The many ways we can improve. What would our organization look like if we dealt with this issue perfectly? What do we need to do NOW to get there?

[Refresh](#)
[Use My Facilitator Settings](#)
[Finished](#)
[Print](#)
[Tabulate Data](#)

Voting Results

	Agreement		Std Dev	Voters	Graph
It is imperative that we define the transfer/bid unit (e.g. own bid unit - CRE or CRE Land.)		1.3	0.6	11	
Union and Company review list of applicants (from within and outside unit) and agree on list of candidates to be interviewed		0.8	1.0	11	
- for senior positions or higher, candidates will be selected from employees in the current line of progression - if no qualified bidders within the current LOP's, then proceed to qualified applicants within the current unit positions (63). - if no qualified bidders with the current unit then proceed to outside the unit - internal or external of the company		0.7	1.3	11	
Fill all vacancies as we do today by utilizing the current management process. <i>Comments:</i> 1. Union and Company review list of applicants (from within and outside unit) and agree on list of candidates to be interviewed 2. seniority shall prevail when there are two or more closely qualified/ranked candidates.		0.6	1.4	11	
Blended approach: Allow employees to pre bid jobs. Do joint/company panel resume review on all bidders. If not qualified bids then open to process to all interested parties.		0.5	0.8	11	
Interested parties receive scratch offs. Whoever has the lucky number gets the job. Another approach is to have fishing contest. Whoever catches and release the most fish gets the job. George ██████████		0.4	1.5	11	
Blended Title 21 and Posting Process: allow interested employees to state their interest in a future vacancy. Once a vacancy happens, we would work the transfer/bid list. If no qualified transfers or bids, then utilize the current management process including interviews. Union would be involved in the establish decision criteria and selection process.		-0.2	1.1	11	
Blended approach: Allow employees to state their interest for future vacancies. Interview top three qualified candidates. Determining qualified candidates would happen through joint Union/Company panel. If no bidders or less than 3 interested parties, open the process to all interested parties.		-0.5	1.3	11	
If less than three qualified bidders then job would be open to all interested parties.		-0.6	1.6	11	



EMC - eRoom

https://

ABC and involved Commun...

FMCS
Federal Mediation & Conciliation Service

My eRooms > ABC and involved Communities

ABC and involved Communities [edit](#)

an eRoom created on 8 Dec 09

[create](#) [search](#) [events](#) [members](#)

Welcome!

This sample room contains some items that might be used by an efficient committee or problem solving group. This room is totally customizable to include or exclude items of interest.

- Committee's Mission Statement
- Committee Structure
- Committee Membership Directory
- Meeting Groundrules
- Meeting Calendar
- Meeting Record
- Sample Agenda
- Reference Library
- Issue Log, Attachments and Tracker
- Milestones
- Discussions
- Flipcharting
- Are we in agreement?
- Internet Links
- Mediator's Confidential Area
- Recycle Bin

[create](#) [add file](#) [mark read](#) [commands](#)

Announcements [add an announcement](#)

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Presenter:

Kevin Buffington

**Commissioner and
Field Technologies
Administrator**

**Federal Mediation &
Conciliation Service**

kbuffington@fmcs.gov

Questions?



Thank you!



Networked Apps and Web Video

- Early 2000's – Agreement with NLRB for Site-to-Site
 - Late 2000's forward – WebEx
 - Current Apps:
 - Google Hangout*
 - WebEx*
 - Trokt*

Networked Apps and Web Video



trokt

negotiation management

www.trokt.org

Networked Apps and Web Video

- Ad Hoc Meetings
- Working Meetings
- Mediation/Arbitration Sessions

Networked Apps and Web Video

External Barriers:

Discomfort

Trust

DFR

Internal Barriers:

Traditional Practice

Trust

Networked Apps and Web Video

Impact on Model Rules

Self-Determination

Confidentiality

Competence

508 Compliance

Closing Remarks

