



The Alternative Dispute Resolution Academy

Instructors

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EMPLOYMENT LABOR LAW MEDIATION CERTIFICATE COURSE

COURSE OVERVIEW, GUIDELINES, AND SYLLABUS

Purpose of Course:

This online instructor led course is eligible for 4 CEU Credit (IACET Standards), 40 Society of Human Resource Management (SHRM) PDC in addition to the various organization recognizing IACET CEU credits. Students taking the course will be awarded a Certificate of Completion from the Alternative Dispute Resolution Academy.

This Nine-week intensive course is designed to develop students in the Employment Law Mediators Conflict Dispute Resolution venues, Mediation. This course equips participants with knowledge and skills essential to serve as employment mediators. A comprehensive blend of substantive employment law and training in mediation process and skills prepares participants to become qualified mediators for employment disputes.

The program has three (3) Parts. The first four out of nine modules focus on substantive employment and labor laws. The remaining modules focus on meditation practices and related rules and policies. The course ends with practical exercises.

The course consists of seven (7) modules spread over 9 weeks. Students can expect to spend approximately 4.5 hours weekly. The combined hours equal 40 Hours. The course material consists of videos, lectures, quizzes, or assignments.

Textbook: Employment Labor Law, Patrick J. Chihon; James Ottavio Castagnera, 9E, or 2E,
Textbook: ADR In a Nutshell by Patrick Nolen.

Note: I recommend keeping these books as a future reference in your career. I have found them very helpful in preparing for mediation on a subject.

Live classes: It's recommended that students attend the live class discussion sessions. The discussion sessions are designed to. This is to discuss the reading material and to assist our students. If you are not able to attend a session, a recording is made available. It may take 24 hours for a recording to be posted. **Please note that students must attend/conduct a Mock Mediation exercise to demonstrate they have mastered the mediation skills necessary to conduct a mediation conference.**



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1. Course syllabus discussion; **Thursday, March 19, 2020, 5:30 EST.** Please take a moment to complete the student data sheet and return to me.
2. Module 1, 2, Discussion (Tentative)
3. Module 3, 4, Discussion (scheduled)
4. Module 5, 6, Discussion (Tentative)
5. Module 7, 8, Discussion (Scheduled)
6. Mediation Practical exercise and Feedback (TBA) **(Must Attend) unless you can provide proof that you were able to participate in mediation of your own arrangement.**

Learning Objectives:

This course is designed to guide you in the following learning objectives:

1. To understand the roles and different characteristics of federal and state employment laws
2. To understand the sources and evolution of employment law (including discrimination and labor laws);
3. To be aware of employer responsibilities in complying with statutory law and regulations relating to their relationship with their employees (e.g., compliance with wage and hour laws, employee benefit laws, etc.);
4. To recognize the scope of employment law, and how principles of employment law intersect with and impact other areas of the law;
5. Understand the role of Mediation as an Alternative Dispute Resolution venue;
6. Understand the role of the mediator in a mediation conference;
7. Conduct a mediation in accordance with applicable laws and rules (Uniformed Standard Mediation Act);
8. Be able to draft an agreement according to the agreed terms by the parties.

Attendance and Class Participation:

The rules of the International Association for Continuing Education and Training (IACET) require students to complete the course hours to receive full credit and receive a certificate of completion. Students can earn partial credit for the numbers of hours attended. IACET standards; 10 Clock hours = 1 CEU | SHRM- 1 PDU= 60 minutes

Grades:

There are four (4) quizzes for the Employment and Labor Law part of the course. A passing grade is 70%. Students are allowed 3 tries. Should a student be unsuccessful, the instructor will remediate the questions answered incorrectly with the student. You will pass if you complete all modules. **Participant must conduct at least one mock mediation exercise to receive a certificate of completion.**

Mediation Settlement Agreement Memo: Participants will need to submit one (1) example Mediation Settlement Agreement (MSA) during the Alternative Dispute Resolution portion of the course. Students will be assigned a video to watch or may choose to provide an MSA from the mock mediation exercise they have participated in.

Final Exam: The culminating or final exam for this course is the mock mediation exercise demonstrating adherence of the strict ethical mediation standards in addition to the quizzes from module 1-4.



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Communications: The course has several features to communicate directly with the instructors. Each module has a “Ask a question” button or click on the “Contact Instructor” icon or button. Alternatively, I can be reached at gritfeld@adraceu.com.

Course Coverage and Assignments: Unless otherwise instructed, you are responsible for all assigned readings in the syllabus. The syllabus includes when an assignment is due, but depending on the pace of the class discussion, it is only a projection.

Outline:

Welcome message	Week 1
	Instructor’s welcome video
	<u>Consideration for Others in the Workplace- Employment Law (.1 IACET)</u>
Introduction	Week 2
	<u>Employment Mediation Course Outline and Expectation Discussion Webinar March 18, 5:30pm Est.</u>
	Student Course Data Sheet- Complete the student Data Sheet and submit via the module assignment.
Module 1. Employment Law Overview, Title VII of the Civil Rights Act	Week 3
	<u>Module 1. Employment Law Overview, Title VII of the Civil Rights Act</u>
	<u>Reading Assignment Module 1</u>
	<u>Employment Labor Law Mediation Module 1 Quiz</u>
Module 2. Age Discrimination in Employment Act, Americans with Disabilities Act	Week 4
	<u>Module 2. Age Discrimination in Employment Act, Americans with Disabilities Act</u>
	<u>Module 2 Reading Assignment Employment Labor Law Mediation</u>
	<u>Module 2 Quiz Employment Labor Law Mediation</u>
	<u>Module 1 and 2 Live Discussion (April 1, 5:30 Est.</u>
Module 3. Family and Medical Leave Act, Fair Labor Standards Act, Whistleblower discrimination	Week 5
	<u>Module 3. Family and Medical Leave Act, Fair Labor Standards Act, Whistleblower discrimination</u>
	<u>Module 3 Reading Assignment – Family Leave Act, Fair Labor Standards Act and Whistleblower Discrimination</u>
	<u>Module 3 Quiz Employment Labor Law Mediation Course</u>



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Module 4. Introduction to Alternative Dispute Resolution.	Week 6
	<u>Module 4. Introduction to Alternative Dispute Resolution & Negotiations</u>
	Reading Assignment- Textbook: ADR In a Nutshell Chapter 1- <u>Introduction to ADR, Page 1-5</u> Chapter 2- <u>Negotiations, Page 14 - 64</u>
	Module 3 and 4 Live Class Discussion Mar 16, 5:30Est)
Module 5. Mediation process, Uniformed Standard Mediation Act.	Week 7
	<u>Module 5. Mediation Law and Policy.</u>
	Read Chapter Three- Mediation Page 68-101 Appendix R- The Uniformed Mediation Act- Page 471- 481.
Module 6. Drafting the Mediation Agreement.	Week 8
	<u>Module 6. Drafting the Mediation Agreement. Read; Chapter 3, Enforceability, Page 130-144</u>
	Watch Mock Mediation Video; Draft and submit a Mediation Settlement Agreement for feedback
	Live Class Discussion - Module 5 and 6. Role Play Online (April 29, 5:30pm Est.)
Module 7. Practical Exercises.	Week 9
	<u>Module 7. Practical Exercises (Must Attend to receive full credit and a Certificate of Completion</u>
	Graduation Certificate of Completion Issued