



The Alternative Dispute Resolution Academy

Instructors:

Carol Galloway, Esq.
Guno Ritfeld, JD.

EMPLOYMENT LABOR LAW MEDIATION CERTIFICATE COURSE – Update October 2020

COURSE OVERVIEW, GUIDELINES, AND SYLLABUS

Purpose of Course:

This online course is eligible for 4 CEU Credit (IACET Standards). 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 / Labor Law Mediators - Conflict Dispute Resolution venue Mediation. This course equips participants with knowledge and skills essential to serve as employment mediators. A comprehensive blend of substantive employment / labor law and training in the 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.

Textbook: Employment Labor Law, Patrick J, Chihon; James Ottavio Castagnera, 9E,

Textbook: ADR In a Nutshell by Patrick Nolen.

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.

1. Course syllabus discussion; Thursday, October 15, (4 pm - 6pm) Est.
2. Module 1, 2, Discussion; Thursday, Oct 29 (4pm - 6pm) Est.
3. Module 3, 4, Discussion; Thursday, Nov 12 (4 pm - 6 pm) Est.
4. Module 5, 6, Discussion: Thursday, Nov 19 (4 pm - 6 pm, Est.)
5. Module 7, 8, Discussion: Thursday, Nov 26 (4 pm - 6 pm, Est.)
6. Mediation Practical exercise and Feedback (TBA) **(Must Attend) unless you can provide proof that you were able to participate in mediation of you own arrangement.**



The Alternative Dispute Resolution Academy

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. Understand how employment and labor laws relates to employees' interest and rights in the organization.
5. Understand the obligations and responsibilities of labor unions and employers
6. To recognize the scope of employment law, and how principles of employment law intersect with and impact other areas of the law;
7. Understand the role of mediation as an Alternative Dispute Resolution venue;
8. Understand the role of the mediator in a mediation conference;
9. Conduct a mediation in accordance with applicable laws and rules (Uniformed Standard Mediation Act);
10. 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) requires 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 a four (4) quiz 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.** Participants must conduct at least one mock mediation exercise to receive a certificate of completion. The practical exercise is a pass or fail.

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.

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, by email.



The Alternative Dispute Resolution Academy

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
Introduction	
	<u>Employment Mediation Course Outline and Expectation Discussion Webinar</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 2
	<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 3
	<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.</u>
Module 3. Family and Medical Leave Act, Fair Labor Standards Act, Whistleblower discrimination	Week 4
	<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>
Module 4. Introduction to Alternative Dispute Resolution.	Week 5
	<u>Module 4. Introduction to Alternative Dispute Resolution & Negotiations</u>
	Reading Assignment- Textbook: ADR In a Nutshell Chapter 1- Introduction to ADR, Page 1-5 <u>Chapter 2- Negotiations, Page 14 - 64</u>



The Alternative Dispute Resolution Academy

	Module 3 and 4 Live Class Discussion
Module 5. Mediation process, Uniformed Standard Mediation Act.	Week 6
	<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 7
	<u>Module 6. Drafting the Mediation Agreement.</u> <u>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
Module 7. Practical Exercises.	Week 8
	<u>Module 7. Practical Exercises (Must Attend to receive full credit and a Certificate of Completion</u>
Week 9	Graduation Certificate of Completion Issued