

Mediation FAQ

What is mediation?

Mediation is a bargaining tool that includes a third party facilitating discussions, separately, with each party (GWC-UAW and Columbia University) in order to attempt to resolve outstanding differences and reach an agreement. Both parties need to agree to enter mediation and which mediator to use.

Who is our mediator?

Both parties agreed to use a mediator assigned by the Federal Mediation and Conciliation Services, Andrea Cancer. She had a long relationship with the SEIU, including time as a shop steward, before her role at FCMS.

What can we expect from mediation?

It's hard to say what we can definitively expect. Our hope is that the mediator will help facilitate reaching an agreement, but we will have to assess the process of mediation in the coming days.

Is mediation legally binding?

No. The discussions that are had in mediation are not legally binding until parties meet and present proposals to each other. This is why it can be a useful strategic tool; it allows the mediator to explore both sides' positions and share potential paths forward without binding each party to any decisions. Furthermore, the discussions with the mediator are confidential, and the mediator will not outright reveal each side's position to the other party. Instead, they will listen to each position and explore possible paths to agreement.

What happens when mediation is over?

This depends greatly on the result of mediation, and there are a variety of paths forward depending on the outcome. We will have to approach this question with greater detail as we continue mediation sessions.

How does mediation work logistically? Is mediation open for unit members to attend?

FMCS mediators use their own virtual platform. This enables the mediator to put the parties (CU and GWC) in separate virtual rooms, which they will go in between to have discussions with each party. It also enables them to bring the parties together in the same room, as needed.

Mediation can be open and the mediator we will be working with expressed familiarity with this format. However, the platform that is used by FMCS is capped at 100 participants, which includes both bargaining teams.

What are the rules of conduct for mediation?

We ask that workers remain muted and keep their cameras off to minimize any disruption in mediation. Please note that the chat is visible to the mediator at all times.