



# New Mexico State Personnel Office

2600 Cerrillos Road  
Santa Fe, New Mexico 87505-0127

## Classification Description

### ARBITRATORS, MEDIATORS, AND CONCILIATORS

<u>Class Title</u>	<u>Class Code</u>	<u>Pay Band</u>	<u>Alt Pay Band*</u>
Arbitrators, Mediators, and Conciliators-B	H1022B	55	
Arbitrators, Mediators, and Conciliators-O	H1022O	60	
Arbitrators, Mediators, and Conciliators-A	H1022A	65	

*\*In accordance with SPB Rule 1.7.4.10 NMAC, the assignment to alternative pay bands shall be reviewed annually to determine their appropriateness.*

#### Occupation Description

Facilitate negotiation and conflict resolution through dialogue. Resolve conflicts outside of the court system by mutual consent of parties involved.

#### Nature of Work

Arbitrators, mediators, or conciliators assist with alternative dispute resolution a collection of processes used to settle disputes outside of court. All hearings are private and confidential, and the processes are less formal than a court trial. If no settlement is reached, no statements made during the proceedings are admissible as evidence in any subsequent litigation. In arbitration, parties identify, in advance, the issues to be resolved, the scope of the relief to be awarded, and many of the procedural aspects of the process.

Mediators are neutral parties who help people to resolve their disputes outside of court. Parties to a dispute often use mediators when they wish to preserve their relationship. A mediator may offer suggestions, but resolution of the dispute rests with the parties themselves. Mediation proceedings also are confidential and private. If the parties are unable to reach a settlement, they are free to pursue other options. The parties usually decide in advance how they will share the cost of mediation. However, many mediators volunteer their services, or they may be court staff. Courts ask that mediators provide their services at the lowest possible rate and that the parties split the cost.

Conciliation, or facilitation, is similar to mediation. The conciliator's role is to guide the parties to a settlement. The parties must decide in advance whether they will be bound by the conciliator's recommendations.

#### Distinguishing Characteristics of Levels

*Note: Examples of Work are intended to be cumulative for each progressively higher level of work. The omission of specific statements does not preclude management from assigning other duties which are reasonably within the scope of the duties.*

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### Basic

- Employees in this Role assist in the dispute resolution process defined by federal and state statutes and provide statewide dispute resolution assistance, training, and support within standardized work procedures.

### Recommended Education and Experience for Full Performance

Associates Degree in Public Administration, Business Administration, Social Services or Political Science and four (4) years of work experience using mediations techniques or dispute resolution methods.

### Minimum Qualifications

High School diploma or GED and two (2) years of relevant experience using mediations techniques and/or dispute resolution methods.

### Operational

- Employees in this Role participate in the dispute resolution process defined by federal and state statutes and provide statewide dispute resolution assistance, training, and support.
- Employees mediate with multidisciplinary team and concerned parties to resolve disputes.
- Employees independently schedule, mediate, and may produce dispute settlement agreements.

### Recommended Education and Experience for Full Performance\*

Bachelor's degree in Public Administration, Business Administration, Social Services or Political Science and two (2) years work experience using mediations techniques or dispute resolution methods.

### Minimum Qualifications

Associate's Degree in Public Administration, Business Administration, Social Services or Political Science and two (2) years work experience using mediations techniques and/or dispute resolution methods. Any combination of education from an accredited college or university in a related field and/or direct experience in this occupation totaling four (4) years may substitute for the required education and experience.

### Advanced

- Employees in this Role ensure compliance with applicable federal and state statutes and agency policies and procedures.
- Employees mediate with and oversee resolution process unit.
- Employees give final approval of all mediated settlements and/or amendments submitted by mediators.

### Recommended Education and Experience for Full Performance

Bachelor's degree in Public Administration, Business Administration, Social Services or Political Science and four (4) years work experience using mediations techniques or dispute resolution methods.

### Minimum Qualifications

Bachelor's degree Public Administration, Business Administration, Social Services or Political Science and two (2) years work experience using mediations techniques and/or dispute resolution methods. Any combination of education from an accredited college or university in a

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related field and/or direct experience in this occupation totaling six (6) years may substitute for the required education and experience.

### Knowledge and Skills

*Note: This information has been produced by compiling information and documentation provided by O\*NET. O\*NET™ is a trademark of the U.S. Department of Labor, Employment and Training Administration.*

### Knowledge

**English Language** — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.

**Law and Government** — Knowledge of laws, legal codes, court procedures, precedents, government regulations, executive orders, agency rules, and the democratic political process.

**Customer and Personal Service** — Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.

**Personnel and Human Resources** — Knowledge of principles and procedures for personnel recruitment, selection, training, compensation and benefits, labor relations and negotiation, and personnel information systems.

**Sociology and Anthropology** — Knowledge of group behavior and dynamics, societal trends and influences, human migrations, ethnicity, cultures and their history and origins.

**Psychology** — Knowledge of human behavior and performance; individual differences in ability, personality, and interests; learning and motivation; psychological research methods; and the assessment and treatment of behavioral and affective disorders.

**Administration and Management** — Knowledge of business and management principles involved in strategic planning, resource allocation, human resources modeling, leadership technique, production methods, and coordination of people and resources.

**Education and Training** — Knowledge of principles and methods for curriculum and training design, teaching and instruction for individuals and groups, and the measurement of training effects.

**Clerical** — Knowledge of administrative and clerical procedures and systems such as word processing, managing files and records, stenography and transcription, designing forms, and other office procedures and terminology.

**Mathematics** — Knowledge of arithmetic, algebra, geometry, calculus, statistics, and their applications.

### Skills

**Negotiation** — Bringing others together and trying to reconcile differences.

**Active Listening** — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.

**Speaking** — Talking to others to convey information effectively.

**Critical Thinking** — Using logic and reasoning to identify the strengths and weaknesses of

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alternative solutions, conclusions or approaches to problems.

**Reading Comprehension** — Understanding written sentences and paragraphs in work related documents.

**Judgment and Decision Making** — Considering the relative costs and benefits of potential actions to choose the most appropriate one.

**Persuasion** — Persuading others to change their minds or behavior.

**Social Perceptiveness** — Being aware of others' reactions and understanding why they react as they do.

**Writing** — Communicating effectively in writing as appropriate for the needs of the audience.

**Active Learning** — Understanding the implications of new information for both current and future problem-solving and decision-making.

**Statutory Requirements:** N/A

**Conditions of Employment:** Working Conditions for individual positions in this classification will vary based on each *agency's utilization, essential functions, and the recruitment needs* at the time a vacancy is posted. All requirements are subject to possible modification to reasonably accommodate individuals with disabilities.

**Default FLSA Status:** Non-Exempt. FLSA status may be determined to be different at the agency level based on the agency's utilization of the position.

**Bargaining Unit:** This position may be covered by a collective bargaining agreement and all terms/conditions of that agreement apply and must be adhered to.

**Established:** 07/07/2001

**Revised:** 9/20/2011

*\*Adapted from the United States Bureau of Labor Statistics and are intended to illustrate the typical education and experience required for this occupation.*

*Note: Classification description subject to change. Please refer to the SPO website [www.spo.state.nm.us](http://www.spo.state.nm.us) to ensure this represents the most current copy of the description.*