

Kansas Administrative Regulations

Public Employee Relations Board

Article 2.—Procedure

84-2-14. Mediation and fact-finding.

(a) Mediator.

(1) Any information disclosed to the mediator in the performance of his duties shall not be divulged unless approved by all parties involved. All files, records, reports, documents, or other papers received or prepared by the mediator shall be classified as confidential and not as a public record. Such matters shall not be disclosed to anyone without the prior consent of the board and all parties involved.

(2) The mediator shall not produce any confidential records or testimony with regard to any mediation conducted by the mediator on behalf of the party to any case pending in any proceeding before any court, board, investigatory body, arbitrator, or fact-finder without the written consent of the board and the party furnishing such information.

(b) Mediation meetings.

(1) The mediator may hold separate or joint meetings with the parties or their representatives, and such meetings shall not be open to the public. Such meetings shall be conducted at such times and places agreed to by the mediator and the parties.

(2) The mediator shall, either orally or in writing, report the status of his mediation efforts.

(3) The mediator shall report in writing the final settlement of the dispute to the board.

(c) Fact-finding.

(1) Any person, broadly representative of the public, who has been selected by the board or its designee for listing on a register of fact-finders, may act as a fact-finder.

(2) The public employers and employee organizations may submit in writing, from time to time, the names of their proposed fact-finders to the board or its designee.

(Authorized by and implementing K.S.A. 75-4323(d)(4), 75-4327(c), (d), (e); 75-4332(b), (c), (d), (e); 75-4334(a); effective, E-72-29, Sept. 29, 1972; effective Jan. 1, 1973; amended May 1, 1975; amended July 30, 1990.)

***** Authenticated Kansas Administrative Regulation *****