

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board
Pennsylvania Bureau of Mediation

From: Warren R. Mowery, Jr., Chief Counsel
Nathan Bortner, Secretary
Eric Sanoba, Director

Date: May 1, 2024

RE: Conciliation and Pre-Hearing settlement conferences in
charge cases filed with the PLRB

Currently, the Pennsylvania Labor Relations Board (Board) utilizes a roster of individuals as non-procurement vendors to provide conciliation and pre-hearing settlement conferences at an hourly rate. With the cooperation of the Pennsylvania Bureau of Mediation (Bureau), the Board has arranged a PILOT program to utilize employees of the Bureau to assist with conciliation and pre-hearing settlement conferences for certain unfair practice charges filed with the Board. The Board will continue to use and assign vendors for conciliation and pre-hearing settlement conference in charges which, at the discretion of the Board, may not be suitable for conciliation or settlement discussions with the Bureau.

Through this cooperative effort, certain unfair practice charges filed with the Board that involve allegations of bargaining violations may, at the discretion of the Board, be assigned for conciliation or pre-hearing settlement discussions to the Bureau of Mediation. Once a case is assigned by the Board to the Bureau, an employee of the Bureau will reach out to the parties to inquire of the possibility of settlement of the charge of unfair practices, and whether the parties would desire scheduling a conciliation or pre-hearing settlement conference. If a conciliation or pre-hearing settlement conference of an unfair practice charge is held with an employee of the Bureau, under the Board's practices and procedures such discussions remain confidential and privileged by the Board. See Pass v. Department of Labor and Industry, AP 2016-1812 (OOR, November 28, 2016).

This cooperative effort to facilitate conciliation and pre-hearing settlement conferences in certain unfair practice charges is a cooperative PILOT Program and will be reviewed by the Board and the Bureau over the next six (6) months to assess the efficacy and sustainability for both the Board and the Bureau.