

COMMERCIAL MEDIATION WITH THE PUBLIC SECTOR

POST-CONFERENCE PUBLICATION | 2020



EFFECTIVENESS OF THE MEDIATION PROCESS

Since 2017, new legislative solutions have been in place to facilitate mediation between the private and public sectors. Clear criteria for the conclusion of agreements between the parties have enabled officials to resort more often to out-of-court settlement of disputes. This is all the more important as an increasing number of public tasks are delegated to the private sector in the form of competitions and tenders, which generate additional litigation points between the parties. After more than 2 years with the new legislation in place, it is time to take stock of the experience to date.

The conference was held in the first half of 2020 under the honorary patronage of the President of the General Prosecutor's Office of the Republic of Poland, Mr. Mariusz Haladyj

with the participation of:

Michał Olszewski, Deputy Mayor, City of Warsaw, Tomasz Zachowski, acting General Director for National Roads and Motorways, Andrzej Adamczyk, Minister of Infrastructure, Lilianna Bogusz, Director of the PPP Department, Ministry of Development, Zbigniew Wrona, acting Director, Department of Legal Affairs, Supreme Chamber of Control and Hubert Nowak, President of the Public Procurement Office.

This publication is a summary of the conversation between the public party, both at the central and local government level, entrepreneurs, as well as the control authorities supervising the validity of mediation decisions. Thanks to this dialogue, we have managed to develop a legislative landscape for dispute resolution and prepare recommendations for both sides of the process.

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Public Sector Mediation

Diane L. Ramos



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Mediation in Public Sector Labor-management Disputes United States. Federal Mediation and Conciliation Service, 1977

Pocket Guide to Public Sector Mediation in California Gerald Fecher, 2012

The Process of Divorce Kenneth Kressel, 1997-06 This informative book written in lively language analyzes extensive material from in depth studies of divorce professionals and their clients and uses vivid real life examples to describe what facilitates or blocks successful settlements

Mediation Diane L. Ramos, 1993

The Federal Mediation and Conciliation Service Should Strive to Avoid Mediating Minor Disputes United States. General Accounting Office, 1980

Monthly Labor Review United States. Bureau of Labor Statistics, 1976 Publishes in depth articles on labor subjects current labor statistics information about current labor contracts and book reviews

Report Michigan. Dept. of Labor, 1965

Departments of Labor, Health and Human Services, Education, and Related Agencies, Appropriations for Fiscal Year 1982 United States. Congress. Senate. Committee on Appropriations. Subcommittee on Departments of Labor, Health and Human Services, Education, and Related Agencies, 1981

Electronic Government Maria A. Wimmer, Jean-Loup Chappelet, Marijn Janssen, Hans Jochen Scholl, 2010-08-19 For almost a decade the International Federation for Information Processing Working Group 8 5 Information Systems in Public Administration or IFIP WG 8 5 has organized the EGOV series of conferences which has solidly tablished itself as one of three core conferences in the research domain of e Government e Governance and e Participation Until last year EGOV was hosted within the DEXA cluster of conferences For the rst time in 2010 the IFIP WG 8 5 organized the conference on its own which was also re ected in the slight name change to IFIP EGOV 2010 Like its predecessors the IFIP EGOV 2010 conference attracted scholars from around the world as a venue of high reputation In 2010 the conference brought together scholars and practitioners from four continents and 40 countries Like in 2009 IFIP EGOV was co located with ePart the International Conference on eParticipation ePart aims at presenting advances in both social and technological scientific domains seeking to demonstrate new concepts methods and styles of eParticipation ePart is closely aligned with the IFIP EGOV conference The chairs of both conferences maintain close links and are committed to co locating the two events in the years to come which intentionally allows for exchange and cross fertilization between the two communities

AAA Handbook on Construction Arbitration and ADR - Second Edition American Arbitration Association, 2010-10-01 Assembled from *Dispute Resolution Journal* the flagship publication of the American Arbitration

Association the chapters in the Handbook have all where necessary been revised and updated prior to publication The book is succinct comprehensive and a practical introduction to the use of arbitration and ADR written by leading practitioners and scholars The Handbook begins with chapters on specific strategies and tools to help manage risks and avoid disputes in the construction field It discusses ADR as it relates to subcontracting and labor disputes the use of a neutral architect the importance of site visits and the significance of understanding ADR procedures before agreeing to them The option of using mediation to resolve disputes is explored including guidelines and tools for successful mediation the expert s role in construction mediation and what works and what doesn t work in construction disputes The use of arbitration is also looked at in depth and guidance is provided for both the arbitrator and for the advocate There is an entire section devoted to partnering the creation of a working relationship between a building owner and a contractor which further involves subcontractors design professionals and other agencies discussing its benefits and providing useful tips Lastly advice is provided for both small and complex construction claims and the use of Dispute Review Boards comprising panels of three technically qualified neutral individuals The chapters were selected from an extensive body of writings and in the main represent world class assessments of arbitration and ADR practice All the major facets of the field are addressed and provide the reader with comprehensive and accurate information lucid evaluations and an indication of future developments They not only acquaint but also ground the reader in the field

ADR and the Law - 21st Edition ,2007-03 ADR the Law is the flagship publication of the American Arbitration Association AAA It is a one stop reference for attorneys business executives scholars and anyone who needs to track worldwide developments in alternative dispute resolution Each consecutive volume presents a review of the year s most influential domestic and international ADR case law and legislation along with expert commentary The book includes significant court decisions analysis of current trends highlights of important domestic and foreign legislation and new ADR rules and procedures Each volume is an essential addition to a professional library Each Volume Contains Significant Decisions by Federal and State Courts Articles on Such Topics as Employment Labor Mediation Judicial Review Domestic Alternative Dispute Resolution Legislation Significant Decisions by U S Courts Concerning International Alternative Dispute Resolution International Alternative Dispute Resolution Developments International Arbitration in Specific Countries

Departments of Labor, Health and Human Services, Education, and related agencies appropriations for fiscal year 1987 United States. Congress. Senate. Committee on Appropriations. Subcommittee on Departments of Labor, Health and Human Services, Education, and Related Agencies,1986

Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations for 1982 United States. Congress. House. Committee on Appropriations. Subcommittee on the Departments of Labor, Health and Human Services, Education, and Related Agencies,1981

Labor Relations in a Globalizing World Harry C. Katz,Thomas A. Kochan,Alexander J. S. Colvin,2015-06-04 Compelled by the extent to which globalization has changed the nature of labor relations Harry C Katz

Thomas A Kochan and Alexander J S Colvin give us the first textbook to focus on the workplace outcomes of the production of goods and services in emerging countries In *Labor Relations in a Globalizing World* they draw lessons from the United States and other advanced industrial countries to provide a menu of options for management labor and government leaders in emerging countries They include discussions based in countries such as China Brazil India and South Africa which given the advanced levels of economic development they have already achieved are often described as transitional because the labor relations practices and procedures used in those countries are still in a state of flux Katz Kochan and Colvin analyze how labor relations functions in emerging countries in a manner that is useful to practitioners policymakers and academics They take account of the fact that labor relations are much more politicized in emerging countries than in advanced industrialized countries They also address the traditional role played by state dominated unions in emerging countries and the recent increased importance of independent unions that have emerged as alternatives These independent unions tend to promote firm or workplace level collective bargaining in contrast to the more traditional top down systems Katz Kochan and Colvin explain how multinational corporations nongovernmental organizations and other groups that act across national borders increasingly influence work and employment outcomes Catalog of Federal Programs for Individual and Community Improvement ,1998

Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations for 1990 United States. Congress. House. Committee on Appropriations. Subcommittee on the Departments of Labor, Health and Human Services, Education, and Related Agencies,1989 **Departments of Labor and Health, Education, and Welfare Appropriations for 1975** United States. Congress. House. Committee on Appropriations. Subcommittee on Departments of Labor, and Health, Education, and Welfare, and Related Agencies,1974 *Sourcebook, Federal Agency Use of Alternative Means of Dispute Resolution* Marguerite S. Millhauser,1987

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